

HONOLULU POLICE DEPARTMENT

POLICY

LAW ENFORCEMENT ROLE, RESPONSIBILITIES, AND RELATIONSHIPS

May 21, 2019

Policy Number 1.08

FEDERAL JURISDICTION: AREAS AND POLICE ACTION

POLICY

The Honolulu Police Department acknowledges the federal government's jurisdictional authority in policing, investigating, and prosecuting crimes in specific areas and shall abide by the general guidelines and procedures for entry into military installations and shall follow established guidelines for interaction with military personnel.

PROCEDURE

I. AREAS UNDER FEDERAL JURISDICTION

- A. All military installations and storage, housing, and recreation areas
- B. All other land areas that belong to the federal government

II. POLICE ENTRY TO A MILITARY BASE

- A. [REDACTED]

[REDACTED]

B. "Hot Pursuit" Situation

If a police officer is in "hot pursuit" (with the emergency light and siren on) of a vehicle that enters a military base, he or she may follow the vehicle onto the base until the pursuit is terminated.

C. Interview of Military Personnel

1. The police officer shall coordinate with the provost marshal or the base police officer to arrange contact with the service member. The service member's command shall not be contacted.
2. The police officer shall interview the subject at the location specified by the military official.

D. Removal of Military Personnel From Federal Property

1. Military personnel can be removed from the military installation by a warrant of arrest or violation of a protective order that has not been issued by a military authority; or
2. When the "hot pursuit" culminates in an arrest.

III. MILITARY ACTION INVOLVING POLICE PERSONNEL

- A. The Hawaii Armed Services Police or the Naval Criminal Investigative Service shall be the liaison whenever a police officer is to be questioned by the military.
- B. The questioning shall be scheduled through the police officer's commanding officer who is responsible for the police officer's presence at the designated time and place.
- C. The police officer's commanding officer or designee shall be present at the interview. The police officer may refuse to respond to any questions if he or she is not properly represented. This shall not be construed as a refusal to cooperate.
- D. During the pretrial investigation, the police officer's defense counsel may be present and shall be granted the courtesies provided by the Manual for Court-Martial, (e.g., the opportunity to cross-examine witnesses against his or her client).

IV. MEMORANDUM OF UNDERSTANDING (MOU)

Every element shall maintain within their on-line manuals of operations an electronic copy of current MOUs with the military or any federal jurisdiction that are applicable to their element.

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V. ADDITIONAL INFORMATION

Refer to Policy 1.03, CONCURRENT JURISDICTION.

A handwritten signature in black ink that reads "Susan Ballard". The signature is written in a cursive style with a large, prominent initial 'S'.

SUSAN BALLARD
Chief of Police

Post on bulletin
board for one week

Policy first issued
May 16, 1994