



ADULT UNIFORM CRIMINAL CITATION

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I. PURPOSE

The State of Maryland Uniform Criminal Citation (Form DC/CR 45) is designed to provide a single format on which police officers may charge an adult offender with violations of certain petty misdemeanor criminal codes and statutes. This applies to both State and County codes. This citation may only be issued to adult violators (18 years or older). The Uniform Criminal Citation may be used as an alternative to a “custodial arrest.”

II. LIMITATIONS ON ISSUING THE UNIFORM CRIMINAL CITATION

A Uniform Criminal Citation may NOT be issued in any of the following situations:

- A. To any juvenile offenders (under 18 years of age).
- B. For any State or County “Civil Code” violation.
- C. For any felony; or misdemeanor criminal offense that carries a penalty in excess of a \$500.00 fine and/or three months imprisonment. (**EXCEPTION:** There are two exceptions to this standard. They are charges of Article CR 7-104, theft less than **\$1000.00**, which has a penalty of 18 months in jail and/or a \$500.00 fine, and Article 2B Section 12-108, selling an alcoholic beverage to a minor, which has a penalty of 2 years in jail and/or a \$1000.00 fine.)
- D. Violations of the Maryland Transportation Article.
- E. Parking violations.
- F. When an officer has reason to believe that the recipient of a Uniform Criminal Citation will not appear in court as required.
- G. When an adult refuses to sign a Uniform Criminal Citation.
- H. When the defendant resides outside the State of Maryland. Proof of residency may include current driver’s license, identification card, utility bills, etc.

III. GUIDELINES FOR THE USE OF AN ADULT UNIFORM CRIMINAL CITATION

Maryland Rule 4-202(h) permits a peace officer to utilize a citation in lieu of making an arrest for a petty offense. An officer who witnesses an adult violating one of the specified laws may issue the violator a “Uniform Criminal Citation,” and then release the violator. The Criminal Citation allows the officer to use his/her discretion as to whether the defendant should be arrested or simply be issued a citation and allowed to leave, pending an appearance in court.

All violations charged on the Uniform Criminal Citation are “MUST APPEAR” violations, requiring a defendant to appear in court. There are no predetermined fines that a defendant can pay in lieu of going to court. The issuing officer does not set a trial date. The Courts will provide the trial date and summons the defendant and witnesses.

IV. PD FORM 622 (NOTICE TO DEFENDANT)

Any time a defendant is charged with an offense that includes the possibility of incarceration as part of the punishment, and the defendant **WILL NOT** be taken before a Court Commissioner (i.e., station-released DUI or Criminal Citation), PD Form 622 (Notice to Defendant) must be completed by the charging officer.

A supply of the four-part forms will be kept at each patrol district. Officers are required to carry a supply of these forms in their vehicle at all times while on duty.

The distribution of the form will be as follows:

White Copy - Court
(Must be sent to Central Records along with the original Incident Report)

Yellow Copy - State’s Attorney’s Office
(Must be sent to Central Records along with the original Incident Report)

Pink Copy - Charging Officer

Gold Copy - Defendant

V. CRIMINAL CHARGES

A listing of commonly used criminal offenses that may be charged on a Uniform Criminal Citation can be found in Appendix B of this directive.

VI. MULTIPLE CITATIONS

If more than one Uniform Criminal Citation is issued to a defendant, the issuing officer must place the numbers of the related citation(s) in the “Related Citations” section of the form.

If an Adult Civil Citation is issued along with a Uniform Criminal Citation, the Civil Citation number must be placed on the Criminal Citation, and the Criminal Citation number placed on the Civil Citation.

If there is more than one defendant involved in one incident, the charging officer has the option to have all of the defendants stand trial separately or together. If the officer wants the defendants to stand trial together, the officer must place the numbers of the related citations in the “Related Citations” section of each defendant’s citation.

VII. DISTRIBUTION OF COPIES

All copies of the Uniform Criminal Citation, except for the Defendant’s Copy, are to be turned in to a Booking Officer for entry into the booking system, before the end of the issuing officer’s tour of duty. After completing this entry, the Booking Officer will turn the citations in to a supervisor who will forward them to Central Records. If the issuing officer needs a copy of the citation for his/her own records, a copy of the citation will have to be made.

VIII. WRITTEN REPORT REQUIREMENTS

A written report must be submitted whenever a Uniform Criminal Citation is issued. Reports are to be turned in to a supervisor along with the citation copies, before the end of the officer’s tour of duty. There are no exceptions to this standard.

On the rear of the “State’s Attorney’s Copy” of the citation, there is a section to include the events surrounding the issuance of the citation. Because of the required police report that must be submitted with the citation, there is no need to complete this section of the citation.

IX. INCIDENT AND REPORT NUMBERS

The incident and report numbers must be placed on each citation in the left margin. The incident and report numbers must be written on the citation prior to it being issued to the defendant. The citation numbers must also be included in the incident report.

X. VOIDING A CITATION

If an error is made in the completion of a Uniform Criminal Citation, it MAY NOT be destroyed. The citation must be sent back to Central Records with “VOID” written across it.

XI. COMPLETING THE UNIFORM CRIMINAL CITATION

The following guidelines are to be utilized when completing and issuing the Uniform Criminal Citation (Form DC/CR 45). It is important that the issuing officer print legibly when filling out the citation. If the citation is illegible, completed improperly, or incomplete, the Courts will return the citation to the officer to correct. Because the Uniform Criminal Citation is a Statement of Charges, any changes made in the document will necessitate the re-issuance of the citation to the defendant.

A. Defendant’s Information

The defendant’s full name, current address, date of birth, personal identifiers, and phone numbers are to be placed in this section.

B. Related Citations

All citation numbers (Criminal, Traffic, Statement of Charges, and Civil) that are issued to a defendant must be placed here. (See Section V of this Index Code for additional information.)

C. Charges

The date, time, location of the infraction and a brief “Statement of Facts” is to be entered in this section. Because this is a criminal charging document that is similar to a Statement of Charges, a Statement of Fact is used in lieu of the wording of the specific charge being placed against the defendant.

1. Type of Violation Section

The charging officer must check the appropriate block in front of the statutes/codes being enforced.

2. Document/Article Section

The Article Section and CJIS Code (if applicable) of a particular statute/code are placed in this section. (See Appendix B for Article Section and CJIS Code numbers.)

3. Penalty Section

The maximum penalty for the violation being charged is entered in this section. None of the penalties are to exceed \$500.00 and/or three months in jail (except the two (2) exceptions listed in Section II of this Index Code.)

D. Court Location & Trial Date

1. Court Location

The issuing officer must place the address of the District Court where he/she regularly attends.

For officers who are scheduled to attend District Court in Glen Burnie, use:

7500 Ritchie Highway, Glen Burnie, 21061

For officers who are scheduled to attend District Court in Annapolis, use:

251 Rowe Boulevard, Annapolis, 21401

2. Trial Date

The District Court will provide a trial date for the charges. Police officers are not permitted to set their own trial dates. Officers must check the box to the left of “WHEN NOTIFIED BY THE COURT.”

E. Defendant’s Signature

This charging document requires the defendant to sign the citation, acknowledging that he/she agrees to appear for trial when notified. If a defendant refuses to sign the citation, the officer must arrest the defendant and charge him/her on a Statement of Charges.

F. Officer’s Signature

The charging officer must sign their name to the citation in this section. The officer must place the date the citation is issued next to his/her name. The officer must then provide the Agency Code (AC for Anne Arundel County), the Sub-Agency Code (which is the code for the charging officer’s assignment) and his/her I.D. number (must be four digits). The Sub-Agency Assignment Codes are as follows:

Headquarters/SOS	0001
Northern District	0002
Eastern District	0003
Southern District	0004
Western District	0005
<i>Special Enf. Section</i>	0006
CID	0007

G. Witness Summons

The witness summons section of the Uniform Criminal Citation is located on the back of the Court Copy. The same procedures are used when summoning a witness for a District Court case. The witnesses’ name, address, city, state, zip code, and day and night phone numbers must be provided. It is very important that the witnesses’ day and night phone numbers be provided to the Courts so that they can call the witnesses and notify them of postponements or guilty pleas.

When summoning a witness Anne Arundel County police officer, you need not put the officer’s name or address. The issuing officer need only write “WPO” in the space provided for the witness’ name. The officer then writes the Agency Code (AC for Anne Arundel County), Sub-Agency Code (0001, 0002, etc.), and the officer’s I.D. number in the spaces provided.

If the witness officer is from another department or jurisdiction, the issuing officer must complete the entire witness section just as they would for a civilian witness.

If there is a need to summons more witnesses and the space is not available on the rear of the “Court Copy” of the citation, supplement the summons portion of the citation utilizing the standard District Court “Request for Witness Summons” form (DC/CR 92).

XII. PROPONENT UNIT: *Patrol Services Bureau.*

XIII. CANCELLATION: This directive cancels Index Code 2190, dated 05-05-06.