

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

CITATION BOOK (CRIMINAL VIOLATIONS)
SUBJECT

DATE: January 18, 2007

NO: O-1

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: Citation Book, Criminal Violations
Notice to Appear, Criminal Violations
Criminal Citations

I. POLICY

Notice to Appear Citation Books have been issued to personnel and will be used for all citable offenders. One uniform citation will be used to cite violators. Additional books are available from Headquarters.

II. PROCEDURE

A. The citation form is basically self-explanatory for required information. The following is an aid to make completion clearer:

1. Traffic/Non-Traffic Boxes. Mark the "Traffic" box if the citation is issued for traffic charges. If the citation is issued for other than traffic, mark the "Non-Traffic" box.
2. Date is written with six digits: mm/dd/yy
3. Time is written according to the 24-hour clock example: 2130
4. Complete address, including zip codes.
5. The Juvenile Box is checked if the cited subject is a juvenile. The home phone number will be filled out for everyone receiving a citation.
6. Ethnicity (race). This will be completed by marking the appropriate letter code for the RMS system.

W - White,	B - Black,	H - Hispanic,	I - American Indian/Alaskan,
C - Chinese,	J - Japanese,	F - Filipino,	P - Pacific Islander,
D - Cambodian,	L - Laotian,	K - Korean,	V - Vietnamese,
G - Guamanian,	S - Samoan,	U - Hawaiian Polynesian,	
Z - Asian Indian (also Arabic),		O - other, and	X - unknown.

7. If the person cited does not have a valid California Driver's License or Identification card in their possession at the time of the citation, the Officer will obtain a copy of the person's right thumb print on the back of both the white copy of the citation and the pink copy of the citation. If the fingerprint obtained is other than the right thumbprint, it shall be noted on both copies of the citation. Out of State Driver's Licenses shall require a right thumb print.

(a) Records will forward all thumb printed citations to Latents for processing.

8. Commercial/Hazardous Materials Box. If a driver being cited is operating a commercial vehicle as defined in 15210(b) CVC, the COMMERCIAL VEHICLE box is to be checked. If the vehicle is being

used to transport hazardous materials as defined in Section 353 and 2452 CVC, the HAZARDOUS MATERIAL box is to be checked.

9. Financial Responsibility Box. All citations issued for traffic violations are required to have the insurance policy name and number entered in this box. If the driver being cited does not have proof of insurance, write NONE in this box.
10. Case Number Box. Record the DR number that is assigned to an incident for which the citation is being issued.
11. Citing officer will check the "Booking Required," if applicable. A "Booking Required" requires the magistrate to have the cited subject booked into the jail after appearing in court.
 - a. Generally the magistrate will have a cited person booked on any charge for which incarceration is a possible punishment (except: 11357b H&S, 647f PC, 25662 B&P, and local ordinances.)

B. "Violations Charged" Section must be completed in a specific manner.

1. "Code" refers to statute.
2. "Section" refers to a particular section of the statute.
3. "Description" is a written explanation of the section used, example:

<u>CODE</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
PC	484(a)	Petty Theft

a. NOTE: Citations charging Petty Theft require a description of the stolen item(s) and its value.

4. Continued Form Issued Box. To be checked if a citation continuation form is issued.
5. If the offense was not committed in the issuing officer's presence, a check will be placed in the appropriate box above the officer's signature box.

C. If cited, a person must be advised as to when and where to appear. The following will be completed when a person is cited and a (X) placed in the appropriate boxes:

1. ADULTS: Refer to the current court calendar located in Headquarters area.
2. JUVENILES: (X) To be notified by mail. Juveniles will receive a letter from Juvenile Probation Department with the date and time to appear.
 - a. NOTE: If this is a criminal citation, the parent or guardian taking custody of the juvenile will sign the bottom of the citation.
3. Officers may not cite an individual adult or juvenile for both criminal and traffic offenses on the same citation.
4. When a citation is issued, the citing officer will verbally advise the subject when and where to appear. This same information will be included if the citation is mailed.
5. Citations never require a person to appear on Saturday, Sunday, or holidays.
6. A crime report will be prepared by the officer issuing the criminal citation. A crime report is required for 4-043 SMC (Discharging firearms within the city limits). On all other SMC Sections, the officer will write the necessary information regarding the offense on the back of the citation.

7. Dismissing or voiding criminal citations.
 - a. All non-SMC citations for voidance or dismissal are referred to the District Attorney's Office. All SMC criminal citations are referred to the City Attorney's Office.

D. Setting Court Dates

1. The San Joaquin County Court system routinely changes dates, times, and departments that subjects should be given. Refer to the most current list that is issued in Field Services for the above information.
2. Juveniles will be cited (X) To Be Notified by Mail
 - a. NOTE: A parent or guardian signature is required.