



# CONCORD POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### CITATIONS

**GENERAL ORDER:** 06.01

**CREATED:** December 1, 2000

**ISSUE DATE:** March 8, 2021

**CALEA STANDARD:** 82.3.4

**EFFECTIVE DATE:** March 8, 2021

**ACTION:** Amends general order dated December 23, 2019.

#### **06.01.0**    **PURPOSE**

The purpose of this general order shall be to establish policy and procedures for the issuance and accountability of all North Carolina uniform, parking, and cruising citations received and issued by the Concord Police Department.

#### **06.01.1**    **POLICY**

It shall be the policy of the Concord Police Department to issue citations accurately and only when appropriate to do so for a proper law enforcement purpose, for violations of state law, and city ordinances.

#### **06.01.2**    **UNIFORM CITATION**

- A. The North Carolina uniform citation is utilized by the department for the enforcement of motor vehicle laws and selected criminal offenses.
- B. The Cabarrus County Clerk of Court's office serves as the distributing agency for the uniform citation for Cabarrus County. Pursuant to provisions imposed by the Administrative Office of the Courts (AOC) and the state auditor's office, the clerk's office must account for all citations issued to agencies in their respective jurisdictions.
  1. The Cabarrus County Clerk of Court's office requires persons picking up citation books to sign a ledger acknowledging receipt of same.
  2. Citation books received from the clerk's office shall be delivered to the Customer Service Unit for record keeping and issuance to personnel.
  3. Citation books shall be stored in the Customer Service Unit, which is a secure area.
  4. The Customer Service Unit shall record the numbers of all citation books received from the clerk's office in the Records Management System (RMS).
  5. Citation books shall be issued to officers on an as needed basis by a member of the Customer Service Unit.
  6. A member of the Customer Service Unit will record all issued citation books in the Records Management System (RMS).

7. Citation books shall be returned to a member of the Customer Service Unit and marked returned in the Records Management System. Citation books shall be checked by a member of the Customer Service Unit to ensure that all copies of used or voided citations are attached. The Customer Service Unit shall direct all used citation books to the Clerk of Court's office.
    - a. Coworkers returning used citation books to the clerk's office shall initial the clerk's Uniform Citation Log Book indicating that the books have been returned.
  8. Citation books may be reissued to officers until all the citations contained in a book have been used.
- C. Uniform Citations shall be completed in accordance with NCGS 15A-302.
- D. Issued citations shall be distributed as follows:
1. The original (white) and first copy shall be turned in to the Customer Service Unit.
  2. The second copy (pink) is delivered to the defendant at the time the citation is issued.
  3. The third copy (yellow) shall remain in the citation book and is the accountability copy for the courts.
  4. The fourth copy (white) shall be retained by the issuing officer for court.
- E. Citations that are voided shall remain in the citation book (all copies). The word "void" shall be written across the citation with a signed explanation by the voiding officer and his/her immediate supervisor.
- F. When all the citations have been issued, the citation book, containing the yellow copy of the citations, and all copies of voided citations shall be returned to the Customer Service Unit.
- G. Officers who separate from the department shall return their citation book to their supervisor on or before their employment termination date.
- H. Citations issued for motor vehicle infractions, not involving physical arrest, officers may place a description, date of birth of the person cited, and the OCA number of the incident on the face of the citation in lieu of completing an arrest form.

### **06.01.3**     **PARKING CITATIONS**

- A. Sworn coworkers and parking enforcement shall obtain parking citation books from the Customer Service Unit.
- B. All parking citations shall be printed in clear, concise letters. Ball point pens shall be used with enough pressure to print legible copies.

- C. The citation shall be placed by the issuing officer in a conspicuous place where the driver can observe the citation upon approaching or entering the vehicle. In case of an automobile or truck, the citation should be placed under the windshield wiper blade on the driver's side of the vehicle. The citation should be placed in a manner as to call immediate attention to the operator.
- D. The original copy (white copy) of the citation shall be submitted to the Customer Service Unit prior to the end of the issuing coworker's shift. The carbon copy should be placed on the vehicle.
- F. All copies of soiled or defaced citations shall be submitted by the coworker to the Customer Service Unit for voidance.

#### **06.01.4** **CRUISING CITATIONS**

- A. Cruising citations shall be issued after a vehicle passes the same traffic control point three or more times within a two hour period from 6:00 p.m. to 4:00 a.m., Monday through Sunday in or around a posted no cruising area as stated in section 58-166 of the City of Concord Code of Ordinances.
- B. A copy shall be served on the violator by the officer. The cruising citation book contains an original (white) and two copies (pink and yellow). The original shall be submitted to the Customer Service Unit, while the pink copy shall be given to the violator. The yellow copy shall remain in the book.
- C. Collection procedures may be initiated through the civil courts for unpaid citations.

#### **06.01.5** **ELECTRONIC CITATION PROGRAM**

- A. The electronic citation program utilizes wireless connections that allows sworn coworkers to issue citations and schedule court dates electronically from a mobile computing terminal (MCT) from within their assigned vehicles.
- B. All sworn coworkers that utilize the electronic citation program, shall abide by the policies and procedures set forth by the North Carolina Administrative Office of the Courts (NCAOC).
- C. Upon the issuance of a citation utilizing the electronic citation program, sworn coworkers shall:
  - 1. Provide the defendant a printed copy of the citation;
  - 2. Ensure that all citations issued are submitted prior to the end of their shift.



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