

SPRINGFIELD POLICE DEPARTMENT

Standard Operating Guideline

Effective Date: 10/15/2014	Supersedes Policy Dated: 07/23/1998	Rescinds:	SOG Number: 408.1
Accreditation Index: 82.3.4			
Part Title: Operations	Chapter Title: Legal Process		
Chief of Police:			

Disposition of Summonses ¹

I Policy

It shall be the policy of the Springfield Police Department that summons forms shall not be destroyed or otherwise disposed of, except in accordance with the procedures set forth herein. Obsolete forms may be disposed of by the commanding officer responsible for distribution of such forms.

II Definitions

Issued – Where a summons has been completed and given to an alleged violator or placed on a vehicle when there is no operator present.

III Procedure

- 1 All summons forms used by this department are sequentially numbered and must be signed for on the notebook provided in the distribution area, denoting the officers' name, the date, and the beginning and ending number of the book of forms. (CALEA 82.3.4(a) and 82.3.4(b))
- 2 **SUMMONSES ISSUED**
 - 2.1 Anytime a summons has been issued, only the appropriate prosecutor or court can legally take any action to effect a final disposition of the summons.
 - 2.2 A summons that has been issued will not be voided, cancelled out or otherwise disposed of by the issuing officer or other department employee.

¹ Policy reissued under Chief Williams command, no changes to content made. This document has been revised to meet current formatting standards. Per Policy Change Order 14-086, Effective Date 10/15/2014

SOG 408.1

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- 3 **SUMMONS ISSUED IN ERROR** – When a summons has been issued and the issuing officer realizes that an error was made, the officer shall:
 - 3.1 Prepare an IDC to their immediate supervisor, explaining the error. The officer will not void nor solicit or recommend cancellation of the summons, but will only explain the facts or circumstances which explain the error.
 - 3.2 The remaining pages of the complaint, summons, or parking citation will accompany the IDC, which will be reviewed by the supervisor and immediately forwarded to the "IN" basket in central records.
 - 3.3 Records personnel will make a copy of the IDC, which will be filed along with the department's copy of the complaint or summons form.
 - 3.4 The original IDC and complaint or summons forms shall be forwarded to the appropriate court as soon as possible.

- 4 **VOIDING SUMMONSES** – Issuing officers may void a complaint, summons, or parking citation only when the officer realizes that they would be in error and the summons has not been issued.
 - 4.1 All copies of the summons must be returned in order for a summons to be voided. If any copy is missing, an IDC must be written to explain the circumstances of the missing copy.
 - 4.2 Write the word "VOID" in large letters across the front of the form.
 - 4.3 Officers shall write a clear and complete explanation for the voiding of the summons on the narrative portion of the summons.
 - 4.4 Voided summons shall be received, the explanation reviewed and initialed by the submitting officer's supervisor. The voided summons forms will then be forwarded to Central Records for accounting and filing in the voided summons file.

IV Attachments