



City of Racine Police Department
Policy and Procedure

Number: 1935

Subject: Fingerprints on Citations		
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POLICY

To ensure the proper identification of persons issued citations by the Racine Police Department, and to prevent innocent persons from being wrongfully prosecuted, a fingerprint shall be obtained from violators whose identity is in question.

DEFINITIONS

Valid Form of Identification: a current photo driver's license or identification card issued by the state where the person resides.

Special Circumstances: situations where it cannot be established through normal record checks (in-house, CIB, Fast ID System, or NCIC) that a person with the name given by the offender exists, and it is unlikely we could determine the offender's identity once they are released.

PROCEDURE

MEMBER

1. If an adult offender does not have a valid form of identification on their person, the member must obtain a right index fingerprint utilizing an ink pad and a Citation Fingerprint ID Card. Other evidence of their probable identity is not sufficient to eliminate this requirement
 - a. Section Two Misdemeanor Traffic offenders who are unable to provide a valid form of identification shall be detained and properly identified as per guidelines set forth within the Uniform State Traffic Schedule.
 - b. Ordinance violators who are unable to provide a valid form of identification, and whom an officer believes is not giving correct personal information, should be transported to the Racine County Jail to be photographed and fingerprinted prior to release.
 - 1) Under "Special Circumstances," when authorized by the Shift Commander, ordinance violators may be held and required to post cash bond before release as per the Uniform Traffic Schedule.
 - 2) Cash bond, however, should only be used under special circumstances, as the Municipal Judge may not be available to conduct arraignment proceedings.
2. If circumstances require the use of a digit other than the right index finger the left index finger should be used first. Any time the right index finger is not used document which finger was used, and why, within your narrative and on the Citation Fingerprint ID Card.
3. If a juvenile offender does not have a valid form of identification on their person, the fingerprint is required. In addition, officers should attempt to confirm their identity through a parent or legal guardian, providing the parent or guardian can be positively identified.
4. A fingerprint is not required for the following:
 - a. Citations issued to persons being held or processed at the Racine County Jail.
 - b. Citations issued by Traffic Investigators or Investigators when the identity of the person being cited was established during the investigation.

- c. Citations issued under owner liability statutes when unable to deliver the citation to the person.
 - d. Unusual circumstances with supervisor's approval.
5. In all cases note in your narrative how positive identification was made.
 6. When necessary, officers shall use all necessary and reasonable force to obtain the fingerprint. Active physical resistance by the offender is sufficient cause to arrest the subject for a state charge of resisting. The Racine County District Attorney agrees to accept these arrests for prosecution.

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