

Traffic Citations

501.1 PURPOSE AND SCOPE

This policy outlines the responsibilities for issuing, correcting, voiding and dismissing traffic citations.

501.2 POLICY

It is the policy of the Montgomery County Sheriff's Office to enforce traffic laws fairly and equally. Authorized Deputies may issue a traffic citation, written or verbal warning based upon the circumstances of the contact and in the best interest of the motoring public and community safety.

501.3 RESPONSIBILITIES

The Field Services Director shall be responsible for the supply and accounting of all traffic citations issued to members of this office. Citations will be kept in a secure location and issued to Deputies.

Deputies of the Montgomery County Sheriff's Office shall only use uniform traffic citation approved by the Administrative Office of the Courts. This is to include the the usage of E-citation.

501.3.1 WRITTEN OR VERBAL WARNINGS

Written or verbal warnings may be issued when the Deputy believes it is appropriate. Warning tickets are privileged information and available only to authorized personnel for statistical and analytical purposes.

501.4 TRAFFIC CITATIONS

501.4.1 CORRECTION

When a traffic citation is issued but is in need of correction, the Deputy issuing the citation shall submit the citation and a memorandum to his/her immediate supervisor noting the recommended correction in the memorandum. A copy of the citation and memorandum on departmental letterhead shall then be forwarded to the prosecution attorney for appropriate disposition.

501.4.2 VOIDING

Voiding a traffic citation may occur when the citation has not been completed or when it is completed but not issued. All copies of the voided citation will be kept in sequential order in the assigned citation book, and present and accounted for upon being turned in after completion.

501.4.3 DISMISSAL

Deputies of this office do not have the authority to dismiss a traffic citation once it has been issued. Only the District Attorney, Assistant District Attorney, the prosecutor or court has that authority.

Montgomery County Sheriff's Office

Policy Manual

Traffic Citations

Any request from a recipient to dismiss a citation shall be referred to the District Attorney, Assistant District Attorney.

Should a Deputy become aware of facts or circumstances during a court proceeding that impact on the validity or appropriateness of a traffic citation, the Deputy will bring this matter to the attention of the District Attorney, Assistant District Attorney. Upon such notification, the Deputy shall notify his/her immediate supervisor of the circumstances surrounding the notification and shall complete any paperwork as directed or required.

501.4.4 DISPOSITION

The court copies of all traffic citations issued by Deputies of this office shall be placed in the "served process" basket, to be forwarded to the clerk of the court. All officer copies should be kept by the charging Deputy and placed in an appropriate file for court.

Upon separation from appointment or employment with this office, all members who were issued traffic citation books shall return any unused citations to the Field Services Director.

501.4.5 DATA COLLECTION

Deputies shall collect information regarding traffic law enforcement in accordance with the state laws. The Records Section shall submit traffic law enforcement information to the Division of Criminal Information as directed by the DCI administrative code.