



OFFICE OF THE
DISTRICT ATTORNEY
SCHUYLER COUNTY

Jeremy J. Hourihan
District Attorney

105 Ninth Street – Unit 26
Watkins Glen, New York 14891
Phone (607) 535-8383
Fax (607) 535-8385

Dallas R. Zebrowski
Chief Assistant District Attorney

Wayne R. Witherwax
Joseph G. Fazzary
John C. Tunney
Assistant District Attorneys

INSTRUCTIONS FOR VEHICLE & TRAFFIC REQUEST FOR REDUCTION APPLICATION

FACSIMILE APPLICATION WILL NOT BE ACCEPTED
APPLICATIONS MUST BE HANDLED THROUGH MAIL/EMAIL

DEFENDANTS & DEFENSE ATTORNEYS – The purpose of this application is so that you do not have to appear in court. You must notify the Town/Village Court either in writing or by telephone, that you are handling your ticket(s) through the District Attorney's Office with an application for reduction of charges and request that your court date be adjourned for 30 days.

1. **YOU MUST COMPLETE** all of Section 1 of the Reduction Request Form and mail/ e-mail it to the Schuyler County District Attorney's Office, 105 Ninth Street, Unit 26, Watkins Glen, N.Y. 14891; or e-mail to: rcraver@schuylercountyny.gov

- **A COPY OF YOUR TICKET** – If you have lost your ticket or have already sent your ticket to the Court, you must contact the Court directly and have a copy forwarded to this office.
- **YOUR DRIVING ABSTRACT** – Which can be obtained through any New York State Department of Motor Vehicles or online at dmv.ny.gov

OUT OF STATE APPLICATIONS – Provide a copy of the driving abstract from your state of residence.

A SELF-ADDRESSED STAMPED ENVELOPE. (If you provide your documentation via e-mail an envelope will not be needed)

Your application will not be processed without these three items.

2. **AFTER** the District Attorney's office makes a reduction offer under Section 2 of the reduction request form (attached), this office will send to you this application in the self-addressed stamped envelope that you have provided. This application is only valid for 30 days from the date of acceptance of this offer. If the offer is not accepted within 30 days, the matter will be scheduled for trial.
3. **YOU MUST THEN COMPLETE** Section 3, **ACCEPTING OUR REDUCTION OFFER AND ALL CONDITIONS**, and forward the application to the TOWN/VILLAGE COURT where you received the ticket.
4. **IF THE COURT** accepts the proposal by the District Attorney's Office, the Court will then advise you of your **FINE** and Court Surcharge.

Article 245 of the New York State Criminal Procedure Law requires that the District Attorney's Office provide you with discovery. Discovery comes in many forms including (but not limited to) body camera recordings, radio transmissions, supporting depositions, and calibration records. You have an absolute right to discovery from the prosecution, but you may waive that right. The District Attorney's Office is not permitted to make any plea offer contingent upon your waiver of discovery. You, however, may voluntarily waive discovery and enter plea negotiations if you so choose. If you would like discovery before entering plea discussions with the District Attorney's Office, you simply need to advise the court. The proceeding will then be adjourned for the prosecution to provide you with discovery.

VEHICLE AND TRAFFIC CHARGE (S)
REQUEST FOR REDUCTION

SCHUYLER COUNTY

Section 1 – To Presiding Magistrate, TOWN/VILLAGE (circle one) of _____, County of Schuyler, State of New York. This is an application for reduction of charge(s) pending against:

NAME _____ DATE OF CHARGE _____

ORIGINAL CHARGES: _____ Section _____ of the Vehicle and Traffic Law.
_____ Section _____ of the Vehicle and Traffic Law.
_____ Section _____ of the Vehicle and Traffic Law.

Brief explanation of why you should be given a reduction:

Prior V&T Conviction(s): _____

Check the appropriate box:

- a. As a result of the present Vehicle & Traffic Violation there was, or was not an accident
- b. If there was an accident, was there any property damage, or was there any personal injury or death sustained by anyone in the accident.

I acknowledge that Article 245 of the New York State Criminal Procedure Law requires the prosecution to provide me with discovery before I enter a guilty plea in connection with this case. I hereby voluntarily waive that right and consent to having plea discussions with the District Attorney’s Office without the benefit of discovery. I understand that the District Attorney’s Office is not making this offer contingent upon my waiving my right to discovery and that if I choose to obtain discovery before entering plea negotiations, the prosecution would be required to comply with Article 245. I am agreeing to waive discovery because I prefer to quickly dispose of this matter in a fair and just way.

DATE _____ SIGNATURE _____

ADDRESS: _____
(You must enclose a self-addressed stamped envelope in order for the form to be returned to you)

Section 2 – The District Attorney’s Office consents to the defendant pleading guilty to the following as a reduction to the original tickets(s) :

Sentencing left to the sound discretion of the Court.

DATE _____ SIGNATURE _____

Schuyler County District Attorney

If this offer is not accepted within thirty (30) days, this matter will be scheduled for trial.

The People are ready for trial on the original charge.

Section 3 – I, _____ (DEFENDANT) do accept the above proposed reduction in the charge(s) pending against me and state:

- 1. There have been no promises made to me by the Court or the District Attorney’s Office to induce me to agree to this proposal, except as stated herein. I hereby plead guilty and admit to the underlying acts set forth in the reduction of charge(s)
- 2. If part of this agreement includes recommendation as to sentence, and after accepting the plea, the Court feels it cannot agree to the conditions of the sentence. I will be allowed to withdraw my plea and continue with the original charge(s).
- 3. By this declaration, I waive my right to discovery and my right to be legally tried on the original charge(s). I waive my right to confront my accusers(s) and understand the nature of this waiver.
- 4. I understand that by agreeing to this reduction of charges(s), I also waive my right to appeal my conviction and sentence.

DATE _____ SIGNATURE _____

AFTER COMPLETING THIS SECTION, FORWARD THIS FORM TO THE TOWN/VILLAGE COURT. THE COURT WILL HAVE THE FINAL DETERMINATION AS TO WHETHER THE RECOMMENDATION IS ACCEPTED. THE COURT WILL THEN ADVISE YOU OF YOUR FINE AND SURCHARGE AMOUNT.

DO NOT SEND THIS FORM BACK TO THE DISTRICT ATTORNEY’S OFFICE

MAIL TO: