

	LANE COUNTY SHERIFF'S OFFICE POLICY	Number: G.O. 7.22
		Issue Date: March 21, 2005
		Revision Date:
CHAPTER: Patrol		Related Policy: G.O. 1.11 (Use of Discretion), G.O. 7.16 (Guidelines for Avoiding Liability), G.O. 11.01 (Police Services Records)
SUBJECT: Service of Misdemeanant Citations and Complaints		Related Laws:

POLICY: All Misdemeanant Citations received by this Sheriff's Office for service upon residents of Lane County shall be served regardless of the originating agency, which may include a court, other Law Enforcement agency, or the District Attorney's Office.

RULE: Employees shall act reasonably and within the limits of their authority as defined by statute and judicial interpretation, ensuring that the rights of both the individual and society are protected.

PROCEDURE:

I. Service of Misdemeanant Citations

- A. Misdemeanant Citations received by this Sheriff's Office for service shall be submitted to the Civil Section for logging and attachment of the return of service form.
- B. Once the Misdemeanant Citation has been served, it shall be returned to the Civil Section for logging and return to the originating agency.

II. Signing of Misdemeanor Complaints

- A. It shall be the responsibility of the assigned Court Liaison Officer to sign all routine Misdemeanor Complaints, violations, and infractions created as a result of patrol activity. This normally would not include Uniform Traffic Citations that are issued in the field at the time of occurrence.
- B. If, for any reason, it becomes necessary for the Patrol Deputy to sign a Misdemeanor Complaint or initiate a Felony Information, the Deputy shall first obtain approval from the Deputy's supervisor and then shall advise the Court Liaison Officer in writing of the details of the action taken immediately. This shall be accomplished by placing a copy of the complaint on a memo, of action taken, in the District Attorney's box in Records.

III. Voidance or Interference with Traffic and/or Misdemeanor Citation Process

A. Sheriff's Office Processing

1. Members issuing Uniform Traffic Citations and/or Citations to Appear will submit all but the defendant's copy of the involved citation to the Sergeant.
2. After a citation has been issued and submitted, citations will be processed in accordance with the Sheriff's Office Records Manual, with copies of the citation being routed and delivered to other County Departments as required. Once a citation has been issued and submitted, no employee may interfere with such routing and delivery without the approval of the on duty Police Services Lieutenant, a Division Commander, or the Sheriff.
3. A citation may be voided at this stage only when justified in writing and must be approved by the on duty Police Services Lieutenant, a Division Commander, or the Sheriff.

B. Criminal Justice Process

Once a copy or copies of a citation have been routed and delivered to other County Departments, no employee may void, alter, or remove such citation without the approval of the District Attorney and/or a Court Judge.