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## Traffic Citations

### 505.1 PURPOSE AND SCOPE

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

### 505.2 RESPONSIBILITIES

Employees of this department shall use the State of Wisconsin Uniform Traffic Citation for moving traffic violations and other violations pursuant to Wis. Stat. § 345.11. Officers shall inform the person charged with a violation of a traffic regulation of the consequences of the citation on the person's driving privilege (Wis. Stat. § 345.27(1)). After issuing the citation, the officer shall process the person in accordance with Wis. Stat. § 345.23.

The Records Bureau shall be responsible for the issuance and accounting of all traffic citations provided to employees of this department (Wis. Stat. § 345.11(7)(a)). Citations will be kept in a secure location and issued to officers by Records Bureau staff. Officers will sign for the citation books when issued and the Records Bureau will maintain a receipt for each book issued. The Traffic and Criminal Software (TraCS) program is the primary tool for issuing, loading, and maintaining numerical blocks of electronic traffic and ordinance citations on electronic devices.

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

### 505.3 DISMISSAL OF TRAFFIC CITATIONS

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. Any request from a recipient to dismiss a citation shall be referred to the Platoon Sergeant. Upon a review of the circumstances involving the issuance of the traffic citation, the Platoon Sergeant may request that the Assistant Chief of Police recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for dismissal has been denied shall be referred to the appropriate court.

[See attachment: Citation Withdrawal Request.pdf](#)

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 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 Assistant Chief of Police.

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#### **505.4 VOIDING TRAFFIC CITATIONS**

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed but not issued. All voided citations shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall be forwarded to the Records Administrator.

#### **505.5 CORRECTION OF TRAFFIC CITATIONS**

The charge on the front side of the citation form shall not be amended. When a traffic citation in need of correction has not been entered in court, the citation should be voided as described in this policy and a citation with a new number should be issued. The new citation shall be delivered or mailed with a letter to the defendant. The prepared letter should outline the reason for the issuance of the new citation and shall be signed by the Chief of Police or their designee.

#### **505.6 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. The citation copies shall then be filed with the Records Bureau.

Upon separation from employment with this department, all employees who were issued traffic citation books shall return any unused citations to the Records Bureau.

#### **505.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE**

Disposition of notice of parking violation appeals is conducted pursuant to state and local laws.

If a defendant wishes to contest a parking citation, they would complete a parking citation conference request form at the department. A parking citation conference will be scheduled with the Village Attorney.

The Village Attorney will make a determination on the disposition of the parking violation.

#### **505.8 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 Uniform Traffic Citation.
- (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. However, no bond shall be listed on the traffic citation, and a mandatory 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.
- (d) When a citation is issued to a juvenile under 18 years of age this department shall notify the parent, guardian or legal custodian of the violation immediately or within

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seven days of the violation if contact is impracticable upon issuance. (Wis. Stat. § 343.15(5); Wis. Stat. § 938.17(2)(c)).

## **Attachments**

## **Citation Withdrawal Request.pdf**

**REQUEST FOR CITATION WITHDRAWAL**

**VILLAGE OF GRAFTON**

**v**

\_\_\_\_\_  
**DEFENDANT**

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§  
§  
§  
§

**MUNICIPAL COURT**

**VILLAGE OF GRAFTON**

**OZAUKEE COUNTY**

I, Officer \_\_\_\_\_, do hereby request, in the interest of justice, that the following charge \_\_\_\_\_ on citation number \_\_\_\_\_ issued on \_\_\_\_\_ against the above-named defendant with a DOB of \_\_\_\_\_ be withdrawn from the Mid-Moraine Municipal Court. The reason is set forth briefly: \_\_\_\_\_

\_\_\_\_\_  
**OFFICER SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**SUPERVISOR SIGNATURE**

\_\_\_\_\_  
**DATE**

**THIS REQUEST HAS BEEN RECEIVED AND THE CITATION HAS BEEN WITHDRAWN ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.**

\_\_\_\_\_  
**DORI McCRILLIS**  
**CHIEF DEPUTY CLERK**  
**MID-MORaine MUNICIPAL COURT**