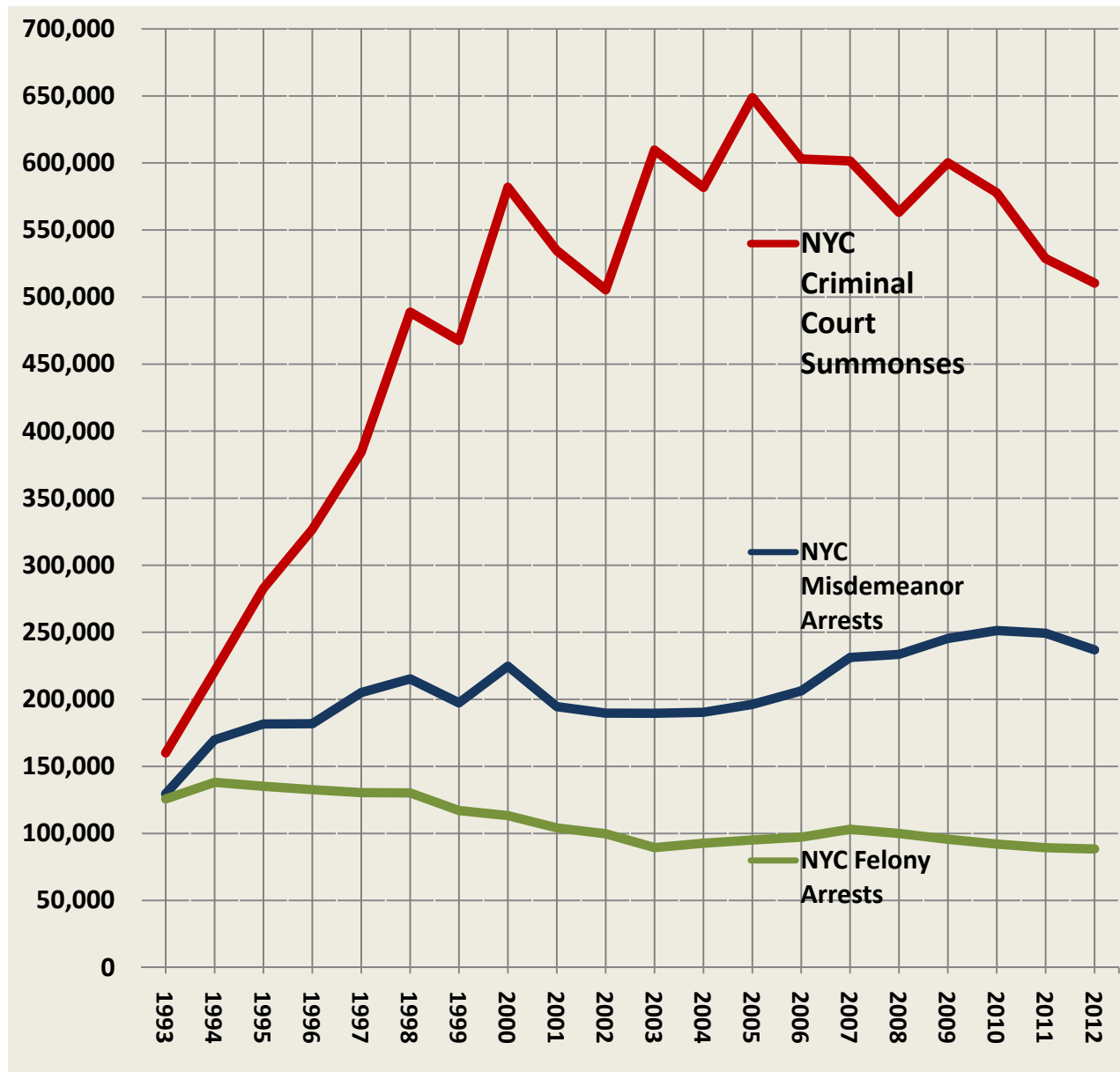


Criminal Court Summonses in New York City



*Presented at the public event: "Summons: The Next Stop and Frisk,"
CUNY School of Law, Long Island City, NY, April 24, 2014*

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The Marijuana Arrest Research Project
<http://marijuana-arrests.com>*

20 Years of NYPD

Criminal Court Summonses and Arrests

1993 - 2012

	NYC Criminal Court Summonses	NYC Misdemeanor Arrests	NYC Felony Arrests
2012	510,370	236,857	88,362
2011	528,618	249,250	89,335
2010	577,664	251,288	92,027
2009	600,034	245,400	95,597
2008	563,157	233,482	99,955
2007	601,457	231,193	103,023
2006	602,944	206,307	97,210
2005	648,638	196,166	95,086
2004	581,734	190,346	92,676
2003	609,526	189,629	89,381
2002	505,331	189,718	99,676
2001	534,586	194,495	104,160
2000	581,841	224,670	113,248
1999	467,591	197,365	116,989
1998	488,651	215,251	130,215
1997	384,434	205,032	130,348
1996	326,708	181,807	132,630
1995	282,676	181,622	135,145
1994	221,000*	169,810	138,052
1993	160,000	129,458	125,699

- Source for misdemeanor and felony arrests: New York State Division of Criminal Justice Services

- Source for summons violations: New York City Criminal Court annual reports

- Source for 1993 violations is from "Police Announce Crackdown On Quality-of-Life Offenses,"
New York Times, By Norimitsu Onishi, March 13, 1994

<http://www.nytimes.com/1994/03/13/nyregion/police-announce-crackdown-on-quality-of-life-offenses.html>

- * 1994 summons violations estimate

	15 MOST FREQUENTLY CHARGED SUMMONS OFFENSES IN NEW YORK CITY	2010	2009
1	AC 10-125 (b) - Consumption of Alcohol on Street	140,425	132,225
2	PL 240.20 - Disorderly Conduct	81,036	87,788
3	AC 19-176 - Bicycle on Sidewalk	25,148	22,136
4	PRR 1-03 (c)(2) - Failure to Comply with Sign/Park	17,309	16,693
5	HC 153.09 - Offensive Matter in Street/Public Place	16,196	16,206
6	PL 140.05 00 - Trespass	15,834	15,749
7	TL 140.02 - Operating Motor Vehicle Violation of Safety Rules	13,339	23,176
8	VTL 1212 - Reckless Driving	12,887	13,714
9	AC 16-118(6) - Litter Liquids, [Noxious]	11,833	11,246
10	PRR 1-03 (a) - Unlawfully in Park/After Hours	11,570	11,377
11	PL 221.05 00 - Unlawful Possession Marijuana	8,342	8,629
12	AC 24-218 - Unreasonable Noise	8,331	7,044
13	AC 19-506 (b) - Unlicensed Operation of Motor Vehicle	8,073	7,227
14	AC 20-453 - Unlicensed General Vendor	5,682	5,914
15	VTL 512 - Operating Motor Vehicle with Suspended Registration	4,446	5,564

The top seven summonses account for about half of the summonses written in each year.

AC = Administrative Code

HC = Health Code

PL = Penal Law [criminal law]

PRR = Parks and Recreation

TL = Traffic Law

VTL = Vehicle and Traffic Law

The web page of the New York City Criminal Court is here:

<http://www.nycourts.gov/courts/nyc/criminal/index.shtml>

The annual reports are here:

<http://www.nycourts.gov/COURTS/nyc/criminal/annual-reports.shtml>

The above information comes from the reports for 2010 and 2009

The information page for the courts is here:

<http://www.nycourts.gov/courts/nyc/criminal/generalinfo.shtml>

List of different sections of NY State law is here:

<http://law.justia.com/codes/new-york/2006/> also here: <http://law.onecle.com/new-york/>

This is another good list of NY State laws:

<http://ypdcrime.com/index.htm>

the penal law part is here: <http://ypdcrime.com/penal.law/index.htm>

This document is on line at:

<http://marijuana-arrests.com/summonsNYPD.html>

**New York City Criminal Court, Summons Court
346 Broadway, New York, NY 10013, entrance on Leonard Street**

People issued a summons earlier line up outside waiting to be admitted to the court to appear before a judge, usually without an attorney.

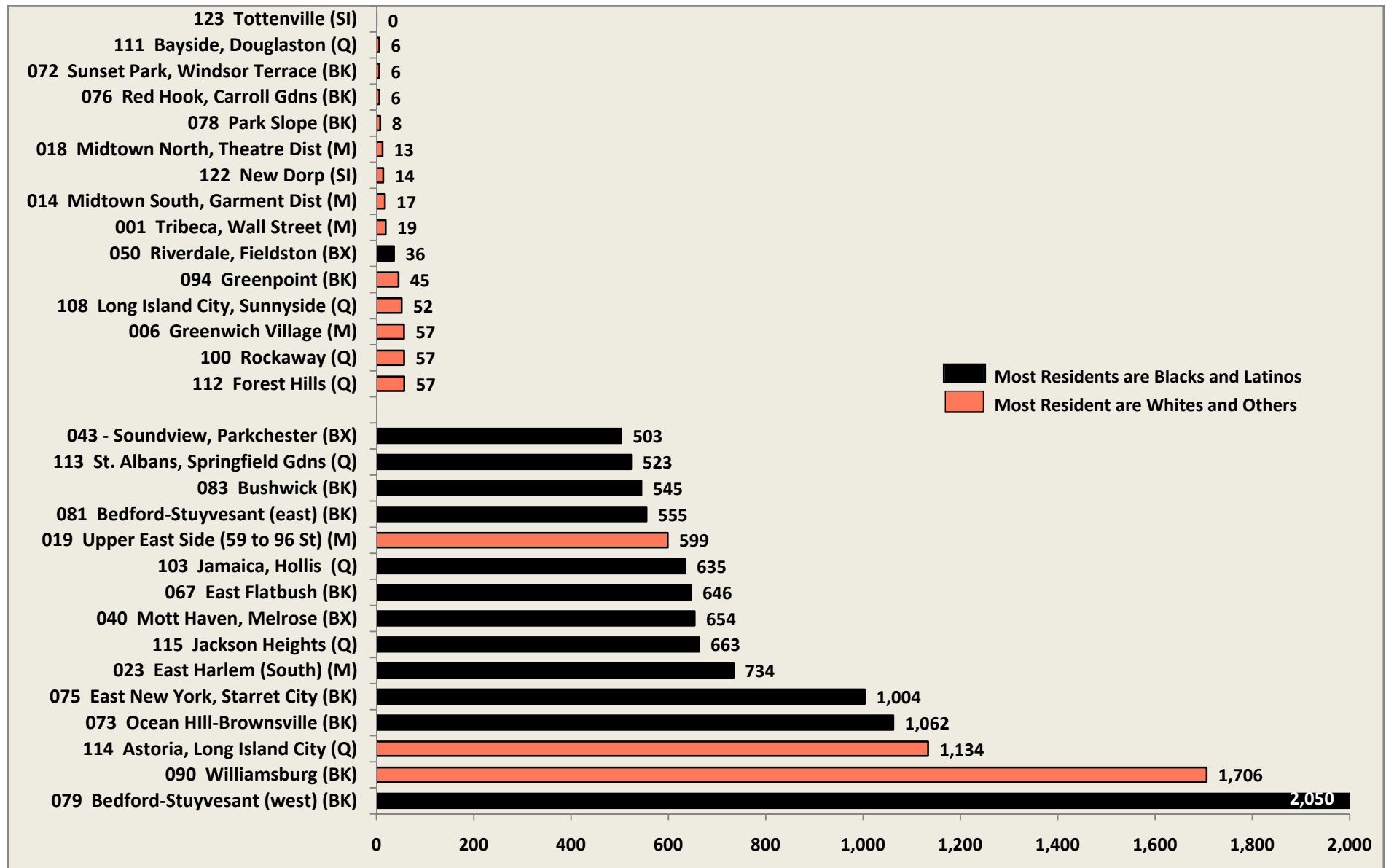


As in these photos, the people lined up for at the summons courts are mostly young black and Latino men, and some Middle Eastern men, especially at the courts for summonses issued in Brooklyn, the Bronx, and Manhattan.

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Bicycle on Sidewalk Criminal Court Summonses by NYPD Precinct

15 Lowest and 15 Highest Number of Summonses a Year, 2008-2011

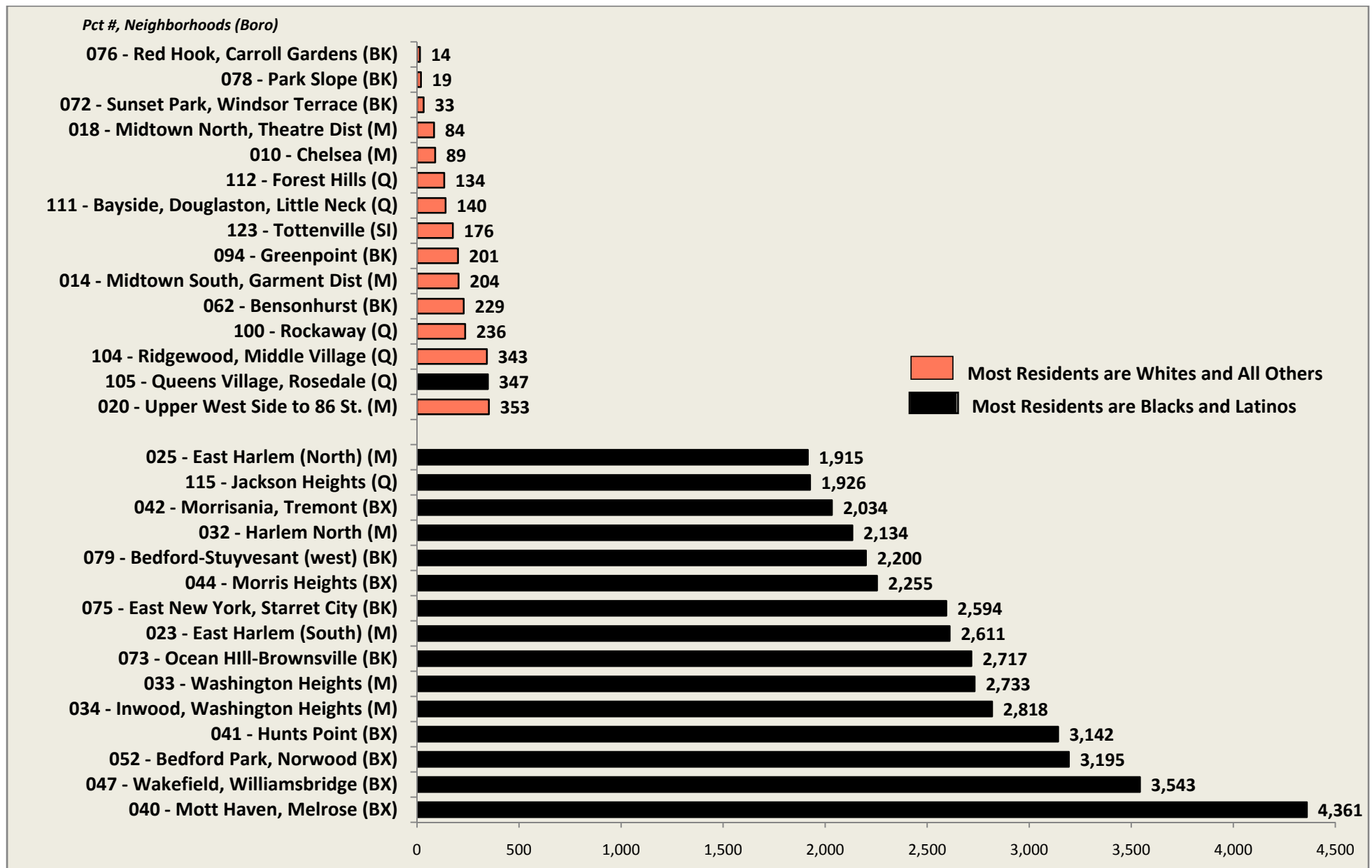


Source: New York Criminal Court and 2010 U.S. Census. Summonses for violating NYC AC 19-176, average number 2008-2011.

Harry G. Levine, Sociology Department, Queens College, City University of New York, and The Marijuana Arrest Research Project: <http://marijuana-arrests.com/>

Disorderly Conduct Criminal Court Summonses by NYPD Precinct

15 Lowest and 15 Highest Number of Summonses in NYPD Precincts, 2008-2011



Source: New York Criminal Court and 2010 U.S. Census. Summonses for violating NYSPL 240.20, average 2008-2011.

Harry G. Levine, Sociology Department, Queens College, City University of New York, and The Marijuana Arrest Research Project: <http://marijuana-arrests.com/>
 April 2014

The New York Times

<http://www.nytimes.com/2012/06/17/opinion/sunday/inside-the-warped-world-of-summons-court.html? r=0>

THE NEW YORK TIMES / June 16, 2012

Inside the Warped World of Summons Court

by Brent Staples, Editorial Board, NY Times

Step into the dingy hallways of New York City summons court in Lower Manhattan and you are instantly struck by the racialized nature of this system. New York is a multiracial city, but judging from the faces in cramped courtrooms, one would think that whites scarcely ever commit the petty offenses that lead to the more than 500,000 summonses issued in the city every year.

Judge Noah Dear of Brooklyn Criminal Court made this point in a bluntly worded decision last week, noting that every defendant who has ever come before him charged with drinking alcohol in public had been black or Latino. “As hard as I try,” he wrote, “I cannot recall ever arraigning a white defendant for such a violation.”

On one recent morning at court, a 19-year-old black man seemed almost in shock that he had been ticketed and required to attend court for “dropping a piece of paper on the ground.” Another black man, with a heavy French accent, said that he had received a summons for reckless driving when he was trapped by traffic and forced to drive through an intersection when the light turned red. He took the ticket, he said, because “you don’t argue with a cop on Friday night.” And if they are out to get you, he asked, what can you do?

More than a fifth of the summonses issued last year were thrown out either for defects on the ticket or for lack of legal sufficiency. But that left about 400,000 New Yorkers facing a date in summons court, and failure to appear can lead to a legal nightmare.

In other words, summons court — which handles offenses like public drinking, riding bicycles on the sidewalk or talking back to the cops, otherwise known as disorderly conduct — is anything but petty. It is a place where low-level offenses can lead to permanent criminal histories and lifelong encumbrances. The system is now the subject of a class-action civil rights lawsuit unfolding in federal court in New York.

The people who show up in summons court are the fortunate ones; the majority will have their cases dismissed because the charge is not substantiated or because the judge thinks it is nonsense. Some defendants plead guilty and pay fines.

But woe to those who forget the date, even if the violation seems minor, like littering. The summons court will then issue a warrant, which means that the defendant stands a good

chance of being handcuffed, fingerprinted and taken to jail, where he could spend days before going in front of a Criminal Court judge.

In 2011, more than 170,000 warrants were ordered. Once a warrant is issued and recorded in a database, the defendant is at greater risk of having a citizenship application denied or being turned away by potential employers.

The New York City Police Department has long described the summons operation as crucial to the “quality of life” initiative that it says discourages serious crime by coming down hard on nuisance offenses. City officials make the same claim for the controversial stop-and-frisk program, though crime has also fallen in recent years in cities that have not adopted such approaches.

The huge number of summons dismissals is at the heart of the civil rights suit, *Stinson v. City of New York*, that was granted class-action status in April by Judge Robert Sweet of Federal District Court in Manhattan. The plaintiffs charge that the high dismissal rate is evidence that bogus summonses are issued without probable cause by officers pressured to meet department quotas. These practices, they say, violated their constitutional rights and subjected them to lost time from work and school, and in many cases, to arrest and detention for crimes that had not been committed.

The plaintiffs also allege that summonses are disproportionately issued in minority neighborhoods. Civil rights lawyers say summonses for public drinking — the most common offense — are often handed out in these neighborhoods, where police officers routinely demand to smell people’s juice containers or coffee cups.

Disorderly conduct is the catchall category, one that can easily mask a summons issued for no reason. The lead plaintiff in the suit, Sharif Stinson, says he was walking out of his aunt’s apartment building in Upper Manhattan on Dec. 31, 2009, when several officers stopped and searched him without cause, then held him in a precinct cell for four hours. He was then given a disorderly conduct summons that was dismissed three months later.

The city has disputed the plaintiffs’ charges and asked Judge Sweet to reconsider his ruling. But the litigation has thrown a spotlight on the summons system, raising grave questions about its fairness and legality.

Bicycle on Sidewalk Criminal Court Summonses

NYPD Precincts With Lowest and Highest Number Per Year

15 Precincts and Neighborhoods with the Lowest Number of Criminal Court Summonses for <u>Bicycle on Sidewalk</u> (Per year, average 2008-2011) Precinct # - Neighborhood	Lowest # of Bicycle on Sidewalk Summonses per year	% of Residents Blacks + Latinos	% of Residents Whites + All Others	Rate of Bicycle on Sidewalk Summonses per 100,000 residents	Population of Precinct / Neighborhood
123 - Tottenville (SI)	0	9%	91%	0	159,102
111 - Bayside, Douglaston, Little Neck (Q)	6	13%	87%	4	128,944
072 - Sunset Park, Windsor Terrace (BK)	6	48%	52%	5	121,307
076 - Red Hook, Carroll Gardens (BK)	6	34%	66%	14	42,009
078 - Park Slope (BK)	8	24%	76%	13	61,334
018 - Midtown North, Theatre District (M)	13	13%	87%	45	27,502
122 - New Dorp (SI)	14	16%	84%	11	131,920
014 - Midtown South, Garment Dist (M)	17	21%	79%	27	63,962
001 - Tribeca, Wall Street (M)	19	11%	89%	29	64,963
050 - Riverdale, Fieldston (BX)	36	52%	48%	37	96,363
094 - Greenpoint (BK)	45	19%	81%	89	50,997
108 - Long Island City, Sunnyside (Q)	52	36%	64%	45	114,354
006 - Greenwich Village (M)	57	9%	91%	65	86,881
100 - Rockaway (Q)	57	37%	63%	112	50,596
112 - Forest Hills (Q)	57	16%	84%	50	113,298
<i>Totals and averages for Howest 15 pcts</i>	<i>T-392 / A-26</i>	<i>24%</i>	<i>76%</i>	<i>30</i>	<i>1,313,532</i>
<i>The 15 lowest precincts have 16 % of NYC's resident sand received 1.6 % of bike on sidewalk summonses.</i>					

15 Precincts and Neighborhoods with the Highest Number of Criminal Court Summonses for <u>Bicycle on Sidewalk</u> (Per year, average 2008-2011) Precinct # - Neighborhood	Highest # of Bicycle on Sidewalk Summonses per year	% of Residents Blacks + Latinos	% of Residents Whites + All Others	Rate of Bicycle on Sidewalk Summonses per 100,000 residents	Population of Precinct / Neighborhood
043 - Soundview, Parkchester (BX)	503	87%	13%	275	183,110
113 - St. Albans, Springfield Gdns (Q)	523	93%	7%	543	96,338
083 - Bushwick (BK)	545	86%	14%	496	109,769
081 - Bedford-Stuyvesant (east) (BK)	555	93%	7%	856	64,814
019 - Upper East Side (59 to 96 St.) (M)	599	10%	90%	284	210,904
103 - Jamaica, Hollis (Q)	635	77%	23%	526	120,669
067 - East Flatbush (BK)	646	95%	5%	428	151,081
040 - Mott Haven, Melrose (BX)	654	97%	3%	736	88,893
115 - Jackson Heights (Q)	663	69%	31%	386	171,560
023 - East Harlem (South) (M)	734	68%	32%	921	79,704
075 - East New York, Starret City (BK)	1,004	89%	11%	579	173,473
073 - Ocean Hill-Brownsville (BK)	1,062	96%	4%	1,224	86,787
114 - Astoria, Long Island City (Q)	1,134	34%	66%	635	178,544
090 - Williamsburg (BK)	1,706	39%	61%	1,384	123,224
079 - Bedford-Stuyvesant (west) (BK)	2,050	79%	21%	2,279	89,956
<i>Totals and averages for Highest 15 pcts</i>	<i>T: 13,102 A: 867</i>	<i>69%</i>	<i>31%</i>	<i>675</i>	<i>1,928,826</i>
<i>The 15 highest precincts have 24% of NYC's residents and received 54 % of bike on sidewalk summonses</i>					

Source: New York Criminal Court and 2010 U.S. Census. Summonses for violating AC 119-176, average 2008-2011.

Harry Levine, Sociology Department, Queens College, CUNY / Marijuana Arrest Research Project / April 2014 / <http://marijuana-arrests.com/>

Disorderly Conduct Criminal Court Summonses

NYPD Precincts With Lowest and Highest Number Per Year

15 Precincts and Neighborhoods with the <u>Lowest Number</u> of Criminal Court Summonses for <u>Disorderly Conduct</u> (Per year, average 2008-2011) Precinct # - Neighborhood	Lowest # of Disorderly Conduct Summonses per year	% of Residents Blacks + Latinos	% of Residents Whites + All Others	Rate of Disorderly Conduct Summonses per 100,000 residents	Population of Precinct / Neighborhood
076 - Red Hook, Carroll Gardens (BK)	14	34%	66%	34	42,009
078 - Park Slope (BK)	19	24%	76%	31	61,334
072 - Sunset Park, Windsor Terrace (BK)	33	48%	52%	25	128,944
018 - Midtown North, Theatre District (M)	84	13%	87%	304	27,502
010 - Chelsea (M)	89	23%	77%	184	48,499
112 - Forest Hills (Q)	134	16%	84%	118	113,298
111 - Bayside, Douglaston, Little Neck (Q)	140	13%	87%	115	121,307
123 - Tottenville (SI)	176	9%	91%	111	159,102
094 - Greenpoint (BK)	201	19%	81%	395	50,997
014 - Midtown South, Garment Dist (M)	204	21%	79%	319	63,962
062 - Bensonhurst (BK)	229	14%	86%	127	181,079
100 - Rockaway (Q)	236	37%	63%	466	50,596
104 - Ridgewood, Middle Village (Q)	343	36%	64%	205	167,323
105 - Queens Village, Rosedale (Q)	347	67%	33%	188	184,582
020 - Upper West Side to 86 St. (M)	353	12%	88%	379	93,030
<u>Yearly Averages for lowest 15</u>	<u>173</u>	<u>28%</u>	<u>72%</u>	<u>174</u>	<u>99,571</u>
Total	2,601				1,493,564

15 Precincts and Neighborhoods with the <u>Highest Number</u> of Criminal Court Summonses for <u>Disorderly Conduct</u> (Per year, average 2008-2011) Precinct # - Neighborhood	Highest # of Disorderly Conduct Summonses per year	% of Residents Blacks + Latinos	% of Residents Whites + All Others	Rate of Disorderly Conduct Summonses per 100,000 residents	Population of Precinct / Neighborhood
025 - East Harlem (North) (M)	1,915	88%	12%	4,455	42,995
115 - Jackson Heights (Q)	1,926	69%	31%	1,123	171,560
042 - Morrisania, Tremont (BX)	2,034	97%	3%	2,417	84,136
032 - Harlem North (M)	2,134	90%	10%	2,937	72,639
079 - Bedford-Stuyvesant (west) (BK)	2,200	79%	21%	2,446	89,956
044 - Morris Heights (BX)	2,255	95%	5%	1,596	141,216
075 - East New York, Starret City (BK)	2,594	89%	11%	1,495	173,473
023 - East Harlem (South) (M)	2,611	68%	32%	3,275	79,704
073 - Ocean Hill-Brownsville (BK)	2,717	96%	4%	3,131	86,787
033 - Washington Heights (M)	2,733	85%	15%	3,580	76,341
034 - Inwood, Washington Heights (M)	2,818	76%	24%	2,308	122,102
041 - Hunts Point (BX)	3,142	96%	4%	4,877	64,422
052 - Bedford Pk, Fordham, Norwood (BX)	3,195	84%	16%	2,332	137,012
047 - Wakefield, Williamsbridge (BX)	3,543	88%	12%	2,215	159,930
040 - Mott Haven, Melrose (BX)	4,361	97%	3%	4,906	88,893
<u>Yearly Averages for Highest 15</u>	<u>2,678</u>	<u>86%</u>	<u>14%</u>	<u>2,525</u>	<u>106,078</u>
Total	40,176				1,591,166

Source: New York Criminal Court and 2010 U.S. Census. Summonses for violating NYSPL 240.20, average 2008-2011.
 Harry Levine, Sociology Department, Queens College, CUNY / Marijuana Arrest Research Project / April 2014
<http://marijuana-arrests.com>