

# Summons Reform: One Year After Legislation (CJRA)

## CJRA Permits Civil Instead of Criminal Summonses and Warrant Numbers Drop

In June 2017, the Criminal Justice Reform Act (CJRA), legislation passed by the City Council and signed by the Mayor, went into effect. The CJRA gives law enforcement the option to issue civil summonses instead of criminal summonses for a group of common low-level offenses. These offenses previously accounted for approximately 50% of criminal summonses issued. Since June 2017, criminal summonses and warrants for CJRA-eligible offenses are down 89% and 94%, respectively.

### Top 5 Criminal Summons Charges

Rank	Offense	Count (2016)
1	Open Container of Alcohol	90,600
2	Parks Offenses	21,400
3	Disorderly Conduct	21,100
4	Possession of Marijuana	20,700
5	Public Urination	18,500

Highlighted offenses are now CJRA-eligible.

### The 5 CJRA Offenses Accounted for 50% of Criminal Summonses

The CJRA gives law enforcement the option to issue civil summonses instead of criminal summonses for the following offenses:

- Open Container of Alcohol
- Parks Offenses
- Public Urination
- Littering/Spitting
- Unreasonable Noise

Note: Multiple agencies (e.g. NYPD, Parks Dept., Health Dept.) have authority to issue these summonses, but the overwhelming majority (over 90%) are issued by NYPD. A person may be ineligible for a civil summons if they have two or more felony arrests in the past two years, three or more unanswered OATH summonses in the last eight years, or are on parole or probation (source: NYPD).

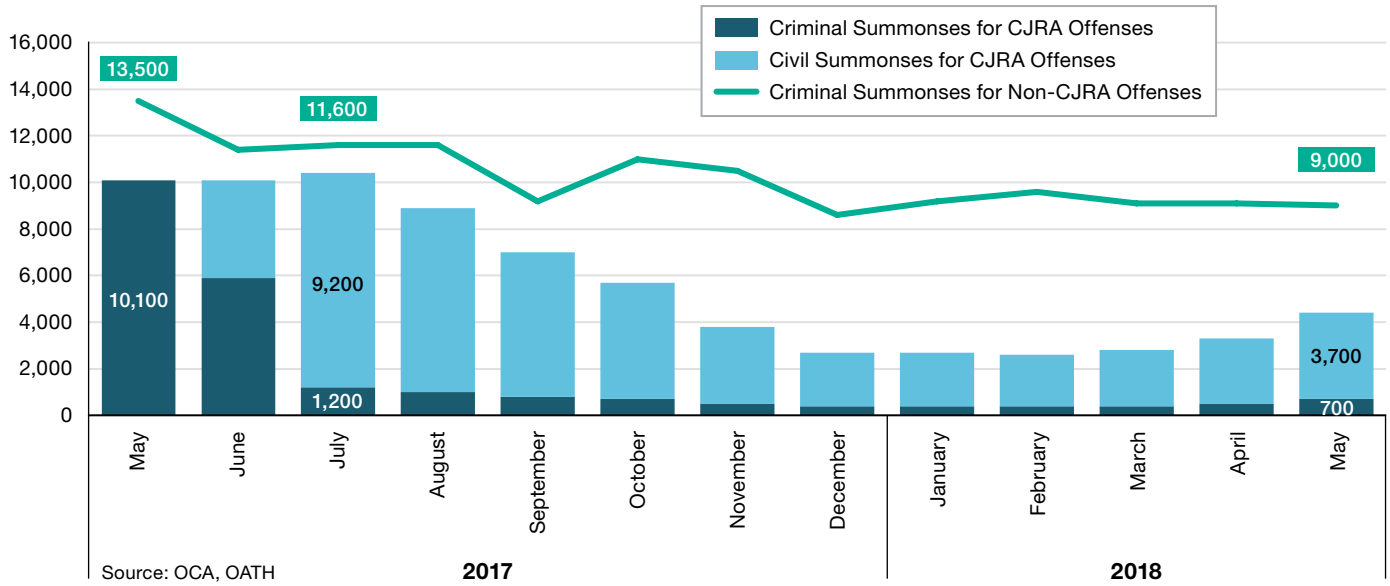
## The Difference Between Criminal and Civil Summonses

For criminal summonses, failure to appear in court could lead to a warrant issued for an individual's arrest. Civil summonses are similar to traffic tickets, and compliance is ensured through fines, not warrants and arrests. In addition, civil summonses carry no possible jail time and are adjudicated by the City's administrative tribunal, the Office of Administrative Trials and Hearings (OATH).

Criminal Summons	Civil Summons
Appearance required at criminal summons court.	Appearance required at the Office of Administrative Trials and Hearings (OATH) unless fine paid online.
If found guilty, subject to a fine and/or jail.	If found in violation, choice to either pay a fine or complete community service with no possibility of jail.
Failure to appear can result in a bench warrant that can lead to an arrest.	Failure to appear cannot result in a bench warrant. After failing to appear for 3 CJRA Civil summonses, the next CJRA offense results in a criminal summons.

# Summons Reform: One Year After Legislation (CJRA)

**In One Year Post-CJRA: Criminal Summons for CJRA Offenses Down 89%**  
**Criminal Summons for Non-CJRA Offenses Down 23%**



**Percent Decrease in CJRA-Eligible Criminal Summons Issued by Offense (June 2017-June 2018):**

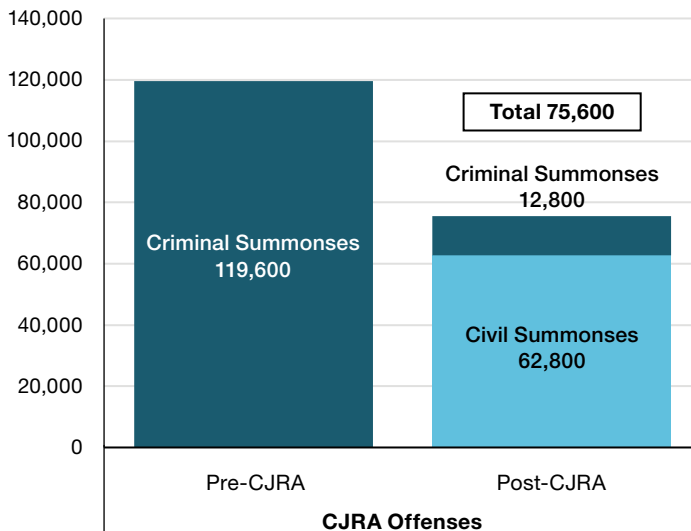
- 89% All CJRA Offenses
- 89% Open Container
- 91% Parks Offenses
- 92% Urinating in Public
- 82% Littering/Spitting
- 83% Unreasonable Noise

**Percent Decrease in CJRA-Eligible Criminal Summons Issued by Borough (June 2017-June 2018):**

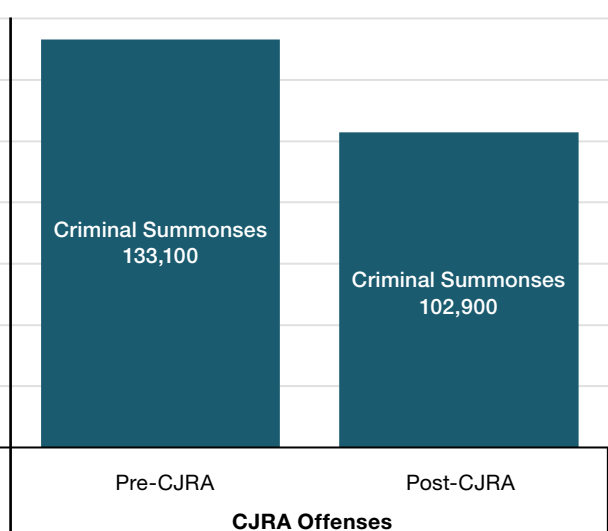
- 84% Bronx
- 90% Brooklyn
- 92% Manhattan
- 93% Queens
- 83% Staten Island

**In One Year Post-CJRA:**

**All Summons (Criminal and Civil) for CJRA Offenses Down 37%**



**All Summons (Criminal Only) for Non-CJRA Offenses Down 23%**

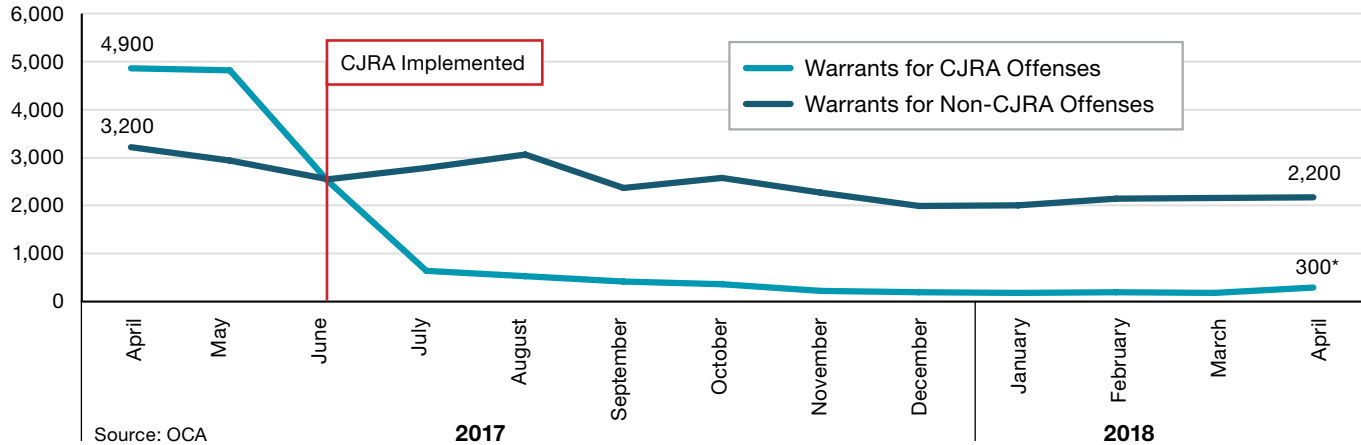


Source: OCA, OATH  
 \*Pre-CJRA Dates: 6/16 to 5/17; Post-CJRA Dates: 6/17 to 5/18

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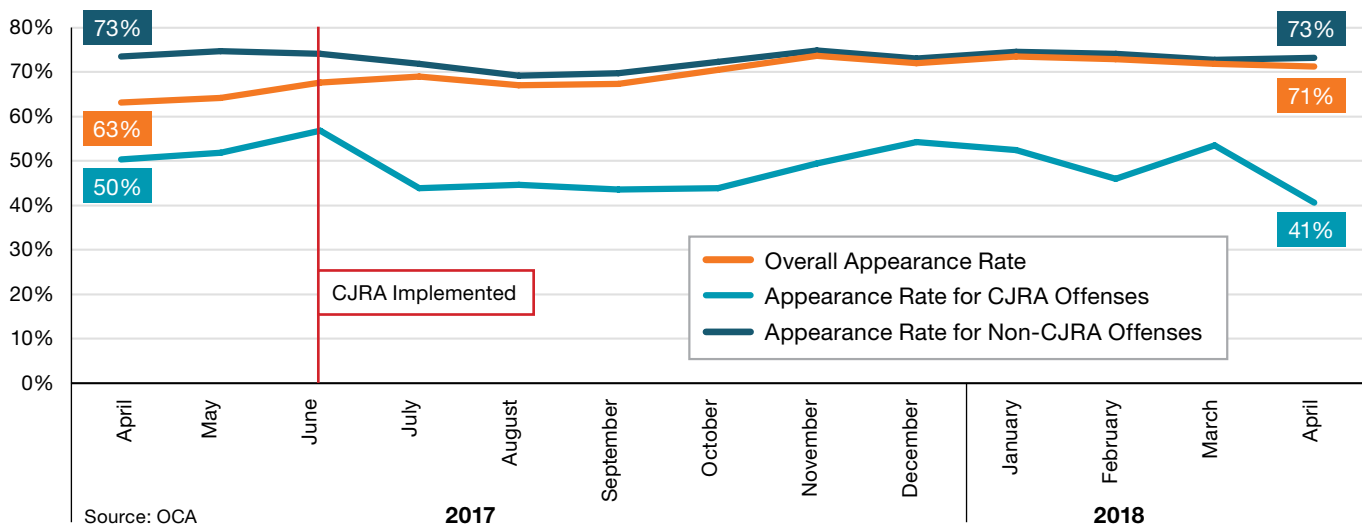
## Warrants Issued for Failure to Appear for a Criminal Summons Down

Warrants for CJRA Offenses Down 94%; Warrants for Non-CJRA Offenses Down 26%



\*Warrants may be issued for summonses from prior months

## Appearance Rate at Criminal Summons Court Up



In the one year since CJRA became effective, the appearance rate at criminal summons court has gone up from 63% to 71%. This is because CJRA-eligible offenses represented approximately 50% of all criminal summonses, and they had lower than average appearance rates. Most of the CJRA-eligible offenses are being treated civilly at OATH and now make up only 7% of all criminal summonses. The redesign of the summons form and text message reminders for court dates have also increased appearance rates.

### OATH OUTCOMES FOR CJRA CIVIL SUMMONSES: ONE YEAR POST-CJRA

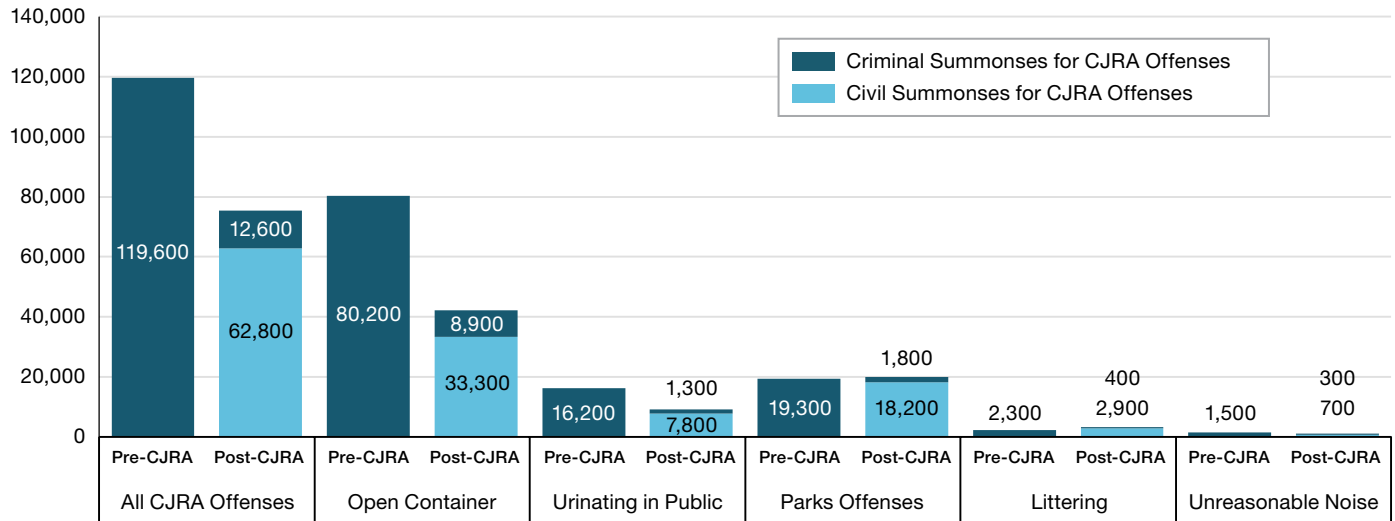
As of June 15, 2018, OATH had disposed 60,000 CJRA civil summonses.

- **Payment of Fines:** 24,000 (40%) individuals paid the fine for their violation.
  - The majority (20,400) of these people paid online before their hearing. The rest paid either by mail or after their hearing.
- **Failure to Appear:** 18,700 (32%) individuals failed to appear at OATH.
- **Hearings:** 6,600 (11%) individuals chose to attend their OATH hearing. Of those who had a hearing:
  - 1,800 individuals were found in violation; 4,800 summonses were dismissed.
- **E-Learning/Community Service:** Out of the 2,000 individuals found in-violation after a hearing, 720 individuals chose to complete e-learning rather than pay a fine, and the remainder paid the fine.
- **Due Process Dismissals:** 10,100 (17%) cases were dismissed without a hearing due to the legal insufficiency of the summons.

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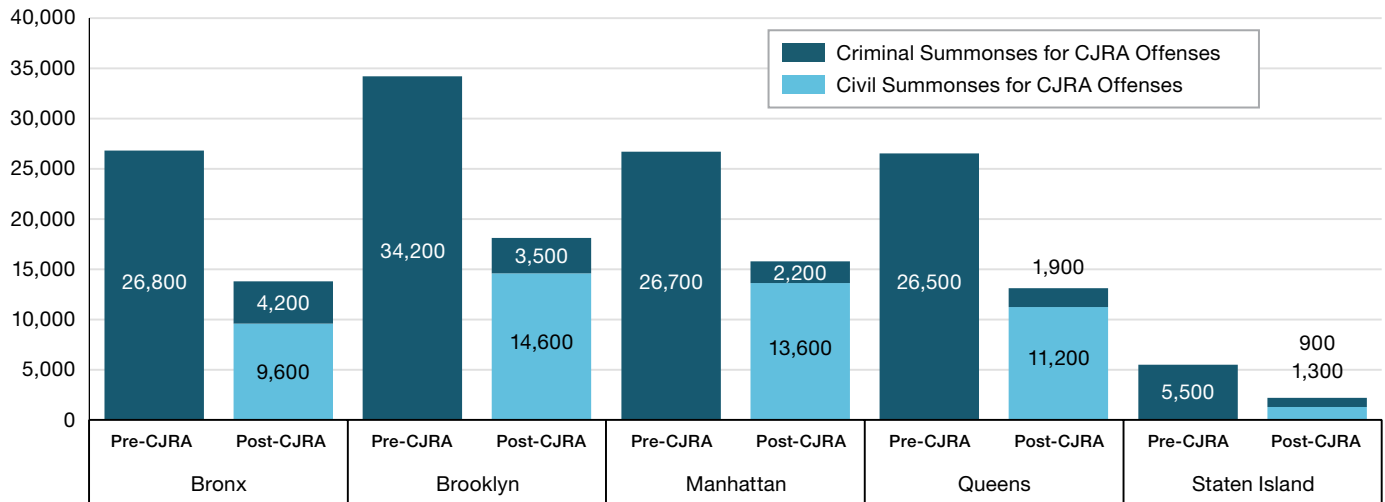
## Appendix

### Criminal and Civil Summons Issuance by CJRA Offense\*



Source: OCA, OATH

### Criminal and Civil Summons Issuance for CJRA Offenses by Borough\*



Source: OCA, OATH

\*Pre-CJRA Dates: 6/16 to 5/17; Post-CJRA Dates: 6/17 to 5/18

## Resources

MOCJ Summons Reform Fact Sheet -

<https://www1.nyc.gov/assets/criminaljustice/downloads/pdfs/Summons-reform-fact-sheet.pdf>

MOCJ CJRA Fact Sheet -

[The Criminal Justice Reform Act Evaluation: Post Implementation Changes in Summons Issuance and Outcomes.](#)

NYPD Summons Data - <https://www1.nyc.gov/site/nypd/stats/reports-analysis/c-summons.page>

NYC Open Data Summons Data - <https://data.cityofnewyork.us/Public-Safety/Criminal-Court-Summonses/j8nm-zs7q>

Misdemeanor Justice Project Summons Data Dashboard - <http://misdemeanorjustice.org/data-home/data-dashboard/>

Mulligan, K., Cuevas, C., Grimsley, E., & Chauhan, P. (2018). *The Criminal Justice Reform Act Evaluation: Post-Implementation Changes in Summons Issuance and Outcomes*. New York, New York.