

HONOLULU POLICE DEPARTMENT
POLICY
PRISONER AND COURT-RELATED ACTIVITIES

August 12, 2019

Policy Number 7.07

BOOKING PROCEDURES FOR PENAL SUMMONS CONVICTION

POLICY

Persons who have been prosecuted and convicted via complaint (i.e., penal summons) and are sent to the police for booking shall be processed as outlined in this directive.

PROCEDURE

I. **BACKGROUND**

Before 1985, a person could be found guilty and sentenced by the courts on a criminal offense but not have a criminal record. This occurred because the person was prosecuted via a penal summons, not an arrest, and did not go through the identification and booking process.

Since Act 119 (1985 Session Laws) amended Section 846-2.5 of the Hawaii Revised Statutes, the courts have ordered all persons convicted in a penal summons case to appear before the police or sheriff for identification and recordkeeping purposes. The following procedures shall apply when an individual reports to a police station with a court order for identification processing.

II. **PROCEDURES**

A. The person reporting for processing for a conviction via a penal summons complaint will have documents that have to be signed by the officer in charge of the receiving desk (i.e., the court order requiring the defendant to report for identification processing). Information for the Offender-Based Transaction Statistics/Computerized Criminal History (OBTS/CCH) arrest report is contained in these documents.

- B. The person should be left in the adult bail out holding area until the OBTS/CCH arrest report is completed.
- C. OBTS/CCH Arrest Report
 - 1. Booking personnel shall complete the OBTS/CCH arrest report as indicated on the attachment.
 - 2. In the synopsis portion of the OBTS/CCH arrest report, officers shall indicate that this individual was processed for identification purposes only, in accordance with a court order following a penal summons conviction.
 - 3. The booking officer shall submit the OBTS/CCH arrest report for review and approval to the on-duty supervisor.

D. Fingerprints/Photograph

When the officer has completed the OBTS/CCH arrest report, the person shall be searched and brought into the processing area to be fingerprinted and photographed. The procedures for fingerprinting and photographing as outlined in Policy 7.01, ARRESTS AND ARRESTED PERSONS, shall be followed.

E. RELEASE OF INDIVIDUAL

- 1. When the booking process is complete, the officer in charge of the receiving desk shall sign the court documents and the documents will be returned to the individual.
- 2. The individual shall be instructed to return the signed court documents to the Department of the Prosecuting Attorney.

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3. The individual shall be released if no incarceration has been ordered.


SUSAN BALLARD
Chief of Police

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