

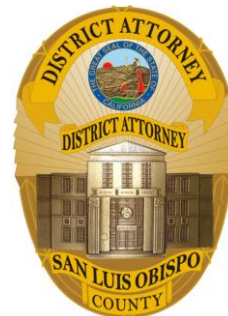
Dan Dow  
District Attorney

Lee V. Cunningham  
Assistant District Attorney

Jerret C. Gran  
Chief Deputy District Attorney

Sheryl M. Wolcott  
Chief Deputy District Attorney

**OFFICE OF THE DISTRICT ATTORNEY**  
County of San Luis Obispo



## MEMORANDUM

TO: All San Luis Obispo County Law Enforcement Agencies

FROM: Sheryl Wolcott, Chief Deputy District Attorney

DATE: October 7, 2015

SUBJ: VC 12500 Infraction Citations

---

Effective immediately, VC 12500 offenses should be cited as infractions and submitted to Traffic Court. (PC § 19.8 authorizes VC 12500 offenses to be infractions.)

In the past, VC 12500 offenses were frequently cited as misdemeanors and accepted by Traffic Court as directly-filed misdemeanors. The change to citing VC 12500 offenses as infractions is being implemented to align these offenses with the elimination of misdemeanor direct filing which took effect on April 1, 2015, and to allow these offenses to continue to be handled in Traffic Court.

In the unusual circumstances where an agency feels a misdemeanor VC 12500 filing is warranted, for example, because the offender has several prior convictions for VC 12500, that case should be submitted to the District Attorney's Office for filing review.

As a reminder, all misdemeanor offenses must be submitted to the District Attorney's Office for filing review. Accordingly, when a citation is issued for a misdemeanor, the court appearance should be in Criminal Court, not Traffic Court. Misdemeanors submitted to the District Attorney's Office must be accompanied by a CLETS criminal history and DMV printout. A misdemeanor citation must be accompanied by a brief narrative which includes the reason for the traffic stop and any statements of the defendant.

Should you have any questions, please feel free to contact me or Assistant District Attorney Lee Cunningham.