



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 070 – CITATION PROCEDURES

**GENERAL ORDER:** 2022-XX  
**ISSUED:** February 7, 2022

**EFFECTIVE:** February 7, 2022

**REVIEWED/APPROVED BY:**  
Assistant Chief Nicole Waldner  
**DATE:** December 13, 2021

**ACTION:** Amends General Order 2017-07 (January 31, 2017)

**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.

#### 070.05 GENERAL CITATION PROCEDURES (WILEAG 10.1.8)

- D. Before ending their tour of duty, members shall turn in all completed citations unless otherwise directed by the shift commander and “end shift” any citations issued through TraCS. All issued citations must be completed and turned in ~~within 7 days of the date of issuance~~ prior to the end of the member’s tour of duty.  
(WILEAG 10.1.8.2)

#### 070.15 REVIEW AND PROCESSING OF CITATIONS

##### A. NON-TraCS (HANDWRITTEN) AND PARKING CITATIONS

1. The work location supervisor shall review and approve all adult/juvenile non TraCS municipal citations, and ensure that they are secured in a lockbag and sent to the Court Administration Division via department mail. The non TraCS municipal citations shall be signed and dated by the approving supervisor.

##### B. TraCS CITATIONS

~~The Court Administration Division shall review and approve ELCI and NTC TraCS citations.~~

1. Police members shall complete ELCI and Non-Traffic Citation (NTC) TraCS citations and Traffic Warning forms in TraCS prior to the end of their tour of duty.
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.
3. ELCI and NTC TraCS citations and Traffic Warning forms found to be incomplete or inaccurate are to be returned to the submitting police member who will make the necessary corrections and re-submit the form within twenty-four (24) hours.

**070.20 CORRECTIONS ON CITATIONS****A. NON-TraCS (HANDWRITTEN) CITATIONS****B. TraCS CITATIONS**

1. Members shall check their contact manager within the TraCS system to see if any validated TraCS citations need to be corrected per ~~Court Administration Division~~ a **work location supervisor** each tour of duty. Members shall complete any citations within 24 hours of the member observing the request to correct such citations. The issuing member shall ensure that the defendant is notified of such changes by utilizing the PN-3. It shall be the responsibility of the ~~Court Administration Division~~ **commanding officer of each work location** to track those citations in need of correction to ensure that they are processed in a timely manner.
2. An electronic citation (ELCI) cannot be amended once the citation has been printed. Only the narrative section can be changed. Generally, the citation should be voided and re-issued (see 070.400-105 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. The Court Administration Division shall be responsible for the tracking of re-issued citations.

**070.30 FINGERPRINT REQUIREMENT**

Whenever a police member issues a CBP-200 or TraCS citation the member shall:

- D. With TraCS, obtain and place the defendant's right index fingerprint on an *Electronic Citation Violator Fingerprint Card* (form PC-18) as well as the date and initials of the member obtaining the fingerprint. Obtain the left index fingerprint if the right fingerprint is not attainable and indicate such on form PC-18. Attach form PC-18 to the court copy of the citation. Form PC-18 shall be forwarded to the Open Records Division.

**Note: Discretion shall be exercised when a person does not have a valid picture identification card and refuses to be fingerprinted. In such cases, the member shall consult with his/her immediate supervisor.**

**070.35 MAILING OF CITATIONS**

**A. Members shall attempt to do the following prior to being authorized to mail a citation:**

1. **Attempt to personally serve the citation on the defendant; or**
2. **If personal service of a citation cannot be made by the department member after due diligence, the member shall attempt to leave the citation at the defendant's usual place of abode in the presence of a competent member of the family at least 14 years of age, who should be informed of the contents of the citation.**
3. **If personal service and abode service cannot be made after due diligence, or if the**

defendant lives outside the jurisdiction of the issuing authority, the department member shall mail the citation via United States Postal Service First Class mail addressed to the defendant's last-known address by following the procedures set forth in 070.35(B-E).

**Note: Leaving a citation at the defendant's last known address is not a proper method of service as it must be left in the presence of a competent member of the family at least 14 years of age.**

B. Citations may be mailed to a defendant only under the following circumstances:

1. The defendant has been identified but is no longer present at the scene of the incident.
2. The defendant is identified during a subsequent investigation.
3. Extreme circumstances require the officer to release a defendant prior to the completion of the citation.
4. In those situations when subsequent chemical analysis results reveal a prohibited blood alcohol concentration (BAC), the Court Administration Division shall mail the appropriate BAC citation to the defendant.

**Note: Whenever a citation is mailed to a defendant (other than as stated in (4) above), the reason for the mailing and description of the attempts to personally serve the citation upon the defendant are to be detailed in the narrative portion of the citation. In addition, the box in the TraCS citation indicating the citation was mailed must be checked.**

#### **070.55 VIOLATOR TAKEN INTO CUSTODY AFTER ISSUANCE OF TRAFFIC CITATION**

C. In instances where police members are unable to confirm the violator's identity or the violator does not qualify for immediate release from custody, a complete booking process shall be performed, including a 10 print identification, photographs, CMS Jail Management System entry, etc.

#### **070.60 SPECIAL GROUP VIOLATORS (WILEAG 6.2.2)**

A. OUT OF STATE TRAFFIC VIOLATIONS

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.

**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)

#### E. MILITARY PERSONNEL

Military personnel are active duty members of the armed forces, or the reserves, or National Guard while on active duty orders. Active duty military personnel are considered residents for the purposes of not requiring a deposit for forfeiture citations.

2. Any license issued by the Department of Transportation does not expire on the expiration date if, on the expiration date, the licensee is on active duty in the United States armed forces or is a member of the U.S. foreign service appointed under 22 USC 3492(a)(1) or 22 USC 3493 and is absent from this state. The license does not expire until 30 days after the licensee returns to the state of Wisconsin or 90 days after the licensee is discharged from active duty, whichever is earlier in accordance with [Wis. Stat. § 343.20\(4\)](#).

(WILEAG 6.2.2.4)

#### D. OPERATING AFTER REVOCATION CITATION REFERRAL NOTICE (FORM PC-27)

Whenever a police member issues a municipal or state citation for operating after revocation (OAR), a *Center for Driver's License Recovery and Employability (CDLRE) Citation Referral Notice* (form PC-27) shall be issued to the violator. Form PC-27 provides low-income Milwaukee County residents who have been cited for OAR with information on how to seek assistance in obtaining a valid driver's license.

#### E. ~~MILWAUKEE COUNTY D.A. CASE RECORD SHEET (PINK CARD)~~ OPERATING AFTER REVOCATION REQUIRED DISTRICT ATTORNEY WORKSHEETS

1. Whenever a state OAR citation has been issued, ~~a Milwaukee County District Attorney's Case Record Sheet (pink card)~~ the following district attorney worksheets must be completed:

a. *D.A. Complaint Worksheet / Referral*

b. *D.A. Referral from Law Enforcement – Referral Packet Checklist* (form 900)

c. *D.A. Victim/Witness Data Sheet* (form 4983)

1. Members are to ensure the *Victim/Witness Data Sheet* is filled out in its entirety and all witness types are properly identified. Only one (1) member witness is to be designated as "primary".
2. Supervisors responsible for reviewing the *Victim/Witness Data Sheet* are to ensure each member witness is properly categorized and only witnesses vital to the case are listed. Supervisors must evaluate the need for a member to be listed as a witness. Members listed but found not material to

the case are to be removed from the *Victim/Witness Data Sheet* by the supervisor.

3. The reviewing supervisor will affix the work location's stamp and provide their signature directly below the last member witness. The stamp and signature will serve as evidence the *Victim/Witness Data Sheet* has been reviewed and approved by the supervisor.
  4. The district attorney's office will make the final determination as to which witnesses will be required to appear for testimony by the issuance of a subpoena.
2. For summary arrests, the pink-card district attorney worksheets shall accompany the prisoner to CJF, along with the citation and PA-45.
  3. For non-summary non-TraCS citations, both the pink-card district attorney worksheets and the citation shall be forwarded to the Court Administration Division. For non-summary TraCS citations, the pink-card district attorney worksheets shall be forwarded to the Court Administration Division.

#### **070.75 OPERATING UNREGISTERED OR IMPROPERLY REGISTERED VEHICLE (WILEAG 6.2.4)**

##### **C. ISSUANCE OF CITATION**

2. Motorists stopped for expired license plates may be issued a citation. These citations are releasable prior to the court date (see section 070.95100).  
(WILEAG 6.2.4.2)

#### **070.80 VEHICLE OWNER'S LIABILITY CITATIONS**

D. The following is a list of vehicle owner's liability statutes that are applicable to this section:

2. Vehicle Owner's Liability for Failing to Stop at the Scene of an Accident ([Wis. Stat. § 346.675](#))

**Note: Service of a citation for this offense must be done within 72 hours (3 days) of the violation.**

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

B. Arresting members need not appear for:

5. Fleeing from officer arrests ([Wis. Stat. § 346.04](#)). Court liaison officers will only handle Fleeing from Officer cases when it is the only charge. The case shall be handled by the investigating member if there are other charges associated with the Fleeing from Officer incident or if there are complex or unusual circumstances.

**D. STATE TRAFFIC ENVELOPE (form PO-25N)**

1. The *State Traffic Envelope* (form PO-25N) shall be used for the purpose of gathering, reviewing, and containing all necessary reports for court liaison officers to process a summary state traffic case or a non-summary state traffic order-in-case. Printed on the envelope is a list of all reports required for district attorney review.
2. Officers shall indicate on the *State Traffic Envelope* whether the member or if a court liaison officer will present the case for district attorney review.
3. Shift commanders shall confirm and document that all of the required reports have been completed and included in the *State Traffic Envelope* by affixing their signature on the front of the envelope.

**070.95 DRIVER CONDITION OR BEHAVIOR REPORT**

TraCS is the preferred method for completing a *Driver Condition or Behavior Report* (DOT form MV3141) whenever a member believes that a licensed driver should be re-examined by the Department of Transportation for “good cause” (see [Wis. Stat. § 343.16](#)). The report shall contain observations about functional ability, including descriptions of driving and other behaviors, reporting what the driver has said about a medical condition, and reporting signs of impairment. The member shall ensure the TraCS report is in validated status upon completion. ~~The Records Management Division~~ A work location supervisor will then review the report for appropriateness, ensure the report conforms with [Wis. Stat. § 343.16](#), and forward it to the Department of Transportation.

**070.100 RELEASABLE CITATIONS (WILEAG 6.2.4)****BG. ALPHA/NUMERIC RELEASE CODES****CB. RELEASABLE ELCI****070.105 VOIDED CITATIONS (WILEAG 10.1.8)**

- A. A citation may be voided when an error is made in preparing the citation 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

TraCS citations cannot be voided by the member; the citation must be voided by ~~the Court Administration Division~~ a work location supervisor. If the TraCS citation is voided for error prior to issuance, the citation should be transmitted directly to ~~the Court Administration Division~~ a work location supervisor with “void” typed in the narrative section followed by a specific reason or explanation for the voided citation. If the citation has already been issued to the citizen, 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 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 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.  
(WILEAG 10.1.8.2)

- B. Voided citations shall be routed in accordance with the procedures set forth in 070.95100(D).

### **070.110 PAYMENT OF CITATIONS**

#### **B. ~~DEPOSIT PAYMENT INTO LOCKBOX~~ PAYMENT OF PARKING CITATIONS**

The payment of a parking citation returnable to municipal court may be made at the City of Milwaukee Violation Bureau locations. ~~any district station by depositing the defendant's copy of the citation along with payment into the district station lockbox. Persons summarily arrested on municipal citations may choose to use this method to satisfy the citation (department personnel shall observe this payment). Citations returnable to circuit court shall not be paid through a lockbox.~~

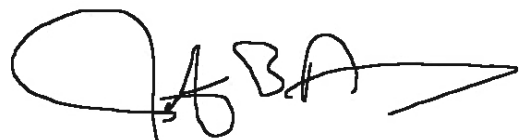
### **070.115 CONTESTING A CITATION (WILEAG 6.2.3)**

#### **A. MUNICIPAL AND TRAFFIC CITATIONS**

1. Police members issuing a CBP-200 or TraCS citation returnable to municipal court shall also give the violator a *Milwaukee Municipal Court (How to Take Care of Your Citation)* card (form MC-715 or MC-715S (Spanish version)) and a *Community Contact Card* (form PF-6). ~~This handout~~ The MC-715(S) explains the various options, methods of payment, and court appearance dates.
2. If a citizen 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.

#### **B. PARKING CITATION**

Persons wanting to contest a parking citation shall phone ~~the city's attorney's office~~ the City of Milwaukee Violations Bureau at 414-344-0840 to make an appointment to review the citation.



JEFFREY B. NORMAN  
CHIEF OF POLICE