



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

070 – CITATION PROCEDURES

GENERAL ORDER: 2023-46
ISSUED: October 11, 2023

EFFECTIVE: October 11, 2023

REVIEWED/APPROVED BY:
Assistant Chief Nicole Waldner
DATE: May 12, 2023

ACTION: Amends General Order 2022-44 (October 7, 2022)

WILEAG STANDARD(S): 6.2.1, 6.2.2, 6.2.3, 6.2.4, 10.1.8

ROLL CALL VERSION

**Contains only changes to current policy.
For complete version of SOP, see SharePoint.**

070.15 REVIEW AND PROCESSING OF CITATIONS

B. TraCS CITATIONS

2. ELCI and NTC TraCS citations and Traffic Warning forms in TraCS shall be reviewed by a work location supervisor for completeness and accuracy and approved within seven (7) days of the initial incident or stop. The work location supervisor shall ensure the "Supervisor Approval" tag is checked and it is placed in "Completed" status.

070.20 CORRECTIONS ON CITATIONS

A. NON-TraCS (HANDWRITTEN) CITATIONS

2. If it is not possible to amend the defendant's copy of the citation, the issuing member shall note the correction(s) or change(s) on the *Notice of Amendment to Citation* (form PN-3), which must be signed by the commanding officer of the district or respective division of the Criminal Investigation Bureau making such corrections prior to service or mailing. The member, or a representative of the member as designated by the member's commanding officer, shall serve this notice, along with a copy of the amended citation, upon the defendant in person or in accordance with SOP 070.35 - Mailing of Citations. A copy of this notice shall be attached to the corrected citation. A second copy of the PN-3, and one copy of the citation, and one copy of the voided citation shall be sent via interdepartmental mail to the Court Administration Division.

B. TraCS CITATIONS

2. An electronic citation (ELCI) cannot be amended once the citation has been printed. Only the narrative section certain fields can be changed. Generally, if the ELCI or NTC TraCS citation cannot be amended, the original citation should shall be voided and re-issued (see 070.105 Voided Citations). The defendant shall be notified of the re-issued citation utilizing the PN-3. The member's shift commander shall ensure that a copy of the PN-3 is attached to the re-issued citation and a

copy is sent to the Court Administration Division along with a copy of the voided citation. The Court Administration Division shall be responsible for the tracking of re-issued citations.

- C. Any amended traffic citation, municipal citations and notices that are unable to be served upon the defendant, either by personal service or by mail, shall be forwarded to the Court Administration Division with a hand-written explanation for the failed service on the citation.

070.35 MAILING OF CITATIONS

- D. When approved, citations and/or PN-3 forms shall be mailed utilizing a department envelope (form PE-7). Department members mailing a citation shall ensure that his/her name and rank are indicated on the "in reply refer to" section of the PE-7.

070.40 MULTIPLE CITATIONS / STATE CHARGES (WILEAG 6.2.4)

- A. In the event that multiple citations arising from a single incident, including traffic and non-traffic, are issued to the same defendant and the defendant has been summarily arrested, all citations shall be issued by the same member for the next date court is in session. State citations are returnable to circuit court in accordance with the state court schedule the next day. Municipal citations are returnable to municipal court the next day court is in session (excluding holidays and weekends). Only if the defendant is not in custody shall a future court date be used. The municipal court schedule shall be used to determine the court date for municipal citations.

(WILEAG 6.2.4.5)

- C. When a subject is arrested on one or more state violations, all shall be processed at the district attorney's office at the same time. If the subject is also charged with municipal violation(s), municipal court shall review the citations on the next regularly scheduled court date if the subject is in custody, or a future court date if the subject is not in custody in accordance with the municipal court schedule.

(WILEAG 6.2.4.5)

070.45 SUMMARY ADULT CITATIONS

C. ADDITIONAL CHARGES

Any summary arrest that also includes a municipal ordinance or traffic violation shall be scheduled for the next day court is in session. Municipal court is not in session on weekends or holidays by using the [Municipal Court Schedule](#). Citations shall be completed and attached to the PA-45 prior to the subject being conveyed to the Criminal Justice Facility (CJF).

D. LIAISON OFFICER

The Court Administration Division "liaison officer" will retain both the PA-45 and citations for those summarily arrested and will present the citations to the reviewing assistant city attorney. An assistant city attorney shall review and sign both copies of

~~the citation, or TraCS citation, indicating approval for prosecuting or refusal and reason therefore. After processing at the city attorney's office, the liaison officer shall forward the reviewed and signed green original and pink copy, or TraCS citation, to municipal court.~~

~~**Note: After the initial court hearing, the green and pink copy, or TraCS citation, shall be retained by the municipal court.**~~

070.50 MUNICIPAL CITATIONS ISSUED TO PERSONS GIVING FALSE NAMES

A. MUNICIPAL COURT OFFICER COURT ADMINISTRATION MUNICIPAL LIAISON OFFICER

A judge may direct a ~~municipal court officer~~ Court Administration municipal liaison officer to obtain fingerprint verification through the Forensics Division from a person who claims not to have ~~received~~ been issued a citation.

070.60 SPECIAL GROUP VIOLATORS (WILEAG 6.2.2)

A. OUT OF STATE TRAFFIC VIOLATORS

1. The police member issuing the citation(s) shall escort or convey the out-of-state violators to the district station of the district in which the traffic stop occurred. Upon arrival at the district station, the officer shall inform a supervisor of the circumstances requiring a deposit. The supervisor or designee shall inform the violator of ~~the different types of payments accepted including: cash; MasterCard; Visa; money order; bank check; or guaranteed arrest bond certificate or card~~ he or she may satisfy the deposit by cash payment.

~~2. All payments shall be made out to the city of Milwaukee. Payments by Visa or MasterCard require the violator's signature on the credit slip as well as the citation type and number.~~

23. Procedure for Accepting Deposit

If the citation is for a municipal traffic violation, the payment and a copy of the citation shall be placed in an envelope and deposited into the district station lock box. If a cash payment is taken, district personnel shall issue the violator a serial numbered Budget and Finance receipt for the amount of money posted. A copy of the receipt shall be included in the envelope. The violator shall retain the pink copy of the citation and be advised of the court procedures.

Note: Make certain that the original citation is forwarded to the Court Administration Division prior to the scheduled court appearance.

~~4. Deposits using guaranteed arrest certificates or cards shall first be verified for membership status. A serial numbered receipt shall be issued. The words "guaranteed arrest bond certificate or card" and the certificate or card number shall be written on the receipt. The card or certificate shall be placed in an envelope with~~

~~the citation and copy of the receipt and deposited into the lock box.~~

~~5. Payments made by a bank check or money orders do not require the issuance of a receipt. The canceled check or money order stub will serve as the receipt.~~

~~36. If the violator is unable to post bond, a PA-45 must be completed and the violator transferred to CJF. Any issued citations shall be attached to the PA-45.~~

a. For an ordinance violation, the person shall be processed and released in accordance with SOP 070.45(A).

b. For a misdemeanor violation, the booker shall contact Central Booking at extension 7521 to facilitate the transfer of the person to Central Booking so he/she can be released directly from MPD custody.

Note: Out of state violators shall be afforded all opportunities to post bond prior to the person being conveyed to CJF (e.g., being allowed to make phone calls to family and/or friends to see if money can be transferred to the violator).

(WILEAG 6.2.2.1)

070.90 TRAFFIC CITATIONS REVIEWED BY THE DISTRICT ATTORNEY'S OFFICE (WILEAG 6.2.4)

A. When a police member issues an electronic citation (ELCI) for any of the following traffic offenses, the issuing member shall ~~personally process the citation with the district attorney's office by obtaining a criminal complaint:~~ submit the required reports via the *State Traffic Envelope* (form PO-25N) or *State Summary Arrest Package Envelope* (form PE-39) (whichever is applicable to the case) to the Court Administration traffic liaison officer. The issuing member shall only appear at the Milwaukee County District Attorney's Office for felony violations (see SOP 070.90(D) regarding).

070.100 RELEASABLE CITATIONS (WILEAG 6.2.4)

A. RELEASED PARKING CITATIONS (PT-22)

3. Released parking citations shall be processed ~~through the district station cash register~~ by notating under other on a Budget and Finance receipt and include the parking citation number. ~~and a~~

a. The pink copy of the Budget and Finance receipt with the citation number shall be given to the person submitting the citation for release.

b. The yellow copy of the receipt shall be sent to Budget and Finance.

C. RELEASABLE TraCS ELCI CITATIONS

1. Release Procedures

- b. ~~Members shall print their name, PeopleSoft number and numerical release code on the violator's copy of the citation. The code number shall be circled. Members shall use the work location's red released citation stamp on the face or back of the citation and include their name, PeopleSoft number, signature, and date. The member shall write and circle the numerical release code on the violator's copy of the citation.~~
- c. ~~The citation shall be processed through the district station cash register by notating under other on the Budget and Finance receipt and include the citation number. and a~~
 1. ~~The pink copy of the Budget and Finance receipt with the citation number shall be given to the violator.~~
 2. ~~The yellow copy of the receipt shall be sent to Budget and Finance.~~
- d. ~~The released citation shall be reviewed by a district supervisor before being sent to the Court Administration Division via the department mail in a locked color-coded pouch. The member shall submit the citation to their shift commander or work location supervisor who shall review the released citation and upon approval, the shift commander or work location supervisor shall affix the work location's stamp and sign and date the citation. The released citation can then be voided by the shift commander or work location supervisor (see SOP 070.105 regarding).~~
- e. ~~The Court Administration Division shall track all voided citations under the citation management system.~~

D. ROUTING OF RELEASED CITATIONS

1. ELCI, municipal citations (NTC and CBP-200) and *Juvenile Municipal Court Citations* (form CPB-201) shall be forwarded intact to the Court Administration Division. Voided citations shall be retained by the Court Administration Division for 3 years and then destroyed in accordance with SOP 680.10(E) as it relates to data protection and security.
2. Parking citations and the white copy of the receipt shall be placed into the lock bag at the work location for pick up by a Duncan Solutions courier.

070.105 VOIDED CITATIONS (WILEAG 10.1.8)

- A. A citation may be voided when an error is made in preparing the citation, a citation was opened in error, or any other valid reason discovered contemporaneous to the time it is prepared (e.g., owner arrives on the scene, vehicle previously cited). Only the member who prepared the citation may request to have it voided.
 1. TraCS Citations
 - a. TraCS citations cannot be voided by the member; the citation must be voided by a work location supervisor. If a supervisor voids a citation, the supervisor

shall include the reason for the voided citation in the TraCS narrative section. If the citation was reissued, the supervisor shall document the reissued citation number in the TraCS narrative section of the citation they are voiding.

- b. If the TraCS citation is voided for error prior to issuance, the citation should be transmitted directly to a work location supervisor with “void” typed in the narrative section followed by a specific reason or explanation for the voided citation.
- c. If the citation has already been issued to ~~the citizen~~ an individual, the member involved shall deliver such citation intact to their shift commander. The member shall write “void” and an explanation for voiding the citation together with his/her signature across the face, or reverse side, of the citation. The member shall then submit the citation to their shift commander who shall affix the work location stamp, his/her signature and PeopleSoft number on the face, or reverse side, of the citation. If the citation was re-issued, the full citation number of the new/reissued citation shall be written on the face of the voided citation, and the voided citation shall be forwarded to the Court Administration Division.
- d. The shift commander, work location supervisor, or Court Administration supervisor voiding the citation shall log the voided citation in the *Void Citation Log* on the Court Administration SharePoint [page](#).
(WILEAG 10.1.8.2)

2. Non-TraCS Citations

- b. After review and approval, the shift commander shall affix the work location stamp, his/her signature, and PeopleSoft number on the face of the citation and the voided citation shall be forwarded to the Court Administration Division. The shift commander or work location supervisor shall log the voided citation in the *Void Citation Log* on the Court Administration SharePoint [page](#).
(WILEAG 10.1.8.2)

C. The Court Administration Division shall track all voided citations on the Court Administration SharePoint [page](#).

070.115 CONTESTING A CITATION (WILEAG 6.2.3)

A. MUNICIPAL AND TRAFFIC CITATIONS

2. If ~~a citizen~~ an individual is interested in contesting a municipal or municipal traffic citation, they shall be advised to appear at municipal court on the date written on their citation.



JEFFREY B. NORMAN
CHIEF OF POLICE