

**Mayor’s Office of Criminal Justice
Local Law 25 of 2018 Report
March 7, 2023**

I. Introduction and Reporting

This report is submitted by the Mayor’s Office of Criminal Justice (MOCJ) in accordance with Local Law 25 of 2018, which provides that MOCJ will use “best efforts” to “seek the accuracy of records regarding outstanding criminal warrants,” “facilitate the reduction of outstanding criminal warrants” and “seek access to efficient processes for members of the public to rectify inaccurate criminal warrants.”

As of **January 4, 2023**, there were **1,289,266** outstanding criminal warrants in the City of New York, as set forth below.

Court	Outstanding Warrants	Percent of All Outstanding Warrants
Summons	821,864	64%
Criminal	418,427	32%
Supreme	48,975	4%

This represents an approximate **0.2% increase** from the **2022** total (as of **January 4, 2022**).

II. Background

Individuals charged with crimes who miss court appearances may be issued criminal warrants, known as bench warrants, for their failure to appear. These warrants can subject individuals to arrest and avoidable periods of incarceration. Notably, recent policy changes at both the City and State level are likely to cause a long-term decrease in the number of bench warrants issued in New York City. The recent policy changes at both City and State level have resulted in a decrease of bench warrants issued in New York City. There appears to be a general decline in the number of bench warrants issued between 2019-2022. Further analysis found that the percentage of bench warrants to total cases arraigned has been consistent over the past 5 years.

Year	OCA (as of January the following year)	% Change from Previous Year
2018	1,168,876	
2019	1,323,890	+ 11%
2020	1,308,681	- 1%
2021	1,287,104	- 2%
2022	1,289,266	+ 0.2%

In June 2017, the Criminal Justice Reform Act (CJRA), legislation passed by the City Council and signed by the Mayor, went into effect. CJRA gives law enforcement the option to issue civil summonses instead of criminal summonses for a group of common low-level offenses such as open container, public urination, and littering. In the year following implementation of the CJRA, warrants for failure to appear on CJRA-eligible offenses declined by 94% in the year following implementation.¹

In addition, in April 2019, the New York State Legislature passed a series of bills to reform the State's bail system as well as several other aspects of the State's criminal procedures. Among other reforms, the new law prohibits courts from issuing a warrant for 48 hours whenever a defendant fails to appear, unless the defendant is charged with a new crime or there is evidence of a "willful" failure to appear.² During the 48-hour period, the defense attorney can contact the defendant and encourage a voluntary return.

III. 2022 Updates

In 2022, the court system and criminal justice agencies largely completed their return to pre-COVID-19 practices. Following the resumption of in-person court appearances, judges rarely allowed virtual appearances. Criminal parts in Supreme Courts in each of the five boroughs issued more warrants for failure to appear in 2022 in comparison to 2021 due to in-person operations resuming. Warrants are now issued for failure to appear after the applicable adjournment, if any. In the Criminal Court Summons part, if the individual failed to appear on the arraignment date, the matter was adjourned for 45 days and the individual was notified. The summons was then reviewed for legal sufficiency and if it was deemed legally insufficient, the matter would have been calendared to be dismissed the following week. The individual would have been notified of this dismissal. If the summons survived review and the individual failed to appear on the date the case was adjourned to (45 days after first failure to appear), a warrant would have been issued. The New York Criminal Justice Agency (CJA) continued to send out notifications via robotext, live calls, letters and email, reminding individuals of their upcoming court appearances.

In sum, 2022 did not have the same widespread interruptions in in-person operations as seen in 2021, but the New York City court system was still rebounding from two years of anomalous court operations. Over the course of the next year, and as the easing of the public health emergency allows, MOCJ will continue to make best efforts and work with criminal justice partners to seek the accuracy of records regarding outstanding criminal warrants, facilitate the reduction of outstanding criminal warrants with other criminal justice stakeholders of the City of New York, and seek access to efficient processes for members of the public to rectify inaccurate criminal warrants in furtherance of Local Law 25.

¹ MOCJ NYC. "Summons Reform: One Year After Legislation (CJRA)" 5 Sept. 2018, https://criminaljustice.cityofnewyork.us/wp-content/uploads/2018/09/summons_ref_factsheet_v3.pdf. Compared to the 2021 total, there was an approximate 1% decline in the number of outstanding warrants for CJRA-eligible offenses in the 2022 total.

² N.Y. Criminal Procedure Law § 510.50(2).