



APPLICATION FOR TRAFFIC DIVERSION PROGRAM

Unfortunately, if you are reading this you have probably been stopped by an officer of the Reno County Sheriff's Office or the Kansas Highway Patrol and issued a citation or ticket. You may be eligible for the diversion program offered in Reno County. Thank you for your courtesy toward the Officer/Trooper.

Keith E. Schroeder – Reno County District Attorney

APPLICATION – All blanks must be completed and all information must be accurate. Each answer will be verified through investigation.

NAME: _____

ADDRESS: _____

CITY _____ STATE _____ ZIP _____

DATE OF BIRTH: _____ AGE: _____

DRIVER'S LICENSE NUMBER _____

STATE WHICH ISSUED YOUR DRIVER'S LICENSE _____

CELL PHONE: _____ WORK PHONE: _____ ALT. PHONE _____

EMAIL: _____

DATE CITATION/TICKET WAS ISSUED _____ BY: KHP _____ RNSO _____

NATURE OF ALLEGED VIOLATION _____

WAS AN ACCIDENT INVOLVED? _____

WHERE DID THE ALLEGED VIOLATION(S) OCCUR? _____

HAVE YOU BEEN GRANTED DIVERSION FOR A TRAFFIC RELATED MATTER WITHIN THE PAST THREE (3) YEARS IN

ANY STATE? IF SO, WHEN AND WHERE _____

REMINDER: DON'T FORGET TO ENCLOSE A SELF-ADDRESSED STAMPED ENVELOPE AND YOUR \$50.00 NON-REFUNDABLE APPLICATION FEE WHEN YOU MAIL IN **OR** DROP OFF YOUR APPLICATION TO THE RENO COUNTY DISTRICT ATTORNEY'S OFFICE.

DO NOT PAY YOUR TICKET TO THE COURT.

Please print the completed form.

Either mail or deliver in person with the application fee (no cash accepted) to:

Reno County District Attorney

Attn: Diversion

206 W 1st Ave., 5th Floor

Hutchinson, KS 67501

If you have any questions please call the Diversion Office at 620-694-2760.

APPLICATION PROCESS AND PROCEDURES

Pursuant to K.S.A. 22-2906 et.seq., the Reno County District Attorney's Office has established a Traffic Diversion Program. This Traffic Diversion Program is separate from the D.U.I. Diversion Program that traditionally has been operated by the Reno County District Attorney's office. This new diversion program is designed to address non-D.U.I. prosecutions involving most Chapter 8 traffic offenses. It is the belief of the Reno County District Attorney that by providing an extra rehabilitative legal device for handling carefully selected traffic offenders, the offenders can be made better citizens in the community without sacrificing public safety or general well-being, and while making the most efficient use of our limited judicial resources.

If a defendant/offender is granted diversion, under the Traffic Diversion Program, he/she must expect to pay a higher financial penalty based on his/her prior driving record. Upon payment of the specified diversion fee and court costs, the Reno County District Attorney's Office will dismiss the complaint or complaints charging a traffic offense under Chapter 8 of the Kansas Statutes Annotated.

In some situations, the defendant/offender may be required to attend and complete, at his/her own expense, an approved defensive driving or driver's education course.

ELIGIBILITY

Diversion of prosecution in traffic related matters is a privilege and **NOT a RIGHT**. The Reno County District Attorney's Office will have the authority to deny any person's request for diversion for any reason. Thus, in determining whether or not prosecution is warranted, as opposed to diversion, the Reno County District Attorney's Office will place a higher priority on the needs of public safety rather than the desires of the individual defendant/offender. One diversion allowed per year. **CDL HOLDERS INELIGIBLE.**

FEE SCHEDULE

If the defendant/offender's application for traffic diversion is approved by the Reno County District Attorney's Office, the following diversion fees will be assessed:

1. A fee equal to the fine schedule used by the Reno County District Court;
2. A \$25.00 fee for *every* minor moving violation that appears on the defendant/offender's driving record;
3. A \$50.00 fee for *every* major violation that appears on the defendant/offender's driving record;
4. A \$50.00 non-refundable diversion application fee; and
5. Court costs as set by the Reno County District Court.

Upon notification of the diversion fee amount, it must be paid by cashier's check, money order or personal check; made payable to "Traffic Diversion Program". **NO CASH WILL BE ACCEPTED.** No receipt will be issued by the Reno County District Attorney's Office. If payment is made by an insufficient funds personal check, the original traffic charge or charges will be immediately re-filed with the Reno County District Court.

I. Application (USE FORM ON BACK)

The traffic diversion application must be filled out and **sent with a self-addressed stamped envelope** to:

Reno County District Attorney's Office
Traffic Diversion Program
206 West First Avenue, 5th Floor
Hutchinson, KS 67501
620-694-2715

II. Processing of Application

IT IS THE RESPONSIBILITY OF THE DEFENDANT/OFFENDER THAT ANY APPEARANCE DATES, EITHER NOTED ON THE TRAFFIC CITATION OR SCHEDULED BY THE DISTRICT COURT, BE KEPT. Having mailed a diversion application to the District Attorney's Office does not postpone any scheduled court appearances.

Upon receipt of the diversion application and **self-addressed stamped envelope**, the District Attorney's Office will process the application as quickly as possible. This will require that the defendant/offender's driving record be checked in every case. Additional verification of information may be necessary. Any information on the application that is determined to be false will result in denial of diversion.

III. Notification

If the defendant/offender's diversion application is *denied*, a letter detailing the denial will be sent to the defendant/offender in the provided self-addressed stamped envelope.

If the defendant/offender's diversion application is *approved*, the District Attorney's Office will determine the total diversion fee and court costs to be assessed. A letter detailing the diversion fee and court costs will be sent to the defendant/offender in the provided self-addressed stamped envelope.

IV. Payment

Upon notification of approval the defendant/offender must promptly submit a cashier's check, money order, or personal check **IN THE FULL AMOUNT**. Check or money orders should be made payable to "Reno County Traffic Diversion." The check or money order must be mailed to:

Reno County District Attorney's Office
Traffic Diversion Program
206 West First Avenue, 5th Floor
Hutchinson, KS 67501

DO NOT PAY YOUR TICKET TO THE COURT.

The Reno County District Attorney's Office will not send a receipt for the payment of the diversion fee and court costs. The defendant/offender should maintain his/her copy of any check or money order stubs and cancelled check.

V. Disposition

If application is successfully made and full payment of the required diversion fee and court costs are received by the Reno County District Attorney's Office, the applicable traffic citation(s) will be dismissed. The defendant/offender will be responsible for checking with the Clerk of the District Court if there is any question about the dismissal of the traffic citation.

As a result of the dismissal of the traffic citation(s), the defendant/offender will not be required to appear at any future court appearances on the diverted charge and no record of a conviction will be forwarded to the Kansas Department of Revenue, Division of Vehicles, Driver Control Bureau.