

Traffic Citations

504.1 PURPOSE AND SCOPE

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

504.2 RESPONSIBILITIES

Employees of this department shall use the State of Wisconsin Uniform Traffic Citation (UTC) that is accessible in Badger TraCS (Traffic and Criminal Software) for moving traffic violations, traffic warnings, and other violations pursuant to Wis. Stat. § 345.11 except parking violations. Officers shall inform the person charged with a violation of a traffic regulation of the consequences of the citation on his/her driving privilege (Wis. Stat. § 345.27(1)), as outlined in the Traffic Function and Responsibility Policy Section 500.3.2.

After issuing the citation, the officer shall process the person in accordance with Wis. Stat. § 345.23. In the event a violator does not have a drivers license on their person, but identity is believed by the officer to be established by other means that are plausible, but not definitive (DOT photo, etc.), the officer shall take an inked impression of the violators right index finger and place it on the court copy of the citation. If the violator refuses, a summary arrest and booking should be done to confirm identity pursuant to the Traffic Function & Responsibility Policy, Section 500.3.4 (e).

The Director of Support Services shall be responsible for the issuance and accounting of all traffic citations in TraCS provided to employees of this department (Wis. Stat. § 345.11(7)(a)). Paper parking tickets shall be issued to both sworn officer's and civilian Community Service Officer's (CSO) for enforcement of parking violations. Parking tickets shall be kept in a secure location and issued by the Director of Support Services. Members shall sign for the parking tickets when issued and the Records Bureau shall maintain a receipt for each book issued.

The Records Bureau shall prepare and submit reports as required by the Wisconsin Secretary of Transportation (Wis. Stat. § 345.11(7)(a)).

504.3 DISMISSAL OF TRAFFIC CITATIONS

Any request from a recipient to dismiss a citation shall be referred to the Patrol Captain. 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. Upon a review of the circumstances involving the issuance of the traffic citation, the Patrol Captain may request that the prosecutor recommend 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 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

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that the court 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 Patrol Captain for review.

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 yet approved by a supervisor or transmitted to TraCS. The officer who issued the citation shall reflect the reason it is being voided in the agency space and if the citation is being reissued, note the new citation number. The officer shall then prepare a Department Voided Notification Letter and forward the original to the Records Bureau for accounting and dissemination purposes. Records Bureau personnel shall ensure the original letter is mailed and copies are disseminated to the municipal court. In the event the officer is able to personally reissue the citation prior to the end of their tour of duty, the voided notification letter may be omitted.

[See attachment: Voided Citation Letter](#)

If applicable, a copy of the letter shall be attached to the new citation and submitted to the officer's immediate supervisor. The voided citation should not be submitted. The supervisor should only review, approve and submit the new citation to TraCS.

On a monthly basis, the assigned TraCS Sergeant shall complete a voided traffic citation report, reflecting all voided citations for the month along with the reasons the citations were voided. The sergeant shall verify the information and forward the report to the Patrol Captain.

The Patrol Captain, shall be responsible to provide biannual reports to the Inspector regarding the frequency and reasons citations have been voided or corrected pursuant to this policy and any department actions that have been taken to mitigate TraCS or other operational issues identified.

This policy does not apply to circuit court citations, which must be dismissed in court and may then be reissued. In these instances the officer shall submit a memorandum to their supervisor outlining the reason for voiding the citation. The supervisor shall ensure the circuit court is notified in conformity with Section 504.3 of this policy.

504.5 CORRECTION OF TRAFFIC CITATIONS

On occasion officer's may be notified after TraCS submission, but prior to the municipal court date, that a citation was issued with the incorrect offense designation (1st, 2nd, etc.), court date, or forfeiture amount, etc., placed on the citation. If the citation has the incorrect offense or statute number it may be dismissed by the municipal court and reissued, but shall not be corrected. When a traffic citation in need of correction is identified in conformity with this policy, the officer shall complete a Department Citation Correction Notification Letter. The Shift Commander shall review the letter of correction, identifying the reason for the error (TraCS issue, other, etc.) and take appropriate action to address the issue in order to mitigate future errors. The letter of correction shall then be forwarded to the Records Bureau who shall ensure the original is mailed to the

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violation and a copy sent to the municipal court and the Captain of Patrol. [See attachment: Citation Correction Notification Letter](#)

This policy does not apply to circuit court citations, which must be dismissed in court and may then be reissued. In these instances the officer shall submit a memorandum to their supervisor outlining the reason for correcting the citation. The supervisor shall ensure the circuit court is notified in conformity with Section 504.3 of this policy.

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 and approval in TraCS. The citation hard copies shall then be filed with the Records Bureau, who shall submit the citation through TraCS and disseminate the court copy.

504.7 PARKING VIOLATIONS

Police Department members, as well as other authorized city departments, may issue tickets for violations of city ordinances related to parking. The Department utilizes Community Service Officer's (CSO) to proactively enforce parking violations, however, sworn members are also expected to enforce parking violations that come to their attention or as time permits. Once issued, the parking ticket collection and appeal process is the responsibility of the Beloit City Attorney's Office and Municipal Court. Disposition of notice of parking violation appeals is conducted pursuant to state and local laws.

504.7.1 ISSUANCE OF PARKING TICKETS

Unless circumstances and/or conditions make it impractical or unsafe to do so, members issuing parking tickets should utilize their Department issued IPOD to take a photo of the violation in instances where a photo would assist in substantiating the violation (distance from curb, hydrant, etc.). Any photos taken shall be uploaded to evidence.com and referenced in the CAD notes. The parking ticket shall be submitted to the members Shift Commander for review and approval. Tickets shall then be forwarded to the Records Bureau with registration information and CAD notes attached. Records Bureau personnel shall disseminate the tickets as directed by the municipal court and/or city attorney's office. Upon separation from employment with this department, all employees who were issued parking ticket books shall return any unused tickets to the Records Bureau.

Parking tickets may be voided or reissued commensurate with this policy, however, once a parking ticket has been approved and forwarded to the municipal court/city attorney's office, Department members shall not void them.

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504.7.2 DISABLED PARKING VIOLATIONS

The Department investigates reports of disabled parking violations through the Rock County Disabled Parking Enforcement Assistance Council (Wis. Stat. § 349.145). These reports may be presented to the Records Bureau in person or received by a CSO. CSO's shall ensure a CAD number is assigned for each investigation and note same in the upper right corner of the form. The investigation shall include a review of the registration information.

If the violation is determined to be unfounded, call notes should be added to document this disposition and the form with attachments shall be forwarded to the Records Bureau for scanning and dissemination.

If it is determined that the violation form contains a reportable violation, it shall be referred to a supervisor for assignment to the appropriate CSO. The assigned CSO shall complete the investigation to include a report of action taken. Upon completion, the form, investigative report, and any other documentation shall be reviewed by a supervisor and if approved, forwarded to the Records Bureau for scanning and dissemination.

504.8 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults.

- (a) Juveniles 16 or 17 years of age shall be treated as adults when issued a UTC.
- (b) Juveniles 12 to 15 years of age who commit a Section I traffic offense listed in the Wisconsin Uniform Traffic Bond Schedule may be issued a Uniform Traffic Citation. Bond shall be listed on the traffic citation and a court date shall be assigned. Referral to juvenile court is not necessary.
- (c) Juveniles under the age of 12 who commit a Section I traffic offense, or juveniles under the age of 15 who commit a Section II traffic crime, must be referred to the appropriate juvenile intake office.
 - 1. Regardless of whether the juvenile is held in custody, officers shall note the date and time of arrest in the court date and time field and use the Rock County Courthouse as the court location.
 - 2. A juvenile referral must be filled out and submitted with the citation(s)
 - 3. The citation and referral should be explained to the juveniles parent/guardian
- (d) When a citation is issued to a juvenile under 18 years of age the officer shall notify the parent, guardian or legal custodian of the violation within seven days (Wis. Stat. § 343.15(5); Wis. Stat. § 938.17(2)(c)).

Attachments

Voided Citation Letter 5-23-19.pdf

POLICE DEPARTMENT

RE: City of Beloit vs.
Citation #
Issue Date:
CAD #

Dear

This letter is intended to inform you the Department is hereby voiding the above-referenced citation prior to the initial appearance date of

Please be advised the Department has taken the following action:

- A new citation has been issued and attached to this letter.
Citation # _____ Court Date: _____
Violation: _____
- No further action will be taken at this time. Your citation has been voided and you do not need to appear in court or pay the fine.
- Other:

Thank you for your attention to this matter. If you have questions, please contact a Beloit Police Department Shift Commander at (608)364-6823.

BELOIT POLICE DEPARTMENT

Supervisor Reviewing (signature)
(Please Print Name) _____

TraCS Other

cc Records Bureau
Municipal Court
City Attorney's Office
Captain of Patrol

Citation Correction Notificaton Letter 5-23-19.pdf

POLICE DEPARTMENT

RE: City of Beloit vs.
Citation number:
Issue Date:
CAD #

Dear

This letter is intended to inform you that the City is hereby amending the above-referenced citation prior to the initial appearance date of

Please be advised that the following items were incorrect and are hereby amended as follows:

- Description of Offense is amended to read 1st Offense 2nd Offense 3rd Offense
- Court Date is amended to read
- Court Time is amended to read
- Bond Amount is amended to read
- Other:

The changes do not void the citation. Please refer to the brochure that was provided to you with your citation regarding your options in Municipal Court. Thank you for your attention to this matter. If you have questions, please contact the City Attorney's office at (608)364-6624.

FOR THE CITY OF BELOIT
Beloit Police Department

TraCS Other

Supervisor Reviewing (signature)
(Please Print Name) _____

cc Records Bureau
Municipal Court
City Attorney's Office
Captain of Patrol