

	ARIZONA TRAFFIC TICKET AND COMPLAINT (ATTC)	Operations Order 7.6.00
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1. GENERAL INFORMATION

A. The ATTC is designed to permit combinations of the following four types of citable offenses, if necessary:

- Civil traffic
- Criminal traffic
- Criminal (misdemeanor only)
- Petty

B. There are two methods for issuing ATTCs:

- (1) The Field Based Reporting (FBR) Citation form; **will be** the primary method for issuing an ATTC.
- (2) The pre-printed numbered ATTC (ticket book ATTC) which may be used to cite up to five violations/offenses on a single form; will **only** be used when the FBR is unavailable.

NOTE: Officers **will be** required to complete an FBR ATTC as soon as possible with the information listed on the ticket book ATTC.

C. Violators/defendants will be properly identified before being issued an ATTC.

- (1) Any violator/defendant who commits a criminal offense AND who does not provide a government issued physical identification WILL be identified by fingerprints prior to issuing a citation.
 - Identification from a mobile DigiScan device is sufficient to establish identity.


D. Violator/Defendant Identification - The Federal Privacy Act of 1974 requires that before requesting a person's social security number (SSN), the person must be told:

- Whether providing their SSN is voluntary or mandatory
 - The statutory authority for making the request
 - The purpose for which the information will be used
- (1) Before requesting a violator's/defendant's SSN, the violator/defendant will be advised providing his/her SSN is voluntary and is requested as a matter of Department policy to ensure accurate record keeping.
 - (2) Per [Arizona Revised Statute \(ARS\) 28-1557](#), the violator's/defendant's copy of the ATTC will not contain his/her SSN.
 - SSN information may only be on copies of the ATTC retained by law enforcement and the courts.

E. Officer Notes - Officers will not make personal notations on the defendant's or court's copy of any ATTC.

- (1) Criminal Traffic Violations - Officers' notes will be attached to the FBR ATTC or scanned and inserted into the record management system (RMS) Citation Module (refer to the FBR or RMS User Manual for instructions).

NOTE: In order to meet discovery requirements for prosecutorial purposes, if an Incident Report (IR) or Field Interview (FI) is not completed for an adult defendant, after attaching/scanning, officers will send their original notes by interoffice mail to the City Prosecutor's Office by the end of shift.

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1. E. (2) Civil Traffic Violations - Officers should retain a copy of their notes as best practice and in a manner suitable to the officer.

2. **COMPLETION OF THE ATTC**


A. General Guidelines

- (1) FBR ATTC - Refer to the FBR User Manual for procedures on completing the Citation form.
- (2) Ticket Book ATTC
 - (a) ATTCs will be printed clearly and legibly, and will not be written in longhand.
 - (b) Proper National Crime Information Center (NCIC) abbreviations, not Motor Vehicle Division (MVD) abbreviations, will be used.
 - (c) Words or abbreviations which are not applicable will be blocked out; for example, if morning is to be designated, PM will be blocked out.
 - (d) After issuing a ticket book ATTC, complete an FBR ATTC as soon as possible.
 - (e) The signed ticket book "Court" copy, along with any notes for criminal violations, will be scanned and inserted into the RMS Citation module using the "Doc" viewer.
 - (f) Once scanned and inserted into the RMS, the ticket book "Court" copy of the ATTC will be forwarded directly to the Court Services Detail/Citation Accountability.

B. Specific Instructions for Completion of Ticket Book ATTCs


- (1) Every block and section of the form will be completed, unless otherwise indicated in policy.
 - The word NONE will be entered in spaces for which information is not readily available.

(2) General Information	<ul style="list-style-type: none"> • An IR number will be listed when applicable. • Appropriate boxes; Acc., Fatal, Haz. Mat., 16+ Psgrs./Seats etc., will be marked. • The defendant's driver's license number, issuing state, class, and any endorsements, restrictions, and/or military will be indicated in the appropriate spaces.
(3) Violator's/Defendant's Information	<ul style="list-style-type: none"> • The violator's/defendant's name will be correctly spelled out. <ul style="list-style-type: none"> * If the first or middle name consists of initials, the word "ONLY" in parentheses will be written after the initials. * If the person has no middle name or initial, the word "NONE" in parentheses will be written in its place. • The violator's/defendant's SSN (optional; see section 2.A.(1)(a) of this order), other ID type/no. (if applicable), and sex will be indicated in the spaces provided. • Weight will be listed to the nearest whole number. • Height will be indicated in feet and inches using a three digit number; for example, six feet one inch would be 601; five feet ten inches would be 510. • Eye and hair color will be listed using the three-letter NCIC abbreviation; for example, brown would be BRO, gray would be GRY. • Violator's/defendant's origin will be indicated as follows: <ul style="list-style-type: none"> * American Indian or Alaskan Native, use "I" * Asian or Pacific Islander, use "A" * Black, use "B" * Black Hispanics, use "B/H" * Caucasian Hispanics, use "W/H" * White (including Hispanic), use "W"

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2. B. Specific Instructions for Completion of Ticket Book ATTCs: (Continued)

(3) Violator's/ Defendant's Information (Continued)	<ul style="list-style-type: none"> • Date of birth will be listed using numbers to indicate month, date, and year (two digits only for year). • The residential and business addresses, including apartment number and ZIP code, and phone numbers with area codes, will be include.
(4) Defendant's/ Violator's Vehicle Information (If applicable)	<ul style="list-style-type: none"> • The vehicle year will be listed using only the last two digits. • Vehicle make, model, and color will be listed using proper NCIC abbreviations. • The license plate number will be listed in the appropriate space. • The expiration of the license plate will be indicated using the month and year; for example, May 1999 would be 05/99. <ul style="list-style-type: none"> * Classification of the plate (Dealer, etc.) may be added above the license plate number. * If the defendant's vehicle is a truck pulling a trailer, ONLY the <u>truck's</u> license plate number will be listed. * If the license plate number is unavailable, the space will be left blank. • The vehicle's identification number (VIN) will be listed in the space provided. • If the defendant is riding a bicycle, the appropriate box will be marked.
(5) Date and Time of Violation/ Offense and Other Miscellaneous Information	<ul style="list-style-type: none"> • Use numbers to indicate month, date, and year (two digits only for year). • Time will be indicated in standard 12-hour time. • If radar was used, direction of travel, A.C. reading, and any prior no insurance, driving under the influence (DUI), or driving on suspended license convictions, will be noted when applicable.
(6) Charge Information	<p>The appropriate "ARS" or "City Code" box will be marked for:</p> <ul style="list-style-type: none"> • <u>Traffic Violations</u> - Mark either the "Civil Traffic" or "Criminal Traffic" box. <ul style="list-style-type: none"> * The written description of the violation must conform exactly to the terminology on the Traffic Violation Card PPD #7. * If the violation is collision related, the "Acc." box at the top of the ATTC will be marked. * The speed; alleged and lawful, will be noted if applicable. • <u>Criminal Offenses</u> - Mark either the "Criminal" or "Petty Offense" box. <ul style="list-style-type: none"> * The written description of the charge must conform exactly to the terminology on the Charge Description Card PPD #9. <p>NOTE: The codes listed on the cards are not all inclusive but do represent the majority of codes used for ATTCs.</p>
(7) Violation/ Offense Location	<ul style="list-style-type: none"> • The specific location of the violation/offense will be listed. • When an address is used it should contain the street number, street direction, street name, and street type, such as 1602 E. Camelback Rd. • If it is necessary to use a street number range, use a dash (-) to separate the locations, such as 1600 – 1650 E. Camelback Rd. <ul style="list-style-type: none"> * The location should always start where the initial violation was first observed and end where the last violation was observed. • If the violation occurs in an intersection, an "X" will be placed in the "Intersection" box followed by street directions, street names, and types separated with a slash, such as N. 16th St. / E. Camelback Rd. • Street direction should be a one-letter abbreviation, such as N., S., E., or, W. • The type of street should be a two-letter abbreviation, such as Rd., St, Pl., etc. • Street names will not be abbreviated. • Officers should make every attempt to use an actual street address or intersection rather than using a parking meter or similar identifier.

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2. B. Specific Instructions for Completion of Ticket Book ATTCs: (Continued)

(8) Court and Other Miscellaneous Information	<ul style="list-style-type: none"> The appropriate court, City or Juvenile Court Center (JCC), will be marked. Indicate the court date in numbers using only two digits for the year. Time will be shown in standard 12-hour time. <ul style="list-style-type: none"> * See paragraph 2.F of this order for further instructions concerning adult court dates and 3.F for juvenile court dates. The "Domestic Violence (DV)", "Victim/s?", and "Victim/s Notified?" boxes will be marked when applicable.
(9) Issuing Officer Name	<ul style="list-style-type: none"> Officers will either print their name and serial number legibly or place a rubber stamp with their name and serial number on the ATTC as complainants. <ul style="list-style-type: none"> * If a stamp is used, the officer must initial above the stamp. <p><u>Two Officers</u></p> <ul style="list-style-type: none"> To reduce unnecessary court overtime, only one officer will print their name and serial number on the ATTC. Two serial numbers will be permitted if the second officer has information pertinent to the issuance of the citation which the first officer does not have or the officers are an active training unit (Field Training Officer (FTO) and Officer-in-Training (OIT)). When two officers issue an ATTC, the officer to whom the ATTC book was issued will print their name and serial number above the second officer's serial number. <p><u>Other Information</u></p> <ul style="list-style-type: none"> Date of issue will be included. Any additional complaints issued and their numbers should be listed. <p><u>Loaning an ATTC to Another Officer</u></p> <ul style="list-style-type: none"> If an officer loans an ATTC to another officer and does not witness the violation, the loaning officer will not be required to sign but will only enter "L" in front of their serial number on the front of the ATTC below the City bird logo. This will establish accountability for the ATTC and ensure only the citing officer is subpoenaed to court. <p><u>Air Unit Personnel</u></p> <ul style="list-style-type: none"> When air unit personnel observe traffic violations that are not witnessed by ground units, the serial number of the citing officer and the serial number of the air unit officer who witnessed the violation should be written on the ATTC so both officers will be subpoenaed.
(10) Violator/Defendant Signature	<p>Mark the appropriate box, "Criminal" or "Civil", for the following:</p> <ul style="list-style-type: none"> <u>Only Civil Traffic Violations</u> - The violator will be requested to sign their name on the signature line. <u>Any Criminal (Traffic or Non-Traffic) Offense</u> <ul style="list-style-type: none"> * The defendant MUST sign their name on the signature line. * Per Operations Order 7.7.04, Booking Procedures, any subject arrested/cited for DUI or a sex offense, MUST be fully (ten-printed) fingerprinted. <p>NOTE: For refusals to sign or to be fingerprinted, see section 5.C. of this order.</p> <ul style="list-style-type: none"> Officers should note if a fingerprint card was submitted.

3. **CITY COURT DATES AND TIMES** - All adult violators/defendants will be cited into City Court, 300 West Washington Street, unless otherwise noted in policy.

A. FBR ATTC - City Court dates and times will be automatically generated based on the guidelines outlined below for ticket book ATTCs.



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3. B. Ticket Book ATTC

(1) Arraignment, 10-Day Rule for ADULTS only - (see section 4.F of this order for juvenile court dates and times)

(a) Defendants will be assigned an arraignment day on the tenth calendar day following the issuance of the ATTC for the following types of citable offenses:

- Criminal traffic
- Criminal (misdemeanor only)
- Petty

(b) When the Tenth Day is on a Weekend or Holiday

- If the tenth day is Saturday, the offender will be arraigned on the prior Friday.
- If the tenth day is Sunday, the offender will be arraigned on the following Monday.
- If the tenth day is a legal holiday, the offender will be arraigned on the next court day.

(c) Time of Arraignment, 10-Day Rule - To determine the time of arraignment using the 10-day rule, use the table below in section 3.B.(3)(c).

(2) Arraignment, 21- to 28-Day Rule for All Adult **and** Juvenile **Civil** Traffic Violators

(a) General Guidelines

- Violators cited for ONLY civil traffic offenses will be assigned a City court date of at least 21 days, but no more than 28 days, from the date of issuance.
- If an officer's assigned arraignment day falls on a legal holiday, the violator will be assigned the next scheduled court date.

(b) Day of Arraignment - The day of arraignment will be determined as follows:

The Next to the Last Digit of the Officer's Serial Number is:	Then Use:
0 or 1	Monday
2 or 3	Tuesday
4 or 5	Wednesday
6 or 7	Thursday
8 or 9	Friday

EXAMPLE: If an officer's number is 6231, the arraignment day is Tuesday; if the number is 6273, the day is Thursday, etc.

(c) Time of Arraignment - The time of arraignment will be determined as follows:

The Last Digit of the Officer's Serial Number is:	The Time Will Be:
0	8:30 a.m.
1	9:00 a.m.
2	9:30 a.m.
3	10:00 a.m.
4	10:30 a.m.
5	11:00 a.m.
6	1:30 p.m.
7	2:00 p.m.
8	2:30 p.m.
9	3:00 p.m.

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3. B. (3) Combination of Criminal and Civil Traffic Violations - All violations charged to the same adult at the same time will be assigned the same arraignment date with the criminal arraignment date (10-Day Rule) taking precedence.

EXAMPLE: A defendant cited for DUI and a red-light violation will have the same court date for both violations under the 10-Day Rule.

4. **SPECIAL INSTRUCTIONS CONCERNING ATTCs**

- A. Violations Observed By Officers From Other Jurisdictions - When a traffic violation is observed in Phoenix by an officer from another jurisdiction, the violator/defendant will be issued a Phoenix ATTC.

(1) FBR ATTC

- The observing officer's name, serial number, and agency will be added to the "Additional Officers" box of the PDF (portable document format) "Preview" of the ATTC.
- * Once the observing officer's information has been added to the PDF, save the PDF and then attach to the FBR ATTC as a "Document."

(2) Ticket Book ATTC

- (a) The observing officer will print their name and agency on the "Complainant/s" line and print their serial number in the space provided on the ATTC.
 - (b) The Phoenix officer will print their serial number in the space provided on the ATTC.
 - (c) When completing the FBR ATTC, follow the procedures above in section 4.A.(1) for entering the observing officer's information.
- (3) A brief explanation for the stop and observations supporting the violation/s will be documented in the Phoenix officer's notes for the ATTC.
- (4) A Phoenix bail envelope will be provided to violators/defendants who qualify.

- B. Violations In Other Jurisdictions Observed By Phoenix Officers - When a traffic violation is observed in another jurisdiction by a Phoenix officer and the officer decides a citation should be issued, the violator/defendant will be issued an ATTC from that jurisdiction.

EXCEPTION: Officers assigned to a special task force or other Department sanctioned event may issue a Phoenix ATTC following the procedures below:

(1) FBR ATTC

- (a) Ensure the appropriate court is selected from the "Court" dropdown box.
 - If the defendant is a juvenile being cited for any criminal traffic offense, the court of jurisdiction will be the Juvenile Court Center (JCC).
- (b) In the Charges section/s of the ATTC, cross out "Phoenix" and ensure the appropriate city is entered.
- (c) Officers will mail a copy of the signed ATTC to the appropriate court of jurisdiction.

4. B. (2) Ticket Book ATTC

- (a) In the Charges section/s of the ATTC, cross out “Phoenix” and write in the appropriate city.
- (b) The City of Phoenix Court information will be crossed out and the appropriate court of jurisdiction information will be entered.
 - If the defendant is a juvenile being cited for any criminal traffic offense, the court of jurisdiction will be JCC.
- (c) Forward a photocopy of the “Court” copy to the Court Services Detail/Citation Accountability.
- (d) Officers will mail the “Court” copy to the appropriate court of jurisdiction.

EXCEPTION: When citing a juvenile into JCC, the original “Court” copy of the ATTC must be forwarded directly to the Court Services Detail/Citation Accountability.

C. Citation in Lieu of Detention (CLD) for Misdemeanor Criminal Offenses Committed by Adults

- (1) Issuing an ATTC as a CLD should be strongly considered when the elements of a lawful misdemeanor adult arrest are present **except** for the following:

<p>(a) Offenses/Situations Ineligible for CLD</p>	<ul style="list-style-type: none"> • The arrest was made in a domestic violence situation • Public sexual indecency to a minor, Arizona Revised Statute (ARS) 13-1403 • The suspect’s identity cannot be properly determined • When it is questionable whether the suspect will return for the court date: <ul style="list-style-type: none"> * Lives out of state * Cannot provide a physical residential address * Has a prior warrant for Failure to Appear or Failure to Pay Fines in the past two (2) years • The suspect has an outstanding warrant <ul style="list-style-type: none"> * If the suspect has sufficient bond money, consideration should be given to allowing the suspect to bond out (see Operations Order 7.7.04, Booking Procedures, for more information). • The suspect has a federal civil or federal criminal charge • Aggravating circumstances exist: <ul style="list-style-type: none"> * The suspect is violent or otherwise poses a danger to the public * Other violations may occur if the suspect is released <p>NOTE: Supervisors will be notified of unusual circumstances, such as a pregnant woman in labor or persons whose detention may be hazardous to their welfare.</p>
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- (2) When necessary, the arrest will be handled as any other arrest with respect to taking photographs, fingerprinting, searching, etc., prior to the release of the suspect.

NOTE: See [Operations Order 1.8.00, Search and Seizure](#), for proper rules and procedures regarding search incident to arrest and [Operations Order 7.7.04, Booking Procedures](#), for **offenses requiring fingerprints before release**.

- (3) Any civil and/or criminal traffic violations may be included on the CLD.

4. C. (4) All ATTCs issued as a CLD must be accompanied by an IR.
- D. Citizen's Arrests - When a valid citizen's arrest has been made, officers will use their discretion in a reasonable manner based on the totality of the circumstances in deciding whether to book or CLD a suspect.
- The arresting citizen must be advised of the officer's decision.
- E. Subjects Suspected of Being Unlawfully Present in the United States – See [Operations Order 6.6.00, Immigration Procedures](#), for further information.
- If the subject is **under arrest for state and/or local charges** and the subject has a federal civil and/or criminal charge, the subject is **NOT** eligible for a CLD.
- F. Suspects to be Booked on Other Charges - If a suspect has committed multiple criminal offenses and it is necessary he/she be booked on at least one of the offenses (felony or misdemeanor requiring booking), the subject must be booked on all the criminal charges.
- EXCEPTION:** If the suspect has outstanding warrant/s and sufficient bond money, in addition to an eligible misdemeanor offense/s not requiring booking, consideration should be given to issuing an ATTC as a CLD for the eligible misdemeanor offense/s.
- G. Combined Civil and Criminal Offenses - When an adult subject has committed both civil and criminal traffic offenses resulting in the subject being booked, he/she will be booked on the criminal/s offenses and the civil offenses/s will be entered as an additional "Offense" in the FBR Booking form.
- EXCEPTION:** In the case of Aggravated DUI, the civil violations will not be listed as an additional "Offense"; they will be described in the Narrative section of the IR.
- H. Juveniles - When issuing an ATTC to a juvenile, refer to the below table for appropriate paperwork and court jurisdiction.

TYPE OF OFFENSE/S	ATTC	REFERRAL AND AFFIDAVIT	IR REQUIRED	CITE INTO:	
				CITY COURT ⁵	JCC ⁸
Civil Traffic Violations Only	Yes	No	No	Yes	No
Civil Traffic Violations and Misdemeanor Traffic Offenses	Yes	No	No	No ¹	Yes
Civil Traffic Violations and Felony Traffic Offenses (With or Without Misdemeanor Traffic Offenses)	No ²	Yes ³	Yes	No	Yes ³
Civil Traffic Violations with Any Misdemeanor Criminal Traffic Offense <u>and ANY</u> Title 13 Offense (Except ARS 13-3622)	Yes ⁴	Yes ³	Yes	Yes ⁴	Yes ³
Any Criminal Traffic Offense and <u>ANY</u> Title 13 Offense (Except ARS 13-3622)	No	Yes	Yes	No	Yes
Curfew (PCC 22-1 and 22-2) Liquor Violations (ARS Title 4) Minor Accepting or Receiving Tobacco (ARS 13-3622) Tobacco Possession on School Grounds (ARS 36-798.03) Truancy (ARS 15-803.A)	Yes ⁶	No ⁷	Yes ⁶	No	Yes

4. H. Juveniles (Continued)

TYPE OF OFFENSE/S	ATTC	REFERRAL AND AFFIDAVIT	IR REQUIRED	CITE INTO:	
				CITY COURT ⁵	JCC ⁸
ANY Title 13 Offense (Except ARS 13-3622) With or Without a Listed Criminal Offense	No	Yes	Yes	No	Yes
<ol style="list-style-type: none"> 1. Due to the fact JCC only has jurisdiction over criminal matters, officers should use discretion when citing both civil and criminal traffic offenses. 2. The civil violations will be listed in the IR. 3. Only the criminal traffic offense/s <u>and</u> ANY Title 13 offense/s will be included on the referral and prosecuted by JCC. 4. <u>Only</u> the civil violation/s will be included on the ATTC and cited into City Court. 5. For ticket book ATTCs, use the court dates and times listed in section 3.B.(3)(b) and (c) of this order. 6. IR must be attached to JCC's copy of the ATTC. 7. See Operations Order 7.8.00, Juvenile Procedures, for more information. 8. Juveniles must bring at least one parent to JCC, 3131 West Durango Street. 					

(1) Any combination of the criminal offenses listed in the above table and/or any misdemeanor traffic offenses, which have been committed by the same juvenile on the same date, **will be** included on the same ATTC to be prosecuted by JCC.

- A juvenile cited into JCC for criminal traffic or liquor violations must be under 18 years of age as of the day of arraignment; if on the violation date the defendant is 17 but will turn 18 on, or prior to, the court date, the juvenile will be cited into City Court using the 10-Day Rule listed in section 3.B. of this order.

(2) FBR ATTC - JCC court dates and times will be automatically generated based on the guidelines outlined below for ticket book ATTCs.

(3) Ticket Book ATTC

(a) JCC Court Dates - To determine the day of arraignment, officers will use the 21- to 28-Day Rule on a Tuesday or Thursday from the date of issuance of the criminal ATTC as follows:

The <u>Next to the Last Digit</u> of the Officer's Serial Number is:	The Day Will Be:
0, 1, 2, 3, or 4	Tuesday
5, 6, 7, 8, or 9	Thursday

(b) JCC Court Times - To determine the time of arraignment, officers will use the following times:

The <u>Last Digit</u> of the Officer's Serial Number is:	The Time Be:
0, 1, 2, or 3	9:30 a.m.
4, 5, or 6	10:30 a.m.
7, 8 or 9	1:30 p.m.

NOTE: A juvenile cited into JCC for criminal traffic or liquor violations must be under 18 years of age as of the day of arraignment; if on the violation date the defendant is 17 but will turn 18 on, or prior to, the court date, the juvenile will be cited into City Court using the 10-Day Rule listed in section 3.B. of this order.

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5. **SERVICE OF THE ATTC**

A. **General Information**

- (1) Before obtaining the violator's/defendant's signature, officers will explain the nature of the charge to the violator/defendant and advise the violator/defendant of the court date and time.
 - Civil traffic violators should be advised if they do not take care of the ATTC, either by mailing in the fine or by appearing as directed on the ATTC, MVD may suspend their driver's license until the matter is adjudicated.
 - Defendants of criminal offenses should be advised a warrant will be issued if they fail to appear in court.
- (2) Give the violator/defendant a copy of the FBR ATTC or the "Defendant" copy of a ticket book ATTC.
- (3) A bail envelope will be provided to violators who qualify.
- (4) Violators/defendants should be advised to visit <https://pmcapps.phoenix.gov/BailCard> for more information regarding the ATTC, including information on the Defensive Driving Program, and to view the fine schedules/calculate the amount due for eligible violations.
 - Violators/defendants may also refer to the page of the ATTC titled "Important Notice to Defendant" for questions not pertaining to fines.
- (5) Officers will not advise violators:
 - Producing their registration or driver license will result in a reduction or suspension of the fine.
 - To mail a copy of their registration or driver license to court in lieu of paying the fine.

B. **Refusal to Sign an ATTC or Be Fingerprinted**

- (1) **Civil Traffic Violations** - When violators refuse to sign an ATTC which contains only civil traffic charges, the citing officer will explain to violators that by signing the ATTC they are not admitting responsibility for the violation, only acknowledging they have received the ATTC.
 - (a) If violators still refuse to sign the ATTC, write "SERVED" on the defendant signature line and give violators their copy.

NOTE: If the officer appears in court, he/she must be able to testify to the reason for not obtaining a signature from the violator which will be documented in the officer's notes.
 - (b) A person cannot be booked for a civil traffic charge.
- (2) **Criminal Offenses**
 - (a) When defendants refuse to sign an ATTC for a criminal traffic or criminal offense, the officer will explain to defendants their signature is only a promise to appear in court as required and is not an admission of guilt.
 - (b) When defendants refuse to be fully (ten-printed) fingerprinted for a DUI or sex offense, the officer will explain to the defendant pursuant to [ARS 41-1750](#), all persons arrested for a felony, domestic violence, DUI, or sexual offense, must provide accurate and complete personal identification data (including full fingerprints).

5. C. (2) (c) When defendants still refuse to sign or be fingerprinted after officer explanation:

i. Adults	<ul style="list-style-type: none"> • Per ARS 13-3903C3, for all criminal traffic and criminal offenses, the defendant must sign the ATTC in order to be released on his/her promise to appear in court. • Per ARS 13-3903C3, for all DUIs and sex offenses, the defendant must provide, <u>at a minimum</u>, a right index fingerprint in order to be released. <ul style="list-style-type: none"> * The officer will complete and sign a Mandatory Fingerprint Compliance Form 80-360D, which will be given to the defendant after he/she also signs the form. • If a defendant still refuses to sign the ATTC or Mandatory Fingerprint Compliance Form and/or provide a right index fingerprint, he/she must be booked. <ul style="list-style-type: none"> * In unusual circumstances <u>and</u> with the approval of a supervisor, officers may release the subject and cancel/delete or void the ATTC. • <u>FBR ATTC</u>: Cancel/delete the ATTC and complete a Booking form. • <u>Ticket book ATTC</u>: Void the ATTC following the procedures as outlined in section 7.C. of this order and complete a Booking form.
ii. Juveniles	<ul style="list-style-type: none"> • See Operations Order 7.8.00, Juvenile Procedures.

6. **ADDITIONS OR CORRECTIONS TO AN ATTC (FBR AND TICKET BOOK)**

A. General Information

(1) The procedures outlined in **sections 6.B and C** of this order are for when an FBR ATTC has **not been submitted** (still in "Draft" form), or the information on a ticket book ATTC has not been entered into an FBR ATTC.

- For additions or corrections to an ATTC after the information has been entered and submitted, see section 7 of this order for voiding or dismissing ATTCs.

(2) Failure to follow the procedures outlined in the following sections may result in dismissal of the ATTC.

B. When the Violator's/Defendant's Copy IS Accessible

(1) FBR ATTC

- (a) Officers will retrieve the FBR ATTC from the violator/defendant and make the necessary corrections within the FBR.
- (b) Obtain the violator/defendant's signature on the corrected FBR ATTC.
- (c) The incorrect ATTC will be disposed of following the procedures as outlined in [Operations Order, 4.1.00, Employee Related Administrative Procedures](#).

(2) Ticket Book ATTC

- (a) Officers will make the necessary change/s and initial the change/s on all copies of the ATTC.
- (b) The violator/defendant will be advised of the change/s.

NOTE: If the officer appears in court on the ATTC, he/she must advise the judge and prosecutor (if one is present) a change was made, the violator's/defendant's copy of the ATTC was also changed, and the violator/defendant was informed of the change.

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6. B. (2) (c) The correct/changed information will be entered when completing the FBR ATTC.
- C. When the Violator's/Defendant's Copy of the ATTC is NOT Accessible - Officers will advise their supervisor when it becomes necessary to make changes to an inaccessible ATTC.

- (1) When any critical information (see section 9 of this order for critical errors) needs to be corrected and the violator's/defendant's copy of the ATTC has been issued and cannot be amended, officers will follow the below procedures:

(a) Criminal Offenses (Adults)	<ul style="list-style-type: none"> The FBR ATTC will be submitted as is. <ul style="list-style-type: none"> * The information on the ticket book ATTC will be entered in the FBR ATTC as is. The officer will inform the Charging Bureau of the City Prosecutor's Office by telephone at 602-262-6461, that a change must be made. The City Prosecutor's Office will either file a Motion to Amend or otherwise instruct the officer on how to proceed.
(b) Criminal Traffic and/or Civil Traffic Offenses (Adults)	<ul style="list-style-type: none"> Void the original ATTC following the procedures in section 7.B. or C. Issue a new ATTC following the procedures in section 9.B.(2)(a)-(d).
(c) Any Offenses Committed by Juveniles	<ul style="list-style-type: none"> Void the original ATTC following the procedures in section 7.B. or C. Issue a new ATTC following the procedures in section 9.B.(2)(a)-(d).

- (2) Officers needing to correct non-critical information on an ATTC, such as an incorrect defendant address, height, or eye color, will follow the below procedures:

(a) Any Criminal and/or Criminal Traffic Offense (Adults)	<ul style="list-style-type: none"> The FBR ATTC will be submitted as is. <ul style="list-style-type: none"> * The information on the ticket book ATTC will be entered in the FBR ATTC as is. Inform the Charging Bureau of the City Prosecutor's Office by telephone at 602-262-6461, that a correction must be made. The City Prosecutor's Office will either file a Motion to Amend or otherwise instruct the officer on how to proceed.
(b) Any Criminal and/or Criminal Traffic Offense (Juveniles)	<ul style="list-style-type: none"> The FBR ATTC will be submitted as is. <ul style="list-style-type: none"> * The information on the ticket book ATTC will be entered in the FBR ATTC as is. Contact JCC by telephone at 602-506-4500 and advise a correction must be made. JCC will instruct the officer on how to proceed.
(c) Only Civil Violations (Adult or Juvenile)	<ul style="list-style-type: none"> Make the necessary change/s within the FBR. Notify the violator of the correction either in writing (preferred) or by phone and document such notification in the notes.

7. **DELETING, VOIDING, OR DISMISSING ATTCs AND NOTICE OF VIOLATIONS (NOVs) (FBR AND TICKET BOOK)** - Officers finding it necessary to delete/cancel, void, or dismiss an ATTC or NOV will follow the below procedures:

	(1) WHEN TO COMPLETE	(2) PROCEDURES FOR COMPLETING
A. Deleting/ Canceling an FBR ATTC or NOV	<ul style="list-style-type: none"> An error is detected and the FBR ATTC or NOV is still in "Draft" form (has not been submitted) and has NOT been issued or has been retrieved from the violator/defendant. 	<ul style="list-style-type: none"> Refer to the FBR User Manual for detailed procedures.

7. **DELETING, VOIDING, OR DISMISSING ATTCs AND NOTICE OF VIOLATIONS (NOVs) (FBR AND TICKET BOOK)** (Continued)

	(1) WHEN TO COMPLETE	(2) PROCEDURES FOR COMPLETING
B. Voiding an FBR ATTC	<ul style="list-style-type: none"> An error is detected after a manual signature has been obtained and the ATTC has been submitted to the RMS only (the manually signed ATTC has <u>not</u> been scanned into the RMS). * If the signed ATTC has been scanned into the RMS, see section 7.E for dismissing an FBR ATTC. 	<ul style="list-style-type: none"> Complete a Request to Void/Dismiss Citation Form 80-572D¹. DO NOT scan the signed ATTC into the RMS. Attach the ATTC to the Request to Void/Dismiss Citation form⁴.
C. Voiding a Ticket Book ATTC	<ul style="list-style-type: none"> The ATTC was lost, mutilated, or is unsuitable for use (missing one or more of the ATTC copies, duplicate numbers on separate ATTCs, etc.). The ATTC was fully or partially completed however, the officer became aware no violation actually occurred and the information was not entered (and submitted) into an FBR ATTC. * If the information was entered (and submitted) into an FBR ATTC, the procedures for dismissing an FBR ATTC will <u>also</u> be followed. The ATTC was fully or partially completed for a bona fide violation however, it was not issued due to unusual circumstances (emergency traffic, on-view armed robbery, etc.) The ATTC was completed for any criminal/criminal traffic charge/s however, the defendant refuses to sign. 	<ul style="list-style-type: none"> DO NOT complete an FBR ATTC. Print "Void" diagonally across the face of the ATTC. Complete a Request to Void/Dismiss Citation form¹. Attach all <u>available</u> copies of the ATTC to the Request to Void/Dismiss form⁴.
D. Voiding <u>ONLY</u> Civil Charges on a Ticket Book ATTC	<ul style="list-style-type: none"> If one or more civil charges, but not all charges, need to be voided when the "Court" copy is available but the defendant's copy cannot be amended (if all charges need to be voided, follow the procedures outlined in section 7.C). <p>NOTE: If the officer appears in court on the ATTC, he/she must advise the judge a charge/s was voided and how the violator was informed of the voided charge/s.</p>	<ul style="list-style-type: none"> Complete a Request to Void/Dismiss Citation form². Print "Void", with the officer's initials, across the charge/s to be voided When completing the FBR ATTC, DO NOT enter the voided civil charge/s. The signed ticket book ATTC will be scanned and inserted into the RMS Citation module and then attached to the Request to Void/Dismiss form⁴.
E. Dismissing One or More Charges (Civil or Criminal), or All Charges on an FBR ATTC	<p>(a) When one or more charge/s, but not all charges, need/s to be voided from a <u>manually</u> signed ATTC and the ATTC has been submitted to the <u>RMS only</u> (if all charges need to be voided, follow the procedures outlined in section 7.B).</p> <p>(b) A manually signed ATTC <u>has been</u> scanned and inserted into the RMS Citation module and submitted to the appropriate court.</p> <p>(c) An electronic signature has been captured and the ATTC has been submitted.</p>	<p>(a) The signed ATTC will be scanned and inserted into the RMS Citation module and submitted as is.</p> <p>(a) thru (c):</p> <ul style="list-style-type: none"> Complete a Request to Void/Dismiss Citation form³. Attach the ATTC to the Request to Void/Dismiss form⁴. The Strategic Information Bureau (SIB) personnel will forward the required paperwork to the appropriate court.

7. **DELETING, VOIDING, OR DISMISSING ATTCs AND NOTICE OF VIOLATIONS (NOVs) (FBR AND TICKET BOOK)** (Continued)

	(1) WHEN TO COMPLETE	(2) PROCEDURES FOR COMPLETING
F. Dismissing One or More Charges (Civil or Criminal), or All Charges on a Ticket Book ATTC	(a) When the "Court" copy is available but the defendant's copy cannot be amended (b) After the ticket book ATTC has been completed and forwarded to the appropriate court. NOTE: Would only be applicable when the FBR and RMS were offline for an extended period of time and the ticket book ATTC was forwarded to maintain business continuity.	(a) The information from the ticket book ATTC will be entered and submitted as is into an FBR ATTC. (a) and (b): <ul style="list-style-type: none"> • Complete a Request to Void/Dismiss Citation form³. • Attach a copy of the ticket book ATTC (and the FBR ATTC, if applicable) to the Request to Void/Dismiss form⁴. • SIB personnel will forward the required paperwork to the appropriate court.
G. Voiding an FBR or Ticket Book NOV	<ul style="list-style-type: none"> • An error is detected after the FBR NOV has been submitted or the ticket book NOV has been initiated/completed. 	<ul style="list-style-type: none"> • For a ticket book NOV, <u>DO NOT</u> complete an FBR NOV. • Print <u>VOID</u> diagonally across the face of the NOV. • Complete a Request to Void/Dismiss Citation form¹. • Attach the NOV to the Request to Void/Dismiss Citation form⁴.
^{1.} State the reason for voiding the ATTC/NOV and if/how the defendant was notified (not applicable for NOVs) ^{2.} State which charge/s to void, the reason for voiding the charge/s, and if/how the defendant was notified ^{3.} State the reason and which, if not all, charge/s is/are being dismissed ^{4.} Forward through the chain of command ⁵ to SIB ^{5.} To the officer's bureau/precinct commander/administrator unless the violator/defendant is an informant then forward to the appropriate assistant chief		

8. **IMPOUNDING ATTCs (FBR AND TICKET BOOK)**

A. General Guidelines - When an ATTC is required as evidence for false reporting to law enforcement, [ARS 13-2907.01A](#), it will be impounded.

B. Procedures for Impounding an ATTC

- (1) Issue a new ATTC or book the subject for the false reporting to law enforcement and the original offense/s.
- (2) Complete an IR and printout and impound the original FBR ATTC or impound all copies of the original ticket book ATTC after photocopying.

- **Prior** to impounding, scan and attach a manually signed FBR ATTC or ticket book ATTC containing the false information to the IR as a "Document."

NOTE: An FBR ATTC where an **electronic** signature has been captured and the ATTC has been submitted does not need to be scanned and attached.

- (3) The original ATTC must be voided/dismissed by following the appropriate procedures as outlined in section 7 of this order for voiding or dismissing an ATTC.

NOTE: For ticket book ATTCs, do not print "Void" diagonally across the face of the original ticket book ATTC and only the photocopy of the ATTC will be attached to the Request to Void/Dismiss form.

9. **CRITICAL ERRORS**

A. Citations which may be rejected by the courts:

CRITICAL ERROR:	CITY COURT	JCC
No defendant name or partial name	X	X
No date of birth or incorrect date of birth (criminal ATTCs only)	X	X
No address	X	X
Incorrect or no violation date	X	X
Incorrect or no violation code	X	X
The wrong box or two boxes marked in the description	X	X
Incorrect or no narrative description of the alleged offense	X	X
No court or the incorrect court marked on the citation	X	X
Juvenile not cited into court under the 21 – 28 day rule		X
Juvenile cited for a Title 13 violation other than ARS 13-3622		X
Juvenile turns/turned 18 years of age before the initial court date		X
The original court copy of the ATTC was not received		X
The citation was received at JCC after the date the juvenile was cited into court		X

B. Officers will follow the below procedures when notified of a critical error:


- (1) The ATTC will be **dismissed** following the procedures outlined in section 7.E. of this order.
- (2) After dismissing the ATTC, the officer should re-file the charge/s, using the following procedures:
 - (a) If the defendant can be located, issue a new ATTC.
 - Civil traffic violation: Within 60 days of the alleged violation ([ARS 28-1592](#))
 - Civil traffic violation in conjunction with a traffic accident: Within 180 days of the alleged violation (ARS 28-1592)
 - Criminal and criminal traffic offenses: One year ([ARS 13-107](#))
 - (b) For adult criminal non-traffic cases, if the defendant cannot be located, the officer should write an Incident Supplement requesting a long form complaint.
 - For juveniles, an Incident Supplement, referral, and affidavit must be completed.
 - (c) For criminal traffic cases, if the defendant cannot be located, the officer should contact the Vehicular Crimes Unit (VCU) to request a long form complaint from the Prosecutor's Office.
 - (d) In civil traffic cases where the defendant cannot be located, there are no provisions to re-file a complaint.
- (3) The new ATTC should be completed and processed following the procedures outlined in section 2 of this order.

10. **RETENTION SCHEDULE FOR OFFICER'S COPY OF A TICKET BOOK ATTC**

- The "Enforcement" copy of the ticket book ATTC will be maintained for two (2) years after the calendar year written.

11. **RESPONSIBILITIES**

- Unless otherwise specified in this order, the procedures outlined in this policy are the responsibility of the officer issuing the ATTC.
 - * Precinct/bureau commanders may delegate the scanning and inserting of the ATTCs into the RMS Citation module to designated precinct/bureau personnel.

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