



GOODYEAR POLICE DEPARTMENT

Policy and Procedure Manual

POLICY 5.08 CITATIONS AND COMPLAINTS

Effective:
10/16/2020

Replaces:
01/23/2015

Approved:

1. PURPOSE AND SCOPE

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

2. RESPONSIBILITIES

1. Employees of this department shall use the State of Arizona uniform traffic ticket and complaint form, either hand written or through the approved electronic citations, for traffic complaints.
2. The Quartermaster shall be responsible for the issuance and accounting of all citations provided to employees of this department pursuant to Arizona Revised Statutes.
3. Citations will be kept in a secure location until issued. Officers will sign for the citation books when issued and the Quartermaster will maintain a receipt for each book issued.
4. Officers shall return the following to the Records Unit:
 - A. Each traffic citation issued to an alleged violator of a traffic law or ordinance.
 - B. Each citation for a criminal complaint.
 - C. Copies of each citation that is spoiled or on which any entry has been made and not issued to an alleged violator.

3. DISMISSAL OF CITATIONS

1. 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 court of jurisdiction.
2. Should an officer determine during a court proceeding that a citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request the court to dismiss the citation. Only the Judge has the authority to dismiss a citation that has been deposited with a court.

4. CORRECTION OF CITATIONS

1. Civil Traffic Citation
 - A. When a civil traffic citation is issued and in need of correction, the officer issuing the citation shall contact the defendant in person, by phone, or certified mail with return receipt-restricted delivery and notify the defendant of the correction. If this process is unable to be completed, a motion to amend form from the appropriate court shall be completed and sent to the Court for the Judge's review.
 - B. Incorrect Court Date (Pertains to Civil Traffic Citations Only)
 1. Error is corrected at the scene while defendant is present:
 1. Place all copies of the citation on top of each other;
 2. Correct the error(s) on the citation;
 3. Officer and Defendant should place their initials by all corrections;
 4. Officer must write in the space above the court date that the Defendant was made aware of the correction(s).
 2. Defendant not present when error is discovered:

1. Locate Defendant and make in-person contact (if not initially successful, multiple attempts should be made to locate Defendant. Alternatively, a phone call to Defendant to arrange to meet to correct citation should also be attempted);
 2. Correct the error(s) on the citation, both the original copy and Defendant copy;
 3. Officer and Defendant should place their initials by all corrections;
 4. Officer must write in the space above the court date that the Defendant was made aware of the correction(s) (Provide date and time this was done);
 5. Submit a copy of the amended citation to the appropriate Court.
2. Criminal Citation
- A. When a criminal citation is issued and in need of correction, the officer issuing the citation shall meet in person with the defendant and correct all copies of the citation. If this process is unable to be completed the officer will void the citation and request a "long form" complaint from the prosecutor. This correction shall be documented in the criminal case report narrative.

5. DISPOSITION OF CITATIONS

1. The court and file copies of all citations issued by members of this department shall be forwarded to the Records Unit.
2. Upon separation from employment with this department, all employees who were issued citation books shall return any unused citations to the Quartermaster.

6. JUVENILE CITATIONS

1. Completion of 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.
2. Juvenile citations for civil traffic violations shall be issued in to the Goodyear City Court or the appropriate Justice Court.
3. Juvenile citations for criminal traffic violations or city code violations shall be issued in to the Juvenile Court and a parent / legal guardian notified.
4. Juveniles cannot be issued citations for Title 13 violations. Charges must be long formed to the Juvenile Court.