



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



523.04

## NOTICE TO APPEAR (CITATIONS)

05-30-17

### PURPOSE

The purpose of this order is to establish procedures to ensure citations are used to accurately document the issuance of traffic citations, misdemeanor citations, infraction citations, warnings, and approved Sacramento Police Department forms.

### POLICY

It shall be the policy of the Sacramento Police Department to ensure that all citations and forms are issued in a manner that may assist with criminal prosecution and is consistent with Department policies and current laws.

### PROCEDURE

#### A. DEFINITIONS

Electronic Citation Device (ECD) – A portable handheld mobile computer used to issue citations, warnings, and approved forms.

#### B. ELECTRONIC CITATION EQUIPMENT ISSUANCE, REPLACEMENT AND RETURN

1. Members of the Public Safety Information Technology (PSIT) Division shall issue the following equipment:
  - a. ECD and charging cord.
  - b. Thumbprint scanner.
  - c. Printer and charging cord.
2. PSIT shall ensure the equipment issued is documented in the Records Management System (RMS) for tracking purposes.
3. If the ECD equipment is malfunctioning, employee(s) shall contact their immediate supervisor and notify the PSIT Help Desk.
4. Employee(s) experiencing problems with the ECD docking stations shall immediately report the issue to their supervisor and the PSIT Help Desk.
5. When ECD equipment is lost, stolen, or damaged, employee(s) shall immediately notify their chain of command and submit a red border form.
  - a. Red border forms shall be sent to the Professional Standards Unit (PSU).
  - b. A copy of the red border form shall be forwarded to the Mobile Sustainment Team.
  - c. If available, PSIT may issue replacement equipment.
6. If no replacement ECD devices are available, employee(s) shall use the City of Sacramento Police Department Notice to Appear (SPD 109).
7. ECD equipment shall be issued to employees currently assigned to the Office of Operations. ECD equipment may be issued to employees not assigned to the Office of Operations at the discretion of the PSIT supervisor or his/her designee.
8. Employees leaving the Office of Operations shall return all ECD equipment to the SPD armorer.
9. Department personnel shall not attempt to install additional software on the ECD equipment without the consent of PSIT.

#### C. RESPONSIBILITY

1. Employees shall verify that their ECD equipment is functioning properly prior to each shift.
2. Supervisors shall
  - a. Conduct an audit of the electronic citation equipment on an annual basis.
  - b. Log into the electronic citation software regularly to verify employee(s)' quality of work and to ensure that they are using the citation software.



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## D. ELECTRONIC CITATION ISSUANCE

1. ECD's shall be used to issue
  - a. Traffic citations.
  - b. Misdemeanor citations.
  - c. Infraction citations.
  - d. Warnings.
2. Prior to issuing a citation or warning, employees shall ensure that all information for involved parties is accurate and up to date.
3. Employees shall print a copy of the citation for the violator.
4. Employees shall collect the violator's signature on the ECD.
5. Employees shall collect a thumbprint (or print from another finger if a thumb print is unavailable) from the violator in cases where one is required.

## E. PRIVATE PERSONS ARRESTS

Employee(s) may issue a Private Persons Arrest (PPA) from the ECD. (Reference GO 527.04)

## F. WARNING

1. A warning is not a citation. As warning enables the employee to capture violator, passenger, and vehicle data in the same manner as a street check without having to issue a citation.
2. If a warning is completed, a printed copy shall be provided to the violator.
3. A violator signature is not required for a warning citation.

## G. PHOTOGRAPHING/RECORDING FOR COURT PURPOSES

1. Employees may use the ECD to capture photographs for traffic court purposes only.
2. Photos will be stored in the electronic citation software. An employee will have access to view any photos associated with their citation.

## H. VEHICLE STOP DATA FORM

1. A Vehicle Stop Data Form (VSDF) will automatically be generated once an electronic citation or warning is completed.
2. If an employee issues a hard copy SPD 109, they shall complete the VSDF via the VSDF web application.

## I. DOWNLOADING CITATIONS

1. ECD docking stations will be located at each of the police facilities.
2. Employees shall offload their electronic citation(s) at a designated docking station before the end of their shift in which a citation was written. Citations are transferred to the citation web software by placing the ECD in a docking station and manually syncing the device.
3. After citations have been transferred, employees shall store the equipment in a secure location.

## J. HARD COPY "NOTICE TO APPEAR"

1. Employees may obtain a hard copy citation book (SPD 109) from their stations and shall submit the signed cover sheet to their supervisor.
2. Supervisors shall enter the citation book numerical series information into RMS for tracking and auditing.
3. Employees issuing a hard copy SPD 109 shall, before the end of shift
  - a. Locate a computer equipped with the electronic citation web software, log in, and manually input the citation information from the hard copy citation. An electronic citation will be created.
  - b. Locate a designated station printer/scanner. Scan the original paper citation and save to the designated citation folder on the printer/scanner.
  - c. Forward the original hard copy citation to the Records Division.

## K. CITATION VOIDED/ISSUED IN ERROR

1. Employees may delete any citation prior to the violator signing it. Once the violator has signed a citation, no changes shall be made without an SPD 554 (Notice to Appear – Void).



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2. Employees requesting to void a signed **hard copy** citation shall submit a SPD 554 to the Records Division.
3. Employees voiding an **electronic citation** shall submit an SPD 554 to the Records Division and electronically void the citation.
4. The Records Division shall forward the completed SPD 554 to the appropriate courts for processing.
5. Issued citation(s) shall never be reclaimed from a violator by an employee.

### L. CITATIONS NEEDING CORRECTION

1. If a citation is rejected by the court, the employee shall be responsible for correcting and resubmitting the citation.
2. If the employee completed a hard copy citation, notification for corrections shall be made by the Records Division.
3. If the employee completed an electronic citation, notifications for corrections are made via the electronic citation software. Employees shall log into the electronic citation software weekly to correct any citations that have been rejected by the court on the electronic TR-100 form.
4. Records Division shall
  - a. Send the proof of service to the violator.
  - b. Forward the corrected citation and TR-100 to the appropriate court.

### M. CITATION REVIEW

1. Each user may review, add notes, and print his/her citations and warnings via the electronic citation web software.
2. Detectives shall have access to view issued citations and warnings pertaining to case follow-up.
3. Sergeants and above shall have access to view all citations and warnings.