

Lawrence Police Department
Administrative Policy

SUBJECT Municipal Citation Accountability		APPLIES TO All Personnel	
EFFECTIVE DATE August 27, 2012	REVISED DATE None		
APPROVED BY Chief of Police	TOTAL PAGES 3		POLICY NUMBER

POLICY

The Lawrence Police Department is committed to maintaining an accurate accounting for municipal citations issued by officers. Officers who void or request dismissal of municipal citations, either paper or electronic, shall do so in accordance with this policy.

DEFINITIONS

Void – The term utilized to describe the action of cancelling a citation that has been initiated or completed, but has not yet been filed with, or submitted to Municipal Court.

Dismissal – The term utilized to describe the action of cancelling charging or prosecution after a citation has been filed with or submitted to Municipal Court.

Just Cause – A circumstance that justifies the voiding or request for dismissal of a citation. Examples include:

- Citation is not legally or factually warranted.
- Citation is defective due to error on the part of the officer completing the citation.
- Due to changing circumstances, the case will proceed through District Court in lieu of the already started municipal process.
- Compromise of an on-going investigation.
- Malfunctioning of any component of the electronic ticketing system.
- Abandonment of the completion of the ticket due to other service response needs.
- Other articulable rationale in the interest of good public service and not based on favoritism.

PROCEDURE

- A. Voiding of citations. Citations may only be voided for just cause. The officer shall:
1. When possible, collect all copies of the citation;
 2. Note on the back of the citation if it is a handwritten citation, or in the ticket notes field of the electronic ticketing system if it is an electronic citation, the reason for the void;
 3. Complete the Citation Void Form which shall include the reason for the void, attaching the copy or copies of the citation thereto;
 4. Forward the completed Citation Void Form with attached citation to the officer's direct supervisor, or in his or her absence, another supervisor, for review and approval;
 5. Absent the ability to make electronic notes or notes on the handwritten citation, an Officer's Special will be utilized to document the void and then forwarded through the chain of command as an attachment to the Citation Void Form.
 6. If the supervisor approves the request, forward the approved Citation Void Form and citation to the Municipal Court Clerk as soon as possible;
 7. A copy of the approved Citation Void Form and citation will also be forwarded to the Office of Professional Accountability.
 8. If the individual who was ticketed was released before the officer retrieved the citation, the Department shall notify the individual of the void by letter mailed to the individual's last known address.
- B. Dismissal of citations. Officers may request citations be dismissed for just cause. The officer shall:
1. Complete the Citation Dismissal Form and submit it to the officer's direct supervisor for approval;
 2. If the supervisor approves and signs the Citation Dismissal Form, the officer shall take the form to the prosecuting attorney to request dismissal;
 3. A copy of the approved Citation Dismissal Form shall be forwarded to the Office of Professional Accountability.
 4. The prosecuting attorney may dismiss the citation if it complies with the prosecutor's dismissal policy.
- C. Accountability
1. Paper Citations.
 - a. Citations will be available in the report writing room.

- b. When officers obtain citation books, officers shall complete the citation book log noting the starting and ending number of the citations received.
- c. Officers are responsible for all citations they have signed for and should take steps to ensure they are properly disposed of: issued, voided, etc.

2. Electronic citations

- a. Officers will take all reasonable steps to sign into the citation software with their name and Computer Aided Dispatch (CAD) employee number when assigned to a vehicle.
 - b. Each officer will take all reasonable steps to log out of the Mobile Data Computer (MDC) when no longer using it.
- D. The Department recognizes there may be situations that occur that are not addressed by this policy. These instances should be brought to the attention of supervision and documented through an Officer's Special and forwarded to the Chief of Police.
- E. The Department shall retain the Citation Void Form, Citation Dismissal Form, and the citation, if it is available, for a period of not less than seven (7) years. The forms and citations shall be public records subject to the Kansas Open Records Act of 1989, K.S.A. 45-215 *et seq.*, and amendments thereto.