

HONOLULU POLICE DEPARTMENT

POLICY LAW ENFORCEMENT OPERATIONS

October 23, 2015

Policy Number 4.31

STATEMENT FORM AND INTERVIEW TECHNIQUE

POLICY

Departmental personnel shall use the guidelines set forth in this policy for obtaining and recording information on the Statement, HPD-252/252A forms.

PROCEDURE

I. NEED FOR WRITTEN STATEMENTS

Reducing oral statements to written form is desirable because it provides a permanent record of the interview or interrogation. Such records are essential as a basis for prosecution. They are also helpful in refreshing memories, discouraging changes in testimony, and laying a foundation for impeachment.

II. INTERVIEW TECHNIQUE

- A. After determining that an offense has been committed, the officer should ask each person (complainant, victim, witness, or suspect) to recount what happened in his or her own words. The interviewee should not be interrupted while he or she is giving a statement.
- B. After the interviewee has finished recounting what happened, the officer can ask questions to clarify understandings, correct discrepancies, establish elements of the crime and identities of the persons involved, and determine instrumentalities and evidence.
- C. The above techniques apply to both statements and confessions. Particular care must be exercised in taking confessions, and suspects must be informed of their rights before statements are taken.
- D. The behavior, apparent mental condition, and physical appearance of the interviewee shall be documented in the police report.

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- E. When the interview process has been completed, the officer should encourage the interviewee to reduce the statement to writing. This helps to ensure the accuracy of the statement by having it recorded in the individual's own words and handwriting.

A body-worn camera recording is not a substitute for a written statement.

III. STATEMENT, HPD-252/252A FORMS

- A. The Statement, HPD-252 form; and Statement Continuation Page, HPD-252A form, should be used whenever possible to record statements.
- B. Any number of pages can be used to record one statement. However, each page must include the necessary signatures, dates, and times.
- C. The form is largely self-explanatory.
 - 1. The statement should provide an account of the conditions/circumstances related to the crime under investigation. The officer should be aware of the elements of the crime and make certain that the elements are incorporated into the statement; and
 - 2. If the person giving the statement cannot write or chooses not to write, it is permissible for the officer to write the statement. In that case, the person giving the statement should personally review what the officer writes or, if necessary, have the officer read it back. Any corrections should be made and initialed by the person making them. Whenever possible, a third party should witness the review, correction, and signing of the statement.

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- D. The HPD-252A form is used to continue items for which there is not enough room on the HPD-252 form. All items must be filled in.

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Chief of Police

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