

THIS FORM IS FOR INFORMATIONAL PURPOSES ONLY

TO INDIVIDUALS CHARGED WITH TRAFFIC INFRACTIONS:

You are charged with a traffic offense(s) in this Court. You are presumed innocent until proven guilty. **YOU HAVE THE RIGHT TO HIRE YOUR OWN ATTORNEY AT ANY STAGE OF THESE PROCEEDINGS.**

You have various options on how to proceed. Three of those options are listed below. The Court CANNOT help you decide how to proceed. You should carefully read the information on the traffic ticket about other steps you may take to get additional information about your charge(s) and about the consequences of entering a guilty plea.

**YOU MAY EXERCISE ONE OF THE THREE OPTIONS LISTED BELOW
OR PROCEED IN ANY OTHER MANNER AUTHORIZED BY LAW:**

PLEAD NOT GUILTY:

YOU MAY PLEAD NOT GUILTY by signing in the appropriate space on the front of the ticket(s) and mailing it to the Court. If the plea is received by the Court before the return date on the ticket, you need not appear on that date. The Court will schedule a date for trial and notify you of the trial date by mail.

At the trial the Oswego County District Attorney will have to prove the offense(s) charged beyond a reasonable doubt. You will have the right to hear, see, and challenge the evidence presented, including the right to cross-examine the witness(es) who testify against you. You will have the right to testify and call witnesses, but you are not required to testify or call witnesses. You are NOT entitled to a jury trial. The Judge will decide, after hearing all the proof at trial, whether the District Attorney has met its burden of proving beyond a reasonable doubt that you committed the charged offense(s). If you are found guilty, the Judge will impose whatever legally authorized sentence that the Judge determines is appropriate.

PLEAD GUILTY:

YOU MAY PLEAD GUILTY by signing in the appropriate space on the front of your traffic ticket and mailing it to the Court. By pleading guilty you waive your right to a trial. A plea of guilty has the same consequences as if you were convicted after trial. When entering your guilty plea, you may provide any information to the Judge that you believe should be considered in determining the appropriate sentence. The Judge will impose whatever legally authorized sentence that the Judge determines is appropriate. You will receive a letter from the Court advising you of any fine, fee and surcharge imposed.

**COMMUNICATE WITH THE DISTRICT ATTORNEY'S [DA's] OFFICE
CONCERNING AN ALTERNATE DISPOSITION:**

YOU MAY CONTACT THE DA's OFFICE TO NEGOTIATE A REDUCTION OF THE OFFENSE(s) CHARGED. This process is entirely between you and the DA's Office. You may obtain information about the DA's process for the reduction of traffic violations *from the DA's Office* – the Court is **NOT** involved in the negotiation process and provides contact information for the DA's Office only as a courtesy to individuals charged with traffic offenses.

Any agreement you negotiate with the DA's Office is subject to the Court's approval. If the Court agrees with the proposed disposition you reach with the DA's Office, upon your plea of guilty to the reduced offense the Judge will impose whatever legally authorized sentence that the Judge determines is appropriate and you will be notified of the fine, fee and surcharge by mail. If the Court rejects an agreement you have reached with the DA's Office, you will be advised of that and may exercise one of the other two options, or attempt to reach a new agreement with the DA's Office.

If you intend to contact the DA's Office, please notify the Court of your intent to do so and enter a NOT GUILTY plea with the Court. The Court will schedule a new date and notify you of the next date by mail.

The Oswego County District Attorney's Office Contact information is as follows:

Public Safety Building
39 Churchill Rd.
Oswego, NY 13126
Phone: 315-349-3200, option 1
Website:

https://www.oswegocounty.com/departments/public_safety/district_attorney/traffic_section.php

THE COURT STAFF CANNOT PROVIDE ANY OTHER INFORMATION ABOUT THE DISTRICT ATTORNEY'S OFFICE TRAFFIC REDUCTION POLICIES OR PROCEDURES.

THIS FORM IS NOT INTENDED TO PROVIDE A COMPLETE STATEMENT OF YOUR OPTIONS. NOR DOES IT PROVIDE A COMPLETE DESCRIPTION OF THE CONSEQUENCES OF EXERCISING ANY OF THE OPTIONS SET FORTH ABOVE. THE COURT DOES NOT HAVE ANY OPINION ON WHAT MAY BE THE MOST APPROPRIATE WAY FOR YOU TO PROCEED.

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