

HONOLULU POLICE DEPARTMENT
POLICY
PRISONER AND COURT-RELATED ACTIVITIES

January 23, 2019

Policy 7.11

PENAL SUMMONSES

POLICY

The Honolulu Police Department's primary considerations in serving penal summonses are the safety of the public and police personnel.

PROCEDURE

I. GENERAL PROCEDURES

A. In general, all penal summonses received by the department for service shall be routed through the Warrants Unit of the Records and Identification Division. The Warrants Unit shall maintain a record of the distribution, follow-up action, and return of all penal summonses to ensure that they are served as soon as practicable.

B. Filing of Penal Summonses

When penal summonses are received by the Warrants Unit, they shall be logged and then distributed to the appropriate districts for service.

II. TIME PERIODS FOR SERVING PENAL SUMMONSES

A. Penal summonses shall be served only during the time period specified in the orders.

B. When no time period for service is specified in the order, penal summonses shall not be served between the hours of 2200 and 0700 on premises closed to the public.

III. Service of Penal Summonses

- A. Penal summonses shall be served as soon as practicable.
- B. A suspect who is located for an offense for which a penal summons has been issued but not served shall not be arrested. Instead, an attempt should be made to serve the penal summons on that person.
- C. Service and Return Procedures
 - 1. When serving a penal summons, the officer shall provide the defendant's copy to the person named in the document. The officer shall then record his or her name and identification number and the date, time, and place of service in the space provided on the court's copy of the document.
 - 2. A copy of the Attempt to Serve Legal Instrument, HPD-222 form, shall be attached to each penal summons. The required information shall be entered on the form each time an officer attempts to serve the document.
 - 3. An officer may transfer a penal summons to another officer for service when it is necessary or practicable to do so. The Warrants Unit shall be notified of the document transfer.
 - 4. All penal summonses shall be turned in at the end of the officers' work shifts to their supervisors who are responsible for turning the summonses in to the Warrants Unit.
 - 5. The Warrants Unit shall ensure that all unserved penal summonses that bear specific dates for service and return are promptly returned to the courts. A copy of the Attempt to Serve Legal Instrument, HPD-222 form, explaining why it was not served, shall accompany each document. The original form shall be retained by the Warrants Unit.

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D. Service of a Penal Summons on Military Personnel

Service of penal summonses on military personnel shall be coordinated through the appropriate Provost Marshal's office, Base Legal Officer, Base Police, or Military Command.



SUSAN BALLARD
Chief of Police

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