

Traffic Citations

504.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the collection of data, the procedure for dismissal, correction and voiding of traffic citations.

504.2 RESPONSIBILITIES

The Office Manager shall be responsible for the development and design of all General Order traffic citations in compliance with state law (Minn. Stat. § 169.99 and Minn. Stat. § 169.999 Subd. 3).

The Support Services shall be responsible for the supply and accounting of all traffic citations issued to employees of this department. Citations will be kept in a secure location and issued to officers by Support Services staff. Officers will sign for the citation books when issued.

504.2.1 DATA COLLECTION

The Support Services should maintain information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

- (a) The race or ethnicity of the individual detained.
- (b) Whether a search was conducted and, if so, whether the person detained consented to the search.

The Support Services should submit an annual report to the Chief of Police of the information collected to assist in the implementation and administration of the Department's Bias-Based Policing Policy required by state law (Minn. Stat. § 626.8471 Subd. 4).

504.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the Captain. Upon a review of the circumstances involving the issuance of the traffic citation, the Captain may approve the dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal. All recipients of traffic citations whose request for dismissal of a traffic citation has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request the prosecutor to dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Operations Captain for review.

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Members of the Department should provide a report or other verification to the owner of a stolen vehicle that may have received a citation during the time of the theft for the purpose of dismissing the citation (Minn. Stat. § 169.042 Subd. 2).

504.4 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Operations.

504.5 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit the citation and a letter requesting a specific correction to his/her immediate supervisor. The citation and letter shall then be forwarded to the Operations. The Operations shall prepare a letter of correction to the court having jurisdiction and to the recipient of the citation.

504.6 DISPOSITION OF TRAFFIC CITATIONS

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Support Services.

Upon separation from employment with this department, all employees issued traffic citation books shall return any unused citations to the Support Services.

504.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Minnesota state law and local regulations (Minn. Stat. § 169.04 (a) (1)).

504.7.1 APPEALS

An appeal may be pursued through an administrative review:

- (a) Administrative reviews are conducted by the Operations, which will review written/documentary data. Requests for administrative reviews can be done in writing or verbally to staff members. These requests are informal statements outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be mailed to the current mailing address of the processing agency.

504.8 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency and the type of offense should be considered before issuing the juvenile a citation.

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- (a) When any juvenile is issued a citation for a drug or alcohol violation, or a juvenile 16 years of age or older is issued a citation for an adult court traffic offense, the officer shall follow the arrest procedures prescribed in Minn. Stat. § 169.91 and shall make reasonable effort to notify the child's parent or guardian of the violation and the nature of the charge. Notifications should be documented (Minn. Stat. § 260B.225 Subd. 3).
- (b) When any juvenile is issued a citation for a major traffic offense, the officer is required to file a signed copy of the citation, as provided in Minn. Stat. § 169.91, with the juvenile court of the county in which the violation occurred. The citation serves as a petition providing the juvenile court jurisdiction (Minn. Stat. § 260B.225 Subd. 5).

504.9 ADMINISTRATIVE VIOLATIONS

Administrative violations may be issued by officers to any person for violations of any City ordinance by using the Columbia Heights Administrative Violation Form. A completed Administrative Violation Form should be submitted in the same manner as any other citation.

Administrative citations should not be issued for crimes that may need to go through District Court for enhancement consideration purposes. The issuing officer or a supervisor should determine the appropriate citation type to use in each situation after considering the factors in each circumstance.