

## **Vehicle and Traffic Reduction Request**

If you are charged with a traffic infraction and are seeking a reduction please read the information below carefully.

The Town of Monroe Prosecutor's Office is responsible for prosecuting all Vehicle and Traffic (V&T) violations in Town of Monroe. An accusatory instrument, alleging that you have committed an 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 or felony offense, you are not entitled to an assigned attorney and you may choose to act on your own behalf.

You have various procedural options in the Courts of bringing this matter to a just disposition. You may choose to proceed in any of the following manners, or any other legally authorized manner. You may want to consult an attorney for guidance or representation before determining which course of action you will pursue but are not required to do so. Neither the Court nor this office may provide you a recommendation as to how to proceed, or which of these options you should choose.

### **YOU MAY:**

#### **Plead Not Guilty**

By pleading "Not Guilty" you exercise your right to a public trial at which the People of the State of New York, represented by the Town Prosecutor's Office, must prove, beyond a reasonable doubt, that you have committed the offense(s) alleged in the accusatory instrument (i.e. tickets). At the trial you will have the right to hear, see and challenge the evidence submitted to prove your guilt, including, confronting, by cross-examination, the Police Officer or other witness or witnesses who testify against you. You have the right to discovery prior to trial. You have the right to have witnesses testify on your behalf and you may, but are not required to, testify on your own behalf. The Court will determine, after hearing all the evidence submitted at the trial, whether or not the People have proven guilty beyond a reasonable doubt, and will render an appropriate verdict.

#### **Plead Guilty**

By pleading "Guilty" you waive your right to a trial where the People would have to prove you guilty beyond a reasonable doubt. A plea of "Guilty" will subject you to any legally authorized sentence by the judge. Only with the Court's permission and prior to sentencing, may you withdraw your plea of "Guilty". If your plea of guilty is withdrawn, you may exercise either your right to trial or negotiate an alternative disposition with the Town Prosecutor's Office.

#### **Negotiate an Alternative Disposition with the Town Prosecutor's Office**

Upon the request of the Defendant, the Town Prosecutor's Office will review the facts and circumstances surrounding the ticket, as well as the driving record of the Defendant, for the purpose of determining the possibility for a reduced charge with regards to a traffic summons. Any reduction will be based on a case-by-case assessment.

If you have been issued a non-misdemeanor vehicle and traffic ticket and would like to have your ticket reviewed for a possible reduction, you must complete the appropriate form and follow the instructions exactly.

Defendants and Defense Attorneys — The purpose of this application is so that you do not have to appear in Court, you must notify the Town Court in writing advising them that you are handling your ticket(s) through the Town Prosecutor's Office with an Application for Reduction of Charges and request that your Court date be adjourned for 30 days.

Facsimile applications will not be accepted. Please do not contact this office by phone.

### **Applications for Reduction**

#### **Step One:**

- Print and Fill out the Vehicle and Traffic Reduction Request (Be sure to **SIGN IT**).

#### **Step Two:**

- You must include in your email a copy of the front of your ticket — if you have lost your ticket or have already sent your ticket in to the Court, you must contact the Court directly to send you a copy or a Court printout of what your original charge(s) are:
- Your application will not be processed without a copy of the front of your ticket or the printout of your original charge(s).

#### **Step Three:**

- Obtain your NYS Driving Abstract which can be obtained by contacting your local department of motor vehicles. This applies for all drivers, NYS and out of state.
- Out of state applications must provide a copy of the front of your valid driver's license along with your driving abstract.
- Your application will not be processed without a copy of your driving abstract.

#### **Step Four:**

- Send an email to [dnestor@monroeny.org](mailto:dnestor@monroeny.org) and attach as a PDF all three documents (Vehicle and Traffic reduction Request; Copy of Ticket(s); Driver's Abstract). If you do not attach (PDFs ONLY) all of the requested information this application will not be processed.

This plea affidavit is only valid for 60 days.

You then print out and complete the plea affidavit (Be sure to SIGN IT) accepting our proposal and all conditions and forward by mail the original plea affidavit with a self-addressed stamp envelope to the TOWN COURT where you received the ticket. Please do not contact the Town of Monroe Prosecutor's Office about the fine amount and/or points that may occur. You must contact the TOWN COURT directly.

Do not send the plea affidavit back to Town of Monroe Prosecutor's Office.

If the Court accepts the proposal by the Town of Monroe Prosecutor's Office, the Court will then advise you of your FINE, SURCHARGE, and/or POINTS on your license.

If you are unable to do the online application: Please submit all of the above information to the Town of Monroe Prosecutor's Office, Attn: David Nestor Clerk to the Town Prosecutor, 1465 Orange Turnpike, Monroe, NY 10950. Please also include a self-addressed postage paid envelope.

You may also appear in Court on the adjournment date scheduled by the Court and enter a plea. At which time the Court will impose an appropriate sentence. If you choose to NOT accept the offer provided by the Town of Monroe Prosecutor's Office then you must go to Court to resolve the matter on the Court date provided by the Court. 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.