

**ORDINANCE**

**CITY OF NEW ORLEANS**

**CITY HALL: March 6, 2008**

**CALENDAR NO. 26,925**

**NO. \_\_\_\_\_ MAYOR COUNCIL SERIES**

**BY: COUNCILMEMBERS CARTER, CLARKSON, MIDURA, FIELKOW, HEAD, HEDGE-MORRELL AND WILLARD-LEWIS**

**AN ORDINANCE** to establish a procedure by which the New Orleans Police Department will address individuals stopped for traffic offenses who have outstanding traffic attachments issued by Traffic Court for the City of New Orleans, to provide for the issuance of a summons requiring appearance in traffic court; to establish financial penalties for failure to appear in traffic court; and to provide otherwise with respect thereto.

**WHEREAS**, reducing the number of arrests for outstanding traffic attachments will lower the financial costs associated with incarceration; improve efficiency by lessening the time police officers spend transporting and arresting individuals; and

**WHEREAS**, reducing the number of arrests for outstanding traffic attachments also will ensure that members of the criminal justice agencies are able to focus their energies and resources on reducing violent crime;

**WHEREAS**, the Traffic Court of New Orleans issued an en banc order on February 28, 2008 ordering all law enforcement officers within the City of New Orleans to suspend the execution of arrest warrants issued by that Court in all cases except warrants which begin with the prefix "S" when in such law enforcement's exercise of his or her discretion the safety of the public or the officer will not thereby be impaired; now therefore

**1 SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS**

**2 That when an officer of the New Orleans Police Department stops a person for a traffic offense and determines**  
**3 that the person has an outstanding traffic attachment issued by Traffic Court for the City of New Orleans, the**

4 officer shall issue a summons requiring the person to appear in the Traffic Court of New Orleans within  
5 seventy two (72) hours defined as three business days.

1 **SECTION 2.** Failure of the person to appear in the Traffic Court of New Orleans within seventy two  
2 (72) hours of the issuance of the summons will result in the assessment of a fine in the amount of \$200.00 for  
3 failure to appear.

1 **SECTION 3.** Failure of the person to appear in the Traffic Court of New Orleans within seventy two  
2 (72) hours of the issuance of the summons will result in the issuance of a subsequent traffic attachment which  
3 will result in arrest if an officer of the New Orleans Police Department stops the person for a subsequent traffic  
4 offense.

**ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS** \_\_\_\_\_

\_\_\_\_\_  
**PRESIDENT OF COUNCIL**

**DELIVERED TO THE MAYOR ON** \_\_\_\_\_

**APPROVED:**  
**DISAPPROVED:** \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

**RETURNED BY THE MAYOR ON** \_\_\_\_\_ **AT** \_\_\_\_\_

\_\_\_\_\_  
**CLERK OF COURT**

**ROLL CALL VOTE**

**YEAS:**

**NAYS:**

**ABSENT:**

**RECUSED:**

\\cno-file01\userdata\home\kmparker\Ordinances\Traffic Attachment Ordinance.doc