

RENO POLICE DEPARTMENT GENERAL ORDER

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Chief of Police: Jason Soto /s/		
Approving Deputy Chief: Thomas Robinson /s/		
General Order No: P-280-17	Issued: July 29, 2004	Revised: October 24, 2017
General Order Title: CITATIONS		

I. POLICY

Members of the Reno Police Department will make every effort to issue misdemeanor or traffic citations, in lieu of custodial arrest, to suspects who qualify for a citation.

II. PROCEDURES

A. PERSONS ELIGIBLE FOR CITATION RELEASES

In cases where subjects meet the criteria set forth in this general order, officers will issue citations in lieu of physical arrest for certain misdemeanors, and in lieu of arrest on qualifying misdemeanor warrants. Exceptions will be detailed in the officer's arrest report.

Under certain circumstances a citation may be issued when the suspect does not meet set criteria. Such cases may include suspects with small children who would have to be placed, suspects with medical problems or who may have lengthy treatment at a hospital, or during times when jail crowding is acute.

B. ELIGIBILITY CRITERIA

- The crime is a misdemeanor.
- The suspect is liable to punishment in accordance with NRS chapter 194.
- The misdemeanor crime is non-violent in nature.
- The suspect presents satisfactory evidence of identity. (Satisfactory evidence of identity is the degree of evidence required to reasonably assure the officer that the suspect is who they claim to be.) Whenever practicable, the officer may use police and DMV records to establish a suspect's identity.

1. Traffic Citations

Persons detained by officers for traffic violations are normally issued citations in lieu of custodial arrest. Exceptions to this may include, but are not limited to, DUI, reckless driving, revoked

driver's license, and other offenses where an arrest is required by statute or the person does not qualify for a citation release per criteria in this general order.

2. DUI Traffic Citations

Persons charged with DUI are normally arrested and booked into Washoe County Jail. However, traffic citations may be issued for misdemeanor DUI if the suspect is being examined, treated and/or admitted at a medical facility, and is capable and willing to either sign the citation, or accept a copy of the citation if they refuse or are unable to sign it.

C. PERSONS NOT ELIGIBLE FOR CITATION RELEASE

Persons who do not meet the criteria for citation release and that fall into one or more of the categories listed below will be subject to custodial arrest and will be booked for the charge at Washoe County Jail. Officers will include in their report narratives reasons the suspect was booked rather than cited for the offense. Criteria for custodial arrest include the following:

- The suspect is intoxicated to the extent that they could be a danger to themselves or others if released;
- The suspect, after refusing to sign a citation for traffic offenses or if unable to sign a citation for traffic offenses, also refuses to accept a copy of the citation;
- The suspect refuses to sign a citation for any non-traffic misdemeanor offense;
- The suspect demands an immediate appearance before a magistrate;
- The suspect is physically combative or belligerent and the officer has to use physical force to subdue the person;
- The suspect is being charged with a companion or accompanying charge which does not qualify for a misdemeanor citation release;
- There is a reasonable likelihood that the offense will continue or resume;
- The suspect does not furnish satisfactory evidence of identity;
- There is a reasonable likelihood that the suspect will disregard a written promise to appear in court;
- The suspect has a warrant for a crime of a violent nature;
- The suspect has a FTA warrant or a warrant with mandatory booking requirements.

D. REPORTING PROCEDURES

1. Citation Reporting to Court Clerk's Office

The narrative of the elements of misdemeanor and traffic offenses will be completed on all citations. This may be done on the reverse side of the City Attorney's copy of the citation, or on the Department's Report Management System. The Records Section will ensure that the citation is sent to the Municipal Court Clerk's office for processing and filing.

2. Citation Reporting to Records Section

Misdemeanor and traffic citations that require more space for the officer's narrative than is available on the citation will be processed in the following manner:

- The officer will obtain the case number from communications.
- A copy of the citation will serve as a face sheet for the case. The narrative will then be completed in the Tiburon system. The case number will be written on the upper right corner of the citation copy.
- A sergeant will be required to approve the report.

3. Personal Service of Notice to Appear

The complainant (officer or citizen) will sign the misdemeanor or traffic citation in the admonishment section of the citation. For misdemeanor citations, the suspect will be formally served with notice to appear in court by signing their name in the appropriate space provided on the citation. For traffic citations the suspect will be formally served with notice to appear in court by either signing their name in the appropriate space provided on the citation, or if they refuse or are unable to sign their name, by accepting a copy of the citation.

4. Multiple Defendant Citations

When more than one suspect is being cited for the commission of a misdemeanor or traffic violation resulting from one incident, each suspect will be cited to appear in court at the same date and time. Court dates and times are determined by the Reno Municipal Court.

E. CITATIONS IN LIEU OF ARREST ON MISDEMEANOR WARRANTS

The issuing officer will:

- Request warrant confirmation via Communications or Records, then advise them that a citation will be issued in lieu of arrest and provide the citation number.
- Notify the suspect of the date, time and court for their appearance on enter said information on the citation
- Enter on the face of the citation the following: "Citation issued in lieu of arrest" on (warrant number), for the offense of (violation).
- Submit the misdemeanor citation to the Records Section pursuant to existing reporting policy and procedure.

Records Section personnel will:

- Confirm the warrant.
- Obtain the date, time, and court for the individual's court appearance.
- Advise Communications, or the officer, of the information.
- Enter the following information on the back of the original warrant (when RPD is the holding agency), then return the original warrant to the issuing court: Citation number, date citation issued, issuing officer, issuing agency, and date of the scheduled arraignment.
- Outside jurisdiction warrants require that the suspect be arrested and booked into Washoe County Jail.

F. WORK APPLICANT REGISTRATION UNIT WARRANTS

A sign will be posted in the Work Card Applicant Unit to inform applicants a warrant inquiry will be completed when applying for a permit.

When a misdemeanor warrant is located that was issued for a crime of a non-violent nature (including FTA, FTC or FTP warrants issued for crimes of non-violent nature) or one which does not reflect Mandatory Booking, Do Not O.R., or Cash Bail Only, while completing the applicant or registration process the Work Card Applicant Unit personnel will:

- Not issue a work permit;
- Complete the convicted person registration, if applicable;
- Advise the applicant or registrant of the misdemeanor warrant and advise him/her to resolve the matter immediately with the appropriate court;
- Require proof that the warrant is no longer active by completing a computer inquiry or reviewing the applicant's court receipt before issuing a work permit to a returning applicant.

When a misdemeanor warrant is located for a crime of a violent nature, *i.e.*, assault and battery, domestic violence, harassment and stalking, or any which reflect "Mandatory Booking, Do Not O.R., or Cash Bail Only" while completing the applicant or registration process, or when a felony or gross misdemeanor warrant is located, the Work Card Applicant Unit personnel will:

- Confirm the warrant with the appropriate agency;
- Advise an officer from the appropriate unit to which the warrant corresponds, *e.g.*, Burglary warrant to Burglary unit, Harassment to Domestic Violence Unit, etc., who will detain the subject away from the Work Card Applicant Office; the officer will complete the necessary paperwork and contact Emergency Communications personnel for a unit to transport the subject to the booking facility;
- Advise Records Section personnel and follow the procedures for completion of associated arrest documents.

G. CITATION ACCOUNTABILITY

For the purpose of auditing in accordance with NRS, officers are accountable for every traffic citation whether the citation is issued or not.

Citation booklets are made available through Supply. The Supply clerk will record the serial numbers of the citations issued to each officer.

Officers who void hand-written traffic citations or who have damaged paper citations, will turn the citations into the Records Section. Records Section personnel will maintain records of each citation whether it was issued, damaged or voided.