

HONOLULU POLICE DEPARTMENT
POLICY
AUXILIARY AND TECHNICAL SERVICES

March 9, 2015

Policy Number 8.11

CITATIONS AND CITATION BOOKS

POLICY

Citations and citation books shall be controlled and issued as outlined herein.

PROCEDURE

I. DEFINITIONS

- A. MultiCharge Traffic Citation (MCTC): A descriptive reference for citations issued for a single traffic offense or multiple traffic offenses of the same case type. The multicharge reference includes the Citation for Traffic Crime(s) Arrest (CTCA), Notice of Traffic Infraction(s) (NTI), and Notice of Parking Infraction(s) (NPI).
- B. CTCA: The citation issued for one or more traffic crimes. A CTCA shall be issued when statutorily required. When statutorily permitted, a CTCA may be issued in place of a physical arrest. A CTCA shall not be issued for a traffic infraction (i.e., a traffic offense not punishable by the possibility of imprisonment).
- C. NTI: The citation issued for one or more traffic infractions relating to traffic movement and control. Such infractions include moving, equipment, and pedestrian offenses but not parking offenses. An NTI shall not be issued for a traffic crime.
- D. NPI: The citation issued for a vehicle that is parked or stopped in violation of a parking-related state statute, county ordinance, or state or county administrative rule. An NPI shall not be issued for a criminal parking offense.

- E. Citation for NonTraffic Crime(s) Arrest (CNTCA): The citation designated by the Judiciary to charge nontraffic crimes that may be charged by citation in place of a physical arrest.
- F. Listed Offense: A state statute, county ordinance, or state or county administrative rule relating to traffic movement and control that is printed on an MCTC.
- G. Unlisted Offense: A state statute, county ordinance, or state or county administrative rule relating to traffic movement and control that is not printed on an MCTC.

II. CONTROL OF CITATION BOOKS

A. Acquisition and Distribution of Citation Books

1. Elements in the Alapai Headquarters

The patrol arsenal shall procure citation books from the Traffic Violations Bureau (TVB). The arsenal shall also prepare citation book assignment logs to be distributed with the books to officers and special commissioned officers assigned to the Alapai headquarters.

- a. Citation books obtained from the TVB shall be kept within the patrol arsenal and/or other designated, secure area.
- b. The division commander or designee responsible for the patrol arsenal shall ensure that the required information for each citation book (i.e., officer's name, badge number, and identification number; date and time issued; and issuer's initials) is recorded in the citation book assignment log.

- c. Upon completion of each page of the log, the division commander or designee responsible for the patrol arsenal shall secure and retain each page for at least three years.
- d. Each citation book received by an officer shall be inspected by the officer to ensure that the numerical sequence of citations corresponds to the sequence listed on the log. If a discrepancy is noted, the discrepancy shall be reported by the officer via the issuing element to the TVB. If necessary, the defective book shall be returned to the TVB.
- e. Upon receipt of the citation book, the officer shall print on the front cover the following information:
 - 1) Name;
 - 2) Identification number;
 - 3) Issuing facility (i.e., Alapai headquarters); and
 - 4) Element name (i.e., District 6, Traffic Division, etc.).

2. Elements Outside of the Alapai Headquarters

Elements outside of the Alapai headquarters shall procure citation books from the TVB and prepare citation book assignment logs.

- a. The citation books shall be maintained in a secure area within each element's facility.
- b. The division commander or designee shall ensure that the required information for each citation book (i.e., officer's name, badge number, and identification number; date and time issued; and issuer's initials) is recorded in the citation book assignment log.

- c. Upon completion of each page of the log, the responsible element shall retain each page for at least three years.
 - d. Each book received by an officer shall be inspected by the officer to ensure that the numerical sequence of citations corresponds to the sequence listed on the log. If a discrepancy is noted, the discrepancy shall be reported by the officer via the issuing element to the TVB or appropriate district court. If necessary, the defective book shall be returned to the TVB or appropriate district court.
 - e. Upon receipt of the citation book, the officer shall print on the front cover the following information:
 - 1) Name;
 - 2) Identification number;
 - 3) Issuing facility (e.g., Kaneohe station, Kapolei station, etc.); and
 - 4) Element name (e.g., District 4, District 8, etc.).
- B. An officer or special commissioned officer may initially receive two citation books of each type (CTCA, NTI, NPI, or CNTCA). Additionally, the officer may be issued a new book only in exchange for a used, defective, or damaged book or as a replacement for one that has been lost or stolen.
- C. Requests for additional citation books for specific operations shall be approved by the element commander or designee responsible for the procurement and distribution of citation books.

- D. Damaged or defective books shall be returned to the element's designated facility.
- E. Each issuing element commander shall ensure that empty or partially used citation books and unused citations/citation books are returned, logged, and destroyed (i.e., shredded or burned).

III. ISSUING CITATIONS

- A. The officer or special commissioned officer shall ensure that the information required on the face of the citation has been completed properly before issuing it to the violator. However, in the absence of the violator, the citation shall be attached to a parked vehicle or transmitted to the violator in accordance with the law.
 - 1. Required information on the face of the CTCA, NTI, and CNTCA citations shall include, but not be limited to, the following: offense information (traffic crime, infraction, or criminal); district and beat of the offense; driver's license information (if applicable); violator information; violator's and officer's names; vehicle information (if applicable); and monetary assessment amount or court date (as applicable).
 - 2. Required information on the face of the NPI citation shall include, but not be limited to, the following: type of traffic offense, district, beat, date and time of offense, license plate or vehicle identification number, color and make of vehicle, operator/violator information, offense information, and monetary assessment amount or court (as applicable).
 - 3. The officer or special commissioned officer issuing either a traffic or criminal citation shall legibly print or stamp his or her rank, first initial, last name, and identification number in the spaces provided on the citation.

4. The officer or special commissioned officer shall legibly print all required and any other relevant information on the citation in black ink. Additionally, the officer shall sign his or her name in the space provided for the "Officer's Signature" on the citation, as applicable.
 5. If the violator refuses, is not available, or is unable to sign the citation, this fact and the reason the violator did not sign shall be noted in the space for the violator's signature.
- B. The required information shall be written on the citation to articulate relevant facts regarding the offense.
1. In circumstances involving criminal offenses, speeding, traffic crimes, and traffic infractions (i.e., pedestrian violations or moving violations such as rules relating to traffic movement and control), the officer shall document the facts establishing the offense on the officer's report on the citation.
 2. In circumstances involving nonmoving traffic infractions (i.e., parking or equipment violations) where there are sufficient facts establishing the offense on the face of the citation, additional facts pertinent to the violation may be, but are not required to be, written on the citation.
 3. In circumstances involving violations due to expiration dates (i.e., safety check, registration, etc.), the officer may write the expiration date on the face of the citation with the required information. Any additional facts may be written on the citation but are not required.
- C. If an error on a citation is detected before it is issued, the citation shall be voided (refer to section V A) and another citation shall be completed.

IV. SUBMITTING CITATIONS

3-23-2016

A. At the end of the tour of duty during which one or more citations were issued, the officer or special commissioned officer shall complete the digital Citation Turned in by Officer, HPD-159 form, accessed via the department intranet site, and attach all required copies of the citations issued.

1. Citations issued from a tag book of the same type (CTCA, NTI, NPI, or CNTCA) shall be packaged together with a completed HPD-159 form. Citations issued from a different type of tag book shall be packaged separately under another completed HPD-159 form.
2. If a citation was issued outside of a regular tour of duty, the officer or special commissioned officer shall turn in the completed HPD-159 form and the citation(s) on: (1) his or her next working day or (2) on the second business day (Monday through Friday) after the date of issuance, whichever occurs first.
3. Officers or special commissioned officers issuing citations in different district court jurisdictions shall separate their citations by the court boundaries. Also, the HPD-159 form shall be submitted with the citations for each separate court. For court boundaries, refer to Section 4-1(3), Hawaii Revised Statutes (HRS).

3-23-2016

B. The issuing officer or special commissioned officer shall submit his or her packaged citations and signed HPD-159 form(s) to a supervisor for review and approval.

C. The supervisor reviewing the citation(s) and HPD-159 form(s) shall ensure that the information on the documents is complete and correct (i.e., in numerical order and the offense has the correct section number and contains all required information). Upon approving the documents, the supervisor shall sign his or her rank and name and print his or her departmental identification number in the "Supervisor's Signature" space provided.

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- D. The printed original of each HPD-159 form shall be secured and retained by each element for at least three years.
- E. The copy of the HPD-159 form and the corresponding citations shall be placed in a secure receptacle and forwarded to the TVB or appropriate rural district court.
- F. If the TVB or rural district court notifies the responsible officer of a discrepancy in the documents submitted, the officer shall address the errors in accordance with this policy and applicable statutes.
- G. In circumstances involving the Parking Enforcement and Collection Section (PECS), Traffic Division, submittal of citations to the TVB shall be as follows:
 - 1. The PECS officers shall use the Daily Citation Report, HPD-159A form, in addition to the HPD-159 form, to record and account for the citations being submitted to their supervisors;
 - 2. The PECS officers shall submit the issued citations to a designated supervisor for review and approval. The supervisor shall package the citations together with the Daily Citation Receipt, HPD-497A form, and send them to the TVB;
 - 3. After ensuring that the information is complete and correct, the PECS supervisor shall sign his or her name and print his or her departmental identification number on the HPD-159 and HPD-159A forms;
 - 4. The HPD-159, HPD-159A, and HPD-497A forms shall be secured and retained for at least three years;
 - 5. The citations and the Daily Citation Receipt, HPD-497A form, shall be placed in a secured area and forwarded to the TVB; and

6. If the TVB notifies the PECS officer of a discrepancy in the documents submitted, the officer shall address the errors in accordance with this policy and applicable statutes.

V. CITATIONS AND CITATION BOOKS THAT CANNOT BE PROCESSED

There shall be an accounting of all citations and citation books assigned to officers or special commissioned officers. Any citation or citation book that is damaged, issued in error, defective, destroyed, lost, stolen, or unaccounted for shall be processed in accordance with the applicable provisions of this section.

A. Voiding Citations

If an error is detected on a citation before it is issued, the citation shall be voided as outlined below:

1. The word "VOID" shall be written across the citation;
2. Voided citations of the same type (CTCA, NTI, NPI, and CNTCA) shall be listed together on an HPD-159 form with the word "VOID" written in the appropriate violation column to the right of the citation number. All three pages of each citation shall be attached to the HPD-159 form and submitted to the officer's supervisor;
3. Supervisors shall review all voided citations for correctness then separate the citations from the HPD-159 form and shred them; and
4. The original of each HPD-159 form shall be secured and retained by each element for at least three years.

B. Canceling Issued Citations

An officer who issues a citation and later determines that it should not have been given shall submit a request to cancel the citation. If the court copy has not yet been submitted to the TVB or appropriate court, the request shall be handled in accordance with procedures approved by the deputy chief judge, District Court of the First Judicial Circuit, and the department, which are summarized herein.

If the court copy of the citation has already been submitted to the TVB or appropriate court, the officer shall be guided by section VIII.

1. Request for Cancellation of Citations Issued for Traffic Infractions

As defined in Chapter 291D, HRS, traffic infractions include all violations of statutes; ordinances; or rules relating to traffic movement and control (including parking, standing, equipment, and pedestrian offenses) for which the prescribed penalties do not include imprisonment.

Requests to cancel citations issued for traffic infractions may be submitted as spelled out below.

- a. The issuing officer or special commissioned officer shall submit all relevant documents (i.e., citation, HPD-159 form, etc.) relating to the citation, if possible.
- b. The officer or special commissioned officer shall use the standard declaration approved by the District Court of the First Judicial Circuit.
- c. The declaration shall state the reason(s) for canceling the citation, along with all pertinent information.

d. [REDACTED]

[REDACTED]

[REDACTED]

2. Requests for Cancellation of Citations Issued
for All Offenses Except Traffic Infractions

The following procedures shall be used for
requests to cancel citations issued for all
offenses except traffic infractions:

a. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- e. [REDACTED]
- f. [REDACTED]
- g. [REDACTED]

C. Unused Citations and Citation Books

Officers or special commissioned officers who transfer or leave the department may have unused citations/citation books. All unused citations/citation books shall be returned to the appropriate issuing element. The issuing element shall record the return date of the citations/citation books on the citation book assignment log and destroy [REDACTED] the citations/citation books.

D. Depleted Citation Books

All depleted (empty) citation books shall be returned to the appropriate issuing element. The issuing element shall be responsible for recording the return date of the used books on the citation assignment log and arranging to have the books burned.

E. Missing Citation

The TVB administrative procedures may be used in circumstances where a citation is missing and the officer is unable to account for the citation.

The division-level commander shall submit a departmental letterhead memorandum to the TVB explaining the effort to locate the citation and requesting that the missing citation be processed in accordance with the TVB administrative procedures.

F. Manual of Operations (MOP)

Division commanders shall be responsible for establishing procedures in their MOPs to implement the provisions of this policy regarding the issuing, documenting, and disposing of voided and returned citations and citation books.

VI. PARKING CITATIONS ISSUED TO DEPARTMENTAL PERSONNEL

A. Section 15-4.1(e), Revised Ordinances of Honolulu 2021, provides that officers of the Honolulu Police Department are exempt from the payment of fees for parking meters and from time-parking restrictions while in the performance of their duty. This exemption also applies to civilian employees of the department while attending court in their official capacity.

B. Officers who receive a parking citation while in the performance of their duties and civilian employees who are cited while attending court may request to be exempted from a parking violation through the procedures listed below:

■ [REDACTED]

[REDACTED]

■ [REDACTED]

5-17-2023

■ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

■ [REDACTED] ■
[REDACTED] ■ [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED]

VII. DISPUTES CONCERNING CITATIONS

No officer or civilian employee is authorized to cancel or void any validly issued citation. Anyone who challenges a citation for a traffic infraction shall be referred to the appropriate district court. Anyone who challenges a citation for any other offense shall be referred to the Misdemeanor Prosecution Division, Department of the Prosecuting Attorney.

See Section 286-138, HRS, Prohibiting "fixing" of tickets and providing penalties therefor; nolle prosequi by prosecuting attorney only by motion and approval of court.

5-17-2023


ARTHUR J. LOGAN
Chief of Police

Post on bulletin
board for one week

Policy first issued
December 9, 1994