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Attorneys For Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

PATRICK ANDREW WIELAND

Plaintiff,

vs.

CITY AND COUNTY OF  
HONOLULU;

ARTHUR LOGAN, Chief of Police of  
the Honolulu Police Department, in his  
official capacity only; DAMIEN DESA,  
Individually and in his official capacity;  
DOE POLICE OFFICERS 1-15.

Defendants.

Civil No. 24-00215-DKW-RT

EXHIBITS 1, 8, 9, 15, AND 16  
TO DECLARATION OF  
COUNSEL IN SUPPORT OF  
PLAINTIFF PATRICK  
ANDREW WIELAND'S  
CONCISE STATEMENT FILED  
ON JULY 18, 2025;  
CERTIFICATE OF SERVICE

Judge: Hon. Derrick K. Watson

Trial: October 20, 2025

ECF No. 63

**EXHIBITS 1, 8, 9, 15, AND 16 TO DECLARATION OF COUNSEL  
IN SUPPORT OF PLAINTIFF PATRICK ANDREW WIELAND'S  
CONCISE STATEMENT FILED ON JULY 18, 2025**

# EXHIBIT “1”

**CENTRAL RECEIVING DIVISION**

CRD MOP NO. 180



SUBJECT

**EXTRADITION ARRESTS  
AND HOLDS**

DATE

**2-23-2020**

PAGE

**1 of 5****I. PURPOSE**

To provide CRD personnel with direction when processing arrestees who have been arrested pursuant to an extradition investigation, in compliance with the Uniform Criminal Extradition Act, Chapter 832, HRS, or confined for extradition by an outside law enforcement agency.

**II. DEFINITIONS**

- A. Extradition Arrest - An arrest of a person made pursuant to an extradition investigation.
- B. Extradition Hold - The confinement of an arrestee who has been arrested pursuant to an extradition investigation, completed extradition hearing before a judge, and is being held until transportation arrangements can be made by the responsible law enforcement agency.
- C. Extradition Detainer Document - An HPD letterhead document entitled, "H.P.D. Extradition Detainer".

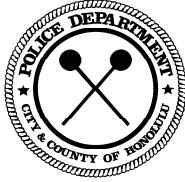
**III. RESPONSIBILITIES**

- A. Watch Commander
  - 1. Ensure that the notification is made to the Criminal Investigation Division when an arrestee is being detained pursuant to information found in the National Crime Information Center (NCIC).
  - 2. Ensure that the CID detective, responsible for the extradition investigation, is identified in the watch highlights.
  - 3. Ensure that the CID detective is fully informed, at all times, of the status of an arrestee being held subject to an extradition investigation.
  - 4. Review and approve any arrests made pursuant to

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**CENTRAL RECEIVING DIVISION**

CRD MOP NO. 180



SUBJECT

**EXTRADITION ARRESTS  
AND HOLDS**

DATE

**2-23-2020**

PAGE

**2 of 5**

an extradition investigation.

5. Ensure that an arrestee is not released when being held subject to an extradition investigation without first conferring with the responsible CID detective.
6. Ensure that the CID detective is informed regarding any detainee held in custody as an "Extradition Hold" for an outside law enforcement agency.

B. Watch Sergeant

1. Shall ensure the watch commander is briefed on any incident where an arrestee is being processed and has had an NCIC extradition hit.
2. Makes contact with the appropriate CID element and informs the lieutenant or the detective on duty regarding the NCIC information.
3. Complies with directions obtained from the assigned CID detective, initiates an arrest for extradition, ensures that a police incident report and an arrest report is completed by the appropriate CRD officer or patrol district officer.
4. Reviews for correctness and completeness of all police incident reports, arrest reports and the HPD Extradition Detainer document.
5. Informs the watch commander anytime there is a concern regarding the custodial status of an arrestee being held pursuant to an extradition investigation.
6. Ensures that an arrestee, who is the subject of an extradition investigation, is returned to the CRD from court after resolution of court

**HONOLULU POLICE DEPARTMENT****COR**

C000577

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**CENTRAL RECEIVING DIVISION**

CRD MOP NO. 180



SUBJECT

**EXTRADITION ARRESTS  
AND HOLDS**

DATE

**2-23-2020**

PAGE

**3 of 5**

proceedings not related to the extradition investigation.

7. Informs the watch commander anytime there is a person being detained in the cellblock as an "Extradition Hold" awaiting transportation by an outside agency.

## C. CRD Officers

1. Officers responsible for the booking and processing of an arrestee shall make a computerized NCIC check on all arrestees brought to the Central Receiving Division.
2. Officers shall inform the watch sergeant anytime a detective directs the officers to initiate an arrest of person pursuant to an extradition investigation.
3. Officers shall inform the watch sergeant anytime an NCIC check indicates an arrestee may be subject to an extradition warrant.
4. The officers responsible for booking shall inform the watch sergeant anytime there is a change in the custody status of an arrestee being held pursuant to an extradition investigation.
5. CRD officers shall initiate and complete a police incident report and an Arrest Report for each person being held pursuant to an extradition investigation. The classification noted on the arrest report shall be "Extradition Arrest".
6. CRD officers shall fingerprint and photograph each person arrested pursuant to an extradition investigation.
7. CRD officers shall initiate a police incident report and a HPD Arrest Report for each person in

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# CENTRAL RECEIVING DIVISION

CRD MOP NO. 180



SUBJECT

## EXTRADITION ARRESTS AND HOLDS

DATE

2-23-2020

PAGE

4 of 5

custody for an Extradition Hold. The classification for the police incident report shall be "Extradition Hold".

8. CRD Officers shall not fingerprint or photograph any person being held in custody as an "Extradition Hold"
9. CRD Officers responsible for taking arrestees to court shall ensure that any arrestee held pursuant to an extradition investigation **is not released** to the Sheriff Office or from custody without the approval of the watch sergeant.
10. The CRD officer responsible for managing the arrestee's Arrest Report documents shall ensure that a yellow CRD Detainee Routing Form is placed as a cover sheet on each extradition arrestee booking documentation packet. See page #5 for an example of CRD Detainee Routing Form.
11. The CRD booking officer shall notify the Extradition Detail detective of status updates of detainees being held on an "Extradition Hold" or "Extradition Arrest" via phone and email.

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COR

C000579

# CENTRAL RECEIVING DIVISION

CRD MOP NO. 180



SUBJECT

## EXTRADITION ARRESTS AND HOLDS

DATE

2-23-2020

PAGE

5 of 5

### DETAINEE ROUTING

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

HPD CONTACT NUMBER: 723-3000

*\*PLEASE ASK TO SPEAK TO ON DUTY BOOKS OFFICER*

- ☐ SEND TO CIRCUIT COURT
- ☐ RETURN TO HPD CELLBLOCK
- ☐ INFO CHARGE
- ☐ EXTRADITION
- ☐ ICE (AGENT NAME & CONTACT #: \_\_\_\_\_)
- ☐ FED. HOLD (AGENT NAME & CONTACT #: \_\_\_\_\_)
- ☐ OTHER (SEE BELOW)

TRANSFERRED TO:

RANK/NAME:

SIGNATURE:

DATE/TIME:

REVISED: 12/2017

HONOLULU POLICE DEPARTMENT

CONFIDENTIAL - SUBJECT TO STIPULATED PROTECTIVE ORDER

COR

C000580

# EXHIBIT “8”

# CRIMINAL INVESTIGATION DIVISION MOP NO. 200.12



SUBJECT  <b>EXTRADITION, FUGITIVES</b>	DATE <b>10-09-2024</b>
	PAGE <b>19 of 31</b>

c. ORDER OF COMMITMENT (WAIVED).

d. WAIVER OF EXTRADITION.

e. CERTIFICATE OF COURT.

27. Return to the office and call the inquiring institution and inform that person that the waiver hearing was completed. Further, inform them that they have approximately thirty (30) days to pick up the fugitive, then teletype or email this information to them.

28. At no time should the pickup of the fugitive extend beyond thirty (30) days or after the proof of compliance date whichever comes first without a written request for an extension by the requesting agency. It will be the responsibility of the Extradition Detail detective to make notification of the extension to the Hawai'i State Department of the Prosecuting Attorney, whichever applies, the Oahu Community Correctional Center and the presiding Judges chambers.

29. Have the inquiring agency teletype or email you with the names of the agents who will be picking up the fugitive and the dates and times of arrival and departure.

30. Coordinate with the Oahu Community Correctional Center by letting them know to have the fugitive ready for pickup two (2) days prior to the flight's departure.

31. Later, call the Oahu Community Correctional Center to confirm that the fugitive left.

B. **Preliminary Task When Fighting Extradition**

1. Check with the Central Receiving Division at the beginning and the end of the detective's tour of duty for any fugitives in custody.

2. The Central Receiving Division, Communications Division or the Arresting Officer will contact the Extradition Detective.

3. Should there be any fugitives being detained by the Honolulu Police

HONOLULU POLICE DEPARTMENT  
INVESTIGATIVE BUREAU  
CRIMINAL INVESTIGATION DIVISION

CONFIDENTIAL- SUBJECT TO STIPULATED PROTECTIVE ORDER

C000688

COR

**CRIMINAL INVESTIGATION DIVISION** MOP NO. 200.12

SUBJECT  <p style="text-align: center;"><b>EXTRADITION, FUGITIVES</b></p>	DATE  <p style="text-align: center;"><b>10-09-2024</b></p>
	PAGE  <p style="text-align: center;"><b>20 of 31</b></p>

Department; ensure that the arresting officer's report is complete and that the report reflects how identification of the fugitive was established.

4. Ensure that an OBTS has been completed on the fugitive and that the arrest was for "EXTRADITION" and not for any other criminal offense that is not within the venue of the City and County of Honolulu, State of Hawai'i.
  - a. If the fugitive in our custody has committed a criminal offense within any county, state, or federal jurisdiction in the State of Hawai'i, the fugitive will answer to the charges in the State of Hawai'i before being extradited to any other state or foreign country.
  - b. If the fugitive in our custody has committed a criminal offense within the jurisdiction of the City and County of Honolulu, State of Hawai'i, the fugitive will answer to the charges within our jurisdiction prior to being extradited to another county or released to any federal agency.
    - i. In order for the fugitive to be held over for extradition, pending the outcome of those offenses that the fugitive has committed within our jurisdiction, a notice or "Detainer" must be faxed or emailed over to the Oahu Community Correctional Center.
    - ii. The failure of placing a detainer on the fugitive while at OCCC will result in the release of the fugitive by OCCC once the fugitive has answered to the local charges within our jurisdiction.
    - iii. OCCC and/or the Department of Corrections and Rehabilitation will contact the HPD when the fugitive's local charges are completed.
5. Dispatch will verify the NCIC warrant and confirm with the originating agency their desire to extradite the fugitive. Once confirmed that the NCIC warrant is valid and the originating agency will extradite. The fugitive will be placed under arrest for "EXTRADITION" and transported to the Central Receiving Division for booking.

HONOLULU POLICE DEPARTMENT  
INVESTIGATIVE BUREAU  
CRIMINAL INVESTIGATION DIVISION

CONFIDENTIAL- SUBJECT TO STIPULATED PROTECTIVE ORDER

COR

C000689

# CRIMINAL INVESTIGATION DIVISION MOP NO. 200.12



SUBJECT  <b>EXTRADITION, FUGITIVES</b>	DATE <b>10-09-2024</b>
	PAGE <b>21 of 31</b>

6. Obtain a copy of the OBTS and a complete copy of the arresting officer's report.
7. Verify the NCIC warrant in the computer again and obtain a printout.
8. Verify the request for extradition with the state originating the warrant. This is done by making a long distance telephone call to the agency that is requesting extradition.
  - a. Extradition can only be effected if the criminal violation is a felony in the state that is seeking extradition.
  - b. Request the following information:
  - c. Charging document or Sentencing document.
  - d. Bench Warrant.
  - e. Police report or document that provides probable cause facts for the offense(s).
  - f. Docket sheet for case.
  - g. Verify that the offense committed by the fugitive is a felony.
  - h. The applicable punishments to each charge the fugitive is alleged to have committed in the charging document and the Warrant of Arrest.
9. Interview the fugitive to confirm identification and to inform the fugitive verbally that he/she has the right to challenge extradition or the right to waive extradition. In either case, the fugitive will have to attend an Extradition Waiver Hearing.
10. If the fugitive requests to fight extradition, the fugitive should be informed that he/she will not get credit for any time served while incarcerated within any facility in the jurisdiction of the City and County of Honolulu, State of Hawai'i, and while awaiting a GOVERNOR'S WARRANT for extradition.

HONOLULU POLICE DEPARTMENT  
INVESTIGATIVE BUREAU  
CRIMINAL INVESTIGATION DIVISION

CONFIDENTIAL- SUBJECT TO STIPULATED PROTECTIVE ORDER

C000690

COR

# CRIMINAL INVESTIGATION DIVISION

MOP NO. 200.12



SUBJECT  <b>EXTRADITION, FUGITIVES</b>	DATE <b>10-09-2024</b>
	PAGE <b>22 of 31</b>

11. The determination to fight extradition by the fugitive is officially made at the time of the Extradition Hearing.
12. Prepare the following court documents and follow the procedure for the Extradition Hearing:
  - a. COMPLAINT.
  - b. AFFIDAVIT.
  - c. WAIVER OF EXTRADITION.
  - d. CERTIFICATE OF COURT.
  - e. ORDER OF COMMITMENT (WAIVED).
  - f. ORDER OF COMMITMENT.
  - g. Call the extradition Judges chambers to reserve the first available court date for an extradition hearing.
  - h. Email the Department of the Prosecuting Attorney's office forms A to F above.
  - i. Email the Public Defender's office for the fugitive's legal representation.
  - j. The assigned Deputy Prosecuting Attorney will revise and prepare the complaint and affidavit.
  - k. Once completed, the Department of the Prosecuting Attorney will email the final version of the affidavit for the Detective to peruse.
  - l. The Detective will review the affidavit, notarize it, and then email it back to the Department of the Prosecuting Attorney.
  - m. The Department of the Prosecuting Attorney will electronically file the complaint and affidavit in Circuit Court. Circuit Court will then assign an

HONOLULU POLICE DEPARTMENT  
INVESTIGATIVE BUREAU  
CRIMINAL INVESTIGATION DIVISION

CONFIDENTIAL- SUBJECT TO STIPULATED PROTECTIVE ORDER

C000691

COR

**CRIMINAL INVESTIGATION DIVISION** MOP NO. 200.12

SUBJECT  <p style="text-align: center;"><b>EXTRADITION, FUGITIVES</b></p>	DATE <p style="text-align: center;"><b>10-09-2024</b></p> PAGE <p style="text-align: center;"><b>23 of 31</b></p>
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SP# to the complaint and affidavit. The SP# represents the court's tracking number for these documents. The Department of the Prosecuting Attorney will then email the Detective the filed complaint and affidavit.

- n. The Detective will email the filed complaint and affidavit to the extradition judge's chambers and the Public Defender's office.
  - i. It should be noted that the WAIVER OF EXTRADITION and the CERTIFICATE OF COURT must always be submitted together.
  - ii. Both the ORDER OF COMMITMENT (WAIVED) and the ORDER OF COMMITMENT must be completed prior to the Extradition Hearing. Based on the results of this hearing, the proper document pertaining to the commitment of the fugitive will be filed.
13. Call the Department of the Prosecuting Attorney and make arrangements to have a prosecutor in court for the extradition hearing.
14. Call the Office of the Public Defender and again make arrangements to have a public defender in court for the extradition hearing.
15. Call the Central Receiving Division and have the fugitive and all of his/her property transported to Circuit Court for the extradition hearing.
16. The fugitive will remain in the custody of The Honolulu Police Department until the extradition hearing can be held.
17. The detective will then add the SP# to the CERTIFICATE OF COURT, ORDER OF COMMITMENT, ORDER OF COMMITMENT (WAIVED) and the WAIVER OF EXTRADITION.
18. At the courtroom, give the prosecutor a copy of the COMPLAINT and AFFIDAVIT.
19. Give the public defender a non- certified copy of the COMPLAINT and AFFIDAVIT for his/her files.

HONOLULU POLICE DEPARTMENT  
 INVESTIGATIVE BUREAU  
 CRIMINAL INVESTIGATION DIVISION

CONFIDENTIAL- SUBJECT TO STIPULATED PROTECTIVE ORDER

C000692

COR

# EXHIBIT “9”

**CRIMINAL INVESTIGATION DIVISION** MOP NO. 200.12

SUBJECT  <p style="text-align: center;"><b>EXTRADITION, FUGITIVES</b></p>	DATE  <p style="text-align: center;"><b>01-01-2003</b></p>
	PAGE  <p style="text-align: center;"><b>28 of 48</b></p>

d. WAIVER OF EXTRADITION.

e. CERTIFICATE OF COURT.

32. Return to the office and call the inquiring institution and inform that person that the waiver hearing was completed. Further, inform them that they have approximately two (2) weeks to pick up the fugitive, then teletype this information to them.

At no time should the pickup of the fugitive extend beyond thirty (30) days without a written request for an extension by the requesting agency. It will be the responsibility of the Fugitive Detail detective to make notification of the extension to the Hawaii State Department of the Prosecuting Attorney, whichever applies, and to the Oahu Community Correctional Center.

33. Have the inquiring agency teletype you with the names of the agents who will be picking up the fugitive and the dates and times of arrival and departure.
34. Coordinate with the Oahu Community Correctional Center by letting them know to have the fugitive ready for pickup two (2) hours prior to the flight's departure.
35. Later, call the Oahu Community Correctional Center to confirm that the fugitive left.

B. Preliminary Task When Fighting Extradition

1. Check with the Central Receiving Division at the beginning and the end of the detective's tour of duty for any fugitives in custody.

**HONOLULU POLICE DEPARTMENT  
INVESTIGATIVE BUREAU  
CRIMINAL INVESTIGATION DIVISION**

# CRIMINAL INVESTIGATION DIVISION MOP NO. 200.12



SUBJECT  <b>EXTRADITION, FUGITIVES</b>	DATE  <b>01-01-2003</b>
	PAGE  <b>29 of 48</b>

2. Should there be any fugitives being detained by the Honolulu Police Department; ensure that the arresting officer's report is complete and that the report reflects how identification of the fugitive was established.
3. Ensure that an OBTS has been completed on the fugitive and that the arrest was for "EXTRADITION" and not for any other criminal offense that is not within the venue of the City and County of Honolulu, State of Hawaii.
  - a. If the fugitive in our custody has committed a criminal offense within any county, state, or federal jurisdiction in the State of Hawaii, the fugitive will answer to the charges in the State of Hawaii before being extradited to any other state or foreign country.
  - b. If the fugitive in our custody has committed a criminal offense within the jurisdiction of the City and County of Honolulu, State of Hawaii, the fugitive will answer to the charges within our jurisdiction prior to being extradited to another county or released to any federal agency.
    - i. In order for the fugitive to be held over for extradition, pending the outcome of those offenses that the fugitive has committed within our jurisdiction, a notice or "Detainer" must be faxed over to the Oahu Community Correctional Center, [exhibit #6].
    - ii. The failure of placing a detainer on the fugitive while at OCCC will result in the release of the fugitive by OCCC once the

**HONOLULU POLICE DEPARTMENT  
INVESTIGATIVE BUREAU  
CRIMINAL INVESTIGATION DIVISION**

# CRIMINAL INVESTIGATION DIVISION MOP NO. 200.12



SUBJECT  <b>EXTRADITION, FUGITIVES</b>	DATE  <b>01-01-2003</b>
	PAGE  <b>30 of 48</b>

fugitive has answered to the local charges within our jurisdiction.

4. Obtain a copy of the OBTS and a complete copy of the arresting officer's report.
5. Verify the NCIC warrant in the computer again and obtain a printout.
6. Verify the request for extradition with the state originating the warrant. This is done by making a long distance telephone call to the agency that is requesting extradition.
  - a. Extradition can only be effected if the criminal violation is a **felony** in the state that is seeking extradition.
  - b. Request a faxed copy of the penal code from the state that is requesting extradition.
  - c. **Verify that the offense committed by the fugitive is a felony.**
7. Interview the fugitive to confirm identification and to inform the fugitive verbally that he/she has the right to challenge extradition or the right to waive extradition. In either case, the fugitive will have to **attend an Extradition Waiver Hearing.**
8. If the fugitive requests to fight extradition, the fugitive should be informed that he/she will not get credit for any time served while incarcerated within any facility in the jurisdiction of the City and County of Honolulu, State of Hawaii, and while awaiting a GOVERNOR'S WARRANT for extradition.
9. The determination to fight extradition by the fugitive

HONOLULU POLICE DEPARTMENT  
INVESTIGATIVE BUREAU  
CRIMINAL INVESTIGATION DIVISION

# CRIMINAL INVESTIGATION DIVISION MOP NO. 200.12



SUBJECT  <b>EXTRADITION, FUGITIVES</b>	DATE  <b>01-01-2003</b>
	PAGE  <b>31 of 48</b>

is officially made at the time of the Extradition Hearing.

10. Prepare the following court documents for the Extradition Hearing:

- a. COMPLAINT, [exhibit #7].
- b. AFFIDAVIT, [exhibit #8].
- c. WAIVER OF EXTRADITION, [exhibit #9].
- d. CERTIFICATE OF COURT, [exhibit #10].
- e. ORDER OF COMMITMENT (WAIVED), [exhibit #11].
- f. ORDER OF COMMITMENT, [exhibit #12].
  - i. It should be noted that the WAIVER OF EXTRADITION and the CERTIFICATE OF COURT must always be submitted together.
  - ii. Sign the COMPLAINT and have the AFFIDAVIT notarized.
  - iii. Make five (5) copies of the COMPLAINT.
  - iv. Make five (5) copies of the AFFIDAVIT.
  - v. Both the ORDER OF COMMITMENT (WAIVED) and the ORDER OF COMMITMENT must be completed prior to the Extradition Hearing. Based on the results of this hearing, the proper document
  - vi. pertaining to the commitment of the fugitive will be filed.

11. Call the Circuit Court and ask to speak to the

**HONOLULU POLICE DEPARTMENT  
INVESTIGATIVE BUREAU  
CRIMINAL INVESTIGATION DIVISION**

**CRIMINAL INVESTIGATION DIVISION** MOP NO. 200.12

SUBJECT  <p style="text-align: center;"><b>EXTRADITION, FUGITIVES</b></p>	DATE  <p style="text-align: center;"><b>01-01-2003</b></p>
	PAGE  <p style="text-align: center;"><b>32 of 48</b></p>

"Motions Judge" and inform the judge that you want to schedule an Extradition Hearing. The hearing is usually scheduled on the same day as the request and lasts approximately half an hour.

12. Call the Department of the Prosecuting Attorney and make arrangements to have a prosecutor in court for the hearing.
13. Call the Office of the Public Defender and again make arrangements to have a public defender in court for the hearing.
14. Call the Central Receiving Division and have the fugitive and all of his/her property transported to Circuit Court for the Extradition Hearing.
15. At the Documents Filing Section of the Circuit Court, file all the documents with the Circuit Court clerk. The clerk will either "certify" and/or "date stamp" all the documents.
  - a. The court clerk will "certify" three (3) copies of the COMPLAINT and three(3) copies of the AFFIDAVIT. The court clerk will then assign an SP# to all of the documents. The SP# represents the court's tracking number for these documents.
  - b. The court clerk will "date stamp" the remaining two (2) copies of the COMPLAINT and AFFIDAVIT and assign the same "SP#" to these documents.
16. The Circuit Court clerk will keep the original COMPLAINT and AFFIDAVIT. The court clerk will then return all other documents and copies of the COMPLAINT and AFFIDAVIT to the detective. The detective should then have the following:

**HONOLULU POLICE DEPARTMENT  
INVESTIGATIVE BUREAU  
CRIMINAL INVESTIGATION DIVISION**

# EXHIBIT “15”

## **Constitutional Law (201.01)**

### **Goal**

This class will inform students the importance of the U.S. Constitution as they begin their studies leading to the job of a police officer in the Honolulu Police Department.

### **Learning Objectives**

The student will

1. Explain the roll of the U.S. Constitution and its application involving police duties.
2. Identify the three branches of government and their relationship to each other.
3. Identify the protections given to the people of the United States by the first ten amendments to the U.S. Constitution, called the “Bill of Rights.”
4. Explain how the 4<sup>th</sup> amendment deals with the use of police force.
5. Explain how the “Exclusionary Rule” was adopted to deter police misconduct and violations of the 4<sup>th</sup> amendment.
6. Explain How the Bill of Rights protect people against abuse of power from Federal and State governments via the “due process clause” of the 14<sup>th</sup> amendment.
7. Define “probable cause” and its relationship with the use of police force.
8. Explain the three landmark court cases, Miranda V. Arizona, Terry V. Ohio, and Garner V. Tennessee, which have significant constitutional issues for law enforcement, Miranda V. Arizona, Terry V. Ohio, and Garner V. Tennessee.

### **Student Requirements**

Students must be a recruit in the Honolulu Police Department or other personnel authorized to attend by the division commander.

### **Instructor Requirements**

Instructors should be Basic Instructor Development Course Certification, or an approved representative of the instructor’s command.

### **Materials Needed**

PowerPoint Presentation- Enough copies for each student  
Student Guide- Enough copies for each student  
Laptop Computer  
Media Projector  
Instructor guide

### **Instruction Procedures**

Refer to instructor guide.

### **Assessment / Evaluation**

If this lesson was understood, the student will successfully pass the Constitutional Law examination contained within academic exam #2.

### **Student References**

United States Constitution.

Hall, D., (2nd Ed.) (1996). Criminal Law and Procedures. Albany, New York: Lawyers Cooperative Publishing.

### **Instructor References**

United States Constitution.

Hall, D., (2nd Ed.) (1996). Criminal Law and Procedures. Albany, New York: Lawyers Cooperative Publishing.

### **Safety Considerations**

None.

### **Duration of Lesson**

Total: 3 Hours.

### **Lesson Plan Review/Revision**

Instructor(s) shall review the lesson plan prior to each Recruit Class and complete the REVIEW/REVISION ACTIVITY LOG. Any revision that is made to the lesson plan must be approved by the Training Division Commander.

Written by: Lieutenant Clyde Ho  
September 21, 2006

Revised by: Gamaliel Velasco  
January 14, 2019

Reviewed by: Training Specialist Willie Williams  
December 6, 2019

Approved by:

\_\_\_\_\_  
Major Dagan Tsuchida  
Training Division Commander  
Date: \_\_\_\_\_

## **Civil Rights (201.02)**

### **Goal**

This class will assist the student to understand the importance of a person's civil rights and how civil rights violation affects law enforcement personnel.

### **Learning Objectives**

The student will

1. Understand the different types of civil right violations and their history from hate crimes, color of law, involuntary servitude and slavery, and the Freedom of Access to Clinic Entrance (FACT) Act.
2. Be given specific cases of civil rights violation that have occurred.

### **Student Requirements**

Must be currently enrolled in the recruit training program, or be a Sworn Officer of the Honolulu Police Department.

### **Instructor Requirements**

Must be an agent and representative of the Federal Bureau of Investigation. Must have a thorough knowledge of Civil Rights and how it directly relates to Law Enforcement.

### **Materials Needed**

Student Guide or handouts  
Laptop Computer and Media Projector  
PowerPoint Presentation

### **Instruction Procedures**

Preparations:

1. Prepare a sufficient number of copies of the student guide or handouts for each student assigned to the class.
2. Setup laptop and projector for PowerPoint presentation.

Instruction:

1. Disseminate the student guide or handouts to the class.
2. Provide a lecture utilizing the PowerPoint presentation in conjunction with the student handout leaving room for open discussion and questions.
3. Provide examples during the lecture to emphasize key points where officers were in violation of a person's civil rights.

4. Provide feedback questions to the students to ascertain their understanding of the training material.

**Assessment / Evaluation**

If this lesson was understood, the student will answer correctly the feedback questions provided by the instructor at the end of the class.

**Student References**

Student Guide or handouts

**Instructor References**

PowerPoint presentation

**Safety Considerations**

None.

**Duration of Lesson**

Total: 2 Hours.

**Lesson Plan Review/Revision**

Instructor(s) shall review the lesson plan prior to each Recruit Class and complete the REVIEW/REVISION ACTIVITY LOG. Any revision that is made to the lesson plan must be approved by the Training Division Commander.

Written by: Sergeant Coby Tatsuyama  
August 10, 2009

Reviewed by: Training Specialist Willie Williams  
December 6, 2019

Approved by: \_\_\_\_\_  
Major Dagan Tsuchida  
Training Division Commander  
Date: \_\_\_\_\_

## **Laws of Arrest and Procedure (202.01)**

### **Goal:**

The goal of this course is to provide police recruits with the essential concepts regarding the “Laws of Arrest” and the legal and procedural requirements of making an arrest. This training is a requirement for all police recruits to provide education, training, and legal parameters set forth by United States Supreme Court decisions, Hawaii State Supreme Court decisions, the United States Constitution, Hawaii State Constitution, the Hawaii Revised Statutes, and Honolulu Police Departmental Directives.

### **Learning Objectives:**

The police recruit will be able to identify the essential concepts of the “Laws of Arrest” through the learning objectives. The learning objectives for this course are divided into fifteen blocks of instruction spread out over 20 hours of classroom and scenario based training days. Each area has its own specific goals and objectives as described below:

1. Course Introduction and the need for legal training.
2. Police liability and risk management.
3. Civil rights and police liability.
4. Civil rights and the Constitutional Amendments.
5. Exclusionary rule and the Fruits of the Poisonous Tree doctrine.
6. Understanding the dual court system.
7. Consensual encounters
8. What is a seizure? The right to detain.
9. What is probable cause? What is an arrest?
10. What is stop & frisk? Terry vs. Ohio.
11. Police action based on reliable information vs. anonymous tips.
12. Police Action based on reputation or prior police knowledge.
13. Biased Based Profiling.
14. Arrest/Non-Arrest decision making and alternatives to arrests.
15. Deadly Force.

### **Student Requirements**

This course is for police recruits who have already completed the Constitutional Law block of instruction prior to participating in this course.

### **Instructor Requirements**

Instructors in this course should have extensive knowledge and experience in the areas of: police patrol procedures, laws of arrest, use of force, departmental directives, US Constitution, the State of Hawaii Constitution, historical case law, contemporary case law, current trends, and issues in policing.

Instructors shall have satisfactorily completed the Honolulu Police Department Basic Instructor Development Course.

### **Materials Needed**

1. Instructor will need a computer and PowerPoint projector.
2. PowerPoint presentation disseminated to all police recruits.
3. Access to issued police equipment with simulated firearms. No live ammunition or firearms are permitted during this course of instruction by the police recruits.
4. Access to props for scenario based training to include simulated firearms, simulated knives, back packs, bags, and containers. No live ammunition or firearms are permitted during this course of instruction by the police recruits.

### **Instruction Procedures**

Each block of instruction contains specific areas which are listed in this lesson plan.

### **Assessment/Evaluation**

The 20 hours of instruction are spread out the course of six classroom sessions. The classroom sessions shall consist of lecture and scenario based learning exercises to reinforce the lecture material through practical applications. Throughout the block of instruction police recruits will be responsible to answer questions, participate in the scenario based training, and respond to training over the duration of the instruction.

The goal of the scenario based training during this course of instruction is to reinforce the lecture material through the application of laws, departmental directives and case law. The scenario based training allows the instructor to evaluate the police recruit to ensure material presented in the classroom is understood and the decision making ability of the police recruits in routine arrest situations that police officers face daily.

At the end of the block of instruction the police recruits will be evaluated through an academic exam as required by the recruit curriculum.

### **Student References**

United States Constitution and Amendments

Hawaii State Constitution

Hawaii Revised Statutes, Chapter 803

Honolulu Police Department, Policy 1.02, Constitutional Rights Warnings and Custodial Questioning

Honolulu Police Department, Policy 1.04, Use of Force

Honolulu Police Department, Police 1.08, Federal Jurisdiction: Areas and Police Action

Honolulu Police Department, Policy 1.12, Bias Based Profiling

Honolulu Police Department, Policy 1.13, Use of Discretion by Police Officers

Honolulu Police Department, Policy 1.14, Warrantless Search and Seizures

Honolulu Police Department, Policy 2.22, Procedures for Requesting Legal Opinion from the Department of the Corporal Counsel

Honolulu Police Department, Policy 4.18, Abuse of Family and Household Members

Honolulu Police Department, Policy 4.29, Crime Scene: Investigative Responsibilities and Procedures

Honolulu Police Department, Policy 4.33, Handling Juveniles

Honolulu Police Department, Policy 4.35, Juvenile Status Offense Arrests

Honolulu Police Department, Policy 6.01, Traffic Control and Enforcement

Honolulu Police Department, Policy 7.01 Arrests and Arrested Persons

### **Instructor References**

Refer to the Student References.

### **Safety Considerations**

This course of instruction is divided into traditional classroom lectures coupled with scenario based training outside of the classroom. The scenario training shall require police recruits as “actor officers” and “actors” role-playing in the scenario.

Police recruits SHALL NOT have access to any functioning firearms or live ammunition during this block of instruction. Only simulated weapons, such as “blue guns” or “blue knives”, are allowed during this course of instruction.

While the use of force generally accompanies arrests, instructors shall ensure that only the minimum amount of force is used during the laws of arrest scenario based training. The laws of arrest scenario based should not be used to evaluate police recruits on the use of force or police officer tactics. Any use of force or any application of techniques used in the scenarios shall be strictly supervised to maintain safety standards and to minimize risk of injuries to the police recruits.

The goal of the scenario based training during this course of instruction is to reinforce the lecture material through the application of laws, departmental directives and current case law. All tactics and techniques should be consistent with the Training Division’s Control and Arrest Tactics program.

### **Duration of Lesson**

This block of instruction is 20 hours spread over the course of six days of instruction.

**Lesson Plan Review/Revision**

Instructor(s) shall review the lesson plan prior to each Recruit Class and complete the REVIEW/REVISION ACTIVITY LOG. Any revision that is made to the lesson plan must be approved by the Training Division Commander.

Written by: Kurt B. Kendro, Major  
District 8  
September 23, 2015

Revised by: Training Specialist Willie Williams  
March 8, 2024

Reviewed by: Training Specialist Willie Williams  
March 8, 2024

Approved by: \_\_\_\_\_  
Major Manuel Hernandez  
Training Division Commander  
Date: \_\_\_\_\_

## **Judicial Determination of Probable Cause (301.04)**

### **Goal**

The student will develop the knowledge and understanding of the Judicial Determination of Probable Cause (JDPC).

### **Learning Objectives**

The student will

1. Be familiarized with the JDPC forms.
2. Be able to define probable cause for an arrest.
3. Be able to document the probable cause for the arrest.

### **Student Requirements**

Students must be a recruit in the Honolulu Police Department or other personnel authorized to attend by the division commander.

### **Instructor Requirements**

Preferably from Criminal Investigation Division, who is familiar with the Judicial Determination of Probable Cause.

### **Materials Needed**

Student handouts 1 and 2  
Laptop and projector  
PowerPoint presentation (if available)

### **Instruction Procedures**

1. Provide the student handout to the students.
2. Have the students follow along with the PowerPoint presentation.
3. Provide examples and scenarios during the lecture.
4. Cover the feedback exercises.
5. Field the students for any questions prior to end.

### **Assessment/Evaluation**

If the student has understood the lesson, then the student will be able to answer feedback questions.

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**Student References**

Student handouts.

PowerPoint Presentation.

**Instructor References**

Student handouts.

PowerPoint Presentation.

**Safety Considerations**

None.

**Duration of lesson**

Total: 2 hour.

**Lesson Plan Review/Revision**

Instructor(s) shall review the lesson plan prior to each Recruit Class and complete the REVIEW/REVISION ACTIVITY LOG. Any revision that is made to the lesson plan must be approved by the Training Division Commander.

Written by: Sergeant Coby Tatsuyama  
September 17, 2009

Reviewed by: Training Specialist Willie Williams  
December 24, 2019

Approved by: \_\_\_\_\_  
Major Dagan Tsuchida  
Training Division Commander  
Date: \_\_\_\_\_

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# EXHIBIT “16”

DETAINEE FOOD MENU

Sunday:	Breakfast/Jelly Sandwich	Lunch/Saimin + 1 slice bread	Dinner/Ravioli + 2 slices bread
Monday:	Breakfast/Jelly Sandwich	Lunch/Saimin + 1 slice bread	Dinner/Saimin + 2 slices bread
Tuesday:	Breakfast/Jelly Sandwich	Lunch/Saimin + 1 slice bread	Dinner/Chicken Noodle Soup + 2 slices bread
Wednesday:	Breakfast/Jelly Sandwich	Lunch/Saimin + 1 slice bread	Dinner/Saimin + 2 slices bread
Thursday:	Breakfast/Jelly Sandwich	Lunch/Saimin + 1 slice bread	Dinner/Ravioli + 2 slices bread
Friday:	Breakfast/Jelly Sandwich	Lunch/Saimin + 1 slice bread	Dinner/Saimin + 2 slices bread
Saturday:	Breakfast/Jelly Sandwich	Lunch/Saimin + 1 slice bread	Dinner/ Chili w/Rice + 1 slice bread

Glucerna/Ensure, Healthy Choice for Diabetics