

# HONOLULU POLICE DEPARTMENT

## POLICY TRAFFIC OPERATIONS

April 8, 2019

Policy Number 6.16

### ADMINISTRATIVE DRIVER'S LICENSE REVOCATION HEARINGS

#### POLICY

Each element commander shall establish written procedures to ensure that the Administrative Driver's License Revocation Office (ADLRO) is immediately notified when an employee is subpoenaed but unable to attend the scheduled hearing. Service of and response to such subpoenas shall be conducted in accordance with this directive.

#### PROCEDURE

##### I. SUBPOENAS DIRECTED AT DEPARTMENTAL PERSONNEL

- A. A subpoena may be served on a departmental employee by a police officer or by any other person who is not a respondent and is 18 years of age or older.
  - 1. A respondent is a person who is issued a notice of administrative revocation.
  - 2. Departmental employees shall accept and comply with all valid subpoenas issued by the ADLRO.
  - 3. Civilians serving subpoenas to departmental personnel shall not be allowed in areas that are not normally open to the general public.
- B. Respondents are responsible for requesting the issuance of subpoenas for personnel whose attendance is sought for the ADLRO hearing. The ADLRO may also subpoena officers to appear and testify at hearings.

Officers may, but are not required to, accept subpoenas for the ADLRO hearings that are sent by facsimile transmissions.

II. PROCEDURES APPLICABLE TO HEARING APPEARANCES

- A. Employees may review the original reports for which they have been subpoenaed that are on file in the Records and Identification Division. If they are unable to obtain a report and wish to review the ADLRO file copy, they may review the report prior to the hearing.
- B. An employee subpoenaed to appear at the hearing, whether on or off duty, shall report to the ADLRO at the time listed on the subpoena.

If the employee is off duty, his or her overtime card will be time-stamped by the receptionist upon arrival and just before the employee leaves. The receptionist will also attest to the overtime by signing the overtime card.

- C. Plainclothes and civilian personnel shall appear at the hearing in attire consistent with Policy 3.22, DRESS AND GROOMING STANDARDS.
- D. Uniformed officers shall appear at the hearing in the standard uniform as specified in section III or IV, Policy 2.38, UNIFORMS, EQUIPMENT, AND FIREARMS, except in the cases listed below:
  - 1. The uniform shall not be worn when an officer is appearing as the respondent.
  - 2. The uniform shall not be worn when an officer is present at the hearing in which a second officer is the respondent and the first officer has not been subpoenaed to appear as a witness.

III. REPORTING ABSENCES AND LATE ARRIVALS

- A. When an employee will be absent from the hearing or late in arriving, the employee shall notify his or her command at least 30 minutes before the scheduled hearing time. His or her command shall immediately notify the ADLRO. The employee shall also attempt to notify the ADLRO directly to inform the office of the reason(s) for his or her absence or late arrival.

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- B. The ADLRO shall report unexcused absences or late arrivals to the police department via the assistant chief of the Investigative Bureau. These reports will be forwarded to the element commanders for disposition.

A handwritten signature in black ink, reading "Susan Ballard". The signature is written in a cursive, flowing style.

SUSAN BALLARD  
Chief of Police

Post on bulletin  
board for one week

Policy first issued  
November 14, 2003