

GENERAL ORDER



DISTRICT OF COLUMBIA

Subject
Citation Release Program

Topic	Series	Number
PCA	502	06

Effective Date
March 29, 2007

Replaces
General Order 502.06 (Citation Release Program) Dated December 1, 1971

Rescinds:
S0-02-06 (Citation Release Processing, Effective Date February 25, 2002)
Teletype # 09-007-03 (Dated August 18, 2003)
Teletype # 09-0008-03 (Dated August 15, 2003)
Teletype # 11-471-01 (Dated November 27, 2001)

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I. BACKGROUND

This directive establishes procedures for the citation release of adults who have been charged with misdemeanors and meet specific citation release eligibility requirements. These procedures do not apply in mass arrest situations or to the processing of juveniles. The citation release process is designed to:

- Ensure that standardized criteria and uniform procedures for citation release are applied across the Department in order to better manage the risk associated with releasing arrestees on citation;
- Assign the required criminal history checks, interviews of arrestees, and verification of resident/employment addresses to Pretrial Services Agency; and
- Assign responsibility for scheduling all arraignment hearing dates for arrestees released on citation to Pretrial Services Agency. In all instances, The Metropolitan Police Department (MPD) shall make the initial and final determination whether an arrestee is eligible to be released on citation.

II. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated:

1. Court Key Day – The assigned day each week that has been designated or set aside for a member to handle pre-identified court matters.

2. Field Commander – A term used to describe the command official designated to act as the Chief of Police (also referred to as Cruiser 28 or Nighthawk).

III. PROCEDURAL GUIDELINES

- A. The Chief Judge, D.C. Superior Court has designated MPD station clerks to act as clerks of the Court for the purpose of implementing D.C. Official Code § 23-1110 (Designation of official to take bail or collateral when court is not in session; issuance of citations). It is not necessary that the designated station clerks be desk sergeants.

1. The station clerk shall make the initial determination whether the arrestee is eligible for citation release. Whether an arrestee has been arrested multiple times on the same or different charges in the past, he/she may still be eligible for citation release.
2. All adults arrested for any misdemeanor in the District of Columbia are initially eligible, provided that:
 - a. The misdemeanor offense is not an intrafamily (domestic violence) offense.
 - b. The arrestee has no outstanding warrants as revealed by the WALES/NCIC check during booking.

NOTE: The arrestee may choose to elect to forfeit collateral for the offense in accordance with General Order 503.04 (Procedures and Responsibilities for the Acceptance of Collateral and Cash Bond) or post bond, rather than be released on citation. The offense has to be one that is postable by collateral and the required amount of cash must be available.

- B. Regardless of whether the arrestee is initially eligible, the station clerk shall process the arrestee as a lockup case when:
 1. The arrestee is wanted, or has a pending case;
 2. The arrestee has made a statement that he/she may not appear in response to the citation;
 3. The station clerk is able to determine that the arrestee has failed to appear as required on a previous citation;
 4. The station clerk is able to determine the arrestee is on any form of conditional release, including pre-trial or post-trial release on personal recognizance; conditions of bond; probation; parole release to a community correctional center of any type; or furlough;
 5. The arrestee is intoxicated, incoherent, and/or has indicated he/she may cause injury to other persons or damage to property; or

6. The arrestee has made a statement of intent to flee; or
 7. Arrest record indicates a Bail Reform Act (BRA) charge.
- C. If the station clerk makes an initial determination that the arrestee is not eligible for release on citation, he/she shall document the reason for the MPD denial in the Criminal Justice Information System (CJIS) "Citation Release Processing" screen.
1. Once the reason is selected from the drop-down menu, this will be indicated by a "Denied" status on the screen. No contact with Pretrial Services is required.
 2. If the arrestee is denied because the charge is a domestic violence offense, in the CJIS "Citation Release Processing" screen, the station clerk shall choose the code "V: Intrafamily Offense/Domestic Violence" as the reason for denial.
 3. To view the most recent entries in the CJIS "Citation Release Processing" screen, the station clerk MUST press the "Enter" key on the computer keyboard to refresh the computer screen.
- D. If the station clerk makes an initial determination that the arrestee is eligible for citation release, the station clerk shall enter the "Accept Pretrial Services Recommendation" code in the "Citation Release Processing" screen in CJIS. He/she shall:
1. Check the list of arrestee names in the "Citation Release Processing" screen in CJIS for notice that Pretrial Services is ready to interview the arrestee.
 2. When Pretrial indicates it is ready to interview, notify the arrestee that if he/she agrees to be interviewed by a Pretrial Services Diagnostics Officer, he/she may be eligible for the issuance of a citation in lieu of detention.
 3. Upon consent from the arrestee, read the "Statement for the Pretrial Services Interview" (Attachment A), and confirm the arrestee understands the information.
 4. Contact the Pretrial Services Agency, Court Services Branch by telephone (Attachment B) and provide the arrestee's full name.
 5. In instances where the arrestee is a co-defendant and the other co-defendant(s) are denied citation, the arrestee shall be given the same arraignment court date as the co-defendant(s). The station clerk processing the release shall ensure that Pretrial Services is notified that there are co-defendants in the case.

- E. If Pretrial Services determines the arrestee is eligible for release on citation, it shall note “eligible” in the CJIS “Citation Release Processing” screen. Pretrial Services shall set an arraignment hearing date in CJIS based on the following criteria:
1. Arraignment hearing dates shall be set for Tuesday through Friday.
 2. Arraignment hearing dates shall be scheduled two (2) weeks from the date of the arrest (e.g. if arrest occurs on Tuesday, the appearance date is scheduled for Tuesday, two (2) weeks following the arrest), and in accordance with member’s court key day see SO-06-04 [Guidelines for Scheduling Employee Court Key Day(s)].
 3. If the defendant is eligible for release on citation for both US Attorney’s Office (USAO) and Office of Attorney General (OAG) charges, Pretrial Services shall issue separate arraignment hearing dates for the USAO charges and for the OAG charges.
 4. All defendants and co-defendants shall be scheduled together on the same day and time with regard to their respective USAO and OAG charges.
 5. Each morning, on regular business days, Pretrial Services shall provide a hard copy of the court calendar schedule to Court Liaison Division (CLD), USAO, OAG, and Superior Court.
- F. The station clerk shall:
1. Complete the court Form CD-2063 (Citation to Appear for a Hearing). There are four (4) color-coded copies to the CD 2063: #1-White, #2-Yellow, #3-Pink, and #4-Gold.
 - a. #1-White copy is included with the arrest paperwork that is transported to Central Cell Block (CCB).
 - b. #2-Yellow is provided to the issuing officer for his or her records.
 - c. #3-Pink is issued to the violator.
 - d. #4-Gold is retained for filing in the citation file.
 2. Refer to the arraignment hearing date that Pretrial Services scheduled in the “Citation Release Processing” screen in CJIS and enter that date on the CD-2063. The station clerk shall not alter the information on the CD-2063, or schedule a date other than the one provided by Pretrial Services.
 3. Read the summons information to the arrestee, ensuring that the arrestee acknowledges:

- a. The arraignment hearing date and time,
 - b. The court in which he/she is to appear,
 - c. The penalty for failure to appear.
 4. Advise the arrestee that signing the CD-2063 is not an admission of guilt, but only a promise to appear in court.
 5. Ask the arrestee to sign and date the CD-2063. If, for some reason, the arrestee refuses to sign the CD-2063, the station clerk shall:
 - a. Document the reason in the "Citation Release Processing" screen in CJIS.
 - b. Call Pretrial Services to notify the agency to cancel the arraignment hearing date scheduled in CJIS for that arrestee.
 - c. Take no further police action to process the arrestee on citation.
 6. When the arrestee has signed the CD-2063, serve as witness to the signature by signing and dating this form.
 7. Ensure the thumbprint of the arrestee is affixed to the white copy (Court copy) of the CD-2063 and the other three (3) copies.
 8. Ensure correct distribution of the CD-2063 as indicated on the form and in the instructions on the back of the form.
 9. In the CJIS "Citation Release Processing" screen, choose the "Release Disposition" (option R) to update the CJIS record for the arrestee to "Citation Release."
- G. There may be circumstances in which the station clerk wishes to override the Pretrial Services recommendation. In these instances, he/she shall consult with the Watch Commander. The final determination whether to release an arrestee on citation will be made by the on-duty Watch Commander.
1. If the on-duty Watch Commander denies citation release to an arrestee that Pretrial Services has determined is eligible, the following procedures shall apply:
 - a. The station clerk shall enter the reason for denial of citation release in the CJIS "Citation Release Processing" screen.
 - b. If necessary, the station clerk shall call Pretrial Services to notify the agency to cancel the arraignment hearing date for that arrestee.

2. If the on-duty Watch Commander approves that the arrestee be released on citation, despite Pretrial Services recommendation of ineligibility, the Watch Commander shall act in accordance with the eligibility criteria in this general order to help guide his/her decision. In addition, the Watch Commander may evaluate the arrestee's credibility to determine whether the arrestee will appear in court in response to the citation. Upon approval from the Watch Commander, the station clerk shall:
 - a. Call Pretrial Services to schedule an arraignment hearing date for the arrestee.
 - b. Release the arrestee in accordance with the procedures in this directive.
 - c. In the CJIS "Citation Release Processing" screen, choose code "R: Release on Police Authority" and document any relevant information in the associated text field.
 - d. Update the CJIS record for the arrestee to "Citation Release" by choosing "Release Disposition" (option R).
- H. When an arrestee does not have a prior Police Department Identification (PDID) number, and is arrested on a charge that is not currently assigned a PDID number, station clerks shall follow the procedures outlined in Attachment C to this directive.
- I. When CJIS is down, the station clerk shall follow manual procedures for processing arrestees to be released on citation in accordance with Attachment D to this directive.
- J. For every charge that is booked in CJIS, the station clerk shall ensure the charge disposition for arrestees is updated appropriately (lockup, citation release, post and forfeit, etc.).
- K. Special Situations
 1. Members shall request permission from the Watch Commander to establish a guard detail for a prisoner charged with a misdemeanor, who is admitted to the hospital.
 - a. If the person is eligible for citation release, the papering officer shall respond to court to paper the case as outlined in this directive; and
 - b. If the person is not eligible for citation release, the member shall follow papering procedures outlined in GO 701.01 (Courts and Hearings) and SO-06-04.

2. The arrestee shall be processed for citation release at the District Station in accordance with the procedures in this directive.
 - a. During business hours, the station clerk, or an MPD official, shall notify the CLD regarding the status of all arrestees transported to the hospital.
 - b. For arrestees transported to the hospital after business hours or on holidays, CLD shall be notified the following business day.
 3. The interview with Pretrial Services, and the completion of the CD-2063 shall be completed after the arrestee has been returned to the District Station cellblock.
- L. Persons arrested by Special Police Officers and others authorized to make arrests in the District of Columbia are eligible for citation release in accordance with this general order when processed at an MPD facility [see General Order 501.07 (Arrest Procedures by Members of Departments Other Than the Metropolitan Police Department)].
- M. Members of the Armed Forces, who are arrested and brought to an MPD facility for booking, shall be processed in accordance with General Order 501.05 (Arrests of Armed Forces Personnel).
1. If the Military Police assume custody of the arrestee at the District Station, no further action shall be taken to pursue the release of the arrestee on citation.
 2. The station clerk shall note that the Military Police assumed custody in the "Citation Release Processing" screen in CJIS.
 3. If the Military Police do not assume custody, the procedures for citation release outlined in this directive shall be followed.
- N. The Watch Commander shall:
1. Consult the Field Commander, through the Special Operations Command Center (SOCC), relating the circumstances surrounding the establishment of a hospital detail.
 2. Include the circumstances surrounding the establishment of a hospital detail on the PD Form 150 (Watch Commander Report).
- O. Papering Procedures for Citation Release Cases
1. Members shall appear to paper the case on their next scheduled court key day.
 - a. When an arrest occurs on the member's court key day or on Saturday or Sunday, the court appearance date for the arrestee

shall be projected and scheduled two weeks following the arrest in accordance with the court key day.

- b. Where there are multiple defendants (defendant and co-defendants) who have received both lockup and citation release dispositions, the member shall paper the citation release at the same time that the case is papered for the incarcerated co-defendant(s).

NOTE: If there is a co-defendant who remains incarcerated, the defendant who is released on bond will be required to come to court and be presented/arraigned along with the "locked-up" co-defendant on the next day court is in session.

2. Members who have been scheduled for a court day(s) other than their scheduled court key day shall immediately bring it to the attention of the CLD or element official.
 3. Members having court schedule conflicts or sick and emergency leave situations shall follow procedures outlined in GO-PCA-701.06 (Court Appearance Notifications).
- P. Members shall not appear in court on the date set for the arraignment hearing of defendants released on citation unless specifically requested by the USAO/OAG Attorney who handled the case at papering.
1. If a member is requested by the papering attorney to return to court on the arraignment hearing date of the defendant, the member will notify an official of the CLD, who shall determine whether the appearance is necessary.
 2. The member shall comply with the instructions of the CLD official.
- Q. Citation Paperwork
1. The District booking element shall maintain a citation file consisting of golden copies of the CD-2063 forms, filed by date of arrest.
 2. The arresting/papering officer shall ensure the arrest package includes the yellow and white copies of the CD-2063 form, and that he/she maintains copies of this document and all other related documents.

IV. CROSS REFERENCES

- A. General Order 501.05 (Arrests of Armed Forces Personnel)
- B. General Order 501.07 (Arrest Procedures by Members of Departments Other Than the Metropolitan Police Department)

- C. General Order 503.04 (Procedures and Responsibilities for the Acceptance of Collateral and Cash Bond)
- D. GO 701.01 (Courts and Hearings)
- E. GO-PCA-701.06 (Court Appearance Notifications)
- F. Special Order 06-04 [Guidelines for Scheduling Employee Court Key Day(s)]

V. ATTACHMENTS

- 1. Attachment A: Statement for the Pretrial Services Interview
- 2. Attachment B: Contact Information for D. C. Pretrial Services Agency
- 3. Attachment C: Citation Release Procedures for Charges That Are Not Assigned PDID Numbers
- 4. Attachment D: Manual Procedures for Processing Arrestees on Citation

//SIGNED//
Cathy L. Lanier
Acting Chief of Police

CLL:SOA:DAH:DEP:cc:svw

STATEMENT FOR THE PRETRIAL SERVICES INTERVIEW

Once the arrested person meets the initial eligibility requirements for release on citation, the Pretrial Services Agency (PSA) may interview him/her. This statement is to be read to the arrested person by the Station Clerk prior to the PSA interview:

“The crime for which you have been arrested may be processed in one of three ways:

1. You may be detained in a cell and later transported for presentment to the next session of court;
2. You may be eligible to post cash collateral or secure a bond as insurance for your appearance in court;
3. You may be found eligible for issuance of a Citation by furnishing certain information about your background, employment, and family.

If you are issued a Citation, you may leave here today. You will return to court on your own on a day that will be scheduled for you some time within the next few weeks.

None of the questions you will be asked will concern the crime for which you are now charged. Further, none of the information obtained from this interview, conducted by the Pretrial Services Agency, will be used in prosecuting that charge.

DO YOU UNDERSTAND THE PURPOSE OF THE INTERVIEW?

DO YOU WISH TO BE INTERVIEWED?”

If the arrestee does not wish to be interviewed, inform the station clerk, who will update the MPDC approval status in CJIS. No further action will be taken to release the arrestee on citation.

CONTACT INFORMATION FOR D.C. PRETRIAL SERVICES AGENCY

Court Services Branch

202-585-7020

D.C. Pretrial Services Agency
633 Indiana Ave, N.W.
Suite 1120
Washington, D.C. 20004-2908

CITATION RELEASE PROCEDURES FOR CHARGES THAT ARE NOT ASSIGNED PDID NUMBERS BY THE AFIS SECTION

The following charges do not get PDID numbers assigned at this time:

Leaving After Colliding	Possession of Open Container of Alcohol (POCA)
Unregistered Auto	Panhandling
30 MPH Over the Speed Limit	Underage Drinking
Vending Violations	

The District station clerk/booking officer will follow the guidelines below when processing citation release cases for the above-listed charges and any other charges for which a “dummy” PDID number is returned from the AFIS section:

1. Because Pretrial Services will not interview arrestees who do not have a PDID number, the arrestee can be released on citation per MPD authority provided he/she meets the eligibility criteria in the “Citation Release Processing” General Order 502.6.
2. AFIS will return a “dummy” #999999 PDID number for offenders with no preexisting PDID numbers. Upon return of the “dummy” PDID number, complete the linking process between WALES and CJIS.
3. At the “Link Citation/Elect to Forfeit” screen, enter the #999999 number in the PDID# field. Hit the “enter” key. The next screen will ask: “Please Enter Explanation and PDID.”
4. In the “Comment” field, enter: “No PDID/Charge PDID: 999999,” and hit the “Enter” key again. You will return to the “Link Citation/Elect to Forfeit” screen.
5. Complete the screen and chose “Yes” to confirm information.
6. When Pretrial Services sees the “dummy” PDID number in the Citation Release Processing screen, it will indicate “No Interview.”
7. To check that the arrestee does not have any pending cases, is wanted, or is on parole, complete the following: At the “Metro Police Menu” in CJIS, select “Arrest Information” and do a name search on the arrestee to check for pending cases, and wanted and parole information.
8. Ensure the arrested person offers satisfactory evidence of identity in order to help determine if he/she will appear in court in response to the citation. Satisfactory evidence of identity can be defined as that degree of evidence required to reasonably assure the officer that the person is who he/she claims to be.
9. Verify the arrested person’s employment and residence address.
10. Call Pretrial Services to request a court date and enter that date into the “Citation to Appear in Court” (CD 2063) form. The court date should appear in the Citation Release Processing screen as well.

CITATION RELEASE PROCEDURES FOR CHARGES THAT ARE NOT ASSIGNED PDID
NUMBERS BY THE AFIS SECTION

11. Make sure that a final disposition is made on the charge and that "Release on Police Authority" is selected from the pop-up menu in the Citation Release Processing screen.
12. For questions about the CJIS booking procedures, contact the Records Division at 727-8583 up to 1530. After 1530, call the Octo/Share Help Desk at 727-5284.

MANUAL PROCEDURES FOR PROCESSING ARRESTEES ON CITATION

If CJIS is down and cannot be accessed, the following manual procedures apply for processing arrestees on citation:

1. Manually book the arrestee and Livescan according to Department procedures.
2. Make the initial determination whether the arrestee is eligible for citation in accordance with General Order 502.6, "Citation Release Processing."
3. Upon return of a PDID number in the Livescan machine, make sure arrestee is interviewed by Pretrial Services (202-585-7030). Call Pretrial Services and provide the interviewer with the true name of the arrestee, the PDID number, the charge(s), and any additional information Pretrial Services may require.
4. Pretrial Services will conduct the interview, hang up, conduct the criminal history check and verify reference information.
5. Pretrial Services will call with a recommendation of eligibility or ineligibility. If the arrestee is eligible, Pretrial Services will schedule an arraignment hearing date.
6. The station clerk will record the arraignment hearing date on the "Citation to Appear in Court" form (CD-2063) and release the arrestee in accordance with General Order 502.6, "Citation Release Processing."
7. The station clerk will note the disposition of charges for the arrestee in the manual booking log (fallback log): indicating whether Elect to Forfeit, Citation Release, Bond, or Lockup.
8. When CJIS is up and the booking officer has entered the booking information in CJIS, the station clerk will remove all names in the "Citation Release processing" screen by making sure lockups have a lockup number assigned, and a disposition is made on all other charges in CJIS.
9. For questions about the CJIS booking procedures, contact the Records Division at 727-8583 up to 1530. After 1530, call the Octo/Share Help Desk at 727-5284.