

TITLE: ISSUANCE OF MISDEMEANOR CITATIONS

CODIFIED: 45.1
EFFECTIVE: 07/23/04
RESCINDS/AMENDS/ P 7.1
PAGES: 2

PURPOSE

The purpose of this directive is to provide guidelines for the issuance of misdemeanor citations.

DISCUSSION

It is the policy of the Santa Fe Police Department to utilize the least coercive alternative to achieve a disposition of a matter, consistent with preserving public safety, order, and individual liberty. Officers should cite all violations of City Ordinances into Municipal Court, when the person meets a certain criteria. This is to provide for alternatives to arrest and incarceration of persons, reduce jail costs, and reduce other costs to taxpayers while still maintaining enforcement/adjudication prior to trial.

POLICY AND PROCEDURE

CRITERIA TO ISSUE CITATIONS IN LIEU OF ARREST

- 45.1.01** Misdemeanor citations will only be issued under the following circumstances:
- A.** Sworn members may issue misdemeanor citations;
 - B.** Misdemeanor citations will be used for adult offenders; and
 - C.** Misdemeanor citations will be utilized for violations of city ordinance, in cases where arrest is not legally required or appropriate.
 - D.** All violations covered by City Ordinance shall be cited into Municipal Court. The only exception is when the violations are secondary to a primary

charge that is a high-court misdemeanor or felony

45.1.02 Misdemeanor citations will be utilized in lieu of arrest, unless:

- A.** The incident involves a violent or aggressive confrontation;
- B.** The incident is a domestic dispute; or
- C.** The offender is intoxicated or under the influence of an intoxicant (i.e., drugs, paint, glue).
- D.** The incident is a repeat offense (i.e., loud party - second call, shoplifting - repeat offender).
- E.** The officer uses any physical force in detaining the individual.
- F.** The officer is unable to verify the identity of the offender and he/she is not in possession of valid identification.

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45.1.03 Officers are to verify the accuracy of the defendant information by viewing a current drivers license or identification card prior to issuing the citation.

45.1.04 Upon the decision by an officer to issue a misdemeanor citation in lieu of arrest, the following procedures will be adhered to:

- A.** A case number will be acquired from the Emergency Dispatch center.
 - 1.** Dispatch personnel will acquire and document all pertinent information.
- B.** The Offense/Incident case number will be listed on the citation in the block containing the City of Santa Fe stamp.
- C.** All blanks identifying the suspect will be completed.
- D.** Location and date of the incident along with the section number will be completed.
- E.** The narrative portion of the citation will be completed to provide all essential facts and probable cause. If additional space is needed to

complete the narrative, a supplemental narrative form will be attached.

- F. In order for the court to have the necessary information to process the complaint, the victim and witnesses name, DOB, address and telephone number shall be listed in the essential facts section. In shoplifting cases, the property shoplifted and total dollar amount will also be listed.
- G. The defendant will be given his/her copy of the citation and all other copies will be routed to Records Section for entry into the system after approval by on-duty supervisor.

GLOSSARY

MUNICIPAL ORDINANCES - In this case, all ordinances enacted by the City of Santa Fe, that are enforced by sworn law enforcement officers except moving traffic violations.

Drafted (awm) 01/03ammended0904(awm)

APPROVED: 
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DATE: 09-29-04