

TRAFFIC REDUCTION COURSE (INFORMATIONAL PURPOSES ONLY)

For Individuals Charged with Traffic Infractions Pending in City/Town/Village Courts:

An accusatory instrument, alleging that you have committed a Vehicle and Traffic offense, has been filed with the court. You are presumed innocent until proven guilty. You have the right to a trial in this matter. You have the right to retain an attorney to represent you now, or at any stage in these proceedings. However, unless charged with a misdemeanor, you are not entitled to an assigned attorney.

You have various procedural options in the course of bringing this matter to a just disposition. You may choose to proceed in one of the following legally authorized manners. You may want to consult with an attorney for guidance or representation before determining which of these courses of action you will pursue. Neither the Court nor this Office may provide you a recommendation as to how to proceed, or which of these options you should choose.

NOTE:

Individuals charged with Aggravated Unlicensed Operation in the First, Second, or Third Degrees are not eligible to take this course. Likewise, individuals charged with an alcohol related offense, other than consumption of an alcoholic beverage in a motor vehicle, are not eligible for a reduction through this course.

OPTIONS:

Enter a Plea of Not Guilty:

By pleading "Not Guilty" you will exercise your right to a public trial. The People of the State of New York, represented by the District Attorney's Office, must prove beyond a reasonable doubt that you have committed the offense(s) alleged in the accusatory instrument(s). At trial you will have the right to hear, see, and challenge any evidence submitted to prove your guilt. This includes confronting and cross-examining witnesses (police or peace officers, or any other witness who may testify against you). You also have the right to call witnesses on your behalf to testify. Indeed, you may, but are not required to, testify on your own behalf as well. After hearing all of the evidence submitted at the trial, the Court determines whether or not the People have proven your guilt beyond a reasonable doubt and renders a verdict. If convicted, the Court will impose a fine and surcharge. You will also be assessed points on your license in accordance with the Vehicle and Traffic Law. If found not guilty, the charges will be dismissed.

Enter a Plea of Guilty:

By pleading "Guilty" you waive your right to a trial where the People of the State of New York, represented by the DA's Office, must prove, beyond a reasonable doubt, that you committed the offense(s) alleged in the accusatory instrument. A plea of "Guilty" will subject you to sentencing to any legally authorized sentence by the judge. You may withdraw, with the court's permission, your plea of guilty at any time prior to sentencing and exercise your right to a trial.

Negotiate/Communicate with the District Attorney's Office About an Alternative Disposition or Plea Reduction:

You may contact the District Attorney's Office in order to negotiate an alternative resolution, known as a plea reduction. This may include an agreement to plead guilty to a legally authorized alternate offense, including a lesser included offense, or a less severe offense or offenses. Any proposed agreement is subject to approval by the court. Upon a plea of guilty to the agreed-upon reduced offense, you will be subject to sentencing, by the judge presiding, to any sentence legally authorized to be imposed for the offense to which you plead guilty.

All traffic reduction requests must be handled, at least initially, through our Office's traffic safety course. After you have completed the traffic safety course, we will process your reduction request, and will email a plea agreement to the email address entered by you. We will also email a copy of the recommendation to the court. Do not mail anything to the District Attorney's Office unless requested to do so by the prosecutor.

If we are not able to resolve an issue via email, you will be requested to send correspondence to the DA's Office. Any correspondence must also be sent to the court. Please do **NOT** mail anything to the District Attorney's Office **UNLESS** required to do so by the DA's Office. The Office address is:

If requested to submit anything by mail, please provide a self-addressed, stamped envelope

**Cayuga County District Attorney's Office
95 Genesee Street, First Floor
Auburn, NY 13021**

If you are requesting a reduction, the following procedure **must** be followed:

1. Go to the link on the Cayuga County District Attorney's webpage (located at):

<https://www.cayugacountyda.com/>

2. Click on the Traffic Tickets Tab

3. Follow the prompts and enter all of the following information:

- a. Your **date of birth** and **mailing address**
- b. Your driver's license number
- c. Your **full name (including middle initial)** as it appears on your driver's license
- d. **Name of offense(s)/section(s)** charged (**include rate of speed for speeding**)
- e. **Name of court** where ticket is pending
- f. Whether you have had any traffic convictions in the past three years
- g. Whether you have had any accidents in the past three years
- h. Uniform Traffic Ticket number and/or **copy** of the **ticket(s)**, if available
- i. Reason(s) why you think the charge(s) should be reduced or an explanation

NOTE: If you have been charged with a violation resulting from an accident, the DA's Office will **NOT** consider a reduction of the charge **UNLESS YOU PROVIDE DOCUMENTATION FROM YOUR INSURANCE COMPANY INDICATING THAT LIABILITY HAS BEEN ACCEPTED AND ALL DAMAGES (PROPERTY/PERSONAL INJURIES) HAVE BEEN (OR WILL BE) PAID.**

Once the traffic safety course is complete, you will receive a plea reduction form. If the plea reduction is acceptable, you are required to sign the form indicating your desire to plead guilty and accept the recommendation from the District Attorney's office. This form must be mailed and/or emailed directly to the court (**NOT** back to the DA's Office). The court will then inform you of any further instructions, such as the fine and surcharge.

You may also appear in court on the scheduled date and enter a plea. At which time the court will impose an appropriate sentence. **If you fail to send in the signed form to the court and/or fail to appear at any adjourned date, the court may suspend your license.**

THIS FORM FOR INFORMATIONAL PURPOSES ONLY
You have the right to consult with an attorney at any time