

# Georgia Department of Public Safety Policy Manual

<b>SUBJECT</b> <b>CITATION DISTRIBUTION AND ACCOUNTABILITY</b>	<b>POLICY NUMBER</b> <b>13.05</b>
<b>DISTRIBUTION</b> <b>ALL EMPLOYEES</b>	<b>DATE REVISED</b> <b>2/26/2013</b>

## 13.05.1 Purpose

To establish policy and procedures regarding accountability for citations distributed to members of the Department of Public Safety, and provide for delivery to and disposition by the appropriate courts.

## 13.05.2 Policy

Members of the Department of Public Safety are issued citation books for the purpose of charging violators of the laws of Georgia and prosecuting those cases. It is the policy of the Department of Public Safety to account for the distribution of all citations and to provide for the disposition of issued citations by the courts.

## 13.05.3 Procedures

### A. Authority

1. O.C.G.A. §40-13-1 requires the Commissioner of the Department of Driver Services to develop a Uniform Traffic Citation (UTC) for use by all law enforcement officers in Georgia.
  - a. Each citation must have a unique identifying number which shall serve as the docket number for the court having jurisdiction of the accused.
  - b. The UTC is assigned form number DPS-32.
2. DDS Rule 375-3-4-.02 requires a unique number and agency identifying number on each citation.
  - a. This rule also provides that UTCs are public records and shall be made available to any agent of the Governor, Attorney General, Secretary of State, Commissioner, or Georgia Bureau of Investigation upon request and to other persons at reasonable times and places.
  - b. It also mandates that each agency establish a system of accountability for each citation which comes into its possession. This system must include:
    - 1) The date of distribution of each blank citation (or block of citations) and the officer to whom they are given.
    - 2) All copies of voided citations.

- 3) The circumstances under which any citation (or block of citations) has been lost or misplaced.

B. Electronic Citations

1. Electronic Citation Numbers are issued by the software application currently in use by the Department.
2. Members shall request additional numbers from the server as needed.
3. Voiding of Electronic Citations
  - a. When an officer, of any rank, desires to void a citation, they shall contact their supervisor and explain the reason for the void. Whenever possible, this should be done by e-mail.
  - b. The supervisor shall approve or deny the request to void the citation. If the request is approved, the supervisor shall forward the request to the Technology Director to have the citation voided in the CAD/RMS system.
  - c. The Technology Director shall record the voiding of the citation in a Sharepoint (MyDPS) library that can be accessed by authorized personnel. This record shall include the Citation Number, Date of Issuance, Date Voided, Officer Requesting the Void, Supervisor Approving the Void, the Reason for Voiding, and, if the citation data has been transmitted to AOC, an indication that the court has been notified that the citation has been voided.
  - d. The Technology Director shall then void the citation in the CAD/RMS database using the process established by CTS for this purpose.
  - e. The Technology Director shall provide to the Command Staff, the Board of Public Safety, or other authorized personnel, as directed, reports regarding voided citations.

C. Distribution of Citation Books

1. New Citation Books shall be stored in a secure location and shall only be issued by an NCO.
2. Post Commanders shall keep a close inventory of citation books on hand and requisition new books from DPS Supply at least 90 days before the Post supply is exhausted.
3. Each sworn member shall maintain at least one citation book in his vehicle or possession at all times while on duty.
4. Records shall be kept to reflect to whom books are distributed.
  - a. Post Commanders/Unit Supervisors shall issue citation books to sworn personnel under their command, as well as any other sworn personnel working out of their Post.
  - b. Issuance of citation books shall be recorded on the Post Citation Log (DPS-470) showing the following:

- 1) Date Received;
  - 2) Book Number;
  - 3) Citation Numbers (used and unused);
  - 4) Name of the person issuing the book, and
  - 5) Name of the person receiving the book.
- c. The Citation Log shall be maintained in the Post/Unit Files for a period of three years and then destroyed locally.
5. Records shall be kept to reflect the return of completed books
- a. At the time the book is returned, whether completed or not, another entry shall be made on the Citation Log on the same line recording the issuance of the book, showing the following:
    - 1) Date Returned;
    - 2) Book Number;
    - 3) Citation Numbers (used and unused);
    - 4) Name of the person returning the book, and
    - 5) Name of the person receiving the book.
  - b. If a returned book is not complete, it shall be re-distributed under the same guidelines as stated above.
  - c. When members complete their book or leave their assigned Post/Unit, their citation books shall be returned to their Post Commander/Unit Supervisor.
  - d. If all citations have been issued, the Post Commander/Unit Supervisor shall insure that all 25 citations are accounted for.
    - 1) If any citations in the book have not been issued, the book shall be returned to the member to issue the remaining citations.
    - 2) If all citations have been issued and are accounted for, the appropriate entry shall be made on the DPS-470 indicating that the book has been returned and all citations have been issued.
    - 3) Troop Officers shall inspect the DPS-470 as part of their regular Line Inspections and shall initial beside each entry for returned citation books.
    - 4) When a citation book's entry on the DPS-470 has been initialed by the Troop Officer, the book shall be destroyed.
  - e. Personnel detached or not assigned to the Post/Unit must return issued citation books within 6 months of the date it was received.
6. Records shall be kept to reflect destruction of completed books

- a. Troop Officers shall authorize the destruction of completed citation books during their regular Post Inspections.
- b. The Troop Officer shall document such authorization by initialing the Citation Log beside the entry for each citation book to be destroyed.
- c. Inmates shall not be allowed to burn or otherwise destroy the citation books unless they are under the direct supervision of an NCO.

7. Accounting for Lost or Mutilated Citation Books

If a citation book is lost or mutilated, a letter shall be sent through the chain of command to the Commanding Officer giving the book number, citation numbers, and an explanation.

D. Disposition of Citations by the Courts.

- 1. Issued citations shall be disposed of by the courts.
  - a. All issued citations shall be listed on the Citation Receipt (DPS-549).
  - b. A notation shall be made indicating if a citation was left at the jail or other location.
  - c. Citations shall be delivered to the appropriate court at least twice weekly.
- 2. Members shall not dispute or criticize decisions made by court officials regarding the disposition of a citation.

E. Altering or Voiding Citations

- 1. Voiding citations shall be a last resort.
  - a. Citations issued to violators who give a false name shall be attached to the corrected citation(s) and forwarded to the court as evidence and for dismissal.
  - b. Approval must be obtained from a supervisor prior to altering or voiding a citation.
  - c. Minor changes made on the citation to correct information entered incorrectly prior to issuance shall not require such approval.
- 2. If a paper citation is entered into the electronic database that stores electronic citations and subsequently needs to be voided, the same procedures as outlined in Section 13.05.3(B)(3) above shall be followed.
- 3. Duplicate Citations
  - a. Citation books with unnumbered citations may be obtained from Supply.
  - b. These citations shall be used to issue duplicate citations when a citation has been lost, or rendered illegible.

- c. The citation number shall be entered manually and shall be the same as the number of the citation being replaced.
  - d. If available, the original citation shall be attached to the duplicate.
  - e. Duplicate citation books shall be kept in a secure location, accessible only to supervisors.
4. A Report of Voided and Altered Citations (DPS-1250) must be completed.
- a. The original form with the original copies of the voided or altered citation shall be filed in the Post Files.
  - b. A photocopy of the DPS-1250 and the attached citation shall be immediately forwarded to the Troop Commander.
  - c. At the end of each month, each Post/Unit shall notify the Troop Commander of the total number of voided/altered citations for the month.
  - d. In months with no voided citations the Post Commander/Unit Supervisor shall indicate this fact via e-mail, or other means as specified by the Troop Commander.
5. Under no circumstances will a member physically destroy a citation.
6. Except for a supervisor correcting a subordinate, members shall not request or otherwise attempt to influence another member or other law enforcement officer to alter or void a citation.