



THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, NY 10007

**FOR IMMEDIATE RELEASE**

**CONTACT:** [pressoffice@cityhall.nyc.gov](mailto:pressoffice@cityhall.nyc.gov), (212) 788-2958

**MAYOR DE BLASIO AND SPEAKER MARK-VIVERITO ANNOUNCE 90 PERCENT  
DROP IN CRIMINAL COURT SUMMONSES UNDER CRIMINAL JUSTICE REFORM  
ACT THAT SENDS MINOR OFFENSES TO ADMINISTRATIVE COURT**

*In first 16 weeks under the Criminal Justice Reform Act, 50,000 fewer criminal court summonses were issued citywide – reducing the number of unnecessary warrants and arrests*

**NEW YORK**— Mayor de Blasio and Speaker Mark-Viverito announced today that the City’s enforcement of certain minor offenses, specifically giving officers the option of issuing a civil ticket instead of a criminal court summons under the Criminal Justice Reform Act (CJRA), has led to a historic 90 percent drop in criminal court summonses being issued while crime has continued to decline citywide. This steep reduction in criminal court summonses means thousands of New Yorkers will never face the threat of arrest for failure to appear in court for a low-level offense.

“Nobody’s destiny should hinge on a minor non-violent offense,” said **Mayor Bill de Blasio**. “This summer’s results of record-low crime, paired with record-low summonses, show that we can smartly enforce key low-level offenses without sacrificing New Yorkers’ quality of life or safety.”

"Making New York City a more fair and just place for all people has been the guiding force of this City Council since I first became Speaker," said **Council Speaker Melissa Mark-Viverito**. "The Criminal Justice Reform Act has provided fairer and more proportionate outcomes for tens of thousands of New Yorkers in just the first few months of its existence. This historic decrease in criminal summonses is proof that meaningful criminal justice reform is possible without any cost to public safety or order. I thank the NYPD and the de Blasio administration for working with the Council on necessary reforms to make our City more responsive to the needs of all New Yorkers."

“The City of New York is experiencing a continued, historic decline in crime,” said **NYPD Commissioner James P. O’Neill**. “Accordingly, arrests and criminal court summonses are also down, and the statistics from today’s announcement show that NYPD officers are exercising their discretion to issue civil summonses to address quality of life offenses like littering, public urination and unreasonable noise. The Department worked closely with the Mayor, the Speaker and the Council on the legislation that gave officers this additional tool, so I want to thank them for their collaborative efforts. This is one of many steps that the NYPD has taken to fine-tune precision policing and strengthen the bonds between the police and the communities they serve.”

During the first sixteen weeks between when CJRA took effect on June 13 and October 1, 2017, there were 50,854 fewer criminal court summonses written than during the same period in 2016 for offenses covered by CJRA (55,224 vs. 4,370).

Additionally, during this same period, preliminary data shows a corresponding uptick in civil enforcement. Between June 13 and September 30, 2017, the number of civil tickets for offenses covered by CJRA amounted to 26,154. While the increase was not perfectly proportional to the decrease in criminal summonses, a dip in enforcement is common during a transition to new policies.

The Criminal Justice Reform Act (CJRA), first proposed by the Council last year and signed into law by the Mayor, went into effect on June 13, 2017. By creating the option for officers to issue a civil ticket in response to low-level offenses, such as littering, appropriate low-level cases bypass the criminal system altogether, avoiding the possibility of a warrant for failure to appear for a criminal summons.

In addition, these civil summonses are adjudicated by the Office of Administrative Trials and Hearings (OATH) rather than in the summons part of Criminal Court. Preliminary figures show that for the OATH summonses covered by CJRA, 56 percent were paid, with 40 percent admitted to and paid prior to the hearing.

In 2016, prior to CJRA, a majority of the 267,000 criminal summonses issued were for low-level offenses, and 39 percent of litigants failed to show up for their Summons Court appearance, which led to tens of thousands of warrants. Police retain the right to issue criminal summonses, but give preference to civil tickets unless the offender has two or more prior felony arrests in the past two years, three or more unanswered civil summonses in the past eight years, is on parole or probation, or there is another legitimate law enforcement reason, approved by a supervisor.

OATH is the City court where nearly all enforcement and regulatory agencies file their summonses for hearings, including the Departments of Sanitation, Buildings, Fire, Consumer Affairs, Health and Mental Hygiene, Environmental Protection and the Taxi and Limousine Commission, among others, but OATH is not where parking tickets or traffic tickets are heard. In 2016, OATH received approximately 840,000 summonses from these City agencies. In 2016, approximately 38 percent of all summonses filed at OATH for hearings were admitted to and paid prior to the hearing.

OATH allows litigants to contest charges by phone or online, offers litigants who received a summons covered by the CJRA the option of performing community service in lieu of a fine, and is piloting extended evening and weekend hours. This preliminary data suggest CJRA has advanced the administration's goals of preserving public safety and building stronger and safer neighborhoods while reducing arrests and lightening the touch of low-level enforcement.

OATH has Help Centers at every hearing location throughout the five boroughs, where self-represented litigants can receive assistance navigating the hearing process, filling out forms and getting access to computers and public City records. With more options for adjudicating tickets than exist in Criminal Summons Court, OATH allows recipients of tickets to admit or fight the charge online, by phone, by webcam, by regular mail, or by going to an in person hearing at OATH.

For the quality of life summonses covered by CJRA that are responded to in person, OATH offers an option to perform community service instead of paying a fine so that financial hardship does not lead to non-compliance. As of September 30, 2017, 249 people had accepted community service as the penalty in their case after admitting to the charge or being found in

violation after a hearing in person. The community service programs are administered to respondents at the OATH hearing office location where the respondent appears and educational group programs, which can be completed the same day as their appearance. OATH will also be offering an e-learning video module as an option to complete the required community service. The curriculum taught is aimed at changing the personal behavior for which the respondent was cited and making sure the respondent understands that they may be issued a criminal summons in the future if they are caught repeating that behavior.

“OATH has a long and successful history of taking on new case types and caseloads. Sanitation violations went to Criminal Court before they were moved in the 1980’s and today they are heard at the OATH Hearings Division along with many other administrative and civil summonses,” said **OATH Commissioner and Chief Administrative Law Judge, Fidel F. Del Valle**. “New Yorkers summoned to OATH should know that as the City’s independent administrative law court, OATH’s top priority is to make it as easy as possible for them to have their day in court.”

**Elizabeth Glazer, Director of the Mayor’s Office of Criminal Justice**, said, “The Criminal Justice Reform Act continues this administration’s work to make our city ever safer and fairer. With the number of summonses issued down 37 percent since the Mayor took office, even as quality of life is maintained, the Act now introduces systemwide proportionality in the response to low level offending. Ensuring appropriate accountability will increase the credibility of our justice system and, in turn, encourage increasing compliance with rules that make our cities livable.”

OATH is also piloting a program to test whether having the court open for evening and weekend hours provides more convenience and access to justice for those who are summoned to the City’s administrative law court. Now through January 30, 2018, OATH’s Brooklyn Hearing Office remains open until 8:00 p.m. on Tuesday nights and is open from 10:00 a.m. to 2:00 p.m. on Saturdays, with a few exceptions due to holidays. The full range of OATH services, including walk-in hearings, on-site community service and Help Center assistance is available during these extra hours of operation. For both civil and criminal summonses, the City is working to increase court appearance rates with redesigned, plain-language summons forms and other initiatives, such as text messages that remind people of their upcoming court dates at OATH or criminal court as well as to alert them when they have missed a scheduled hearing so that they can address consequences that may arise as a result.

The Mayor’s Office of Criminal Justice is engaging John Jay College over the next year and a half to evaluate the implementation and short-term outcomes of CJRA. Specifically John Jay will examine how the issuance, disposition, and outcomes (e.g. open warrants for failure to appear) of summonses vary pre- and post-CJRA implementation in addition to surveying perceptions of the ease of use and procedural justice of the new process among system users.

The City has taken a number of additional steps to prevent minor offenses from leading to arrests, which can have serious consequences. The number of summonses issued citywide in 2016 (267,763) is down 37 percent compared to 2013. The Mayor’s Office, Speaker Mark-Viverito and the City Council also worked with four district attorneys to dismiss over 644,000 outstanding warrants for minor offenses like drinking alcohol in public or entering a park after hours.

**Assembly Member Jeffrey Dinowitz, Chairman of the Assembly Judiciary Committee**, said, “There is no disputing that our criminal justice system is overloaded, causing delays which put the right to a speedy trial in jeopardy. The ability for police officers to grant a civil summons as opposed to a criminal summons is not only helping our courts run more efficiently, but also is

helping prevent tens of thousands of otherwise law-abiding citizens from entering the criminal justice system.”

"Preventing arrests for minor offenses is the first step to reducing incarceration and ensuring a fair criminal justice system for all New Yorkers" said **Assembly Member David Weprin, Chair of the Assembly Committee on Correction**. "By allowing officers the option to cite minor offenses as civil tickets over criminal summonses through the Criminal Justice Reform Act, Mayor Bill de Blasio and Speaker Melissa Mark-Viverito have prevented the unnecessary arrest of New Yorkers while maintaining that officers have the discretion to detain the worst offenders."

**Assembly Member Luis R. Sepúlveda** said "One had only to walk into any criminal court building in the city a few years ago to see the crowded, somewhat chaotic and demeaning conditions. This change has been like night and day. I salute Mayor de Blasio and his administration for bringing better and true justice to the court system."

"Too many Bronxites and New Yorkers are burdened with the threat of arrest for failure to report in court for low level arrests," said **Assembly Member Michael A. Blake**. "The repercussions of these minor offenses many times lead to harsher and unnecessary punishment because of this injustice. This type of justice is not restorative, it is punitive. With the launch of this historic program, we are now seeing a critical turning point for families. Now, justice will act to restore confidence in law enforcement within our communities and work effectively to keep community members safe and accountable. I commend Mayor de Blasio, Speaker Mark-Viverito, and City Council for their steadfast work to secure such an effective program."

"Today's announcement confirms that proportional penalties for non-violent offenses, like those enacted through the CJRA, have successfully kept our city safe while diminishing the interaction between low-level offenders and criminal courts. Simply put, far too many New Yorkers, predominantly young men and women of color, have been disproportionately impacted by harsh penalties for low-level offenses. The collateral consequences of those penalties have serious consequences on these low-level offenders' lives, impacting one's ability to secure housing, financial aid and employment. The CJRA is a blueprint for meaningful criminal justice reform and as Public Safety Chair, I am grateful to Speaker Mellissa Mark-Viverito for her commitment to criminal justice reform and for her willingness to identify measures that bring fairness to the justice system while still holding individuals accountable for their actions. I also thank Mayor de Blasio, the Mayor's Office of Criminal Justice, and the Office of Administrative Trials and Hearings for their partnership in enacting and overseeing these much needed changes to our justice system that improve fairness and equity for all," said **Council Member Vanessa Gibson, Chair of the Committee on Public Safety**.

"I derive a great deal of satisfaction in learning that the Criminal Justice Reform Act (CJRA), is achieving many of its intended benchmarks ; a reduction in criminal court summons coupled with an increase in civil enforcement," said **Council Member Fernando Cabrera**.

"Non-violent, minor offenders have no place in criminal court," said **Council Member Rafael Espinal**. "NYC is once again leading the way by driving down crime, while also supporting the positive futures of our residents and I congratulate the de Blasio administration on its commitment to this mission."

**Council Member Julissa Ferreras-Copeland** said, "I'm pleased with the significant reduction of criminal summonses issued in our City for low-level offenses. No one should have to go jail for committing a minor, non-violent infraction. It is counterproductive to the offender and expensive for taxpayers. I'm very proud to have supported the criminal justice reform last year

under the leadership of Speaker Melisa Mark-Viverito and I want to thank her and Mayor de Blasio for their commitment to making sure minor transgressions are enforced appropriately.”

“When the City Council passed the Criminal Justice Reform Act (CRJA) we did so with the intention of giving our constituents an opportunity to bypass the criminal justice system while still be held accountable for the tickets they've received,” said **Council Member Andy King**. “This is a step in the right direction on how our City is reforming our Criminal Justice system without disrupting families, damaging the academic futures of our youth, or creating a blemish anyone’s credit report.”

“These results show that the Criminal Justice Reform Act is doing what it set out to do. The drastic reduction in the number of criminal summonses will prevent low-level offenders from carrying a criminal record for life, which would limit future opportunities and could make it more likely they commit higher offenses. It is my sincere hope that as we continue to see this Act implemented and review data on what areas and groups are most affected, it will lead to greater equity of enforcement, reduction in disparity in policing practices, and more positive relationships between the NYPD and the communities they serve; especially the low-income communities that are often the most impacted by criminal summonses,” said **Council Member Jumaane D. Williams**.

“I think the progress being made is a wonderful thing. I hope we can keep it up,” said **Council Member Karen Koslowitz**.

"Reducing the number of criminal court summonses under the Criminal Justice Reform Act by 90% is a huge accomplishment and a critical first step in our work to reform our criminal justice system and close Rikers," says **Council Member Brad Lander, Deputy Leader for Policy at the Council**. "Comprehensive criminal justice reform is no simple task, but it starts with ending the policy of locking people up for nonviolent, low-level offenses to reduce the number of people needlessly detained in the first place. I applaud Speaker Melissa Mark-Viverito and Mayor de Blasio's for their success in reducing the number of unnecessary warrants and arrests and look forward to working alongside the Council and Administration to further reform our system and treat criminal justice reform with the urgency this issue deserves."

“The dramatic reduction of criminal court summonses is a testament to this administration's commitment to employing sensible progressive policies. The Criminal Justice Reform Act provides New York City law enforcement with enhanced discretion and has ultimately lessened the burden placed on our criminal courts. As we continue to address low-level offenses with fair and proportionate penalties, I am confident we will improve our justice system without jeopardizing the quality of life in New York City,” said **Council Member Annabel Palma**.

“Through the Criminal Justice Reform Act, our City is finally addressing low-level offenses with the discretion and consideration that New Yorkers deserve,” said **Council Member Donovan Richards**. “Too many residents, particularly in communities of color, were tossed into the criminal justice system for minor quality of life mistakes, which left them with a permanent taint on their record that and another large obstacle for them to overcome. Thankfully, Mayor de Blasio and the City Council tackled this issue head on and the results speak for themselves. Crime continues to drop, proving that the bad old days will remain in the past.”

“CJRA has kept tens of thousands of New Yorkers out of the court system resulting in fairer and more proportionate outcome for their actions. It also improves the efficiency of our court system saving the city time and money,” said **Council Member Ydanis Rodriguez**. “I commend the Administration and OATH on their efforts educate the public through ACCES events on how to

face civil summonses for low-level offenses, and Speaker Melissa Mark-Viverito for her leadership in criminal justice reform.”

“In my community civil justice reform has had a monumental impact while maintaining our quality of life,” said **Council Member Rafael Salamanca, Jr.** “With all of the problems that can come with an open summons, this is welcome news.”

“This data shows that the Criminal Justice Reform Act since its enactment into law is accomplishing its purpose of driving down summonses while keeping communities safe and improving police relations throughout the City,” said **Council Member Ritchie Torres.**

###