

# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division  
[nyc.gov/oath](http://nyc.gov/oath)



## **Criminal Justice Reform Act (CJRA)**

The Criminal Justice Reform Act (CJRA) was signed into law in 2016. This legislation gives the NYPD and other enforcement agencies the option to file certain summonses at the NYC Office of Administrative Trials and Hearings (OATH) rather than in Criminal Court for certain violations.

These summonses start being filed at OATH in June of 2017.

The law also gives OATH the authority to offer community service instead of a money fine for the specified violations covered by the CJRA.

This brochure will help explain what is changing under this new law, how OATH is different than Criminal Court and the new Community Service option that is available for these cases.

## What is the NYC Office of Administrative Trials and Hearings (OATH)?

OATH is the City's independent administrative law court. The OATH Hearings Division is where most NYC agencies file their summonses for hearings.

- A hearing at OATH is less formal and will be conducted by a Hearing Officer.
- The Hearing Officer will decide whether you are in violation or not in violation.
- The Police Officer who issued you the civil summons will not be present, but you must not ignore a summons given to you.
- If you are found in violation, you will not have a criminal record and you cannot be sent to jail because of this violation alone.
- If you are found in violation, the result is a fine (or money penalty) unless you choose the option of community service.

## Why was the Criminal Justice Reform Act (CJRA) Passed into Law?

The CJRA was enacted to create a lighter touch for low level enforcement, where appropriate. Being able to issue a civil summons to appear at OATH gives a police officer an additional tool in his/her tool box when encountering someone committing a low level offense. Historically, the NYPD has filed almost all of its summonses in the Criminal Court of New York City.

- Failure to answer a Criminal Court summons will turn a minor offense into a bench warrant that results in going to jail.
- Certain Criminal Court violations can negatively impact your ability to find work, housing, or obtain student loans.

## What Types of Violations are Covered in the CJRA?

The NYPD, Parks Department, Sanitation Department and the Department of Environmental Protection may write civil summonses for violations covered by the CJRA. The violations that are covered in the CJRA include:

- Drinking in public
- Public urination
- Unreasonable noise
- Littering
- Spitting
- Being in park after dark
- Operating a speaker in a park without a permit
- Playing an instrument during unauthorized hours in the park

*All CJRA violations are still covered under the criminal law, but now a police officer can instead issue a civil summons and the case can be heard at OATH.*

## How Do I Know if My Summons is Going to OATH?

If your summons is a civil summons it will say that on the top of the summons and your scheduled hearing will be at the Office of Administrative Trials and Hearings (OATH).

Top portion of a Civil Summons from the NYPD.

## Can I Do Community Service Instead of Pay a Fine?

Community Service is **only** available if you received a summons for one of the specified violations covered by the CJRA. Community Service will not be available if you were charged with a violation while engaging in commercial activity. The Center for Court Innovation (CCI) will be administering the Community Service Programs.



## How Do I Request Community Service?

To request Community Service you **must appear in person** at OATH either before or on the hearing date on the summons.

- You can receive Community Service if you admit to the violation or if you are found in violation by the Hearing Officer after a hearing.
- If you are found in violation and choose Community Service, you will get a decision from the OATH Hearing Officer which will order you to complete a certain number of hours of Community Service by a specified date. In most cases, you will have 14 days to complete the Community Service.
- Community Service **cannot** be offered to you if you choose to have your hearing through a remote hearing method such as a Hearing Online or Hearing by Phone.
- If you admit to the summons **online**, you can only pay a money fine.

## How Much Community Service Will I Have to Do?

The amount of Community Service you must complete will be related to the money fine that would have been imposed for the violation on your summons.

## What Type of Community Service Will I Have to Do?

You are required to complete the Community Service program as provided by the Center for Court Innovation (CCI).

Immediately after you receive the hearing decision, you should visit CCI who will be onsite. In most cases you will be able to complete your Community Service the same day.

The type of Community Service you will have to perform depends on what law you were found to have violated. Possible options include:

- An e-learning video module
- Group programs
- On-site indoor community service activities
- Off-site community service programs

Please visit OATH's website or email the OATH Help Center at [HelpCenter@OATH.nyc.gov](mailto:HelpCenter@OATH.nyc.gov) for a list of violations and their related hours of Community Service (after June 13, 2017).

### Bronx

3030 Third Avenue  
Bronx, NY 10455  
Monday – Friday  
(8:00am – 5:00pm)

### Brooklyn

9 Bond Street, 6<sup>th</sup> & 7<sup>th</sup> Floor  
Brooklyn, NY 11201  
Monday – Friday  
(8:00am – 5:00pm)

### Manhattan

66 John Street, 10<sup>th</sup> & 11<sup>th</sup> Floor  
New York, NY 10038  
Monday – Friday  
(8:00am – 5:00pm)

### Staten Island

350 Marks Place, Main Floor  
Staten Island, NY 10301  
Monday – Thursday  
(8:00am – 4:00pm)

### Queens

31-00 47<sup>th</sup> Avenue, 3<sup>rd</sup> Floor  
Long Island City, NY 11101  
Monday – Friday  
(8:00am – 5:00pm)

**1-844-OATH-NYC**  
**(1-844-628-4692)**  
[nyc.gov/oath](http://nyc.gov/oath)

