



# Colorado Springs Police Department Standard Operating Procedure

## DL-1070-31 Crimes Not Requiring a Report (E-Citation)

### Section 1000 – Patrol Functions

Active Date: 7/13/2023

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#### **.01 Purpose**

The purpose of this directive is to outline crimes that do not require a case report and establish when officers will obtain a case number for a criminal charge, regardless of whether a case report is required.

#### **.02 Cross Reference**

[GO 170 Citations](#)

#### **.03 Definitions**

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#### **.04 Procedure**

Officers must pull a case number for any e-citation containing a criminal charge, regardless of whether a case report is required. This does not mean the officer has to write a case report (unless it is otherwise required).

Officers should not base charging decisions on whether a case report is required.

If there is too much information to document the investigation completely on a paper summons or e-citation, or if an officer determines a report should be completed for any reason, the officer should complete a case supplement and/or a case report.

#### **Records & ID Section**

The Records and Identification Section has a process using the call for service number to create a unique case number and case report to add the arrest; however, this is only for the handwritten summonses/manual arrest entry process.

Since e-citations are an electronic process, Records and Identification needs the case number on the e-ticket for automation of the arrest during the download process. The case number when issuing e-citations is necessary for the criminal charges to process correctly in the records system.

## **E-Citation Categories**

### *Category 1: Case Report Not Required (E-Citation Used)*

There are certain crimes for which a case report is not required. In the below specified crimes, a case report is not required only if e-citation is used. Even for offenses in which a case report is not required, the officer still needs to have a case number pulled, if using e-citation.

Category 1 e-citations may be used as follows:

- Any Misdemeanor Marijuana Crime
- DUI
- Misdemeanor Criminal Mischief
- Possession of Drug Paraphernalia
- Shoplifting (city or state)

To avoid writing a case report on the offenses listed in category 1, the officer must follow **each** of the following steps:

1. Use e-citation, not a handwritten summons. If you use a handwritten summons, you are required to do a case report, even if the charge is one listed in category 1.
  - a. *Exception:* A case report is not required if a CopLogic report is completed by a participating merchant
2. Pull a case number (even if a case report is not required)
3. When using e-citation
  - Check the ARREST/DUI box on the e-citation form
  - Fill out the additional fields that display after checking the ARREST/DUI box
  - Complete the rest of the ticket as normal
  - Sync your tickets
4. If you get a rejection email, make your corrections promptly and resubmit the ticket

5. You must email your sergeant, or the sergeant who is filling in for your administrative sergeant, that it is ready for approval

For category 1 situations in which the e-citation exceeds the 1500-character limit, officers should complete a case supplement in Mobile Field Report (MFR) detailing the additional information.

*Category 2: Case Report Not Required (Either E-Citation or Paper Summons)*

A case report is not required for certain other crimes whether written via e-citation or paper summons. If writing a paper summons for category 2 offenses listed below, a case number does not need to be pulled. If cited using e-citation, the officer will still need to pull a case number.

Category 2 crimes that do not require a case report, regardless of whether written using e-citation or a paper summons are, as follows:

### **City Ordinances**

- § 2.5.201: City License Required
- § 2.5.701: Hours of Sale
- § 2.5.703: Consumption Regulations
- § 2.5.704: Drinking in Public Prohibited
- § 2.5.705: Drinking in Vehicles Prohibited
- § 2.5.710: Service to Visibly Intoxicated Customers
- § 2.5.712: Possession of Unsealed Alcohol Beverage in DTA
- § 2.5.801: Sales Prohibited
- § 2.5.802: Purchase Prohibited by Minors
- § 2.5.803: Possession Prohibited by Minors
- § 4.2.102: Park Hours
- § 6.6.203: Smoking Prohibited
- § 9.2.101: Fighting
- § 9.2.102: Loitering
- § 9.2.103: Failure to Desist or Disperse
- § 9.2.104: Obstructing Passage or Assembly
- § 9.2.106: Storage of Unsafe Icebox and Similar Items
- § 9.2.107: Harassment
- § 9.2.108: Crossing Police Line
- § 9.2.110: Incitement
- § 9.3.102: Duty to Aid Police Officers
- § 9.3.104: False Information

- § 9.6.102: Trespass on Private Property
- § 9.6.103: Parking Motor Vehicles on Private Property
- § 9.6.105: Urination or Defecation
- § 9.6.107: Open Burning Prohibited
- § 9.6.108: City Security Facility: Violation
- § 9.6.110: Camping on Public Property
- § 9.6.202: Littering Prohibited
- § 9.6.205: Littering from Vehicles
- § 9.6.605: Possession of Graffiti Material Prohibited
- § 9.7.204: Unlawful to Throw Stones or Missiles
- § 9.7.302(A): Fireworks (manufacture)
- § 9.7.302(B): Fireworks (possess, store, offer for sale, sell at retail, or use)
- § 9.8.101: Noise Prohibited

## **Colorado Revised Statutes (CRS)**

- § 18-4-511: Littering of Public and Private Property
- § 18-9-106: Disorderly Conduct
- § 18-9-116: Throwing Missiles at Vehicles
- § 18-9-117: Unlawful Conduct on Public Property
- § 18-13-122: Illegal possession or Consumption of Ethyl Alcohol by an Underage Person
- § 18-13-106: Unlawful to Discard or Abandon Iceboxes, Motor vehicles and similar items
- § 44-3-901: Unlawful Acts-Exceptions

For Category 2 situations in which the e-citation exceeds the character limit or a paper summons that exceeds the allotted space, officers should complete a case report in addition to serving the summons.

## **Completion of the Probable Cause Affidavit**

As soon as practical but no later than 72-hours after an E-Citation is issued, the issuing officer will complete the probable cause affidavit. The probable cause affidavit must stand alone for court proceedings, entering “See Case Report” is not permissible.

The Brazos system recognizes any text in the probable cause field as a completed probable cause affidavit. This means any text in the probable cause affidavit field will immediately be processed, and officers will no longer be able to modify the probable cause affidavit once the device has been synched.

To ensure the applicable courts receive proper notification of the issued E-Citation, after 72 hours all citations without probable cause affidavits will be forwarded to the court. Citations sent to the courts after 72 hours without probable cause affidavits will result in the citation being dismissed.

### **Supervisory E-Citation Review/Approval Process**

Supervisors may review citations using the E-Citation system, but they are not required to do so. This will occur prior to the citation being forwarded to the courts.

### **Body Worn Camera Documentation**

If a summons in lieu of a case report is issued, the officer will notate the use of the BWC on the citation copy and put the call screen number in the narrative section of the summons that will be sent to the courts indicating that the incident was recorded.