



UNITED STATES CAPITOL POLICE

GENERAL ORDER

SUBJECT: Citation Release Program

G.O. NO.: 4430

ISSUED: 18 Mar 97

REMARKS: File this Order.

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PURPOSE

To establish policy and procedures for implementation of the Department's Citation Release Program.

POLICY

As provided by the amended section of the District of Columbia Code 23-1110, the Chief of the Capitol Police with the approval of the Capitol Police Board, may designate member(s) of the Capitol Police to have responsibility for citation release. Citation release shall be offered to individuals in Capitol Police custody qualifying for the same as defined by law, and in compliance with all requirements of the Superior Court of the District of Columbia.

AUTHORIZATION

(Revision to D.C. Code 23-1110)

SEC. 108. CAPITOL POLICE CITATION RELEASE.

(a) IN GENERAL-The Chief of the Capitol Police, with the approval of the Capitol Police Board, may designate a member of the Capitol Police to have responsibility for citation release.

GENERAL

1. D.C. Code Section 23-1110 does not establish the citation in lieu of arrest but in lieu of detention. It neither reduces nor expands the authority of police officers to make arrests. The gist of this statute is that it authorizes the conditional release of those individuals who have been arrested without a warrant and charged with a misdemeanor. The citation may be issued to those individuals meeting the criteria in lieu of requiring a bond, or in some cases, the posting of collateral.

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determines that:

- a. The arrested person can be sent directly to court. From time to time the Superior Court may allow the issuance of citations while the court is in session, particularly in the case of mass arrests.
 - b. The arrested person is exempted by the basic requirements and reason(s) for denial of citation release provided in Appendix A (Citation Release Guidelines) to this Order.
3. If the initial determination has been made that an arrested person does not meet the minimum requirements outlined in this Order, no further action shall be taken to release the arrestee under the Citation Release Program. The arrested person shall be processed in the usual manner.
4. If, after the initial screening, it is determined that the arrested person meets the minimum requirements, the Property Clerk shall:
- a. Read the statement contained in the PD-778 to the arrested person. If the arrested person indicates he does not wish to be interviewed, the appropriate block on the PD-778 shall be checked, and the Property Clerk shall write "Refused Interview" in part "C" of this space. No further police action shall be taken to release the arrestee under the citation Release Program, and he shall be processed in the usual manner.
 - b. If the arrested person understands the statement, wishes to be interviewed, and authorizes the U.S. Capitol Police to verify the information given by him, the arrested person shall sign the PD-778 in the space provided. The Property Clerk shall witness the arrested person's signature by signing his name in the space provided.

INTERVIEW AND VERIFICATION OF INFORMATION

1. The U.S. Capitol Police as a police agency statutorily authorized to grant citation release, will complete all applicable verification procedures to determine an arrestee's eligibility for citation release.
 - a. Designated Property Clerk(s) shall verify all pertinent information on the arrestee prior to making a recommendation to his supervisor regarding eligibility/noneligibility of the person for citation release.
 - (1) A Patrol Division Supervisor shall approve or disapprove the citation release according to established guidelines regardless of the arresting officer's permanent assignment.

(c) Warrant status.

ISSUANCE OF THE CITATION

1. The Patrol Division Supervisor, after signing, shall read the PD form 799, Citation to Appear to the arrested person ensuring that the arrested person understands the provisions of the citation, the date for his appearance in court, the court in which he is to appear, and the penalty provided for failure to appear as required in the citation.
2. The arrested person shall then acknowledge issuance of the citation by signing and dating the PD-799, Citation to Appear in the space provided on the form.
3. A citation shall not be issued if the arrested person refuses to sign the citation. The arrestee shall be advised that signing the citation is not a admission of guilt, but only a promise to appear on the assigned date.
4. The Property Clerk shall enter "Citation Release" in CJIS.
5. If the Patrol Division Supervisor approves the issuance of a citation based upon his own verification of information provided by the arrested person, he shall ensure that a PD form 799, Citation to Appear is prepared in an original and three copies, to be distributed as follows:
 - a. White - to the appropriate court;
 - b. Pink - to the defendant;
 - c. Canary - to CCB (When applicable);
 - d. Blue - to the Reports Processing Unit

COURT APPEARANCES

1. Court appearance dates for defendants in citation cases shall be set Monday through Friday at 1030 hours.
2. Property Clerks when setting court dates shall pick a date that **generally falls within a 3-30 day window**, unless otherwise directed by higher authority.
3. Property Clerks shall, to the extent possible, establish court dates that do not require an officer's appearance in an off-duty status.
4. The arresting officer or papering officer shall report with PD-799 and all necessary parties to the appropriate prosecutor's office to paper cases three days prior to the

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CITATION RELEASE GUIDELINES

REQUIREMENTS FOR CITATION RELEASE

- Arrestee has a present misdemeanor offense.
- Arrestee has a verified living address or verified fixed employment. Individuals with a verified shelter residence also qualify.
- Arrestee has been an area resident for at least six (6) months. Verified full-time students, military personnel, and retirees are exempt from the six (6) month residence requirement so long as they have a verified permanent address.
- Note: Exceptions to the above guidelines may be made for mass arrests.

REASONS FOR NOT GRANTING A CITATION RELEASE

An arrestee with at least one of the below listed problems **should not** be granted citation release:

- The present arrest is for a felony offense;
- The arrestee has a pending felony;
- Is a condition violator in a pending case;
- The arrestee has a pending misdemeanor conviction pending sentencing (the existence of non-adjudicated misdemeanors for which citation release has already been granted **will not disqualify the arrestee for the issuance of a citation release in the present case**);
- The arrestee is currently under sentence;
- The arrestee is currently on probation, parole for any adult or juvenile matter except traffic offenses;
- The arrestee has a BRA, or escape conviction with supervision within the past five years (the five-year period begins at the end of any supervision for these offenses);
- The arrestee has outstanding warrant(s) (if the defendant has a cash forfeitable warrant and pays this fine she/he may qualify for release);