

Citation Dismissal, Correction, and Voiding

804.1 PURPOSE AND SCOPE

This policy outlines the responsibility for citations, the procedure for dismissal, correction, and voiding of citations.

804.2 RESPONSIBILITIES

The Records Unit shall be responsible for the supply and accounting of all citations issued to employees of this department.

804.3 DISMISSAL OF CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the generating member's Lieutenant. Upon a review of the circumstances involving the issuance of the citation, it is the decision of the Lieutenant to recommend dismissal of the citation. If approved, the citation will be forwarded to the prosecutor's office with a request for dismissal. All recipients of citations whose request for the dismissal of a citation has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the prosecutor to dismiss the citation. Upon dismissal of the citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Lieutenant for review.

804.4 VOIDING CITATIONS

Voiding a citation may occur when a citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Records Unit.

804.5 DISPOSITION OF CITATIONS

The court and file copies of all citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Records Unit.

Upon separation from employment with this department, all employees issued citations books shall return any unused citations to the Records Unit.