

HONOLULU POLICE DEPARTMENT

POLICY LAW ENFORCEMENT OPERATIONS

July 1, 2016

Policy Number 4.18

ABUSE OF FAMILY OR HOUSEHOLD MEMBERS

POLICY

The Honolulu Police Department (HPD) is committed to enforcing all state laws, city ordinances, and rules and regulations concerning crimes related to family violence. The department's purposes are the following:

- A. To respond appropriately to incidents of domestic violence and prevent further harm to affected family and household members;
- B. To conduct thorough investigations to determine if reasonable grounds exist to facilitate the arrest of the dominant aggressor in domestic violence crimes;
- C. To protect family and household members from subsequent domestic violence through support and education. This will be done through collaboration with community stakeholders and social service providers; and
- D. To promote the safety of our officers by ensuring that they are trained and prepared to respond to and effectively handle domestic violence calls for service.

PROCEDURE

I. DEFINITIONS

Complainant: The family or household member who has been identified as the victim of domestic violence and not necessarily the caller. Officers should refrain from using the term "victim" and should instead use the term "complainant" in their reports and statements.

Consanguinity: A kinship characterized by the sharing of common ancestors or being related by blood.

Dating relationship: A romantic, courtship, or engagement relationship often, but not necessarily, characterized by actions of an intimate or sexual nature but does not include a casual acquaintanceship or ordinary fraternization between persons in a business or social context.

Domestic abuse/violence: Includes (but is not limited to) physical harm, bodily injury, assault, or the threat of imminent physical harm, bodily injury, or assault; extreme psychological abuse or malicious property damage between family or household members; or any act which would constitute an offense under Section 709-906 or under Parts V and VI of Chapter 707, Hawaii Revised Statutes (HRS), committed against a minor family or household member by an adult family or household member.

Dominant aggressor: The person determined to be the principal or most significant, but not necessarily the first, aggressor in a domestic violence altercation.

Extreme psychological abuse: An intentional or knowing course of conduct directed at an individual that seriously alarms or disturbs and consistently or continually bothers the individual and that serves no legitimate purpose; provided that such course of conduct would cause a reasonable person to suffer extreme emotional distress.

Family or household member: Spouses or reciprocal beneficiaries, former spouses or former reciprocal beneficiaries, persons in a dating relationship as defined under Section 586-1, HRS, persons who have a child in common, parents, children, persons related by consanguinity, persons jointly residing or formerly residing in the same dwelling unit, and persons who have or have had a dating relationship.

Malicious property damage: An intentional or knowing damage to the property of another, without his or her consent, with an intent to thereby cause emotional distress.

Reciprocal beneficiaries: Two adults who, through registration with the state, are eligible to receive many of the same benefits that have previously only been afforded to married couples. These relationships are similar to registered domestic partnerships (i.e., same sex marriage).

Strangulation: Incidents where the physical abuse consists of intentionally or knowingly impeding the normal breathing or circulation of the blood of the family or household member by applying pressure on the throat or the neck. The term "choking" should not be used as it refers to an obstruction in the airway.

II. STATUTE

In general, Section 709-906, HRS, makes it unlawful for anyone to physically abuse a family or household member or to refuse to comply with the lawful order of a police officer to leave the premises and to initiate no contact with the victim during a cooling-off period. An officer may arrest a person if the officer has reasonable grounds to believe that the person has physically abused a family or household member or if the person fails to comply with the officer's lawful order to leave the premises and to initiate no contact with the victim during a cooling-off period. Written reports are required in all cases. Refer to the statute for specifics and further information.

III. ABUSE INVESTIGATIONS

Domestic violence calls for service are extremely dangerous and volatile so it is imperative that the departmental response be done expeditiously while maintaining officer safety. The investigation of these cases is complex and requires an educated, sensitive approach. These procedures govern cases involving domestic violence and, more specifically, abuse of family or household members.

A. Communications Division

1. Abuse of Family or Household Member calls shall be given the same priority as other life-threatening incidents. At least two officers shall be dispatched to the scene.
2. Domestic violence-related calls for service will often be frantic and difficult to deal with. Dispatchers should remain professional and attempt to calm the caller while obtaining information that will assist officers to respond as safely and prepared as possible.

3. During the initial call, the dispatcher shall attempt to obtain pertinent information, including (but not limited to) the following:
 - a. The location of the incident;
 - b. Synopsis of what has taken place and if it is domestic violence related;
 - c. Injuries and need for medical assistance;
 - d. Names of parties involved (including the caller, complainant, and offender);
 - e. Location of offender;
 - f. Type and location of weapons in the area or any other hazards for responders, including associates of the offender;
 - g. Signs of substance or alcohol abuse;
 - h. Presence of children or witnesses; and
 - i. Existence of a current restraining or protective order.
4. Checks should be made using the information obtained to determine prior calls for service at the location and/or for the parties involved, current orders for protection, outstanding warrants, and if the offender has any prior arrests for domestic violence history.
5. The information obtained should be relayed to the responding officers as soon as practicable.

B. Patrol Officers

1. Response

Knowing the dynamics of domestic violence and Abuse of Family or Household Member cases, officers must respond appropriately to ensure their safety and the safety of those involved. When dispatched, two officers shall respond. Responding officers must be cognizant of their surroundings and potential hazards as the crime scene may still be dynamic.

2. Scene Safety

Upon arrival, the priority of officers is to make the scene safe. Though situations can differ, below are general guidelines:

- a. If the altercation is ongoing, officers should intervene and control the parties involved;
- b. Separate all parties involved to reduce potential agitation and influence of their statements; and
- c. Assess injuries of those involved and provide appropriate treatment.

3. Dominant Aggressor

If opposing complaints are received from two or more persons, the officer shall evaluate each complaint separately to determine the dominant aggressor by considering:

- a. Prior complaints of domestic violence;
- b. The relative severity of the injuries suffered by each person;
- c. The likelihood of future injury to each person; and
- d. Whether either person acted in self-defense.

If officers have difficulty determining a dominant aggressor, they shall confer with a supervisor with the facts and circumstances of the incident. The supervisor shall make the determination.

4. Statements

The investigating officer shall make reasonable efforts to obtain statements from the complainant as well as any witnesses.

- a. Each party shall be interviewed separately using supportive interview techniques. Children should be interviewed in a manner appropriate to their age.

- b. The officer shall make reasonable attempts to have the complainant and witnesses complete and submit their written statements on an HPD Statement Form, HPD-252.
- c. If complainants or witnesses are unable to complete the form themselves, the officer shall prepare it for their review and signature.
- d. If the complainant is only willing to provide a verbal statement, the officer shall request to have another officer present to witness the verbal statement.
- e. If no HPD-252 form or witnessed verbal statement is obtained, the officer shall state the reasons in his or her report.
- f. Initial statements are particularly critical in domestic violence cases as complainants may become reluctant to provide additional information to detectives or prosecutors. Responding officers should include the following:
 - (1) The date, time, and location that the incident occurred;
 - (2) The identification and description of the offender;
 - (3) An account of transpiring events, including what started the incident;
 - (4) A description of any weapon;
 - (5) The complainant's injuries and if the complainant felt pain (include treatment or refusal of treatment); and
 - (6) The offender's possible location and known hangouts if the offender is not present.

5. Domestic Violence Supplemental Forms

- a. Officers shall use the HPD domestic violence supplemental forms (HPD-DV1, HPD-DV2, and HPD-DV3) for all cases of domestic violence, domestic violence-related crimes, abuse, and suspected abuse.
- b. These forms provide general questions and information that are helpful for prosecution. The HPD-DV1 and HPD-DV2 forms shall be completed by the officer. The HPD-DV3 form should be treated like an HPD-252 form. It is preferable for the complainant to complete the HPD-DV3 form but may require the officer to prepare it for the complainant's review and signature.

6. Physician's Report

- a. An officer responding to the hospital for a complainant's injuries shall make reasonable attempts to have the complainant sign and the treating physician complete the HPD Physician's Report, HPD-13 form.
- b. If the treating physician is unavailable, the officer shall leave the HPD-13 form with an authorized representative of the medical facility and provide instructions to notify dispatch upon completion for pick up. The officer shall document in the report the name of the representative and treating physician and the date and time the form was given.

7. Crime Scene Processing

- a. The investigating officer shall take color photographs of the scene, injuries, and property damage. If the officer does not have a camera, the officer shall make reasonable attempts to obtain one. If the victim has been transported to a medical facility and is not at the scene, the follow-up officer at the medical facility shall take photographs of the injuries. Photographs taken must be recorded onto a Compact Disc-Recordable and submitted to the Scientific Investigation Section's Photo Lab.
- b. If photographs are not taken, officers shall notify their supervisors and document in their reports the reason(s) photographs were not taken.

8. Lethality Assessment Program (LAP)

The LAP is an intervention process that assists officers in providing appropriate services and assistance to those affected by domestic violence. The program requires officers to use an evidence-based lethality screening tool, the HPD-DV-LAP form. The outcome of the screening will indicate if officers will provide additional services described in the subsequent sections below.

a. Lethality Assessment Screening Procedures

Officers shall initiate lethality assessment screening with an HPD-DV-LAP form when an intimate partner relationship is involved and any of the following exists:

- (1) The officer has reason to believe that an assault or other act of violence has occurred;
- (2) While investigating a domestic argument, the officer believes there is a high probability for danger occurring after the officer leaves;
- (3) The officer knows there is an ongoing history of violence between the parties involved; or

- (4) The officer instinctively feels that the assessment should be administered.

b. Using the HPD-DV-LAP Form

- (1) Prior to reading the form, the officer shall explain to the participant that several questions will be asked to better understand the person's current situation. The questions shall be read verbatim in the order listed on the form.
- (2) As described on the form, a "yes" response to question 1, 2, or 3 shall trigger the protocol for referral. Any four "yes" responses to questions 4 through 11 shall also trigger the protocol for referral.
- (3) The protocol for referral shall include contacting the Child and Family Service's 24-hour hotline. Officers shall identify themselves to the call taker and answer the intake questions. Officers shall then ask the participant (complainant) to speak with the call taker and, upon consent, hand the telephone to the person.
- (4) Officers should use a departmental telephone. The last resort option would be to use the participant's telephone. Whichever telephone is used, the officer should remain at the scene throughout the entire call.
- (5) When reasonable attempts to contact the 24-hour hotline are made without success, the officer shall document the circumstances in his or her report.
- (6) In situations where the lethality assessment does not trigger the protocol for referral, the results will still need to be documented and the HPD-DV-LAP form shall be submitted as described in section c below.

c. Documentation of the Assessment

The completed HPD-DV-LAP form shall be included with the officer's report and submitted in accordance with Policy 8.06, POLICE REPORTS.

9. Follow-Up by Patrol

- a. If the offender is not present, the officer shall attempt to obtain information about the offender's possible whereabouts from the complainant and witnesses and initiate follow-up checks.
- b. The officer's report shall include the following information as is available: types of follow-ups requested, names of the follow-up officers, and results of the follow-up checks.

10. Follow-Up Investigation

- a. The Domestic Violence Detail of the Criminal Investigation Division (CID) shall be responsible for monitoring the progress and disposition of all open Abuse of Family or Household Member cases.
- b. Misdemeanor Abuse of a Family or Household Member cases in which there was no arrest shall be forwarded immediately to the CID's Domestic Violence or Child Abuse Details for monitoring.
- c. All felony domestic violence cases shall also be forwarded to the CID's Domestic Violence or Child Abuse Details for investigation.

11. Written Reports

Officers shall prepare written reports for all incidents involving abusive relationships, including:

- a. Incidents where abuse can be substantiated;

- b. Incidents where abuse cannot be substantiated but can only be inferred, such as:
 - (1) A third party suspects abuse; and
 - (2) An officer suspects that abuse occurred but has insufficient grounds to classify the case as Abuse of Family or Household Member; or
- c. Arguments between parties who fall under the definition of family or household members.

Unsubstantiated abuse cases shall be closed as a matter of record with one exception.

The exception is that all unsubstantiated abuse cases involving victims under the age of 18 (including those cases related to discipline) shall be left open pending investigation by the CID. A copy of each case shall be forwarded to the division's Child Abuse Detail.

Except for arguments, all other cases of abuse, suspected abuse, or domestic violence-related crimes shall include the domestic violence supplemental forms (HPD-DV1, HPD-DV2, and HPD-DV3) and the HPD-DV-LAP form, only if applicable.

12. MH-1 Related Cases

- a. Officers shall be guided by Policy 4.22, MH-1: APPLICATION FOR EMERGENCY EXAMINATION AND HOSPITALIZATION, if there are indications that offenders arrested for Abuse of Family or Household Members should be hospitalized. The Abuse of a Family or Household Member case shall still be completed in accordance with the guidelines of this policy.
- b. When an arrestee is hospitalized, the report (including copies of all reports, statements, and domestic violence supplemental forms [i.e., HPD-DV1, HPD-DV2, and HPD-DV3]) shall be referred to the Victim/Witness Assistance Division, Department of the Prosecuting Attorney.

13. Arrest

An officer shall arrest an offender for Abuse of Family or Household Member whenever the offender is at the scene and one or more of the following elements are present:

- a. The officer witnesses the act of abuse in person and determines that the offender is the dominant aggressor;
- b. The complainant has visible injuries and the identity of the offender can be determined;
- c. The complainant complains of pain and gives a written statement, via the HPD-252 form, to the officer;
- d. The complainant complains of pain and gives a verbal statement that is witnessed and documented by two or more officers;
- e. The offender refuses to comply with the officer's lawful order to leave the premises after being issued an Abuse of Family or Household Member Warning Citation;
- f. The offender returns to the premises before the expiration of the Abuse of Family or Household Member Warning Citation as required by Sections 709-906 (4) (b) and (c), HRS; or
- g. The offender initiates contact with the complainant, either by telephone or in person, before the expiration of the Abuse of Family or Household Member Warning Citation as required by Sections 709-906 (4) (b) and (c), HRS.

14. Dual Arrest

- a. Officers shall make reasonable efforts to determine a dominant aggressor and avoid dual arrests. Dual arrests should be made only when an investigation clearly shows that there were two separate incidents of abuse and that they were separated in time.
- b. In all cases of dual arrests, officers shall apprise their supervisor who shall submit a follow-up report articulating the facts and circumstances for each arrest.

15. Delayed Arrest

- a. In misdemeanor Abuse of Family or Household Member cases when there is probable cause for an arrest but a suspect is at-large after routine follow-up checks, a collaborative departmental effort is needed to arrest the suspect.

The initial officer is responsible for making an Abuse of Family or Household Member Offender Arrest Packet. The packet shall include, but is not limited to, copies of the following:

- (1) A copy of the initial Abuse of a Family or Household Member report and all follow-up reports, including photographs;
- (2) A copy of the domestic violence supplemental forms (HPD-DV1, HPD-DV2, HPD-DV3) and the HPD-DV-LAP form, if applicable; and
- (3) A copy of the written statements.

- b. The packet shall be reviewed for approval by the officer's supervisor and maintained in the district where the case occurred. The supervisor shall ensure that the packet is submitted.

Arrangements can be made to transfer the packet to another district when the offender may reside in or frequent a different district. The supervisors of both districts must agree to the transfer.

- c. If the offender turns himself or herself in or is located later, the locating officer shall review the circumstances of the case to determine if there is probable cause for an arrest and whether an arrest has already been made. The arrest shall meet the criteria as outlined in this policy.
- d. If an arrest is not made, the officer shall notify the supervisor and document in a follow-up report the reason(s) the offender was not arrested. Upon being notified, the supervisor shall review the follow-up report for approval.
- e. The initiating district shall continue its effort to locate the suspect for up to seven days. After this period or earlier if requested, the packet shall be forwarded to the CID.
 - (1) A Domestic Violence Detail investigator shall ensure that all of the necessary elements are present before initiating an entry for a wanted person case.
 - (2) The case shall be forwarded to the Domestic Violence Detail lieutenant or designee who shall enter a wanted person alert into the mainframe. A wanted person on the mainframe shall be designated with "A" in the column titled "TYPE."

- (3) The Domestic Violence Detail lieutenant or designee shall be responsible for reviewing, inputting, tracking, and maintaining all Abuse of Family or Household Member wanted person entries.

f. Patrol Officer's Responsibilities

- (1) When officers locate an Abuse of Family or Household Member suspect, they shall contact the Domestic Violence Detail lieutenant at [REDACTED] during regular business hours or the on-duty CID watch lieutenant at [REDACTED] during other hours for confirmation before making an arrest. No arrest shall be made before confirming that the suspect is still a wanted person.
- (2) Upon making the arrest, the officer shall provide the Domestic Violence Detail lieutenant or designee with the officer's name and identification number and the date and time of the arrest.
- (3) The officer shall obtain a copy of the original incident report and all necessary follow-up reports from the Paper Management system via their supervisor, the Records and Identification Division, or other supervisor. These copies shall be attached to the arrest report.
- (4) The arresting officer shall scan a copy of the Offender Based Transaction System (OBTS) and e-mail the OBTS to the Domestic Violence Detail at [REDACTED] as soon as is practicable.
- (5) Officers shall complete their arrest reports in accordance with Policy 7.06, ARREST REPORT.

g. Exceptional Circumstances

- (1) The Domestic Violence Detail investigators may become aware of suspects who are involved in multiple cases, particularly violent cases, or cases of notoriety.
- (2) Upon discovering an exceptional suspect like this, the investigator has the discretion to immediately ask for the packets from the involved districts. In turn, the investigator shall expedite the inputting of the suspect into the wanted person file.

h. Deleting a Wanted Person File

Once a wanted person has been arrested and a copy of the OBTS has been received by the Domestic Violence Detail, the detail's lieutenant or designee shall be responsible for removing the electronic file from the mainframe.

16. Abuse of Family or Household Member Warning Citation

As provided in Section 709-906, HRS, any police officer, with or without a warrant, shall take the following course of action regardless of whether the physical abuse or harm occurred in the officer's presence:

- a. Make reasonable inquiry of the family or household member upon whom the officer believes physical abuse or harm has been inflicted and other witnesses, if applicable;
- b. Lawfully order the person who the police officer reasonably believes to have inflicted the abuse to leave the premises for a period of separation during which time the person shall not initiate any contact (either by telephone or in person) with the family or household member; provided that the person is allowed to enter the premises with a police escort to collect any necessary personal effects;

- (1) Any person ordered to leave shall be cited with and given a copy of an Abuse of Family or Household Member Warning Citation, HPD-279 form;
 - (2) The period of separation shall commence when the order is issued and shall expire at 1800 hours on the second business day following the day the order was issued; provided that the day the order is issued shall not be included in the computation of the two business days. "Business day" means any calendar day, except Saturday, Sunday, or any state holiday;
- c. Arrest the person who refuses to comply with the order to leave or initiates contact with the complainant (either by telephone or in person) before the Abuse of Family or Household Member Warning Citation expires, the person shall be arrested for Abuse of Family or Household Member to prevent further physical abuse or harm to the family or household member; and
- d. Distribute copies of the HPD-279 form as follows:
- (1) The original copy shall be attached to the police report;
 - (2) The yellow copy shall be given to the complainant; and
 - (3) The pink copy shall be given to the offender.

17. Constitutional Rights

Parties arrested for Abuse of Family or Household Members shall be informed of their rights via the Warning Persons Being Interrogated of Their Constitutional Rights (adult interrogation, HPD-81, or juvenile interrogation, HPD-11, forms). Also, they shall be afforded the opportunity to make a written statement via the HPD Statement Form, HPD-252.

18. Felony Cases

In felony cases, the supervisor shall follow Policy 4.29, CRIME SCENE: INVESTIGATIVE RESPONSIBILITIES AND PROCEDURES.

The following circumstances shall be classified as felony cases:

- a. For a third or subsequent Abuse of a Family or Household Member offense that occurs within two years of a second or subsequent conviction;
- b. Incidents where the physical abuse consists of intentionally or knowingly impeding the normal breathing or circulation of the blood of the family or household member by applying pressure on the throat or the neck; or
- c. Incidents where physical abuse occurs in the presence of any family or household member who is less than 14 years old.
 - (1) The witness must be a family or household member of at least one of the persons involved in the abusive action.
 - (2) "In the presence of" shall mean within reasonable "sight or sound" proximity of the abusive action.

19. Upgrading the Charge to a Felony Assault

Abuse of Family or Household Member incidents shall be upgraded to assault in the second degree if the offender:

- a. Intentionally or knowingly causes substantial bodily injury to another;
- b. Recklessly causes serious or substantial bodily injury to another;
- c. Intentionally or knowingly causes bodily injury to another with a dangerous instrument; or

- d. Intentionally or knowingly causes bodily injury to a person who:
 - (1) The offender has been restrained by order of the court, including an ex parte order, from contacting, threatening, or physically abusing a family or household member pursuant to Chapter 586 of the HRS; or
 - (2) Is being protected by a police officer ordering the offender to leave the premises of that protected person pursuant to Section 709-906(4), HRS, during the effective period of that order.

20. Cases Involving Children and Dependant Adults

Officers will encounter cases of suspected physical child abuse. The following guidelines will assist in distinguishing physical child abuse from discipline:

- a. Officers responding to abuse cases involving children as victims must evaluate each situation in light of Section 703-309, HRS, which allows a parent, guardian, or other person similarly responsible for the general care and supervision of a minor to employ force under certain circumstances;

In general, force is permissible as long as due regard is given to the age and size of the minor; the force is reasonably related to the purpose of safeguarding or promoting the welfare of the minor; and the force used does not intentionally, knowingly, recklessly, or negligently create a risk of substantial bodily injury or other specified harm to the minor;

- b. The full investigation of such cases requires the officer to determine the circumstances of the discipline, the kind of force used, and the degree of injury. All of these elements shall be documented in the officer's written report;

- c. In accordance with Section 350-1.1, HRS, all cases of actual or suspected nonaccidental harm to children (i.e., abuse, neglect, or discipline) shall be reported to the Child Welfare Services, Department of Human Services, at the number listed on the attachment;
- d. In cases where the injuries sustained by the child constitute actual harm (as defined in Section 350-1.1, HRS), the scene supervisor shall also notify the on-duty CID lieutenant; and
- e. Officers shall report cases of actual or suspected abuse of dependent adults to the Adult Protective Services, Department of Human Services, at the number listed on the attachment.

21. Complainant Assistance/Referral

Officers shall inform complainants affected by domestic violence of the community resources available to them. Such efforts include, but are not limited to, the following:

- a. Handing out the HPD Resource Card;
- b. Providing information on the availability of shelters and other community violence projects and shelters;
- c. Informing complainants that the Victim/Witness Assistance Division of the Department of the Prosecuting Attorney may be contacted for appointments for:
 - (1) Processing misdemeanor criminal complaints; and
 - (2) Obtaining assistance when there has been a violation of a Family Court Temporary Restraining Order (TRO) whereby the respondent has left the scene and the investigation has been completed;

- d. Informing complainants that the Adult Services Branch of the Family Court may be contacted for prescreening appointments and assistance in:
 - (1) Obtaining a Family Court TRO; and
 - (2) Completing necessary documents and scheduling a court hearing; and
- e. Contacting the Crime Victim Compensation Commission for information regarding assistance in the monetary compensation of victims of violent crime, including victims of family and household abuse. See Policy 5.11, DEPARTMENTAL RESOURCE CARD.

22. Departmental Personnel

See Policy 3.26, EMPLOYEES INVOLVED IN DOMESTIC VIOLENCE.

23. Firearms and Ammunition

- a. In accordance with Sections 709-906(4) (f) and 134-7.5(a), HRS, an officer who has reasonable grounds to believe that a person has recently assaulted or threatened to assault a family or household member shall seize all firearms and ammunition that the officer has reasonable grounds to believe were used or threatened to be used in the commission of the offense.

The officer may also seize firearms and ammunition that are in plain view of the officer or were discovered pursuant to a consensual search, as necessary for the protection of the officer or any family or household member.

- b. In such cases, the officer shall document the seizure via his or her case report and an evidence report. The officer shall also give the owner or person in lawful possession of the firearm(s) or ammunition a Property Receipt, HPD-83 form, identifying the seized property and inform the owner or person in lawful possession that it can be retrieved from the Firearms Unit, Records and Identification Division, if it is not needed as evidence.
- c. In addition, the officer shall notify the victim of the alleged or threatened assault of remedies and services available to victims of domestic violence, including the right to apply for a restraining order.
- d. The Firearms Unit, Records and Identification Division, shall make seized firearms and ammunition available to the owner or person in lawful possession in accordance with the provisions of Section 134-7.5(d), HRS.

C. Supervisors

- 1. Field supervisors shall be responsible for monitoring calls for service involving domestic violence that are dispatched to officers under their direct supervision or within their area of responsibility.
- 2. Whenever possible, the supervisor should respond to and monitor the scene to provide guidance and additional safety.
- 3. Supervisory responsibilities include (but are not limited to) the following:
 - a. Making the final determination to identify the dominant aggressor when officers are unable to;
 - b. Receiving notification of the reason why photographs were not taken (supervisors should attempt to get the officer a camera or ensure they are equipped in the future);

- c. In all cases, the on-scene supervisor will ensure that the reasons for arrest or nonarrest are stated in the officer's report, the face page is properly completed (including checking the domestic violence block), and the Domestic Violence Supplemental forms (HPD-DV1, HPD-DV2, and HPD-DV3) are completed and attached;
- d. Shall submit a follow-up report in all cases of dual arrest. The report should include the facts and circumstances of each arrest;
- e. Shall review the Abuse of Family or Household Member Offender Arrest Packet and ensure that it is submitted;
- f. When an offender is located or attempts to turn himself or herself in and an arrest is not made, the officer will apprise the supervisor as to the reason(s) why. The supervisor is then responsible to review and approve the report if it is acceptable;
- g. When notified of a felony arrest, the supervisor shall notify the on-duty CID lieutenant;
- h. In cases where the injuries sustained by the child constitute actual harm as defined in Section 350-1.1, HRS, the scene supervisor shall also notify the on-duty CID lieutenant.

IV. BAIL FOR ABUSE VIOLATIONS

Posting Bail

- A. When a person arrested for alleged physical abuse posts bail, he or she shall be instructed to report to the District Court of the First Circuit, Courtroom 8D, 1111 Alakea Street, at 0830 hours according to the following:
 - 1. Misdemeanor Abuse
Two weeks from the date of release; or
 - 2. Felony Abuse
Three working days from the date of release.

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- B. The date, time, and location for the arraignment shall be noted on the bail receipt.
- C. All necessary documents related to the case (arrest reports, police reports, connecting cases, etc.) shall be forwarded to the Central Receiving Division (CRD) as soon as possible for the preparation of petitions necessary for the case.
- D. The bail money shall be transferred to the First Circuit Court via the CRD.


LOUIS M. KEALOHA
Chief of Police

Attachment

Post on bulletin
board for one week

Policy first issued
October 20, 1997

