

	<b>KENOSHA POLICE DEPARTMENT</b>		
	<b>POLICY AND PROCEDURE</b>		
	<b>74.1 Wisconsin Uniform Traffic Citations</b>		
<b>Effective Date:</b>	8/1/2003	<b>Revision Date:</b>	<a href="#">Click here to enter a date.</a>
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**I. PURPOSE:**

The purpose of this policy is to establish a procedure for the completion and accountability of Wisconsin Uniform Traffic Citation.

**II. POLICY:**

The Wisconsin Uniform Traffic Citation (UTC) was established by Wisconsin State Statute 345.11-Uniform traffic citation. It shall be used for moving traffic violations; other violations as set forth in State Statute 345.11 or moving violation of the City of Kenosha General Ordinances.

**III. PROCEDURE:**

- A. The uniform traffic citation shall be on a form or in an automated format recommended by the council on uniformity of traffic citations and complaints and shall consist of a court report, a report of conviction for the department, a police record and report of action on the case and a traffic citation. The form or automated format shall provide for the name, address, birth date, operator's license number of the alleged violator if known, the license number of the vehicle, the offense alleged, the time and place of the offense, the section of the statute or ordinance violated, the amount of deposit or bail for the offense, a designation of the offense in such manner as can be readily understood by a person making a reasonable effort to do so, and any other information as may be pertinent to the offense.
- B. The uniform traffic citation has been identified by the Wisconsin Transportation as form MV4016. A Law Enforcement Officer's Manual has been distributed by the WI-DOT and officers should refer to that manual for instruction on how to properly complete it
- C. The automated format for the uniform traffic citation has been identified as MV4017.
- D. A decision as to whether the charge will be issued through Circuit Court or Municipal Court are based on many factors including but not limited to:
  - ◆ The violation is a criminal charge
  - ◆ The violation is of a municipal ordinance.
- E. The Wisconsin Uniform Traffic Citation is stand-alone document; however, a charge being sent through Circuit Court must have a KPD Case Number and a long form report. Some charges that will be sent through Municipal Court may also require a KPD case number and a long form report.
- F. Uniform Traffic Citations are **NOT** to be used for person's 11 years old or younger.

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- G. A defendant that is 15 years old or younger, being charged with a criminal traffic offense, shall be referred to Juvenile Court Intake. A uniform traffic citation shall not be issued.
- H. Officers will, attempt to obtain positive identification of the violator to insure that the violator is who he/she says they are.
- I. A separate citation will be issued for each violation.
- J. All information, except the issuing officer's signature, will be printed.
- K. After issuance, the remaining copies and any other papers related to this violation will be turned in to a supervisor for approval.
- L. The Desk Supervisor will check for accuracy and completeness.
- M. If an officer is unable to serve the citation, it should be forwarded to either the Municipal Court Officer or the Traffic Officer, depending on which court the citation is being issued through. The date of issue and court date shall be left empty. All other information shall be completed.

#### **V. COURT DATES:**

- A. All court dates for Municipal Court and Circuit Court will be set from a master court calendar. Officers will be given the court dates at the start of their tour of duty.
- B. The court date will be placed in Field 1 of the UTC. Instructions in regards to the court date are on the back of the DEFENDANT'S COPY of the citation.
- C. These court appearances dates cannot be changed by anyone other than the Municipal Court Officer or the Traffic Officer. If a defendant states that they are unable to make the court appearance date, the assigned date should still be placed on the citation. The defendant should be instructed to contact either the Municipal Court Officer or the Traffic Officer, depending on which court the citation is being issued through and request to reschedule.

#### **VI. VOIDED CITATIONS:**

- A. A citation may be voided if the citation is written in error or if extenuating circumstance surrounding the issuance deem it necessary.
  - 1. The officer will contact his immediate supervisor as soon as possible to explain the reason the citation was voided and to permit the supervisor to review the officer's action.
  - 2. The officer shall have all copies of the citation before voiding the citation.
  - 3. The officer shall print "void" and a concise statement of the reason for the citation being voided on the back of the hard copy of the citation. Enter the new citation number on the back of the hard copy.
  - 4. The supervisor shall sign and date the back of the hard copy and forward all four copies of the voided citation to the Assistant Chief of Operations for final approval and filing.

**VII. ACCOUNTABILITY FOR UNIFORM TRAFFIC CITATION CITATIONS:**

- A. The Uniform Traffic Citation is an official court document, authorized by State Statute and Municipal Ordinance. It shall only be used for its intended purpose as authorized by State Statute and Municipal Ordinance.
- B. Officers will receive citation booklets from the on-duty supervisor. They will sign a logbook indicated that they have received and are responsible for those citations.
- C. In the event a citation or several citations are lost or stolen, the officer will immediately report the loss to a supervisor, who shall notify records personnel of the numbers of the missing citations as soon as possible.