# **Criminal Court** of the **City of New York Annual Report** 2009 William H. Etheridge III Hon. Fern A. Fisher Deputy Chief Administrative Judge-NYC Chief Clerk

#### CRIMINAL COURT OF THE CITY OF NEW YORK 2009 ANNUAL REPORT Published July 2010

This Report was published by the Office of the Deputy Chief Administrative Judge–New York City.

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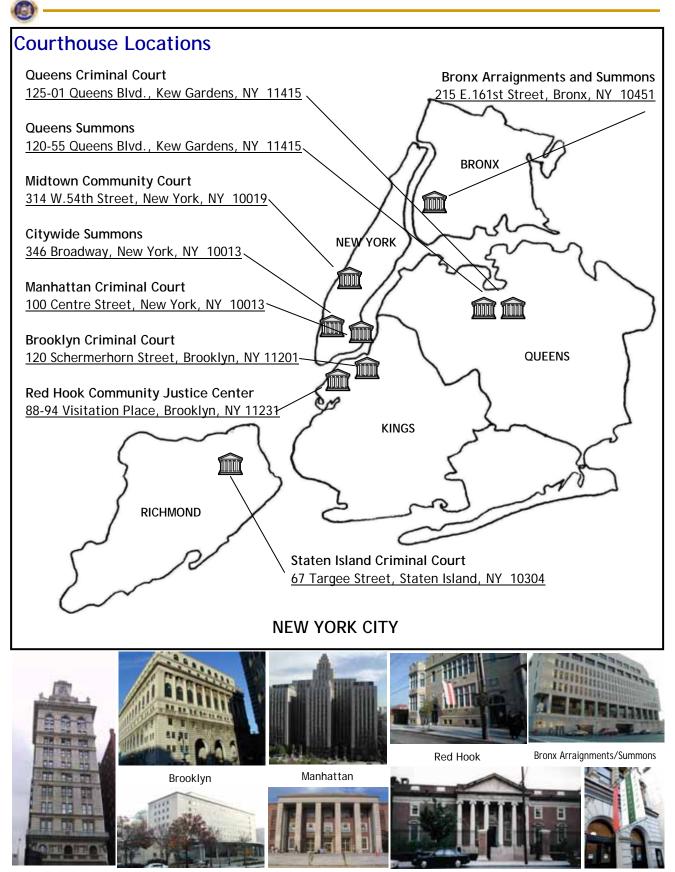
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Citywide Summons

Queens

Queens Summons

Midtown

Staten Island

## NYC Criminal Court Jurisdiction

New York City Criminal Court is a court of citywide jurisdiction but, since November 2004, has exercised administrative oversight of Criminal Court operations in four of five boroughs of New York City.\* In 2009 Criminal Court administration assigned fifty-seven judges to preside over cases in five main courthouses, two community courthouses, a citywide summons operation in Manhattan and a summons operation in the Queens Borough Hall.

Criminal Court has preliminary jurisdiction over all arrests processed in the five counties of New York City by state and local law enforcement agencies. Criminal Court arraigns the vast majority of felony, misdemeanor and petty offense cases in the City.

#### Misdemeanors

Criminal Court has trial jurisdiction over all misdemeanor cases not prosecuted by indictment — and adjudicates these cases in Kings, New York, Queens and Richmond Counties from their initial court appearance until final disposition. (In Bronx County, misdemeanors that survive Criminal Court arraignment are transferred to the Criminal Division of Bronx Supreme Court). Outside Bronx County, Criminal Court handles all aspects of the hundreds of thousands of misdemeanor cases filed each year including arraignment, trial readiness, motion practice, pre-trial hearings and trial. The vast majority of misdemeanor cases are disposed by guilty plea or other disposition but the Court presides over about five hundred trials each year.

#### Summonses

Cases initiated by a summons make up a very large portion of the cases heard in Criminal Court. Summonses are typically issued by police officers for minor Penal Law violations or by peace officers/ enforcement agents (and, again, police officers) whose duties mandate enforcement of the local laws (*e.g.*, the NYC Administrative Code). Criminal Court has trial jurisdiction over summons matters, hearing these cases from arraignment to trial or final disposition.

#### Felonies

Criminal Court has preliminary jurisdiction over felony cases. Felonies are typically arraigned in Criminal Court. Cases are usually adjourned to a Felony Waiver Part to await the decision of the Grand Jury on whether the defendant should stand trial on the felony charges. Felony cases are transferred to Supreme Court after a grand jury votes an indictment.

While Criminal Court does not have jurisdiction to hear trials on felony matters, a very large number of final dispositions on felonies are adjudicated by our Criminal Court judges sitting in Felony Waiver Parts. (These judges are designated by administrative orders to sit as Acting Justices of the Supreme

Types of	Matters Heard in New York City Criminal Court	
Arraignment	Misdemeanors and Petty Offenses NYC Criminal Court Has Trial Jurisdiction over misdemeanors and petty offenses (those where the defendant faces no more than one year in jail upon conviction after trial).	Felony Offenses NYC Criminal Court Has Preliminary Jurisdiction over feiony offenses (those where the defendant faces more than one year in jail upon conviction after trial). Preliminary Jurisdiction means that a criminal action is
All Purpose Part	Trial Jurisdiction means that once the defendant has been accused of the offense, the Court has the authority to accept a plea of guilty, conduct a trial, or otherwise dispose of the charges. Criminal Court handles all aspects of these cases from arraignment to trial readiness to final disposition. Criminal Court never loses jurisdiction	started in the Court and the Court may conduct proceedings which will lead to prosecution and final disposition in another court that has trial jurisdiction. Felories are arraigned in Criminal Court and typically sent to the Felory Waiver Part to await grand jury action. Dispositions are taken in the Felory Waiver Part. If a Grand Jury indicts, the case is transferred to Supreme Court.
Trial	over these cases as it might with a case over which it has <b>Preliminary Jurisdiction</b> . The one exception is when the district altorney files notice that they intend to present the case to a grand jury and seek indictment. If the district attorney obtains an indictment the case is then transferred to Supreme Court. If no indictment follows, Criminal Court retains Trial Jurisdiction.	

Court). These parts act as both Criminal Court and Supreme Court Parts, allowing prosecutor and defense counsel to agree in certain cases to waive the presentation to the Grand Jury and instead prosecute the case with a Superior Court Information (SCI). Cases disposed of by SCI make up a substantial percentage of all felony dispositions throughout the City.

\* See Bronx Criminal Division Section on page 25

#### Calendar Year 2009 - Executive Summary

This report profiles the work and accomplishments of the Criminal Court of the City of New York in 2009. The report is divided into two sections; the first part is an introduction and summary of the organizational structure of the Court and the second part describes court operations - a summary of the Court's work, arraignments, all-purpose parts, trial parts, community courts and other specialized courtrooms, along with a description of the Court's back office. This report explains how each court operation functions and then provides a quantitative analysis of the work in an effort to give the reader a snapshot of the volume and outcomes.

In 2004, the Bronx Criminal Division assumed administrative responsibility over many aspects of misdemeanor case processing in the Bronx. For the most part we do not address statistical information relating to Bronx misdemeanor operations. There are exceptions, however. We do report on summons, arraignment statistics and revenue numbers in the Bronx as part of the entire Criminal Court picture. This report also clearly marks any table or graph that contains Bronx statistics. (See page 32 for further information). Here are some 2009 Criminal Court milestones :

- 25.39 hour average arrest-to-arraignment time;
- 375,837\* online arrest/DAT cases arraigned;
- 600,034\* summons filings;
- 300,318\* online arrest/DAT dispositions;
- 980,554 cases calendared;
- 532,101 cases calendared in all purpose parts;
- 20,767 felony dispositions in Criminal Court felony waiver parts compared to 21,293 dispositions in all corresponding four Supreme Courts, Criminal Term;
- 838 pre-trial hearings commenced;
- 994 trial verdicts (combined arrest/DAT and summons);
- \$36,376,655\* in revenue; and
- \$116,147,109\* operating budget.

## NYC Criminal Court 2009 By the Numbers

Budget:	\$116,147,109	Hearings commenced:	838
Total revenue:	\$36,376,655*	Trials (summons cases):	723*
Fine revenue:	\$15,516,708*	Court officers:	524
Bail revenue:	\$10,357,294*	Trial verdicts (arrest cases):	425
Summons revenue:	\$8,774,461*	Clerks:	199
Summons filings:	599,566*	Judges authorized by statute:	107
Arraignments (Online/DATs):	375,837*	Court Reporters:	89
Misdemeanor arraignments: <sup>†</sup>	320,867*	Judges actually sitting:	57*
Felony arraignments:	54,970*	Court Interpreters:	56
Jurors serving:	4,550	Court Attorneys:	61
Non-judicial personnel:	1,228	Courthouses:	9*

\* Includes Bronx information

<sup>1</sup>Includes misdemeanor, infractions, violations and other

# 2009

# New York City Criminal Court

Hon. Fern A. Fisher

Deputy Chief Administrative Judge

NEW YORK	KINGS	QUEENS	RICHMOND
Hon. Melissa Jackson Supervising Judge	Hon. William Miller Supervising Judge	Hon. Deborah Stevens Modica Supervising Judge	Hon. Alan Meyer Supervising Judge
Criminal Court Judges Hon. James Burke Hon. Abraham Clott Hon. Anthony Ferrara Hon. James Gibbons Hon. Robert Mandelbaum Hon. Kevin McGrath Hon. Felicia Mennin Hon. Neil Ross Hon. Matthew Sciarrino Hon. Larry Stephen Hon. Marc Whiten Hon. Alvin Yearwood	Criminal Court Judges Hon. Miriam Cyrulnik Hon. Gilbert Hong Hon. Alexander Jeong Hon. William McGuire	Criminal Court Judges Hon. Lenora Gerald Hon. William Harrington Hon. Elisa Koenderman Hon. Gene Lopez Hon. Suzanne Melendez Hon. Robert Raciti Hon. Toko Serita Hon. Stephanie Zaro Hon. Joseph Zayas	
Civil Court Judges Hon. Rita Mella Hon. Frank Nervo Hon. Shawndya Simpson Hon. Michael Yavinsky	Civil Court Judges Hon. Frederick Arriaga Hon. Devin Cohen Hon. Dena Douglas Hon. Michael Gerstein Hon. David Godosky Hon. Robert Kalish Hon. Evelyn Laporte Hon. Shari Michels Hon. Geraldine Pickett Hon. Jacqueline Williams Hon. John Wilson	<b>Civil Court Judges</b> Hon. Ira Margulis Hon. Mary O'Donoghue	Civil Court Judge Hon. Desmond Green
Acting Supreme Court Justice Hon. Ellen Coin	Acting Supreme Court Justices Hon. Joseph Gubbay Hon. Suzanne Mondo Hon. Betty Williams	Acting Supreme Court Justices Hon. Dorothy Chin Brandt Hon. Pauline Mullings	BRONX Civil Court Judges Hon. Doris Gonzalez Hon. Manuel Mendez
Midtown Community Court Hon. Richard Weinberg	Red Hook CJC Hon. Alex Calabrese		

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# **Organizational Structure of NYC Criminal Court**

By statute, Criminal Court has 107 authorized judgeships. Each Criminal Court judge must be a resident of New York City. The judges are appointed for terms of ten years by the Mayor of the City of New York. Any vacancies which occur prior to the expiration of a term also are filled through appointment by the Mayor.

Many of the 107 judges appointed to the Criminal Court have been assigned to the Criminal Term of the Supreme Court in order to handle felony cases. To assist in processing Criminal Court cases, court administrators have assigned to the Criminal Court, New York City Civil Court Judges and, on occasion, a Judge of the New York City Family Court. All judges presiding over a Criminal Court Part in 2009 are listed on page 7.

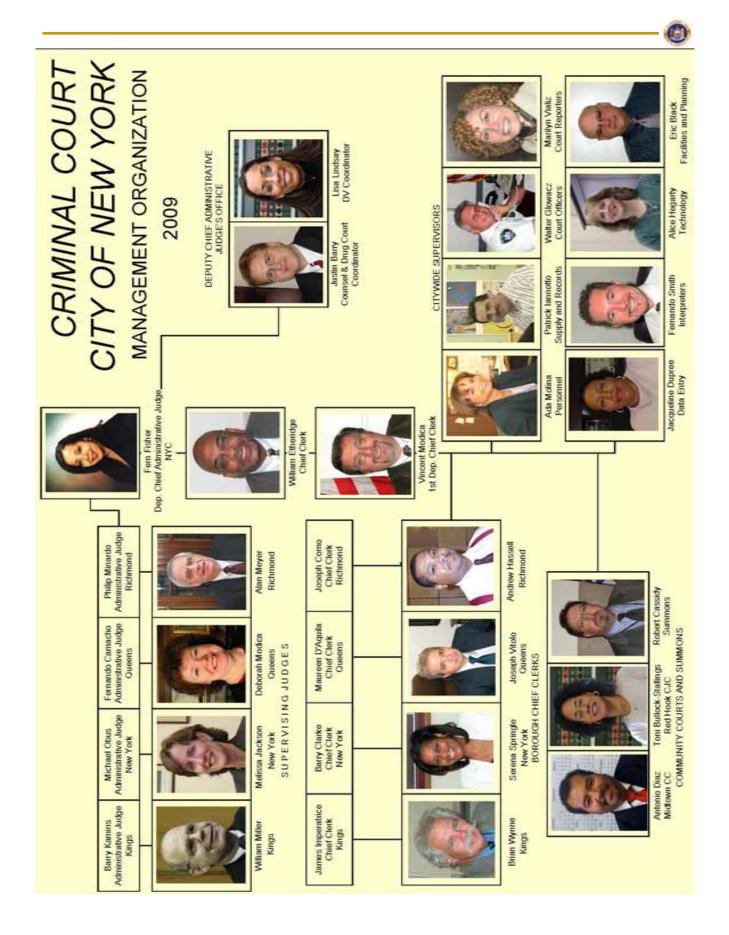
In April 2009, the administration of Criminal Court was changed as part a wider administrative restructuring of the New York City Courts. The position of Administrative Judge of New York City Criminal Court was eliminated and Hon. Fern Fisher, Deputy Chief Administrative Judge-NYC, was named the central administrative authority for Criminal Court by Chief Judge Jonathan Lippman and Chief Administrative Judge Ann Pfau. While Judge Fisher has overall administrative authority over the Criminal Court citywide, Administrative Judges for Criminal Matters in each County of New York City, working in conjunction with the Courts' Supervising Judges, are now responsible for the day-to-day administration of the Criminal Court in their individual County.

In 2009, Administrative Judge Barry Kamins, along with Supervising Judge William Miller oversaw Kings Criminal Court, Administrative Judge Michael Obus and Supervising Judge Melissa Jackson led New York Criminal Court, Administrative Judge Fernando Camacho with Supervising Judge Deborah Stevens Modica were responsible for Queens Criminal Court and Administrative Judge Philip Minardo and Supervising Judge Alan Meyer headed Richmond Criminal Court. In Bronx County, Administrative Judge Efrain Alvarado and Deputy Administrative Eugene Oliver managed both Bronx Criminal Court and the Bronx Criminal Division.

Under the direction of the Deputy Chief Administrative Judge, the Chief Clerk of the Court heads the Court's staff of non-judicial personnel. Chief Clerk William H. Etheridge III is assisted in this task by the First Deputy Chief Clerk for citywide operations, Vincent Modica. Under the new administrative restructuring, much of the day to day management of each borough's Criminal Court has been given to a County Chief Clerk for Criminal Matters, in conjunction with the Borough Chief Clerk. The Criminal Court Chief Clerk advises and coordinates with each of the County Chief Clerks and Borough Chief Clerks on matters of citywide significance. The Chief Clerks and Borough Chief Clerks in each of the five counties of the New York City follow: Chief Clerk Barry Clarke and Borough Chief Clerk Serena Springle in New York; Chief Clerk James Imperatrice and Borough Chief Clerk Brian Wynne in Kings; Chief Clerk Maureen D'Aquila and Borough Chief Clerk Joseph Vitolo in Queens; and Chief Clerk Joseph Como and Borough Chief Clerk Andrew Hassell in Richmond. The citywide summons operation is supervised by Robert Cassidy and Antonio Diaz and Toni Bullock-Stallings oversee operations at Midtown Community Court and Red Hook Criminal Justice Center, respectively.

Central Administration staff also include Assistant Deputy Chief Walter Glowacz (court officers); Ada Molina (personnel); Alice Hegarty (technology); Patrick lannotto (supply and records); Jacqueline Dupree (data entry); Fernando Smith (interpreters); and Marilyn Vializ (court reporters).

The Deputy Chief Administrative Judge's staff in 2009 included Justin Barry (Counsel and Drug Courts) and Lisa Lindsay (DV Courts).



## Introduction - Deputy Chief Administrative Judge Fern Fisher

More with less ... that has been our refrain to New York City Criminal Court judges and staff over the course of the past year. More cases, less resources. Without a doubt, judges and staff of the Criminal Court have risen to the challenge.

With New York State in the midst of an unprecedented fiscal crisis, the Criminal Court continues to reduce costs by careful management of its workforce and budget as part of the Unified Court System's effort to reduce overall spending. Through attrition, the Court has reduced its staffing by 73 positions. The number of judges assigned to the Court continues to decline.

The work, however, continues to increase. Online/ DAT arraignments are up 5% from last year and 18% from 2005. Summons filings are up 6.5% from last year. Misdemeanor and other petty offenses, the cases over which Criminal Court has trial jurisdiction, are up 7% over last year and 24% over 2005. Combining arrest and summons cases, the Criminal Court handled over 970,000 cases in 2009.

The real story in 2009 is how the reduced number of judges and staff handled this ever increasing caseload. Calendars and pending caseloads are decreasing for the first time in recent memory. Dispositions are up and the age of cases disposed of in the Court's All Purpose Parts has finally stabilized after upward trends lasting for more than a decade. All of this means that defendants, prosecutors and defense attorneys all spend less time in court and have their cases brought to completion faster.

Something like this does not happen by chance. It was brought about by the a concerted effort by judges, staff, prosecutors and lawyers to reduce pending caseloads in our busy parts. It happened through careful planning to increase trial capacity



Honorable Fern Fisher Deputy Chief Administrative Judge New York City

through cooperation with Supreme Court administration and the referral of ready misdemeanor cases to Supreme Court trial parts. It happened because the Criminal Court judges and staff are always willing to consider better and more efficient ways to bring justice to the people of New York City.

The information presented in this 2009 Annual Report is a tribute to the dedication, hard work and ingenuity of our judges and staff

- Honorable Fern Fisher

This report discusses online arrest/Desk Appearance Ticket (DAT) and summons arraignments and filings. Online arrest/DAT refers to those cases that are filed with the court subsequent to a arrest by a law enforcement officer and the filing of a formal complaint. With online arrest/DAT cases, the defendant is typically detained either at a local police precinct or central booking while fingerprints are taken and a criminal history report returned. Online arrest defendants are held until seen by a judge. DAT defendants are released after printing, at the discretion of law enforce-

ment, and given a notice to appear in court on a future date. Unless indicated, this report groups these two types of cases together into one category.

Summons cases are started when a law enforcement officer issues an appearance ticket to a defendant with instructions to report to court on a certain date. Typically, the defendant is not detained prior to release and no fingerprints are taken. A complaint is then filed with the Criminal Court to commence the case.

#### Criminal Court Caseload – A 10 Year Overview

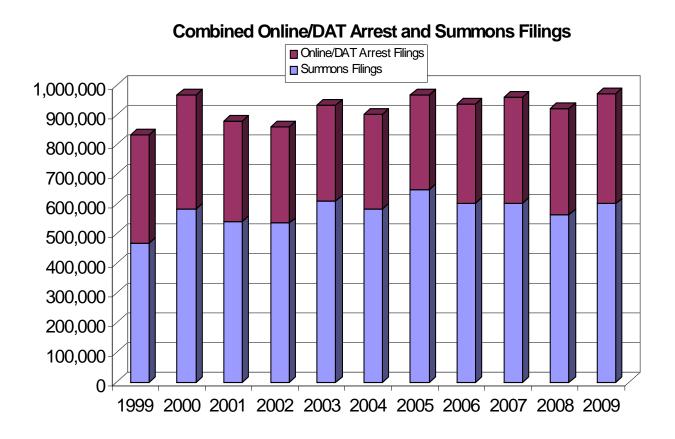
The total number of arrest/DAT arraignments grew by almost 5% from 2008 to 2009 and 18% from 2005. DAT arraignments citywide continue to grow, increasing over 53% from 2008 and 216% from 2006.

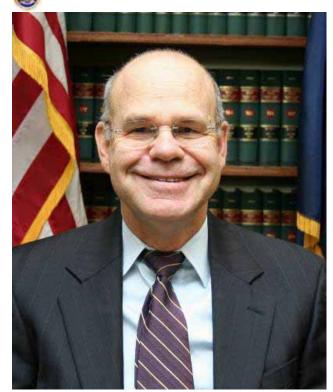
New York City law enforcement continues its focus on "quality of life" crimes. Summons filings are up 6.5% from 2008 to 2009, and up 28% from 1999. Petty offenses, which include misdemeanor, violations, infractions and other low level online/ DAT arraignments, also continue to rise with numbers 7% higher than 2008 and 24% higher than those seen in 2005. Felony arraignments continue their downward trend — 8% lower than last year and 25% lower than ten years ago.

With total arraignments and filings continuing to rise, one would expect a concomitant increase in calendars and pending caseloads. The opposite is true. Criminal Court calendared 980,554 online/ DAT cases in 2009, slightly less than the 982,510 calendared in 2008, but the first decrease in annual calendared cases in five years. The Court saw an even more dramatic decrease in pending caseloads (as measured by a snapshot on December 31) with a 10% decrease from 2008. This was the first decrease in pending caseload the Court has seen since 2001. This reduction of caseload was accomplished in a year when the number of judges presiding over cases in the Criminal Court, as measured by judge days, decreased from 2008 to 2009 the first decrease in judge days in five years.

The Court's productivity continues to rise. In 2009, the Court brought 300,318 case to final disposition, a 6% increase over 2008 dispositions and the highest number in ten years.

Criminal Court judges and personnel are managing an increasing workload with more efficiency and fewer resources than it has had in past years.





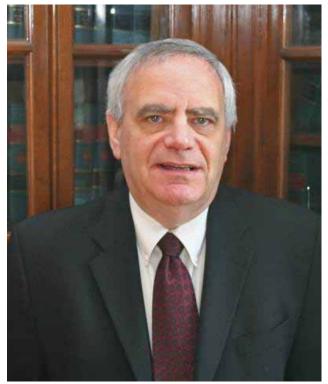
Honorable William Miller Supervising Judge, Kings County



Honorable Deborah Stevens Modica Supervising Judge, Queens County



Honorable Melissa Jackson Supervising Judge, New York County



Honorable Alan Meyer Supervising Judge, Richmond County

The charts on pages 13-18 give a summary of the work Criminal Court accomplishes using limited resources - judicial and otherwise - over the course of the year.

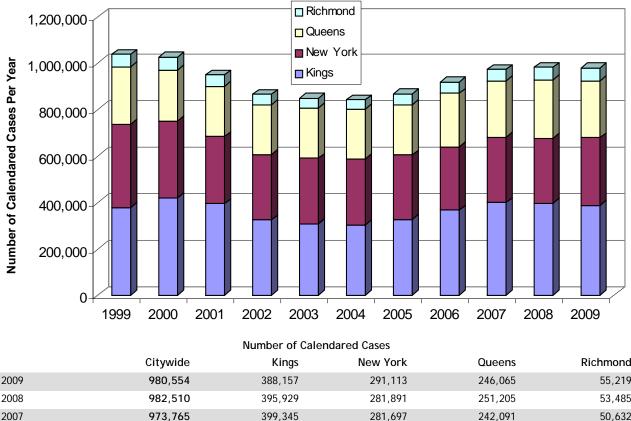
#### Caseloads

The charts on pages 13-15 show the number of cases Criminal Court calendars each year and its daily caseload, or the number of cases heard in Criminal Court citywide, and the number of pending as of the last day of the year. These pending

caseload numbers are an indicator of the amount of work pending in the Court at any given time and the amount of work handled by judges and nonjudicial personnel.

#### Dispositions

The chart on page 16 indicates the numbers and types of dispositions (or the numbers of cases Criminal Court closes) reported every year since 1999.



#### **Total Number of Calendared Cases**

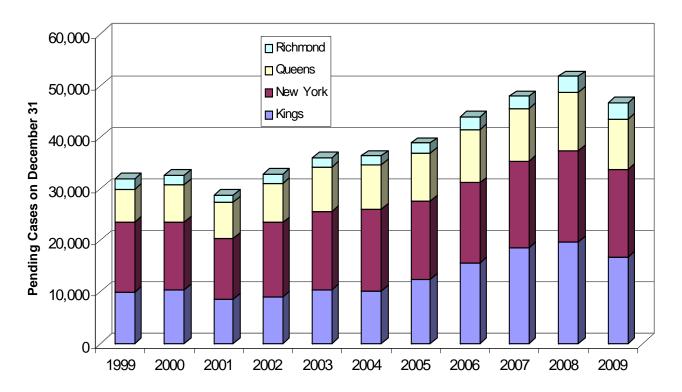
	Citywide	Kings	New York	Queens	Richmond
2009	980,554	388,157	291,113	246,065	55,219
2008	982,510	395,929	281,891	251,205	53,485
2007	973,765	399,345	281,697	242,091	50,632
2006	920,043	366,072	274,794	230,191	48,986
2005	867,854	325,857	278,246	218,928	44,823
2004	841,894	303,784	285,290	212,554	40,266
2003	849,238	308,943	282,329	215,626	42,340
2002	866,741	324,795	282,887	214,488	44,571
2001	949,347	394,457	290,179	215,756	48,955
2000	1,026,461	419,609	332,850	219,934	54,068
1999	1,038,085	377,172	361,385	246,048	53,480

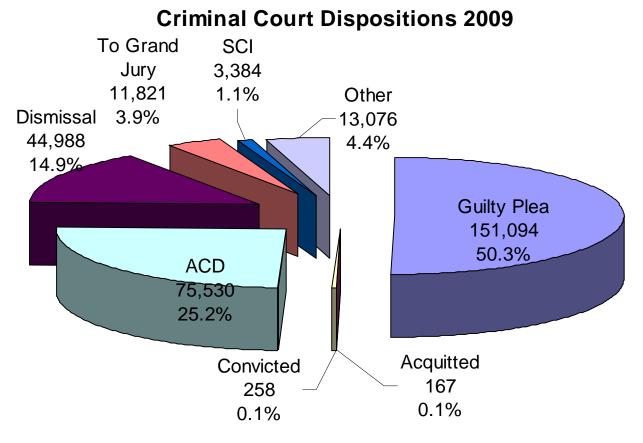
		Dockets Pending on Dece	-	not of Pending Ca	ises)	
2		Citywide	Kings	New York	Queens	Richmond
2 0	Total	46,735	16,699	16,967	9,859	3,210
0	Total Pending Disposition	43,773	15,621	16,432	8,891	2,829
9	Felony Misd/Inf/Viol/Oth	8,510	2,486	3,141	2,385	498 2,331
		35,263	13,135	13,291	6,506	
2	<i>Total Pending Sentence</i> Total	2,962 51,725	1,078 19,676	535 17,667	968 11,300	381 3,082
0	Total Pending Disposition	48,771	19,676	17,007	10,243	2,762
0	Felony	10,522	2,907	3,955	3,068	592
8	Misd/Inf/Viol/Oth	38,249	15,663	13,241	7,175	2,170
	Total Pending Sentence	2,954	1,106	471	1,057	320
2	Total	47,885	18,503	16,899	10,141	2,342
0	Total Pending Disposition	45,151	17,506	16,491	9,091	2,063
0 7	Felony	10,435	2,973	3,999	3,036	427
	Misd/Inf/Viol/Oth	34,716	14,533	12,492	6,055	1,636
	Total Pending Sentence	2,734	997	408	1,050	279
2	Total	43,858	15,594	15,538	10,271	2,455
0	Total Pending Disposition	41,360	14,684	15,133	9,338	2,205
0 6	Felony	9,865	2,639	3,602	3,192	432
U	Misd/Inf/Viol/Oth	31,495	12,045	11,531		432
					6,146	
2	Total Pending Sentence	2,498	910	405	933	250
0		38,830	12,530	15,020	9,397	1,883
0	Total Pending Disposition	36,071	11,475	14,534	8,407	1,655
5	Felony	8,913	1,856	3,808	2,905	344
	Misd/Inf/Viol/Oth	27,158	9,619	10,726	5,502	1,311
-	Total Pending Sentence	2,759	1,055	486	990	228
2 0	Total	36,325	10,209	15,787	8,671	1,658
0	Total Pending Disposition	33,849	9,330	15,206	7,817	1,496
4	Felony	8,225	1,248	3,729	2,935	313
	Misd/Inf/Viol/Oth	25,624	8,082	11,477	4,882	1,183
	Total Pending Sentence	2,476	879	581	854	162
2	Total	35,936	10,355	15,194	8,721	1,666
0 0	Total Pending Disposition	33,720	9,540	14,665	7,951	1,564
3	Felony	8,539	1,927	3,659	2,641	312
	Misd/Inf/VioI/Oth	25,181	7,613	11,006	5,310	1,252
	Total Pending Sentence	2,216	815	529	770	102
2	Total	32,845	9,137	14,297	7,657	1,754
0 0	Total Pending Disposition	30,896	8,474	13,740	7,035	1,647
2	Felony	8,446	897	4,620	2,540	389
	Misd/Inf/VioI/Oth	22,450	7,577	9,120	4,495	1,258
	Total Pending Sentence	1,949	663	557	622	107
	0					

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		Dockets Pending on December 31 (Snapshot of Pending Cases)							
		Citywide	Kings	New York	Queens	Richmond			
2 0	Total	28,832	8,950	11,709	7,093	1,440			
0	Total Pending Disposition	27,230	8,021	11,252	6,605	1,352			
1	Felony	8,091	907	4,455	2,371	358			
	Misd/Inf/VioI/Oth	19,139	7,114	6,797	4,234	994			
	Total Pending Sentence	1,602	569	457	488	88			
2 0	Total	32,688	10,501	13,103	7,276	1,808			
0	Total Pending Disposition	30,999	9,821	12,593	6,904	1,681			
0	Felony	8,077	1,143	4,361	2,105	468			
	Misd/Inf/Viol/Oth	22,922	8,678	8,232	4,799	1,213			
	Total Pending Sentence	1,689	680	510	372	127			
1	Total	31,908	10,047	13,596	6,241	2,024			
9 9	Total Pending Disposition	30,472	9,589	13,118	5,878	1,887			
9	Felony	9,274	2,102	4,338	2,318	516			
	Misd/Inf/Viol/Oth	21,198	7,487	8,780	3,560	1,371			
	Total Pending Sentence	1,436	458	478	363	137			

# **Pending Cases**





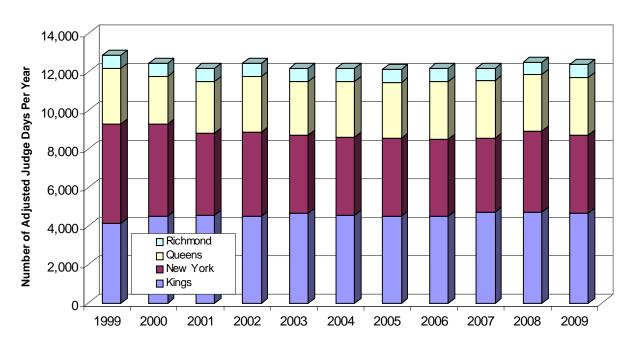
**Citywide Dispositions** 

	Total	Guilty Plea	Convicted	Acquitted	ACD	Dismissal	To Grand Jury	SCI	Other*
2009	300,318	151,094	258	167	75,530	44,988	11,821	3,384	13,076
2008	282,788	142,359	220	171	66,065	45,525	13,512	3,473	11,463
2007	282,684	144,187	217	190	65,675	43,733	13,265	4,161	11,256
2006	264,295	133,981	283	216	58,650	43,244	12,819	4,698	10,404
2005	251,684	125,139	330	252	59,161	41,130	12,296	4,457	8,919
2004	252,494	124,438	305	253	57,348	40,607	12,194	4,582	12,767
2003	249,824	121,485	325	261	60,311	35,729	12,614	4,462	14,637
2002	254,743	122,920	419	295	60,468	38,644	13,580	4,839	13,578
2001	274,545	132,233	329	245	66,595	41,813	13,394	4,794	15,142
2000	303,981	146,642	335	247	71,176	45,265	14,859	5,231	20,226
1999	292,454	136,540	327	241	74,331	42,291	16,280	4,700	17,744

\* Dispositions in the "Other" category include resolutions of Criminal Court warrants outstanding in another county; resolutions of Family Court warrants and Orders of Protection outstanding; removals to Family Court; extradition matters; and transfers to another court.

This page and the following show the amount of judicial resources that Criminal Court had available to handle the workload that it was mandated to handle over the past ten years. Adjusted Judges Days shows the combined number of days each Criminal Court judge worked over the course of a year. More judges assigned to the Court generally means more judge days. Less judges generally means less judge days for a given year.

While judge days have remained relatively static, workload, as evidenced in the calendared cases chart on page 13 has been steadily increasing. The chart on the following page is an attempt to show the relationship between judges assigned to the Court and its workload, or caseload per judge.



**Judge Days** 

#### Number of Adjusted Judge Days

	Citywide	Kings	New York	Queens	Richmond
2009	12,366	4,659	4,068	2,971	668
2008	12,503	4,719	4,188	2,975	621
2007	12,199	4,705	3,849	2,979	666
2006	12,167	4,492	4,015	2,969	691
2005	12,130	4,528	4,038	2,856	708
2004	12,184	4,558	4,031	2,903	692
2003	12,168	4,654	4,043	2,820	651
2002	12,457	4,516	4,374	2,884	683
2001	12,189	4,533	4,280	2,704	672
2000	12,427	4,490	4,790	2,470	677
1999	12,860	4,125	5,179	2,865	691

Note: The Judge day recorded was adjusted by a statistical program and this count is recorded on the executive summaries. Judge Days are entered on the CC1 Part Activity form. A count of one is recorded for each judge per day. If a judge works more than one part, the program written by OCA adjusts the judges day to total 1 per judge per day by part hierarchy (Arraignments Parts > All Purpose Parts > Jury Parts > Other Parts).



Number of Calendared Cases Per Judge Day

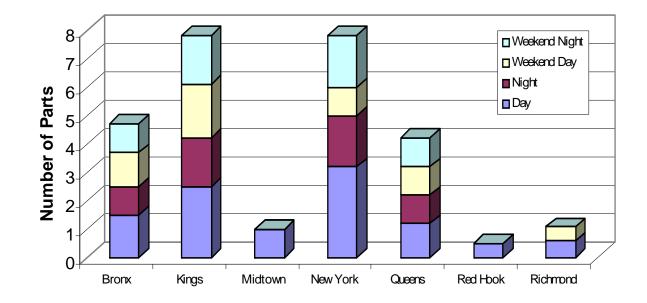
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#### **COURT OPERATIONS – ARRAIGNMENTS**

The arraignment marks the first time that a criminal defendant appears in court. Criminal Court operates arraignment parts day and night, every day of the year in all five counties of the City. In 2009, 375,837 cases were arraigned citywide on On-Line arrest or Desk Appearance Ticket (DAT) cases.

Arraignments are actually the final stage of the arrest process in New York City. Before the defendant appears before the judge, a complicated series of steps must occur, all typically within a twenty-four hour period. The flowchart on page 21 shows all of the necessary steps that must occur between a defendant's arrest and the time that he or she first appears in court. The defendant must be brought to Central Booking where his or her ar-

rest photo and fingerprints are taken. The fingerprints are electronically sent to the Division of Criminal Justice Services (DCJS) where a criminal history or rap sheet is produced and returned to the police in Central Booking. Meanwhile the Criminal Justice Agency (CJA) interviews each defendant for the purpose of making a bail recommendation and the arresting officer meets with an Assistant District Attorney in order to draft the complaint that will start the criminal prosecution. All of these items - complaint, rap sheet and CJA report - must be compiled before the court may arraign the defendant. Once the necessary paperwork is completed, it is all delivered to court arraignment clerks who prepare a final file for the court and attorneys, assign a docket number to the



#### Number of Weekly Arraignment Parts - 2009

Number of Weekly Arraignment Parts - 2009										
	Citywide	Bronx	Kings	Midtown	New York	Queens	Red Hook	Richmond		
Arraignment Parts	25.6*	4.7	7.3	1.0	6.8	4.2*	.5*	1.1*		
Day	9.0*	1.5	2.0	1.0	2.2	1.2*	0.5*	0.6*		
Night	5.5	1.0	1.7	0	1.8	1.0	0	0		
Weekend Day	5.6*	1.2	1.9	0	1.0	1.0	0	0.5*		
Weekend Night	5.5	1.0	1.7	0	1.8	1.0	0	0		

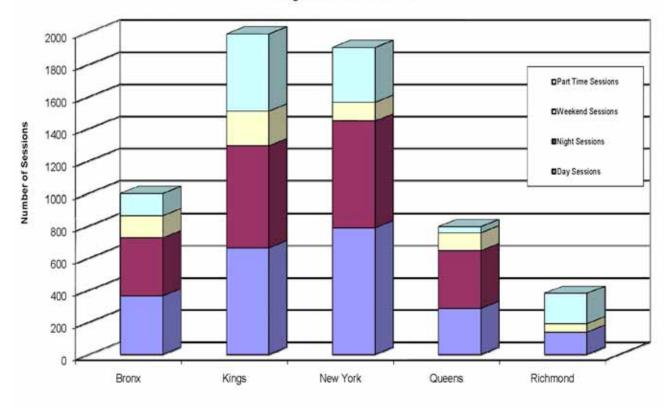
\* Some arraignment parts are listed as a fraction. In Queens, the arraignment part that is only open one day/week is listed as 0.1. In Red Hook and Richmond the parts listed operate half of the time as an arraignment part and the other half as either an all-purpose part or a trial part. Summons courtrooms are not included in this list.

#### **COURT OPERATIONS – ARRAIGNMENTS**

case and initialize the case in the court's computer system. Defense counsel - either assigned or private - is then given an opportunity to interview the defendant before he or she sees the judge.

In the Arraignment Part, defendants are notified of the charges that have been filed against them and their rights. The judge will also hear arguments from the assistant district attorney and defense counsel concerning bail - whether it is appropriate and, if so, what form the bail should take and how much.

Arraignment is also the first opportunity to dispose of misdemeanor cases. In 2009 there were 190,718 cases disposed of throughout all of Criminal Court's five county arraignment parts, about 50% of all arrest cases arraigned.



#### Arraignment Sessions - 2009

Arraignment Sessions\* - 2009

	Citywide	Bronx	Kings**	Midtown	New York	Queens	Red Hook	Richmond***
Total Sessions	5,059.3	1,080.0	1,359.0	247.0	1,318.0	757.0	108.5	189.8
Day Sessions	2,239.3	364	555.0	247.0	541.0	286.0	108.5	137.8
Night Sessions	2,011.0	362	629	0	660.0	360.0	0	0
Weekend Day Sessions	634.0	136.0	218.0	0	117.0	111.0	0	52.0

\* Arraignment sessions are the number of judge days for the year devoted to arraignments. \*\* Kings County APAR6 opened for 1/2 day. The total sessions for this part is the adjusted judge days times 1/2. \*\*\* Richmond County sessions were computed as follows: APAR1 # of judge days times 1/2, APAR2 # of judge days times 1/4, APAR4 # of judge days times 1/2. Richmond DAT is not credited with a part day since it is only opened 1/2 hour per day. \*\*\*\* Counties did not enter data for the Hospital ARR Part, except for NY County.

# 0

#### Arrest to Arraignment – The Process

There is a tremendous amount of work that must be done after the police arrest a defendant and before the defendant is ready to appear in front of a judge at arraignment. The police must meet with the District Attorney's Office, which will in turn draft a complaint. The police must also send the defendant's fingerprints to DCJS in Albany and await the return of a criminal history. The court arraignment clerks must create a court file, assign a docket number and enter the information into the court's database. Meanwhile, the Criminal Jus-

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21.65

22.32

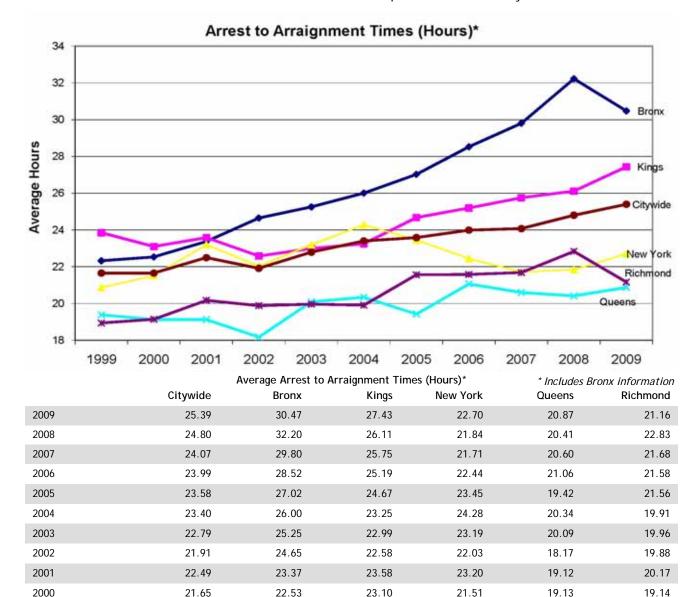
23.85

20.87

19.38

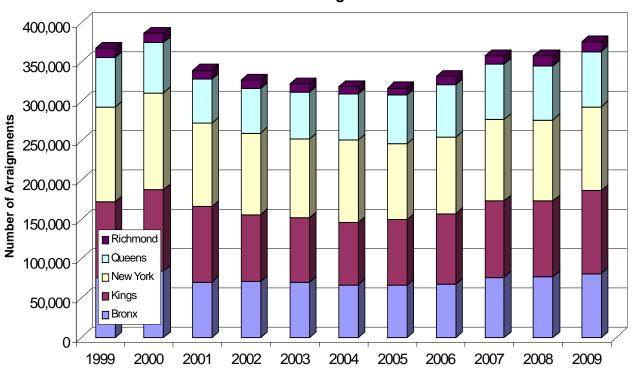
tice Agency must interview the defendant and make a bail recommendation.

Only after all of this takes place, does a defense attorney speak to the defendant and file notice that the defendant is ready to be arraigned by the Court. This page highlights the average time between arrest and arraignment for 2009 and how that compares with the previous ten years. This time period is made all the more important by a mandate from the Court of Appeals to complete this process within twenty-four hours.



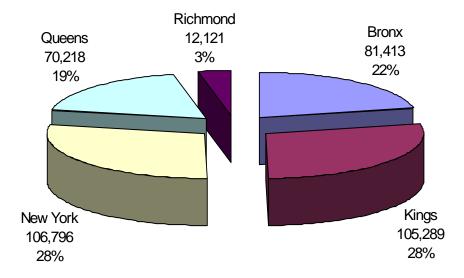
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# **COURT OPERATIONS – ARRAIGNMENTS**



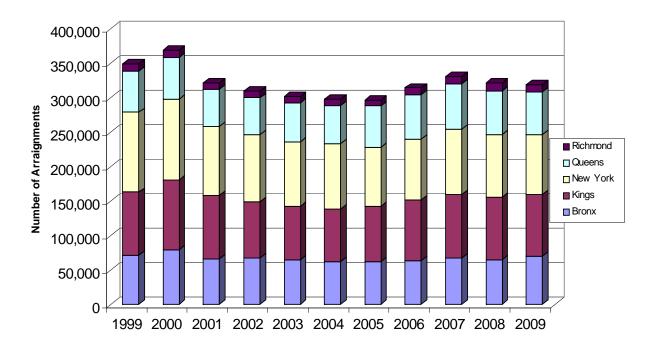
**Online/DAT Arraignments** 

**Criminal Court Arraignments 2009** 



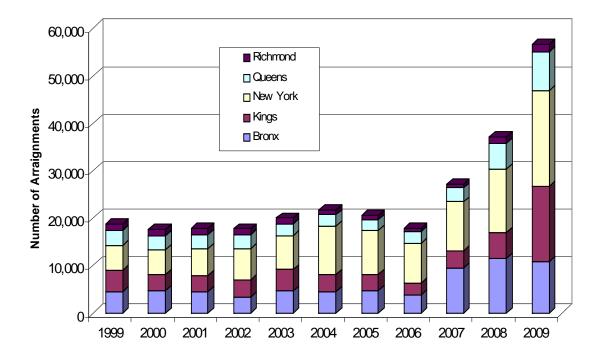
			DAT/On-Line Arı	aignments*			
		Citywide	Bronx	Kings	New York	Queens	Richmono
2009	Total Arraignments	375,837	81,413	105,289	106,796	70,218	12,12
	DAT	56,671	10,813	15,869	20,123	8,144	1,72
	On-Line Arrests	319,166	70,600	89,420	86,673	62,074	10,39
2008	Total Arraignments	358,559	76,923	96,498	103,398	68,669	13,07
	DAT	37,094	11,508	5,524	13,369	5,278	1,41
	On-Line Arrests	321,465	65,415	90,974	90,029	63,391	11,65
2007	Total Arraignments	358,079	76,631	96,760	104,333	69,500	10,85
	DAT	27,146	9,423	3,742	10,275	2,931	77
	On-Line Arrests	330,933	67,208	93,018	94,058	66,569	10,08
2006	Total Arraignments	332,496	67,839	89,975	96,876	67,003	10,80
	DAT	17,950	3,840	2,427	8,496	2,510	67
	On-Line Arrests	314,546	63,999	87,548	88,380	64,493	10,12
2005	Total Arraignments	317,286	66,764	83,692	95,661	61,926	9,24
	DAT	20,515	4,842	3,245	9,450	2,262	71
	On-Line Arrests	296,771	61,922	80,447	86,211	59,664	8,52
2004	Total Arraignments	319,306	67,170	79,506	104,857	58,386	9,38
2004 101	DAT	21,687	4,469	3,745	10,175	2,335	96
	On-Line Arrests	297,619	62,701	75,761	94,682	56,051	8,42
2003	Total Arraignments	322,385	69,995	82,241	100,076	59,668	10,40
	DAT	20,049	4,662	4,520	7,131	2,424	1,31
	On-Line Arrests	302,336	65,333	77,721	92,945	57,244	9,09
2002	Total Arraignments	327,592	70,972	85,541	103,671	56,318	11,09
	DAT	17,773	3,404	3,626	6,597	2,809	1,33
	On-Line Arrests	309,819	67,568	81,915	97,074	53,509	9,75
2001	Total Arraignments	339,993	70,759	96,174	105,746	55,937	11,37
	DAT	17,793	4,512	3,420	5,563	2,959	1,33
	On-Line Arrests	322,200	66,247	92,754	100,183	52,978	10,03
2000	Total Arraignments	387,094	84,234	104,325	122,803	63,786	11,94
	DAT	17,695	4,713	3,534	5,040	2,948	1,46
	On-Line Arrests	369,399	79,521	100,791	117,763	60,838	10,48
1999	Total Arraignments	367,962	76,292	95,904	121,068	62,632	12,00
	DAT	18,853	4,555	4,541	5,154	3,099	1,50
Inclue	On-Line Arrests les Bronx information	349,109	71,737	91,363	115,914	59,533	10,56

# **COURT OPERATIONS – ARRAIGNMENTS**

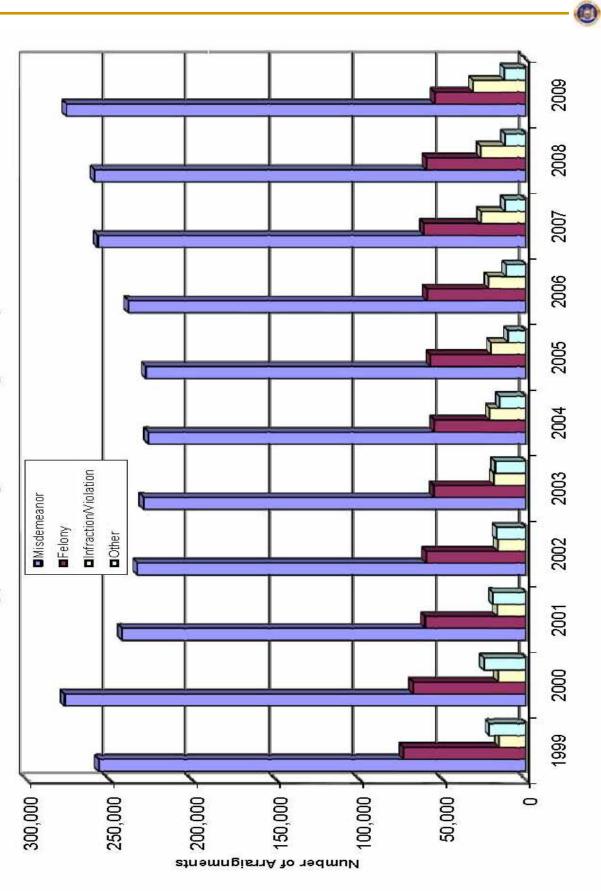


**Online Arraignments** 

**DAT Arraignments** 



Types of Arraignment Charges - Citywide



# Arraignments – Types of Charges

Types of Online/DAT Arraignments*†											
		Citywide	Bronx	Kings	New York	Queens	Richmond				
2009	Total	375,837	81,413	105,289	106,796	70,218	12,121				
	Felony	54,970	14,873	14,954	14,618	8,510	2,015				
	Misdemeanor	276,112	62,429	77,224	76,693	50,548	9,218				
	Infraction/Violation	31,853	1,266	9,672	11,845	8,596	474				
	Other	12,902	2,845	3,439	3,640	2,564	414				
2008	Total	358,559	76,923	96,498	103,398	68,669	13,071				
	Felony	59,886	15,543	16,543	15,732	9,685	2,383				
	Misdemeanor	259,119	57,588	68,335	74,542	48,809	9,845				
	Infraction/Violation	27,267	1,173	8,479	9,486	7,716	413				
	Other	12,287	2,619	3,141	3,638	2,459	430				
2007	Total	358,079	76,631	96,760	104,333	69,500	10,855				
	Felony	61,396	16,042	16,497	16,215	10,602	2,040				
	Misdemeanor	257,202	56,439	68,776	75,882	47,973	8,132				
	Infraction/Violation	27,090	1,319	8,288	8,640	8,502	341				
	Other	12,391	2,831	3,199	3,596	2,423	342				
2006	Total	332,496	67,839	89,975	96,876	67,003	10,803				
	Felony	59,637	14,120	16,377	16,344	10,735	2,061				
	Misdemeanor	238,665	49,053	63,860	70,216	47,443	8,093				
	Infraction/Violation	22,527	2,022	6,448	7,067	6,670	320				
	Other	11,667	2,644	3,290	3,249	2,155	329				
2005	Total	317,286	66,764	83,692	95,661	61,926	9,243				
	Felony	57,475	14,003	14,314	16,846	10,465	1,847				
	Misdemeanor	228,285	47,782	60,506	69,396	43,803	6,798				
	Infraction/Violation	20,946	2,498	5,765	6,432	5,912	339				
	Other	10,580	2,481	3,107	2,987	1,746	259				
2004	Total	319,306	67,170	79,506	104,857	58,386	9,387				
	Felony	55,187	14,262	11,615	17,357	10,349	1,604				
	Misdemeanor	226,769	46,353	59,659	73,222	40,629	6,906				
	Infraction/Violation	21,749	3,020	4,388	8,950	4,857	534				
	Other	15,601	3,535	3,844	5,328	2,551	343				
2003	Total	322,385	69,995	82,241	100,076	59,668	10,405				
	Felony	55,422	14,239	11,962	17,548	9,996	1,677				
	Misdemeanor	229,524	48,560	62,436	68,457	42,521	7,550				
	Infraction/Violation	19,065	3,067	3,609	7,028	4,609	752				
	Other	18,374	4,129	4,234	7,043	2,542	426				

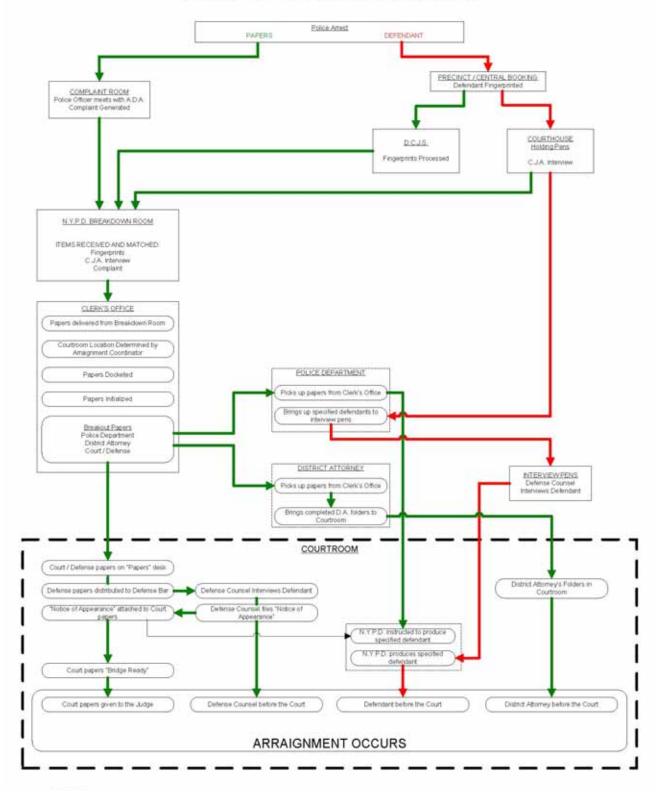
\* Includes Bronx information

† Excludes arraignments on summonses. For discussion of summons matters, see page 35.

							0
		Citywide	Bronx	Kings	New York	Queens	Richmond
2002	Total	327,592	70,972	85,541	103,671	56,318	11,090
	Felony	60,021	16,825	11,401	19,747	9,972	2,076
	Misdemeanor	233,325	48,241	66,015	71,456	40,114	7,499
	Infraction/Violation	16,714	1,818	3,796	5,783	4,382	935
	Other	17,532	4,088	4,329	6,685	1,850	580
2001	Total	339,993	70,759	96,174	105,746	55,937	11,377
	Felony	60,791	17,166	12,738	19,459	9,068	2,360
	Misdemeanor	242,518	46,955	74,637	73,000	40,719	7,207
	Infraction/Violation	17,069	1,982	3,619	6,320	3,952	1,196
	Other	19,615	4,656	5,180	6,967	2,198	614
2000	Total	387,094	84,234	104,325	122,803	63,786	11,946
	Felony	67,827	17,865	15,155	21,544	10,458	2,805
	Misdemeanor	277,280	58,471	80,104	84,095	47,196	7,414
	Infraction/Violation	16,615	2,558	3,768	5,268	3,878	1,143
	Other	25,372	5,340	5,298	11,896	2,254	584
1999	Total	367,962	76,292	95,904	121,068	62,632	12,066
	Felony	73,664	19,418	16,898	23,542	10,863	2,943
	Misdemeanor	256,511	50,395	69,889	83,568	45,422	7,237
	Infraction/Violation	15,893	2,100	4,071	4,043	4,280	1,399
	Other	21,894	4,379	5,046	9,915	2,067	487

# Arrest to Arraignment – The Path of the Case







## **Arraignment Dispositions**

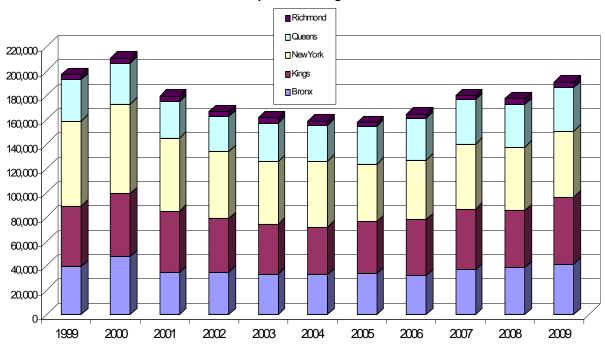
While only the first court appearance, more cases are disposed of in arraignment than at any other stage in the life of a Criminal Court filing. Citywide, slightly less than half of all case filings were disposed of at their initial court appearance. Almost all of these dispositions involved misdemeanor or other petty offenses. Disposition rates in the five counties are fairly consistent except for Staten Island where only a little less than one third of all cases are disposed of in arraignments.

			-		-							
	Citywide Bronx		Kir	ngs	New	York	Que	ens	Richr	mond		
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2009	190,718	49.9	41,391	50.6	55,107	51.0	54,330	50.0	35,589	49.7	4,301	35.6
2008	177,209	49.1	38,323	48.9	46,978	47.6	52,397	50.6	34,586	50.7	4,925	39.5
2007	179,973	49.9	37,026	48.3	49,504	50.5	53,335	51.5	36,611	52.2	3,497	31.8
2006	164,491	49.3	31,793	46.9	46,127	50.7	48,831	50.4	34,427	52.0	3,313	32.3
2005	157,728	49.4	33,524	50.2	42,885	50.3	47,233	49.1	31,249	51.2	2,837	31.3
2004	159,017	48.8	32,744	48.7	39,018	48.7	54,350	52.1	29,506	50.5	3,399	35.7
2003	161,759	51.0	33,187	49.2	41,165	50.5	51,365	51.8	31,684	54.1	4,358	41.2
2002	166,782	51.3	34,695	49.2	44,276	51.7	54,847	53.7	28,536	51.0	4,428	40.4
2001	179,567	52.0	34,607	49.0	50,502	51.1	59,882	55.8	30,060	53.2	4,516	37.8
2000	210,513	54.3	47,417	56.4	51,898	49.4	73,361	59.3	33,942	54.1	3,895	31.5
1999	197,022	53.5	39,408	51.9	49,621	51.9	69,875	56.9	34,020	54.8	4,098	34.5

Dispositions at Arraignment\*†

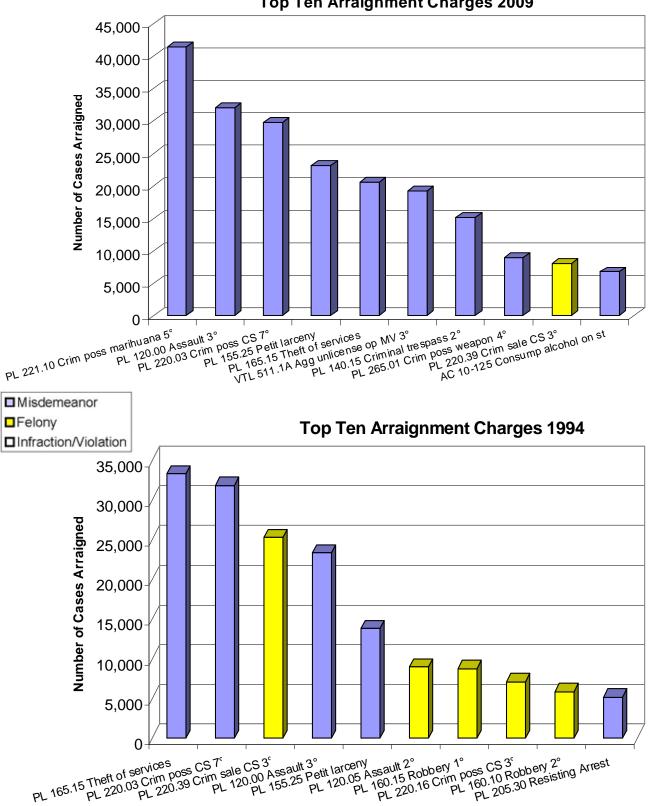
\* Includes Bronx information

† Figures listed are the percentage of all of that year's dispositions



#### **Dispositions at Arraignment**

# Most Frequently Charged Offenses At Arraignments



**Top Ten Arraignment Charges 2009** 



	То	p 10 Arraignment Char	ges Cit	ywid	е		То	p 10 Mis	demeanor Arr
Com	parison by	most frequently arraigned	2009	2004	1999	1994	Com	parison by	most frequently a
PL	221.10	Crim poss marihuana 5°	1	3	2	_	PL	221.10	Crim poss marihu
PI	120.00	Assault 3°	2	2	3	4	PL	120.00	Assault 3°
PL	220.03	Crim poss CS 7°	3	1	1	2	PL	220.03	Crim poss CS 7°
PL	155.25	Petit larceny	4	5	7	5	PL	155.25	Petit larceny
PL	165.15	Theft of Services	5	4	4	1	PL	165.15	Theft of services
VTL	511.1A	Agg unlicensed op MV 3°	6	8	-	-	VTL	511.1A	Agg unlicensed of
PL	140.15	Criminal trespass 2°	7	9	8	_	PL	140.15	Criminal trespass
PL	265.01	Crim poss weapon 4°	8			_			
PL	220.39	Crim sale CS 3°	9	6	5	3	PL	265.01	Crim poss weapor
AC	10-125	Consump alcohol on st	10	_	_	_	AC	10-125	Consump alcohol
VTL	511.1	Agg unlicensed op MV 3°		7	6		PL	205.30	Resisting arrest
PL	205.30	Resisting arrest	_	_	_	10	AC	20-453	Unlicensed gen vo
AC	20-453	Unlicensed gen vendor	_	10	_	_	VTL	511.1	Agg unlic op MV
PL	221.40	Crim sale marihuana 4°	_	_	9	_	PL	120.14	Menacing 2°
PL	120.05	Assault 2°	_	_	10	6	PL	140.10	Criminal trespa
PL	160.15	Robbery 1°	_	_	_	7	VTL	511.2	Agg unlicensed of
PL	220.16	Crim poss CS 3°	_	_	_	8	PL	221.40	Crim sale marihu
PL	160.10	Robbery 2°				9	PL	240.37	Loitering/prost
ΓL	100.10	KUDDELY Z	_	_	_	7			51.00

Тор	o 10 Mis	demeanor Arraignmen	it Cha	rges (	Citywi	ide
Comp	arison by r	most frequently arraigned	2009	2004	1999	1994
PL	221.10	Crim poss marihuana 5°	1	3	2	_
PL	120.00	Assault 3°	2	2	3	3
PL	220.03	Crim poss CS 7°	3	1	1	2
PL	155.25	Petit larceny	4	5	6	4
PL	165.15	Theft of services	5	4	4	1
VTL	511.1A	Agg unlicensed op MV 3°	6	7	_	_
PL	140.15	Criminal trespass 2°	7	8	7	8
PL	265.01	Crim poss weapon 4°	8	-	_	_
AC	10-125	Consump alcohol on st	9	-	_	_
PL	205.30	Resisting arrest	10	_	_	5
AC	20-453	Unlicensed gen vendor	_	9	_	_
VTL	511.1	Agg unlic op MV 3°	_	6	5	10
PL	120.14	Menacing 2°	_	_	10	_
PL	140.10	Criminal trespass 3°	_	10	9	9
VTL	511.2	Agg unlicensed op MV 2°	_	_	_	6
PL	221.40	Crim sale marihuana 4°	_	_	8	_
PL	240.37	Loitering/prostitution	_	_	_	7

#### Top 10 DAT Arraignment Charges Citywide

#### Top 10 Felony Arraignment Charges Citywide

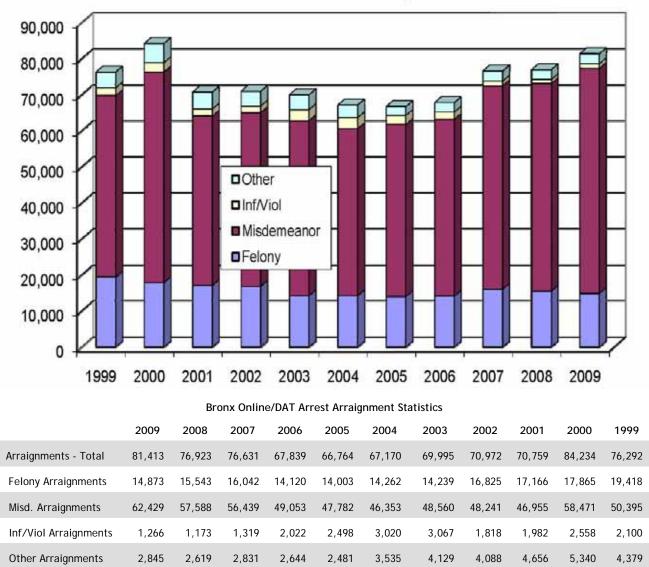
		2		<b>j</b>			Top To Telony Arraighment charges on ywide						
Comp	parison by mo	ost frequently arraigned	2009	2004	1999	1994	Con	nparison by	most frequently arraigned	2009	2004	1999	1994
PL	221.10	Crim poss marihuana 5°	1	4	5	9	PL	220.39	Crim sale CS 3°	1	1	1	1
VTL	511.1A	Agg unlicensed op MV 3°	2	2	_	_	PL	120.05	Assault 2°	2	2	2	2
PL	155.25	Petit larceny	3	6	4	3	PL	120.05	Assault 2	Z	2	Z	Z
PL	165.15	Theft of services	4	1	1	1	PL	220.16	Crim poss CS 3°	3	3	4	4
PL	220.03	Crim poss CS 7°	5	7	3	2	PL	160.10	Robbery 2°	4	4	5	5
PL	120.00	Assault 3°	6	3	6	4	PL	160.15	Robbery 1°	5	5	3	3
PL	265.01	Crim poss weapon 4°	7	_	_	_	PL	155.30	Grand larceny 4°	6	7	8	8
RR	1050.09	Misuse transit facility	8	_	_	-	DI	265.03	Crim poss weapon 2°	7			
RR	1050.00	Misuse transit facility	9	_	_	_	ΓL	205.03	crim poss weapon z	,	_	_	_
PL	140.15	Criminal trespass 2°	10	_	_	_	PL	170.25	Crim poss forged In 2°	8	6	-	-
PL	240.30	Agg harassment 2°	_	8	8	-	PL	140.25	Burglary 2°	9	10	10	7
PL	145.00	Crim mischief 4°	_	9	9	10	PL	155.35	Grand larceny 3°	10	9	7	_
VTL	511.1	Agg unlicensed op MV 3°	_	5	2	6	PL	265.02	Crim poss weapon 3°	_	8	9	6
PL	120.14	Menacing 2°		10	10		DI	015 51				,	
PL	140.10	Criminal trespass 3°	_	_	7	5	PL	215.51	Criminal contempt 2°	_	_	6	_
PL	205.30	Resisting arrest	_	_	_	7	PL	140.20	Burglary 3°	-	-	_	10
PL	225.30	Poss gambling device	_	_	_	8	PL	165.50	Crim poss stole prop3°	_	_	-	9

## **Bronx Criminal Division**

In an effort to better utilize scarce judicial resources and react more efficiently and effectively to changes in arrest patterns, Criminal Court has participated in a pilot project to reorganize the case processing structure of the Bronx criminal justice system. Starting in 2004, administrative oversight of many Criminal Court operations in the Bronx was transferred to the newly created Bronx Criminal Division. Criminal Court continues to maintain an operational and support presence in the Bronx. Criminal Court adjudicates all summons matters in the Bronx. All felony and misdemeanor

arraignments are heard by judges sitting in the Criminal Court and misdemeanor cases are only transferred to the Bronx Criminal Division if they survive this initial court appearance.

This report details information relating to Bronx Criminal Court's budget and its summons operation. The report also lists a statistical overview of arraignments in the Bronx from 1999 to 2009. Other statistics relating to misdemeanor and preliminary felony case processing are not reported at length here.



## Bronx Online/DAT Arrest Arraignment

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In the past year, the personnel supporting the Citywide Summons Operation processed almost 600,000 summons filings.

The twenty-nine clerks, data entry and office assistants who comprise the Citywide Summons Operation are responsible for scanning, initializing and docketing every summons case filed with Criminal Court.

Summonses come from over forty certified agencies including the New York City Police Department, Metropolitan Transportation Authority, the New York City Fire Department, the American Society for the Prevention of Cruelty to Animals, Taxi and Limousine Commission, Off Track Betting Corporation, Tax Enforcement, Roosevelt Island Authority and the Unified Court System.

Authorized agencies deliver summonses to the Court's Central Receiving Unit. The Central Receiving Unit separates these summonses by county and appearance date and then looks for serious defects which would prohibit the summons from being docketed, such as a missing signature or narrative, or improper return date. The summonses are then copied into the Court's computer system by high speed scanners which recognize each ticket's bar coded summons number and then produce a digital image of the ticket.

Once the summonses are scanned into the Sum-

mons Automated Management System (SAMS), data entry personnel enter all the pertinent information into the SAMS database and assign each summons a docket number.

After data entry staff log the information and create a docket, the summonses are then forwarded to the appropriate county's summons office where the Associate Court Clerk in charge coordinates with the Supervising Judge's office to ensure that a timely review for legal sufficiency takes place prior to the scheduled arraignment date. Summonses that survive judicial review are then calendared for arraignment.

While individual counties still hear and, if necessary, try the individual summons cases, the Citywide Summons Operations responsibilities do not end when the cases are sent to the individual counties (Brooklyn and Manhattan cases are heard at 346 Broadway). The Summons team also sends out notices to defendants for cases rejected because of defect or dismissed after judicial review. They are also the central repository for all summons records. Certificates of disposition are given after a review of the SAMS system for cases adjudicated after 1999. For older cases books and computer printouts are used by the Summons clerical staff to locate and verify summons dispositions going back to 1970.

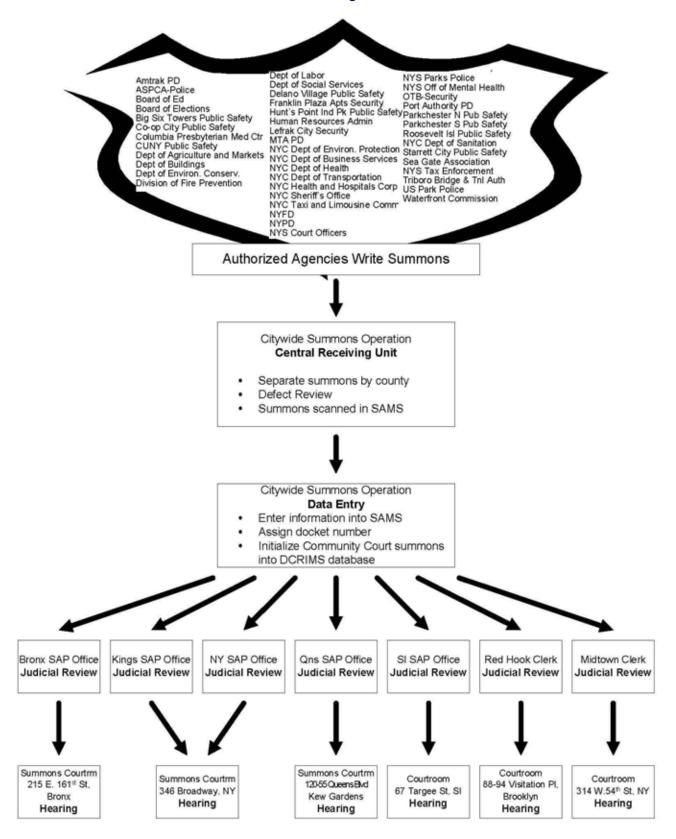
		Summons R	evenue* - 2009			
	Citywide	Bronx	Kings**	New York**	Queens	Richmond
Fine City	\$5,444,765	\$536,355	\$671,396	\$2,516,676	\$1,560,948	\$159,390
Fine State	\$2,168,876	\$463,775	\$295,660	\$984,846	\$358,435	\$66,160
Surcharge CVAF	\$228,785	\$29,650	\$22,920	\$74,365	\$91,410	\$10,440
Surcharge Misd	\$6,435	\$590	\$490	\$3,610	\$1,165	\$580
Surcharge Violation	\$875,895	\$112,695	\$88,645	\$285,470	\$350,215	\$38,870
Surcharge VTL	\$49,705	\$2,490	\$1,255	\$5,570	\$34,605	\$5,785
Total	\$8,774,461	\$1,145,555	\$1,080,366	\$3,870,537	\$2,396,778	\$281,225

#### Summonses – Revenue

\* Includes Bronx information

\* \*Money received from summonses issued in Brooklyn that are disposed and paid at 346 Broadway are included in the New York county figures. Over \$500,000 in fines and surcharges from Brooklyn summonses are included in the New York total.

#### Summonses - From Ticket to Hearing

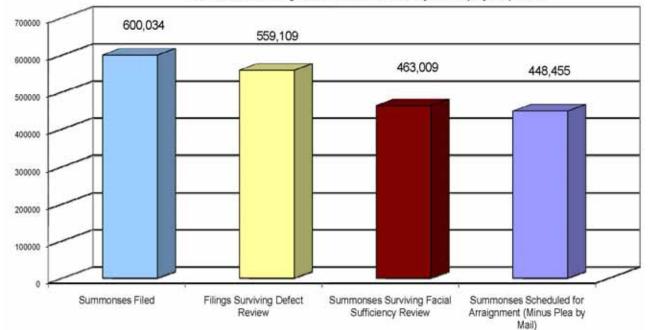


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## Summonses - Filings, Docketing and Arraignments

		Summa	ry of Summo	ns Filings* -	2009			
	Citywide	Bronx	Kings	Midtown	New York	Queens	Red Hook	Richmond
Filings	600,034	131,267	174,642	12,451	146,119	110,426	8,308	16,821
Defects (-)	(40,925)	(12,392)	(13,305)	0	(9,143)	(4,929)	0	(1,156)
Docketed Filings	559,109	118,875	161,337	12,451	136,976	105,497	8,308	15,665
Dism Insuff (-)	(96,100)	(20,180)	(37,265)	(2,263)	(21,507)	(14,885)	0	0
Surviving Reviews	463,009	98,695	124,072	10,188	115,469	90,612	8,308	15,665
Plea By Mail (-)	(14,554)	(897)	(3,268)	0	(4,108)	(6,277)	0	(4)
Scheduled Arraignments	448,455	97,798	120,804	10,188	111,361	84,335	8,308	15,661

#### Summonses Surviving Defect and Facial Sufficiency Review (Citywide) - 2009



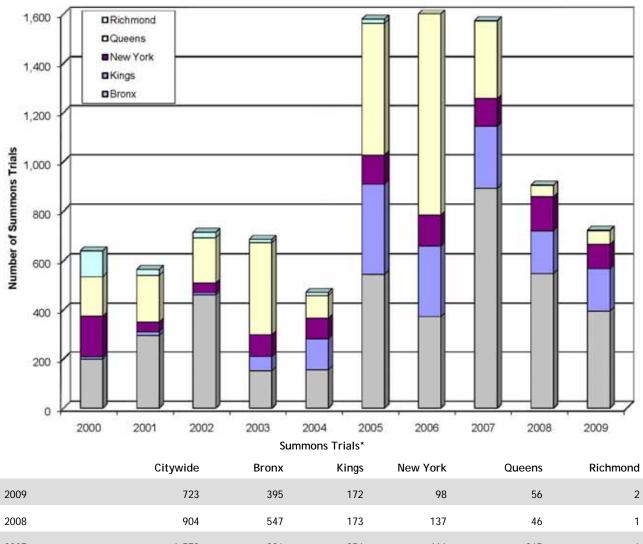
#### Summons Filings (2008-1999)

	Citywide	Bronx	Kings	Midtown	New York	Queens	Red Hook	Richmond
2008	563,157	120,331	161,271	20,131	133,409	101,266	10,830	15,919
2007	601,457	123,034	165,339	18,734	156,882	112,163	10,057	15,248
2006	602,944	128,551	158,444	15,884	157,356	113,018	11,924	17,767
2005	648,638	150,326	170,926	13,170	168,446	114,250	13,467	18,053
2004	581,734	137,907	134,758	16,455	151,372	111,625	10,811	18,806
2003	609,526	166,050	140,713	15,982	139,604	110,996	16,038	20,143
2002	534,846	131,715	142,827	12,926	122,737	97,137	10,376	17,128
2001	563,692	147,258	148,334	11,796	122,523	101,108	12,045	20,168
2000	581,841	138,487	157,790	14,044	130,364	109,153	6,559	25,444
1999	467,591	96,721	121,180	-	136,280	93,006	_	20,404

*Note:* Defective Summonses for Midtown and Red Hook are included in the New York and Brooklyn defects. Dism. Insuff represents the number of summonses dismissed as part of the pre-arraignment review (SAP-D calendar). Midtown, Red Hook and Richmond review summonses for legal sufficiency at the scheduled arraignment session.

\* Includes Bronx information

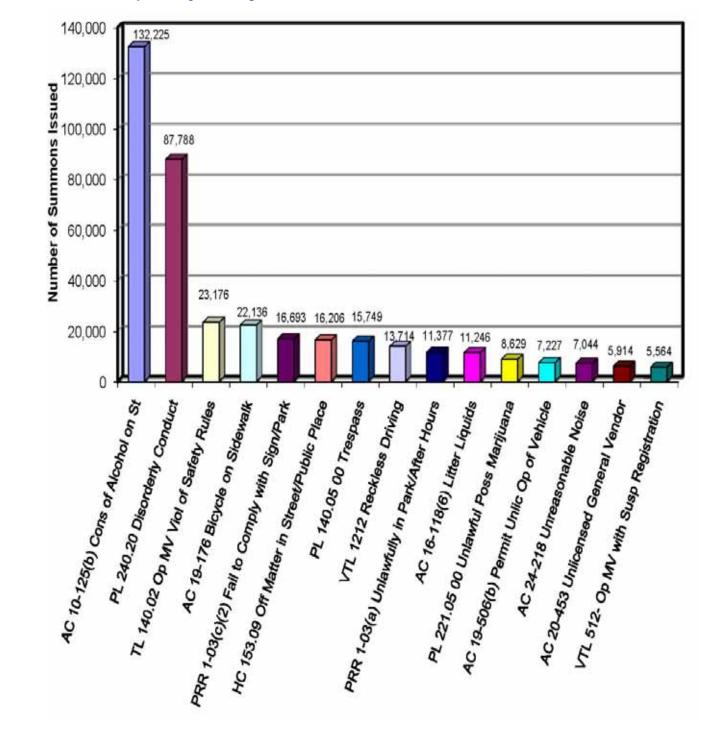
# Summonses – Trials



Summons Trials

1,572 1,613 1,578 

\* Includes Bronx information



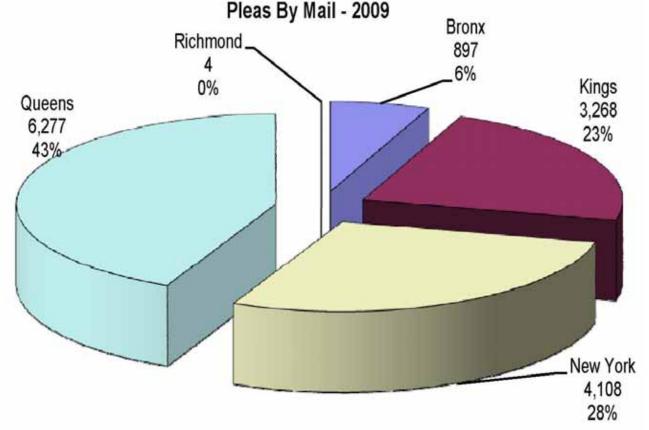
# Most Frequently Charged Summons Offenses\* 2009

# **Plea By Mail**

2005 was the first full calendar year that individuals County, was expanded to the entire city. receiving a Criminal Court summons citing a violation of Section 10-125 (2)(b) of the N.Y.C. Administrative Code- "Consumption of Alcohol on Streets Prohibited" (also known as "Consumption of Alcohol in Public") were eligible to plead guilty and pay a \$25 fine by mail. 2005 also marked the first year that this program, originally piloted in Queens

In 2009, 14,554 people chose to plead guilty by mail and send a check or money order to the court. These individuals did not appear in court. This program is another example of the new initiatives that Criminal Court has instituted to more efficiently manage limited staffing resources.

Pleas By Mail*							
	Citywide	Bronx	Kings	New York	Queens	Richmond	
2009	14,554	897	3,268	4,108	6,277	4	
2008	13,501	920	3,409	4,745	4,416	11	
2007	11,221	887	2,272	3,306	4,743	13	
2006	8,554	659	1,803	2,497	3,575	20	
2005	9,724	895	1,840	3,055	3,907	27	
2004	5,128	319	409	496	3,898	6	



\* Includes Bronx information

# COURT OPERATIONS - PRE-TRIAL ALL-PURPOSE PARTS

The All-Purpose or "AP" parts are the motion parts of the Criminal Court. Extensive plea negotiations take place in these courtrooms prior to the case being in a trial-ready posture. In addition, depending upon caseloads, the judges in the AP parts may conduct pre-trial hearings, felony hearings and bench trials.

Misdemeanors are typically sent to the AP part from arraignments so that the case may be made ready for trial. If, at arraignment, the defendant was arraigned on a misdemeanor complaint and the case was not converted to an information, the AP part is where the prosecutor will file the necessary affidavits and depositions to make the allegations non-hearsay.

AP parts throughout the city dispose of tens of thousands of cases each year as a result of negotiations between defense counsel and prosecutor. In the four counties, there were 137,481 cases disposed of in AP parts, accounting for 46% of all dispositions throughout the year.

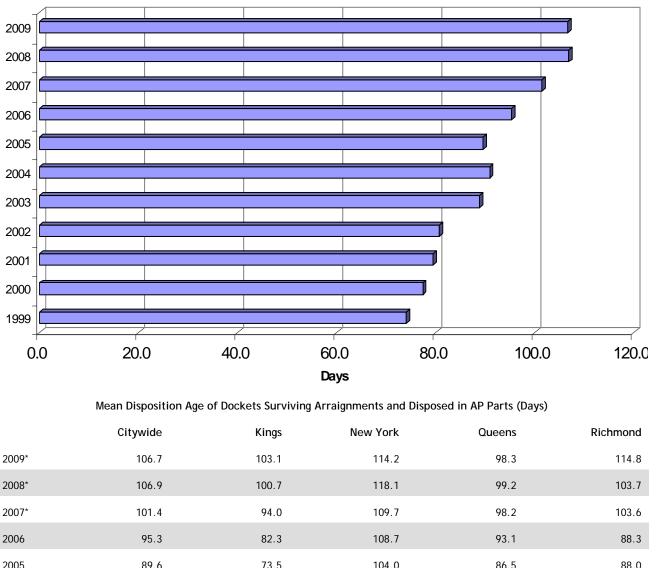
AP parts decide most of the motions submitted on misdemeanor cases. The majority of motions to dismiss for such grounds as facial insufficiency, denial of speedy trial rights, in the furtherance of justice or any other jurisdictional or legal impediment are typically raised in the AP part. Omnibus motions, which include discovery requests, bills of particulars, motions to suppress evidence and requests for pre-trial hearings are usually filed and decided in the AP part. Increasingly, district attorneys' offices are agreeing to open file discovery in the AP part, which involves the prosecutor turning over to defense counsel most of the police reports and information in the district attorney's files with out the defense attorneys filing omnibus motions, speeding the way to real trial readiness.

However, the AP part truly lives up to its name. These parts also hear bail applications; act as the return parts for defendants brought back on bench warrants; hear violation of probation matters; and, to a limited degree, conduct pre-trial hearings and bench trials. Over the years, some of the AP parts have become specialized. Included in this section are problem-solving courts designed to focus on various societal problems, including Domestic Violence Courts and Drug Courts. Also included in this section is an accounting of the various Compliance parts throughout the city. These parts follow the progress of sentenced defendants on domestic violence cases or their compliance with court-ordered conditions of discharge, probation or release, taking some of the burden off the busy AP parts.

*Note:* AP part data does include DV Part, Felony Waiver Part and Drug Court data. It does not include post disposition data

	Number of All-Purpose Parts (Citywide)							
2009	Citywide	Kings	New York	Queens	Richmond			
Number of AP Parts	26.2	10.5	7.0	7.1	1.6			
Average # AP Parts Open Daily	22.5	8.4	6.7	6.1	1.3			
Mean Number of Appearances of Dockets Surviving Arraignments and Disposed in AP Parts Citywide								
2009	4.1	4.1	3.9	4.4	4.3			

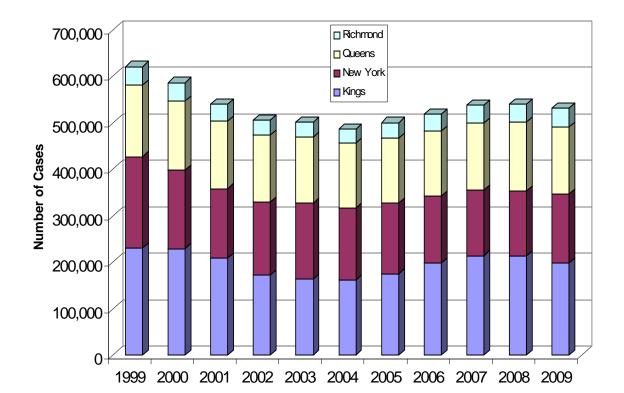
# **COURT OPERATIONS – PRE-TRIAL ALL-PURPOSE PARTS**



Mean Disposition Age of Dockets Surviving Arraignments and Disposed in AP Parts

2008*	106.9	100.7	118.1	99.2	103.7
2007*	101.4	94.0	109.7	98.2	103.6
2006	95.3	82.3	108.7	93.1	88.3
2005	89.6	73.5	104.0	86.5	88.0
2004	90.9	74.8	104.9	87.6	84.6
2003	88.9	69.1	105.3	83.7	88.9
2002	80.8	66.4	92.1	79.4	83.9
2001	79.4	67.6	88.1	82.5	82.5
2000	77.4	68.3	86.6	74.3	84.6
1999	74.0	64.6	88.0	63.2	72.1

\*Data has been revised from data recorded in previous Annual Reports to correct recording error.



Number of Calendared Cases In AP Parts

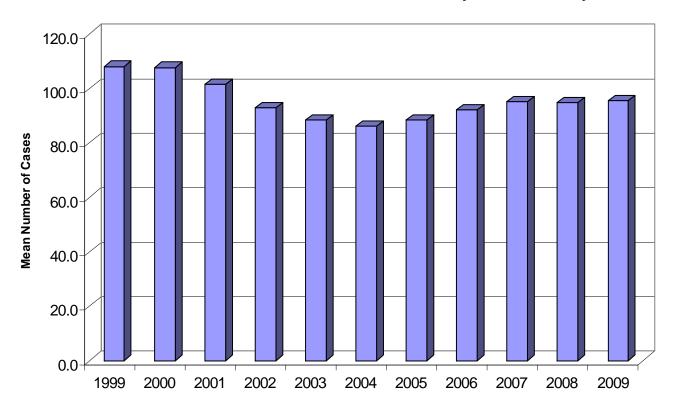
Number of Calendared Cases in AP Parts

	Citywide	Kings	New York	Queens	Richmond
2009*	532,101	198,865	147,388	145,110	40,738
2008*	540,509	212,784	139,673	149,126	38,926
2007*	537,729	214,200	141,377	143,828	38,324
2006*	519,262	199,017	142,900	140,704	36,641
2005	500,705	175,467	151,792	140,548	32,898
2004	487,132	161,863	155,117	139,946	30,206
2003	501,038	163,743	163,209	143,074	31,012
2002	506,027	172,468	156,363	144,423	32,773
2001	540,984	208,200	150,605	145,934	36,245
2000	586,958	229,488	169,300	147,534	40,636
1999	621,566	231,295	196,289	154,060	39,922

\*Revised data for year 2009 annual report includes Kings FD part data for years 2006 to 2009, Richmond AP3 data when staffed by a Judge and revised 2008 data all counties.

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# **COURT OPERATIONS - PRE-TRIAL ALL-PURPOSE PARTS**

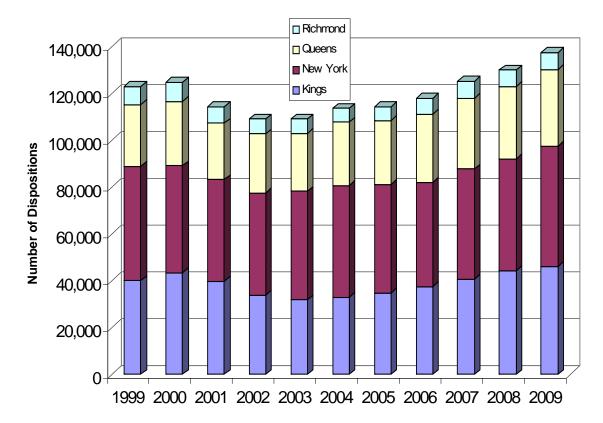


Mean Number of Cases Calendared Per Day in AP Parts - Citywide

Mean Number of Cases Calendared Per Day in AP Parts

	Citywide	Kings	New York	Queens	Richmond
2009	95.3	95.0	89.2	95.2	130.4
2008*	94.8	98.1	83.2	96.8	123.5
2007*	95.1	99.2	86.9	93.7	114.5
2006*	92.1	93.3	87.2	91.5	112.0
2005	88.4	82.7	90.1	91.4	103.5
2004	86.0	76.6	94.3	88.1	94.6
2003	88.2	75.4	95.8	95.2	101.7
2002	92.9	86.8	94.9	96.5	104.1
2001	101.3	103.3	93.4	104.1	117.5
2000	107.6	112.8	98.1	107.8	124.8
1999	108.0	106.4	104.3	111.2	128.0

\*Revised data for year 2009 annual report includes Kings FD part data for years 2006 to 2009, Richmond AP3 data when staffed by a Judge; and 3) revised 2008 data all counties.



**Dispositions in AP Parts** 

	Citywide	Kings	New York	Queens	Richmond
2009	137,481	46,317	51,161	32,725	7,278
2008	130,000	44,247	47,824	30,713	7,216
2007	125,061	40,846	46,881	30,139	7,195
2006	117,751	37,538	44,583	28,912	6,718
2005	114,436	34,955	46,017	27,570	5,894
2004	113,577	33,047	47,614	26,998	5,918
2003	109,014	31,827	46,322	24,785	6,080
2002	109,072	33,802	43,644	25,214	6,412
2001	114,425	39,913	43,256	24,062	7,194
2000	124,661	43,454	45,577	27,386	8,244
1999	122,805	39,973	48,760	26,484	7,588

Total Dispositions in AP Parts

(6)

# **Felony Waiver Parts**

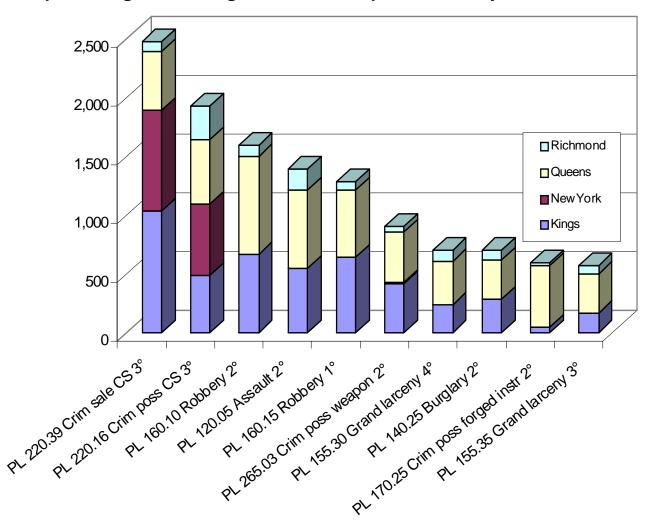
Criminal Court has preliminary jurisdiction over felony cases filed in New York City. Criminal Court retains jurisdiction of the felony cases until a grand jury hears the case and indicts the defendant. Defendants charged with felonies are arraigned in the Criminal Court arraignment parts and cases are then usually sent to a felony waiver part to await grand jury action. Once the prosecutor notifies the court that an indictment has been voted, the case is transferred to Supreme Court.

Felony Waiver Parts are staffed by Criminal Court judges designated as Acting Supreme Court Justices. District Attorneys' Offices will often negotiate plea bargains in these parts by offering the defendant the opportunity to plead guilty to a reduced charge or receive a reduced sentence. Defendants agreeing to plead guilty to a felony in these parts must waive their right to be prosecuted by indictment and agree to prosecution by a Superior Court Information or "SCI," an accusation drafted by the district attorney rather than the grand jury. Almost 23,000 dispositions were taken in Felony Waiver Parts in the four counties in 2008.

Felony Waiver Parts also hear motions, bail applications and extradition matters among other things. They are among some of the most productive courtrooms in the city. Almost 112,000 appearances on cases were calendared in Criminal Court's felony waiver parts throughout the city of which almost 23,000 were disposed. These felony dispositions assisted the four corresponding Supreme Courts allowing them to handle a reduced post-indictment caseload.

While every county disposes of a large amount of drug cases in their Felony Waiver Parts, the practice differs with other cases.

Number of Felony Waiver Parts							
	Citywide	Kings	New York	Queens	Richmond		
2009	6.7	2.2	1.0	3.0	.5		

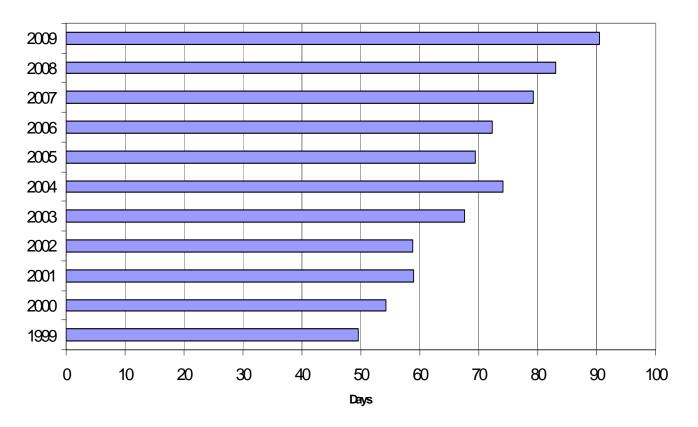


### Top 10 Arraignment Charges of Dockets Disposed in Felony Waiver Parts 2009

Top Ten Arraignment Charges of Dockets Disposed in Felony Waiver Parts 2009

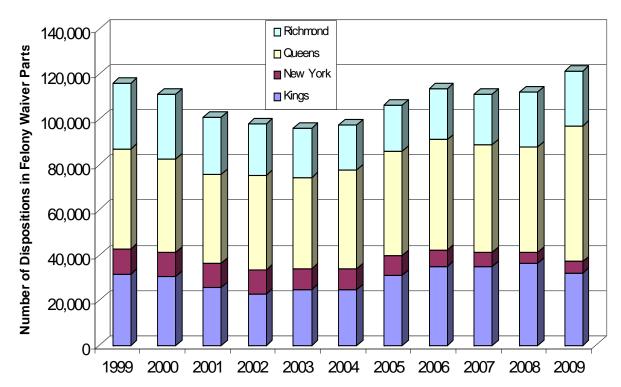
Num	ber of dispositions for each charge	Citywide	Kings	New York	Queens	Richmond
1	PL 220.39 Crim sale CS 3°	2,463	1,028	856	496	83
2	PL 220.16 Crim poss CS 3°	1,923	486	602	552	283
3	PL 160.10 Robbery 2°	1,592	658	1	833	100
4	PL 120.05 Assault 2°	1,381	543	0	667	171
5	PL 160.15 Robbery 1°	1,281	635	9	563	74
6	PL 265.03 Crim poss weapon 2°	901	410	10	427	54
7	PL 155.30 Grand larceny 4°	703	229	0	373	101
8	PL 140.25 Burglary 2°	694	288	0	324	82
9	PL 170.25 Crim poss forged instr $2^{\circ}$	588	40	0	524	24
10	PL 155.35 Grand larceny 3°	563	161	0	331	71

# **Felony Waiver Parts**



Mean Age of Dockets Surviving Arraignments and Disposed in Felony Waiver Parts

	Citywide	Kings	New York	Queens	Richmond
2009	90.4	56.1	53.5	127.4	95.8
2008	83.0	48.0	50.7	126.8	83.5
2007	79.2	45.2	51.3	115.1	78.6
2006	72.2	42.1	53.4	110.9	71.0
2005	69.4	43.2	49.4	103.0	72.1
2004	74.1	58.9	52.5	100.6	69.8
2003	67.6	39.9	54.6	95.8	70.2
2002	58.8	29.3	48.6	91.2	69.6
2001	58.9	30.1	47.3	92.5	74.2
2000	54.2	26.0	38.0	85.4	73.1
1999	49.5	29.3	35.1	77.7	61.7



### Number of Calendared Cases Heard in Felony Waiver Parts

Number of Calendared Cases Heard in Felony Waiver Parts

	Citywide	Kings	New York	Queens	Richmond
2009	121,041	31,817	5,203	59,794	24,227
2008	111,818	36,141	5,151	46,403	24,123
2007	110,901	34,852	6,255	47,663	22,131
2006	113,317	34,778	7,176	48,914	22,449
2005	106,306	31,058	8,501	46,118	20,629
2004	97,556	24,690	9,055	43,747	20,064
2003	95,734	24,594	9,047	40,574	21,519
2002	97,875	22,613	10,924	41,691	22,647
2001	100,610	25,835	10,538	39,173	25,064
2000	110,958	30,592	10,440	41,490	28,436
1999	115,682	31,529	10,854	44,469	28,830

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# Felony Waiver Parts

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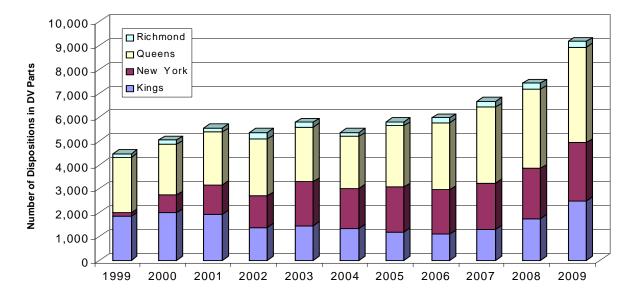
#### Total Dispositions in Felony Waiver Parts

		Citywide	Kings	New York	Queens	Richmond
2009	Total Dispositions	20,767	6,982	2,253	8,189	3,343
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	51.8				
2008	Total Dispositions	22,739	8,478	2,375	8,482	3,404
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	51.3				
2007	Total Dispositions	22,772	7,423	2,792	9,260	3,297
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	50.2	_	_	_	_
2006	Total Dispositions	25,613	9,748	3,207	9,239	3,419
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	56.3	_	_	_	_
2005	Total Dispositions	26,195	9,524	3,939	9,500	3,232
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	60.3	_	_	_	_
2004	Total Dispositions	25,008	8,784	3,995	8,840	3,389
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	61.1	_	_	_	_
2003	Total Dispositions	22,708	7,042	3,818	8,326	3,522
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	55.1	_	_	_	_
2002	Total Dispositions	24,929	8,638	4,425	8,024	3,842
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	57.7	_	_	_	_
2001	Total Dispositions	25,315	9,302	4,213	7,446	4,354
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	58.0	_	_	_	_
2000	Total Dispositions	28,763	10,249	4,730	8,664	5,120
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	57.6	_	_	-	_
1999	Total Dispositions	28,992	10,464	5,500	8,299	4,729
	% of Arraigned Felony Cases Dis- posed of in Felony Waiver Pts	53.4	_	_	_	_

## **Domestic Violence Courts**

Criminal Court currently operates Domestic Violence or DV courts within every county. Brooklyn, Manhattan and Queens operate DV Complexes, which include an All-Purpose part, Trial part and Compliance parts dedicated to adjudicating these types of crimes. In Richmond all DV cases are heard in the regular AP Part. All told, Criminal Court has five courtrooms dedicated to handling these types of offenses.

Domestic Violence courts are forums that focus on crimes related to domestic violence and abuse and improving the administration of justice surrounding these types of crimes.



**DV Part Dispositions** 

\* In Kings, New York and Queens Counties, the Domestic Violence Compliance (DVC) Parts are not open 5 times/week and are listed as fractions depending on the number of days they are open. In Brooklyn DVC is open 2 days/week, Manhattan DVC is open 1 day/week and in Queens, DVC (which is combined with a hearing part) is open 3 days/week. In Richmond County, the domestic violence part (AP2DV) is called in a combined part with 3 other types of calendars and cases.

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	Citywide	Kings	New York	Queens	Richmond						
2009	5.0	2.4	1.2	1.2	0.2						
Total Number of Plea Dispositions in DV Parts											
2009	9,158	2,486	2,442	4,006	224						
2008	7,411	1,741	2,111	3,297	262						
2007	6,654	1,290	1,942	3,186	236						
2006	5,965	1,100	1,857	2,815	193						
2005	5,793	1,197	1,874	2,568	154						
2004	5,357	1,328	1,689	2,176	164						
2003	5,775	1,446	1,840	2,288	201						
2002	5,352	1,379	1,322	2,372	279						
2001	5,537	1,925	1,225	2,214	173						
2000	5,029	1,990	744	2,121	174						
1999	4,458	1,847	139	2,323	149						

## **Compliance Parts**

Every county except Richmond has a Domestic Vio- back to the original judge for appropriate action. lence Compliance part. In these parts, cases in which Domestic Violence Court judges order defendants to attend batterer intervention, substance abuse, mental health or parenting skills programs are monitored by Judicial Hearing Officers to ensure that the defendants comply with the judges' directives. Defendants who do not comply are referred

In addition to DVC, Queens and New York have compliance calendars that monitor defendants' performance of conditions of sentence and/or release. Cases are referred from all Queens and New York courtrooms other than the domestic violence part.

	Number of Occess Oclo	a dama d in DV Oama liana	- Davida	
		ndared in DV Compliance		
	Citywide	Kings	New York	Queens
2009	3,007	131†	1,217	1,659
2008	3,060	N/A†	1,166	1,894
2007	5,034	1,255	1,409	2,370
2006	4,854	986	1,492	2,376
2005	5,763	1,516	1,444	2,803
2004	6,658	2,218	1,094	3,346
2003	5,409	2,359	1,514	1,536
2002	9,777	3,843	1,733	4,201
2001	12,714	6,199	1,824	4,691
2000	13,258	5,668	2,821	4,769

### **Court Dispute Referral Centers**

Criminal Court has Court Dispute Referral Centers (CDRCs) in each borough. CDRC staff assist people who wish to make a complaint against another person. CDRC staff evaluate the complaint and provide the complainant with options and information for resolving the dispute.

Disputes brought to CDRC may be between neighbors, acquaintances, family members, land-

lords and tenants, or consumers and merchants. The disputes may involve harassment, assault, violence, property damage, trespass or larceny. Many of these cases, after review by the CDRC staff, proceed to outside mediation where they are resolved. Mediation is a voluntary process in which disputing parties meet with a neutral third party, the mediator, who helps them come to a resolution of their problem. Some disputes are referred to other courts or social service agencies. Domestic violence and abuse cases are referred to the District Attorney's office.

		CDRC Re	eferrals*		
	Citywide	Bronx	Kings	New York	Queens
2009	12,435	3,978	3,976	2,416	2,065
2008	14,250	3,974	4,056	3,160	3,060
2007	15,134	4,647	4,979	3,078	2,430
2006	16,145	5,038	5,222	3,267	2,618
2005	16,778	4,979	5,411	3,451	2,937
2004	18,891	5,330	6,511	3,975	3,075
2003	18,984	5,887	6,063	3,277	3,757
2002	19,358	6,391	5,748	2,681	4,538
2001	21,869	6,377	7,093	3,097	5,302
2000	23,816	7,178	7,710	3,523	5,405
1999	24,812	7,472	7,852	3,781	5,707

\* Includes Bronx information

† Incomplete data for Kings County

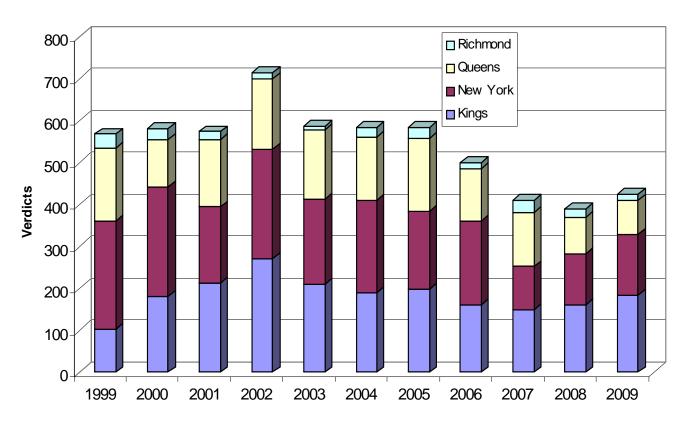


### **COURT OPERATIONS – TRIAL PARTS**

Trial Parts in the Criminal Court handle most of the trials – both bench and jury. (Some trials are conducted in the Court's AP parts). In New York State only those individuals charged with a serious crime, defined as one where the defendant faces more than six (6) months in jail, are entitled to a jury trial. Those defendants facing six (6) months incarceration or less are entitled to a bench trial before a judge.

Trial Parts also handle many of the pre-trial hearings that must be conducted before the trial begins. These include suppression, *Sandoval*, *Molineux* and other evidentiary hearings. Data on the number of trials that go to verdict are presented below and on the facing page. Although the data are not presented here, a significant number of non-trial dispositions (e.g., guilty pleas, ACDs and dismissals) take place in Trial Parts, when the parties are compelled to make a final evaluation of the strength and weaknesses of their case.

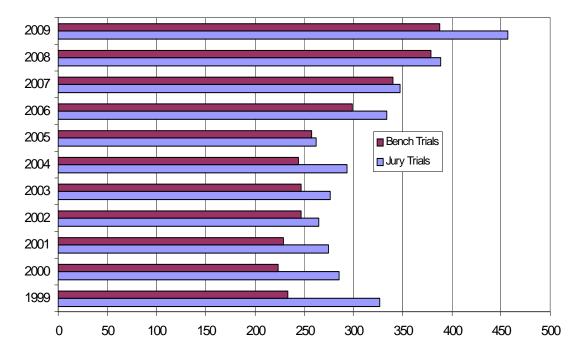
Criminal Court also conducts a limited amount of hearings upon felony complaints.



#### **Total Trial Verdicts**

# **COURT OPERATIONS - TRIAL PARTS**

Trial Verdicts																
		C	Citywide	•		Kings		N	ew Yorl	k		Queens		Ri	ichmono	k
		Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot
2009	Jury	102	67	169	28	21	49	48	29	77	24	14	38	2	3	5
	Bench	156	100	256	81	54	135	42	25	67	25	19	44	8	2	10
	Total	258	167	425	109	75	184	90	54	144	49	33	82	10	5	15
2008	Jury	71	56	127	22	21	43	32	22	54	16	13	29	1	0	1
	Bench	149	115	264	61	57	118	48	19	67	26	32	58	14	7	21
	Total	220	171	391	83	78	161	80	41	121	42	45	87	15	7	22
2007	Jury	89	91	180	22	33	55	39	30	69	25	24	49	3	4	7
	Bench	130	99	229	53	42	95	21	12	33	39	41	80	17	4	21
	Total	219	190	409	75	75	150	60	42	102	64	65	129	20	8	28
2006	Jury	124	80	204	25	21	46	74	28	102	22	27	49	3	4	7
	Bench	159	136	295	63	51	114	52	47	99	39	37	76	5	1	6
	Total	283	216	499	88	72	160	126	75	201	61	64	125	8	5	13
2005	Jury	127	101	228	33	32	65	57	30	87	27	31	58	10	8	18
	Bench	205	151	356	87	47	134	59	39	98	55	60	115	4	5	9
	Total	332	252	584	120	79	199	116	69	185	82	91	173	14	13	27
2004	Jury	140	107	247	28	28	56	77	42	119	30	33	63	5	4	9
	Bench	186	151	337	83	51	134	52	48	100	47	43	90	4	9	13
	Total	326	258	584	111	79	190	129	90	219	77	76	153	9	13	22
2003	Jury	115	123	238	33	36	69	63	60	123	17	26	43	2	1	3
	Bench	210	138	348	94	47	141	53	26	79	63	60	123	0	5	5
	Total	325	261	586	127	83	210	116	86	202	80	86	166	2	6	8
2002	Jury	145	104	249	37	29	66	81	48	129	24	27	51	3	0	3
	Bench	274	191	465	132	72	204	81	51	132	55	63	118	6	5	11
	Total	419	295	714	169	101	270	162	99	261	79	90	169	9	5	14
2001	Jury	114	82	196	45	19	64	45	33	78	23	24	47	1	6	7
	Bench	215	163	378	103	45	148	64	40	104	44	70	114	4	8	12
	Total	329	245	574	148	64	212	109	73	182	67	94	161	5	14	19
2000	Jury	107	92	199	37	20	57	60	53	113	7	12	19	3	7	10
	Bench	228	155	383	71	53	124	101	47	148	43	50	93	13	5	18
	Total	335	247	582	108	73	181	161	100	261	50	62	112	16	12	28
1999	Jury	121	103	224	30	20	50	74	66	140	12	13	25	5	4	9
	Bench	206	138	344	36	17	53	80	38	118	73	76	149	17	7	24
	Total	327	241	568	66	37	103	154	104	258	85	89	174	22	11	33



### Trial Verdicts Mean Age at Disposition

Bench Trial Verdicts Mean Age at Disposition (days)

		•	at Disposition (days)		
	Citywide	Kings	New York	Queens	Richmond
2009	387.8	488.7	252.4	324.9	163.1
2008	378.8	445.6	229.9	449.0	257.5
2007	340.6	370.8	222.8	348.4	335.2
2006	298.7	314.8	251.2	337.2	240.5
2005	257.3	265.3	218.0	274.6	337.1
2004	244.2	214.6	206.9	341.8	305.8
2003	246.9	229.6	245.4	265.2	311.2
2002	246.7	208.0	269.4	288.8	256.5
2001	228.5	184.0	235.4	265.2	378.9
2000	223.9	170.5	254.4	223.3	346.4
1999	233.3	191.7	307.4	186.7	248.3
	Jury Trial V	/erdicts Mean Age a	t Disposition (days)		
2009	457.3	491.0	374.1	600.4	338.8
2008	388.3	419.1	336.9	414.8	1111.0
2007	347.8	322.7	328.7	381.9	488.3
2006	334.2	356.2	308.9	364.8	351.3
2005	262.1	242.7	287.5	259.7	221.0
2004	293.6	217.4	296.3	362.4	265.0
2003	276.7	235.0	300.5	268.0	401.3
2002	264.5	211.1	285.8	277.4	343.3
2001	274.4	202.8	312.4	305.3	302.7
2000	285.2	167.8	336.5	326.3	284.3
1999	326.7	149.0	408.0	237.6	312.7

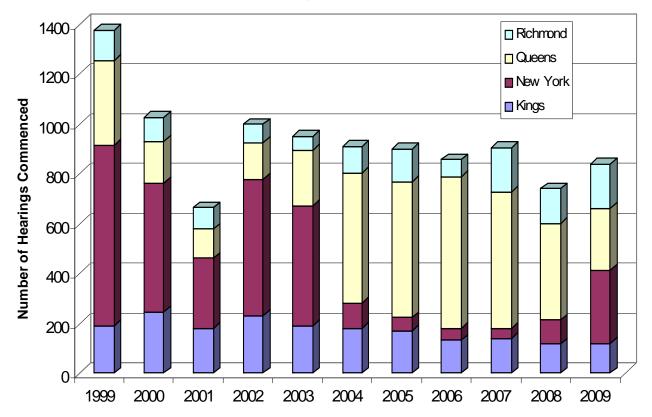
# **Pre-Trial Hearings**

Trial Parts conduct the majority of the pre-trial hearings done in the Criminal Court. The statistics below, divided into felony and other hearings, show the number of pretrial hearings. Felony hearings upon a felony complaint, determining whether a defendant should be held in custody while awaiting action by a grand jury, are typically done in a felony waiver part - although they may take place in any court part.

The "other hearing" category is comprised of pretrial suppression hearings, *Sandoval*, *Molineux* and other evidentiary hearings.

		Pre Trial Hearing				
		Citywide	Kings	New York	Queens	Richmond
009	Total Hearings	838	121	291	248	178
	Felony Hearings	25	4	14	6	
	Other Hearings	813	117	277	242	17
800	Total Hearings	741	117	96	387	14
	Felony Hearings	30	12	15	1	
	Other Hearings	711	105	81	386	13
007	Total Hearings	904	138	40	551	17
	Felony Hearings	17	0	10	3	
	Other Hearings	887	138	30	548	17
006	Total Hearings	857	132	48	610	6
	Felony Hearings	16	2	6	0	
	Other Hearings	841	130	42	610	5
005	Total Hearings	900	169	54	544	13
	Felony Hearings	28	1	18	0	
	Other Hearings	872	168	36	544	12
004	Total Hearings	912	181	100	521	11
	Felony Hearings	26	0	15	0	1
	Other Hearings	886	181	85	521	ç
003	Total Hearings	952	190	484	221	Ę
	Felony Hearings	54	6	36	0	1
	Other Hearings	898	184	448	221	4
002	Total Hearings	999	232	547	147	7
	Felony Hearings	49	1	32	0	1
	Other Hearings	950	231	515	147	Ę
001	Total Hearings	664	179	283	116	8
	Felony Hearings	38	0	27	2	
	Other Hearings	626	179	256	114	-
000	Total Hearings	1,027	248	514	168	(
	Felony Hearings	33	3	13	0	
	Other Hearings	994	245	501	168	8
999	Total Hearings	1,378	189	727	341	1:
	Felony Hearings	49	2	21	9	1
	Other Hearings	1,329	187	706	332	1(





# **COURT OPERATIONS – COMMUNITY COURTS**

### **Red Hook Community Justice Center**

Red Hook Community Justice Center (RHCJC) integrates the functions of a court with the types of treatment and preventive services typically found in a community center. Staff working for the Center for Court Innovation have offices at the Red Hook site and provide seamless services to the Court and the public.

RHCJC seeks to address the needs of the community as a whole, and is structured to address them by incorporating a multi-jurisdictional court and housing programs to improve the quality of life for the Red Hook community. The Justice Center provides on-site social services addressing drug abuse, poverty, family violence, unemployment and education. It also houses community mediation and job training programs. All of these services are available to defendants and victims as well as to members of the Red Hook community. RHCJC also offers innovative programs designed to address the needs of a particularly vulnerable population, young adults. The Youth Court tries to mediate problems between kids before they flare into something that must involve the criminal justice system.

RHCJC incorporates state-of-the-art technology making information readily available to judges and court personnel. This access enables informed decisions to be made more expeditiously and provides the court with the ability to track sentences and compliance with program mandates.

### Midtown Community Court

Launched in 1993, the Midtown Community Court targets quality-of-life offenses, such as prostitution, illegal vending, graffiti, shoplifting, farebeating and vandalism. Typically in these cases, judges are often forced to choose between a few days of jail time and nothing at all – sentences that fail to impress on either the victim, the community or defendants that these offenses are taken seriously. In contrast, the Midtown Community Court sentences low-level offenders to pay back the neighborhood through community service while at the same time offering them help with problems that often underlie criminal behavior. Residents, businesses and social service agencies collaborate with the Court by supervising community service projects and by providing on-site social services, including drug treatment, health care and job training.

					<u> </u>					1.20
	R	ed Hook	Communi	y Justice	Center					
	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000
Arraignments	3,264	3,222	3,833	4,072	3,670	3,168	3,803	4,052	4,199	2,995
Dispositions at Arraignment	1,809	1.526	1,956	2,253	2,048	1,912	2,136	2,631	2,581	1,643
Dockets Surviving Arraign't	1,455	1,696	1,877	1,819	1,622	1,256	1,667	1,421	1,618	1,352
% Total Surviving Arraign't	44.6	52.6	49.0	44.7	44.2	39.6	43.8	35.1	38.5	45.1
Mean Age at Disposition (days)*	108.1	111.5	95.6	88.0	90.1	98.9	85.2	101.8	83.1	59.5
Summons Trials Commenced		1	47	25	54	19	1	3	3	0
Online/DAT Trials Commenced	6	32	39	11	0	1	1	2	3	0

	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999
Arraignments	9,711	8,455	8,621	8,884	9,067	10,593	11,023	11,230	10,742	10,080	10,340
Dispositions at Arraign't	7,014	6,084	6,360	6,771	6,243	7,076	7,209	7,539	8,177	7,849	8,369
Dkts Surviving Arraign't	2,697	2,371	2,261	2,113	2,824	3,517	3,814	3,691	2,565	2,231	1,971
% Surviving Arraignment	27.8	28.0	26.2	23.8	31.1	33.2	34.6	32.9	23.9	22.1	19.1
Mean Age at Dispo (days)*	119.4	111.8	133.8	101.5	75.5	91.9	72.6	66.7	57.9	65.2	57.6

Midtown

	Top 10 Arraignment Charges - Red Hook										
Comp	arison by mo	st frequently arraigned	2009	2004							
PL	221.10	Crim poss marihuana 5°	1	3							
PL	120.00	Assault 3°	2	2							
PL	220.03	Crim poss CS 7°	3	1							
AC	10-125	Consumption alcohol on st	4	7							
PL	155.25	Petit Larceny	5	6							
VTL	511.1A	Agg unlicensed op MV 3°	6								
PL	165.15	Theft of services	7	5							
VTL	511.1	Agg unlicensed op MV 3°	8	4							
PL	140.10	Criminal trespass 3°	9	9							
PL	265.01	Crim poss weapon 4°	10								
PL	230.03	Patron Prostitute 4°	-	8							
PL	120.14	Menacing 2°	_	10							

*	Dockets	surviving	arraignments

Top 10 Arraignment Charges - Midtown										
Comp	oarison by n	nost frequently arraigned	2009	2004	1999					
PL	155.25	Petit larceny	1	1	2					
AC	20-453	Unlicensed vendor	2	3	3					
PL	165.15	Theft of services	3	2	1					
RR	1050.7	Disorderly Conduct	4	_	_					
PL	221.10	Crim poss marihuana 5°	5	8	8					
PL	240.20	Disorderly conduct	6		_					
AC	10-125	Pub. consumption alcohol	7	6	7					
RR	1050.6	Misuse of transit facility	8	_	_					
PL	140.10	Crim trespass 3°	9	_	_					
AC	16-122	Obstructing street	10	_	_					
PL	230.00	Prostitution	_	4	6					
PL	240.37	Loitering/prostitution	_	7	4					
PL	220.03	Crim poss CS 7°	_	10	5					
VTL	511.1	Agg unlicensed op MV 3°	_	5	9					
PL	120.00	Assault 3°	_	9	10					

# **COURT OPERATIONS - CENTRAL ADMINISTRATION**

Central Administration at 111 Centre Street coordinates the operation of Criminal Court with the Deputy Chief Administrative Judge and County Administrative judges for Criminal Matters throughout the City. Central Administration was divided into three main offices - the Deputy Chief Administrative Judge, Chief Clerk and Chief Court Attorney.

#### Office of the Administrative Judge

In 2009, Deputy Chief Administrative Judge Fern Fisher took over as the chief judicial officer of the Court. The Deputy Chief Administrative Judge coordinates with the County Administrative Judges on the overall direction and policies of the Citywide Court. Judge Fisher is also responsible for judicial assignments and meets with the individual County Administrative and Supervising Judges on a regular basis to map out new programs and initiatives to ensure that the Court runs efficiently and uniformly throughout the City.

Included in the Deputy Chief Administrative Judge's Criminal Court Central Administration staff are her counsel for criminal matters, Justin Barry, who assisted her in the day-to-day management of the Court, the Citywide Drug Court Coordinator and the Citywide Domestic Violence Court Coordinator, respectively Justin Barry and Lisa Lindsay, who assisted the Administrative and Supervising Judges in the planning, implementation, budgeting and day-to-day operations of these specialized courts.

#### Office of the Chief Clerk

Chief Clerk William Etheridge supervises all nonjudicial staff throughout the court. Assisted by First Deputy Chief Clerk Vincent Modica and Personnel Director Ada Molina, the Office of the Chief Clerk's responsibilities include:

- •Liaison to the Administrative Judge, Supervising Judges, Borough Chief Clerks and Chief Court Attorney;
- •Liaison to the Office of Court Administration;
- Budget Preparation and Control;
- Personnel Assignments;
- Operational Directives;

- Citywide Facilities Management;
- •Coordination of Training;
- •Citywide Summons Oversight; and
- •Grievance Oversight.

The Chief Clerk's Office also includes other citywide supervisors who coordinate assignments for their respective staff throughout the city. These supervisors include those for court reporters, court interpreters, technology, compliance, summons, data entry and records and supply.

#### Chief Court Attorney

The Chief Court Attorney position was vacant in 2009. Justin Barry took over the responsibility of oversight over this office during the past year. The office is responsible for the assignment and supervision of court attorneys working for the Criminal Court citywide. The office also keeps judicial and non-judicial staff abreast of new developments to and changes in the criminal law. The Chief Court Attorney's Office also assists the Deputy Chief Administrative Judge with training initiatives for both judges and non-judicial employees. Lastly, this office is the primary liaison with the Office of Court Administration Counsel's Office in monitoring any lawsuits involving Criminal Court.

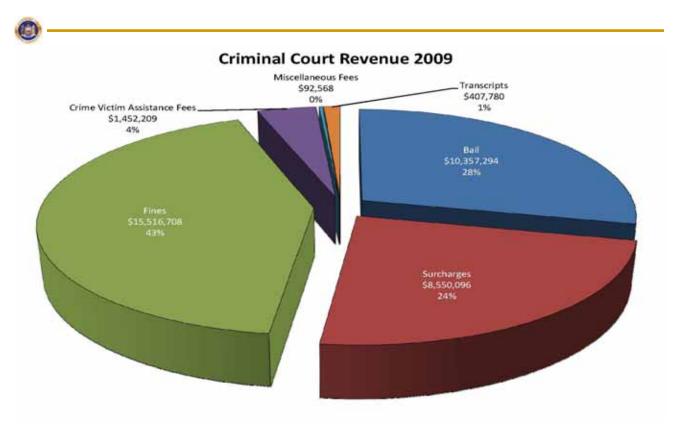
# **COURT OPERATIONS - CENTRAL ADMINISTRATION**

Criminal Court Revenue\* 2009

	Criminal C Citywide	ourt Revenue Bronx	e" 2009 Kings**	New York**	Queens	Richmond
Bail	\$10,357,294	\$2,208,464	\$3,150,110	\$1,813,476	\$1,899,845	
DNA Fee	\$10,337,294 \$45,980	\$2,208,404	\$3,150,110	\$1,813,470	\$1,899,845	\$1,285,399 \$4,150
DNA Fee Supreme	\$43,980	\$350 \$12,550	\$7,500	\$18,205	\$15,775	\$4,150 \$0
DWI SUPP Surcharge	\$500,530	\$12,555	\$49,000	\$0 \$37,990	\$402,880	\$0 \$10,225
DWI Surcharge	\$500,530	\$435 \$24,910	\$206,080	\$37,590	\$402,880	
DWI Supplemental Surcharge Supreme	\$430,300	\$24,910	\$200,000	\$175,000 \$0	\$000 \$0	\$51,290 \$0
DWI Surcharge Supreme	\$105,865	\$105,865	\$0 \$0	\$0 \$0	\$0 \$0	\$0 \$0
Fine City Arrest	\$1,916,553	\$421,645	<sup>\$0</sup> \$148,196	\$396,593	\$805,484	\$0 \$144,635
Fine City Summons	\$5,444,765	\$536,355	\$671,396	\$2,516,676	\$1,560,948	\$159,390
Fine DWI	\$3,236,311	\$629,849	\$751,367	\$644,780	\$1,015,600	\$194,715
Felony City Arrest	\$23,005	\$23,005	\$0	\$0 \$0	\$1,013,000	¢۱۶,۲۱۶ \$0
Felony DWI	\$12,380	\$12,380	\$0 \$0	\$0 \$0	\$0 \$0	\$0 \$0
Felony State Arrest	\$1,120	\$1,120	\$0 \$0	\$0 \$0	\$0 \$0	\$0 \$0
Fine State Arrest	\$2,713,698	%504,932	\$615,371	\$611,859	\$788,175	\$193,361
Fine State Summons	\$2,168,876	\$463,775	\$295,660	\$984,846	\$358,435	\$66,160
Misc Interest	\$1,101	\$0	\$1,101	\$0 \$0	\$330,433	\$00,100 \$0
Misc Other	\$476	\$0	\$0	\$0 \$0	\$476	\$0 \$0
Misc Overage	\$941	\$301	\$255	\$0 0	\$385	\$0 \$0
Misc Overage Supreme	\$45	\$45	\$0	\$0	\$0	\$0 \$0
Misc Returned Check	\$1,060	\$60	\$60	\$500	\$440	\$0 \$0
Misc Shortage	(\$50)	\$0	(\$50)	\$0	\$0	\$0
Misc Sanction Supreme	\$20	\$20	(+ <i>s</i> s) \$0	\$0	\$0	\$0
SORA	\$1,000	\$0	\$150	\$150	\$550	\$150
SORA Supreme	\$1,380	\$1,380	\$0	\$0	\$0	\$0
Subpoena Fee	\$214	\$49	\$15	\$105	\$45	\$0
Subpoena Fees Supreme	\$161	\$161	\$0	\$0	\$0	\$0
SUPP SORA	\$22,290	\$0	\$2,000	\$6,940	\$10,350	\$3,000
SUPP SORA Supreme	\$5,100	\$5,100	\$0	\$0	\$0	\$0
Summons CVAF	\$228,785	\$29,650	\$22,920	\$74,365	\$91,410	\$10,440
Arrest CVAF	\$1,217,510	\$258,403	\$264,332	\$281,200	\$341,435	\$72,140
Felony CVAF	\$5,914	\$5,914	\$0	\$0	\$0	\$0
Felony Surcharge	\$69,426	\$69,426	\$0	\$0	\$0	\$0
Misdemeanor Surcharge Summons	\$6,435	\$590	\$490	\$3,610	\$1,165	\$580
Misdemeanor Surcharge Arrest	\$1,016,590	\$227,255	\$157,563	\$221,836	\$270,446	\$139,490
Violation Surcharge Summons	\$875,895	\$112,695	\$88,645	\$285,470	\$350,215	\$38,870
Violation Surcharge Arrest	\$3,270,783	\$729,699	\$712,929	\$764,963	\$922,422	\$140,770
VTL Surcharge	\$262,395	\$43,925	\$101,160	\$91,940	\$0	\$25,370
VTL Surcharge Summons	\$49,705	\$2,490	\$1,255	\$5,570	\$34,605	\$5,785
VTL Surcharge Arrest	\$1,905,582	\$289,755	\$461,765	\$397,855	\$637,455	\$118,752
VTL Surcharge Supreme	\$16,365	\$16,365	\$0	\$0	\$0	\$0
Transcript	\$351,090	\$73,880	\$53,210	\$87,000	\$100,410	\$36,590
Transcript Supreme	\$56,690	\$56,690	\$0	\$0	\$0	\$0
Total	\$36,376,655	\$6,881,513	\$7,762,480	\$9,421,589	\$9,609,812	\$2,701,262

\* Includes Bronx information

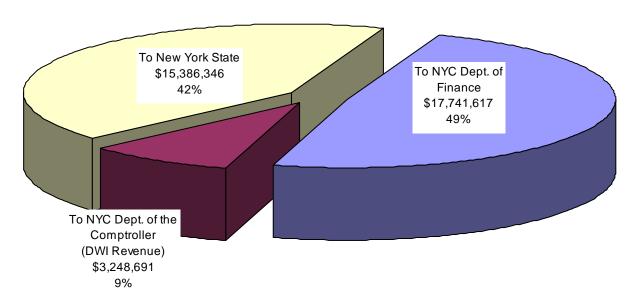
\*\* See note on bottom of page 33 concerning allocation of Kings and Manhattan summons fines and surcharges.



Criminal Court Disbursements 2008\*

Disbursement to NYC Department of Finance	\$17,741,617
Disbursement to NYC Department of the Controller (DWI revenue disbursed to Controller)	\$3,248,691
Total disbursements to city (subtotal)	\$20,990,308
Total disbursement to state	<u>\$15,386,346</u>
Total disbursements * Includes Bronx information	\$36,376,655

### **Criminal Court Disbursements 2009**



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or on Criminal Court's intranet site http://crimweb

### Criminal Court of the City of New York

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