

**STOCKTON POLICE DEPARTMENT**

**GENERAL ORDER**

**TRAFFIC INFRACTION WARRANTS**  
**SUBJECT**

**DATE:** March 1, 2005

**NO:** P-19

**FROM:** CHIEF ERIC JONES

**TO:** ALL PERSONNEL

**INDEX:** Traffic Infraction Warrants  
Warrants, Traffic Infraction

**I. POLICY**

All persons with two or less outstanding traffic infraction warrants shall be cited and released whenever possible.

**II. LAW**

A. Officers will become familiar with Vehicle Code Section 40304.5. This section states an offender arrested for two or less outstanding infraction warrants shall be released on a signed promise to appear.

1. This procedure applies only when two or fewer traffic infraction warrants are outstanding. This policy is separate and distinct and criteria established under other General Orders does not apply to two or less infraction warrants.

**III. PROCEDURE**

A. Traffic Infraction Warrants are recognizable in the MDC computer system by an "I" or "C" following the type of warrant.

B. When it is determined a subject has a traffic infraction warrant outstanding, the investigating officer shall check with Headquarters Clerk to confirm the subject's eligibility for citation release.

1. Citation eligibility is determined on the face of the warrant by the letter "Y" preceding the phrase "may be released on signed promise to appear."

C. Officers will not cite on those infraction warrants which specifically prohibit the offenders release on the face of the warrant itself.

D. If eligible, the offender will be given a court date and time to appear.

1. Refer to the current court schedule.

E. Officers will list only the warrant numbers in the violation section of the citation. Do not list other types of charges on the warrant citation.

1. A separate citation must be used for violations other than infraction warrants.

F. The officer shall explain to the citizen, when issuing the citation, that failure to appear will mean a mandatory arrest warrant with increased bail shall be issued.

1. When signing off the actual warrant, the officer will write "Section 818 P.C. Complied With" on the face of the warrant itself (following Disposition).

2. No arrest report will be made nor shall the subject be photographed or fingerprinted. (40304.5 C.V.C.)
  - a. If the warrant also has a charge of 40508 V.C., 42003 V.C., or 42005 V.C., an arrest report must be completed.
- G. If the subject has two or less infraction warrants from outside San Joaquin County, the officer should advise the subject to contact the court of jurisdiction to obtain a new court date. If the subject has more than two infraction warrants, the subject should be booked "Enroute" and the arrest report filed.
  1. All other types of warrants (Felony and Misdemeanor, bench and arrest warrants, Out of County and Out of State) will continue to require mandatory booking and an arrest report.