

634 pg 3 (c. 215)



CHAMBERS OF
COUNTY JUDGE
HILLSBOROUGH COUNTY
TAMPA, FLORIDA 33602

March 29, 1985

THOMAS E. STRINGER, SR.

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(813) 272-6749

M E M O R A N D U M

TO: ✓ Col. J. Pelkington, Tampa Police Department
 Honorable Walter Heinrich, Hillsborough County Sheriff
 Chief Tom Matthews, Temple Terrace Police Department
 Lt. F. D. Pedrick, Florida Highway Patrol
 Lt. C. Wilson, USF Police

FROM: Thomas E. Stringer, Sr. 
 Administrative Judge
 Traffic Division

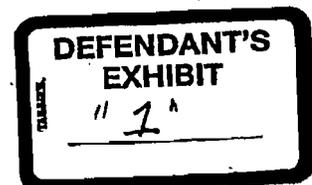
RE: Officers Not Honoring Subpoenas for Trials

The various traffic judges are experiencing a recurrent problem of officers not honoring subpoenas for trial. Also, where an accident has occurred, and the officer did not witness the accident, the officers are filing their accident reports in lieu of their appearance. However, on numerous occasions, they are failing to properly list the witnesses to the accident so that they can be subpoenaed for trial.

In the latter case, many officers are under the misapprehension that the clerk's office will subpoena witnesses from the witness list on the accident report. Where an accident is involved, officers must list the witnesses on a separate witness list or on the reverse side of the pink copy of the citation.

Effective immediately, the names of officers who fail to honor subpoenas will be forwarded to your agency for appropriate action. Officers who fail to honor subpoenas without excuse also face the possibility of being held in contempt.

Also effectively immediately, officers who issue a citation in an accident case where the officer did not witness the accident may continue to file their accident reports in lieu of their



Page 2
March 29, 1985

appearance in court provided there is nothing that the officer witnessed that would be relevant; and further provided that the officer has properly listed the appropriate witnesses on a witness list or the reverse side of the pink copy of the citation.

Should you have any questions concerning this memorandum, please do not hesitate to contact my office.

cc: Judge Susan Bucklew
Judge Barbara Fleischer
Judge Sam Pendino