



Criminal Court
of the
City of New York
Annual Report
2004

Hon. Juanita Bing Newton
Administrative Judge

William H. Etheridge III
Chief Clerk

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Calendar Year 2004 - Executive Summary

This report profiles the work and accomplishments of the Criminal Court of the City of New York over the past year. The report is divided into five sections; the first three describing the types of courtrooms that operate in the Court — Arraignments, All-Purpose Parts, Trial Parts and Community Courts; followed by highlights of the Criminal Court's Back Office Operations and lastly Court News. This report explains how each part of the 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 of cases over the past year. Special mention is given to some unique aspects of the court operation such as the Summons Operation, Domestic Violence Courts and Drug Courts.

The past year brought some significant changes to the structure of the criminal justice system in New York City. Starting November 9, 2004, the Bronx Criminal Court merged with the Bronx Supreme Court to form the Criminal Division of the Bronx Supreme Court. Information on the Bronx in this report is provided up until November

9th while the other counties are profiled for the entire calendar year. Likewise, the administrative structure and back office operations profiled in this report are valid for the 2004 calendar year with the exception of the Bronx where the information is valid up to early November.

Here are some of the milestones that the Criminal Court achieved in 2004:

- 319,306 cases arraigned city-wide;
- 581,734 summons filings;
- 385,627 arrest/DAT dispositions;
- 607,428 cases calendared in All-Purpose Parts citywide;
- 123,121 cases calendared in felony waiver parts;
- 36,122 dispositions in Criminal Court felony waiver parts compared to 30,783 dispositions combined in the city's five Supreme Court, Criminal Term;
- 1,212 pre-trial hearings commenced;
- 727 trial verdicts;
- \$28,075,862 in revenue;

- over \$4,400,000 in grant awards (2000-2004);
- \$111,319,008 operating budget; and
- 23.40 hour average arrest-to-arraignment time citywide.

In addition to the analysis of work done by the entire Criminal Court, this report also includes a description of new initiatives and improved services implemented during the past year, including:

- Plea By Mail and Credit Card Payment Programs;
- expansion of Comprehensive Drug Screening;
- improvements to the Court's sound system and compliance with the Americans with Disabilities Act; and
- improvements to court security.

Also included is the Criminal Court's response to new laws and legislation and police and mayor's office initiatives such as Operation Spotlight and the increased focus on persistent misdemeanor offenders.

NYC Criminal Court 2004 By the Numbers

Budget:	\$111,319,008	Non-judicial personnel*:	1,439
Total revenue:	\$28,075,862	Hearings commenced:	1,212
Fine revenue:	\$13,238,168	Trial verdicts (arrest cases):	727
Bail revenue:	\$7,953,703	Trials (summons cases):	604
Summons revenue:	\$7,789,213	Court officers*:	602
Summons filings:	581,734	Judges authorized by statute:	107
Arraignments (Arrests/DATs):	319,306	Judges actually sitting*:	75
Misdemeanor filings:	263,126	Courthouses*:	9
Felony filings:	55,122		
Jurors serving:	5,500		

* Prior to November 8, 2004

Introduction — Administrative Judge Juanita Bing Newton

Greetings from the Criminal Court of the City of New York. After two years as Administrative Judge and watching the incredible professionalism and dedication of our staff, I wanted a mechanism for showcasing the Criminal Court's work. I decided that an Annual Report would be a useful way of chronicling both the quantity of work that our staff does and quality.

New York City has been on the cutting edge of criminal justice practice over the course of the past ten years. As the court of preliminary jurisdiction in the largest city in the United States, NYC Criminal Court has frequently been the first to see new trends in criminal behavior and the resulting efforts of law enforcement to stem the behavior and keep our streets safe. In the 1980s the courts were besieged by arrests generated by the crack epidemic and the resulting "War on Drugs." In the early 1990s the courts saw a shift in the way law enforcement dealt with crime, increasing its focus on "Quality of Life" issues and taking up the "Broken Windows" theory of law enforcement. Each of these arrest trends required that the



NYC Criminal Court adapt and find new ways of effectively and efficiently handling the high volumes of filings that come through our doors every year.

There has never been "business as usual" in the Criminal Court, but the past ten years have seen a significant change in the way that we process and adjudicate criminal cases in New York City. To accommodate the intense focus on "Quality of Life" crimes, we opened the Midtown Community Court in 1993 which has become a model for the nation and the rest of the world on how to effectively deal with low level offenses. After the success of Midtown, we

opened drug courts to try a new and promising way of reducing recidivism in addicted offenders. Criminal Court faced up to the problem of domestic violence by opening domestic violence courts in each borough and becoming the first jurisdiction in the state to open an Integrated Domestic Violence (IDV) Court that adjudicates matrimonial, criminal and child support matters (the work of three separate courts) in a centralized multi-jurisdictional court.

Criminal Court continues on the vanguard of criminal justice policy with our new Plea By Mail initiative for summons cases, credit card payment of fines, expansion of interpreter services, courtroom sound systems, increased ADA compliance and various improvements in security, making our court even more efficient and accessible to the public. We did all of this while taking up the call of the Chief Judge for court merger, merging Bronx Criminal and Supreme Courts.

I am sure you will be as impressed as I am with the work done in the NYC Criminal Court.

Criminal Court Caseload — A 10 Year Overview

What is most striking about the changes in the Court's caseload over the past 10 years is not so much the volume of cases but the types of cases filed by law enforcement agencies.

Volume-wise a fairly clear trend emerges. Criminal Court filings were 13% higher 5 years ago than they are today (although they are 1.5% higher this past year than they were 10 years ago). The decrease in filings/arraignments was most

dramatic between the years 2000 and 2001 with a significant drop off of filings at the end of 2001. Filings and arraignments have remained at present levels since the end of 2001.

What is most significant is the change in the types of charges and cases being filed in the Criminal Court over the past ten years. Ten years ago, 5 of the 10 most frequently arraigned charges in Criminal Court were felony charges. 3 of the 10 were violent felony

charges. In 1999 only 2 out of the 10 most frequently arraigned charges were felony offenses and only 1 of them violent. In 2004, 9 out of the 10 most frequently arraigned charges were misdemeanor offenses. Only felony drug sales remained in the list of the most frequently arraigned charges. No violent felony offenses made it on this list. In 1999, the Criminal Court had trial jurisdiction over only half of the most frequently arraigned cases. In 2004, that number has risen to 9 out of 10.

New York City Criminal Court

Hon. Juanita Bing Newton

Administrative Judge

NEW YORK

Hon. Martin Murphy
Supervising Judge

Criminal Court Judges

Hon. A. Kirke Bartley
Hon. Ellen Coin
Hon. William Harrington
Hon. Gerald Harris
Hon. Melissa Jackson
Hon. Judy Levitt
Hon. Patricia Nunez
Hon. Neil Ross
Hon. Larry Stephen
Hon. Robert Stolz
Hon. Richard Weinberg

Midtown Community Court

Hon. Eileen Koretz

Civil Court Judges

Hon. Abraham Clott
Hon. Anthony Ferrara
Hon. Kathryn Freed
Hon. Deborah Kaplan
Hon. Shawndya Simpson
Hon. Ruth Smith

Acting Supreme Court Justices

Hon. Laura Ward

KINGS-RICHMOND

Hon. William Miller
Supervising Judge

Criminal Court Judges

Hon. Richard Allman
Hon. James Burke
Hon. John Carter
Hon. Miriam Cyrulnik
Hon. James Gibbons
Hon. Patricia Henry
Hon. William McGuire
Hon. Suzanne Mondo
Hon. Charles Posner
Hon. Alvin Yearwood

Red Hook CJC

Hon. Alex Calabrese

Civil Court Judges

Hon. Miriam Best
Hon. Lila Gold
Hon. Ferne Goldstein
Hon. Desmond Green
Hon. Wayne Saitta
Hon. Margarita Lopez Torres
Hon. Wavny Toussaint
Hon. Betty Williams

Acting Supreme Court Justices

Hon. William Garnett
Hon. Joseph Gubbay
Hon. Alan Meyer

BRONX*

Hon. Eugene Oliver
Supervising Judge

Criminal Court Judges

Hon. Darcel Clark
Hon. Joseph Dawson
Hon. Ralph Fabrizio
Hon. Ethan Greenberg
Hon. Diane Kiesel
Hon. Seth Marvin

Civil Court Judges

Hon. Harold Adler
Hon. Arthur Birnbaum
Hon. Raymond Bruce
Hon. Judith Lieb
Hon. Ira Margulis
Hon. Fernando Tapia
Hon. Robert Torres
Hon. George Villegas

Acting Supreme Court Justices

Hon. Laura Safer-Espinoza
Hon. Ruth Sussman
Hon. Maxwell Wiley

QUEENS

Hon. Deborah Stevens Modica
Supervising Judge

Criminal Court Judges

Hon. Fernando Camacho
Hon. Lenora Gerald
Hon. Gene Lopez
Hon. Suzanne Melendez
Hon. Pauline Mullings
Hon. Robert Raciti
Hon. Joseph Zayas

Civil Court Judges

Hon. Stephen Knopf
Hon. Steven Paynter
Hon. Alex Zigman

Acting Supreme Court Justices

Hon. Dorothy Chin Brandt
Hon. Esther Morgenstern
Hon. Douglas Wong

William H. Etheridge III, Chief Clerk

Vincent Modica, First Deputy Chief Clerk

John Hayes,
Borough Chief Clerk
Joseph Vitolo,
Deputy Borough Chief Clerk

Brian Wynne,
Borough Chief Clerk
Andrew Hassell,
Deputy Borough Chief Clerk

William Kalish,
Borough Chief Clerk
Frank Tufano,
Deputy Borough Chief Clerk

Serena Springle,
Borough Chief Clerk
Carey Wone,
Deputy Borough Chief Clerk

Vacant, *SI Borough Chief Clerk*

Major Walter Glowacz
Principal Court Officer
Marilyn Vializ
Supervising Court Reporter

Ada Molina
Director of Personnel

Jacqueline DuPree
Data Entry Supervisor
Alice Hegarty
Chief Information Officer

Patrick Iannotto
Director of Supply
Fernando Smith
Supervising Interpreter

Michael Yavinsky
Chief Court Attorney

The 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 by 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 as of November 6, 2004 are listed on page 6.

The Court is headed by a citywide Administrative Judge who is responsible for the overall operation of the Court. The Administrative Judge is assisted in this task by four supervising judges, one for each judicial district in the city (Kings and Richmond comprise the 2nd Judicial District).

Under the direction of the Administrative Judge, the Chief Clerk of the court oversees the Court's staff of non-judicial personnel. The Chief Clerk is assisted in this task by the First Deputy Chief Clerk for citywide operations. In addition, the Chief Clerk is supported by five Borough Chief Clerks who, along with the supervising judges, oversee the day-to-day operations in each county.

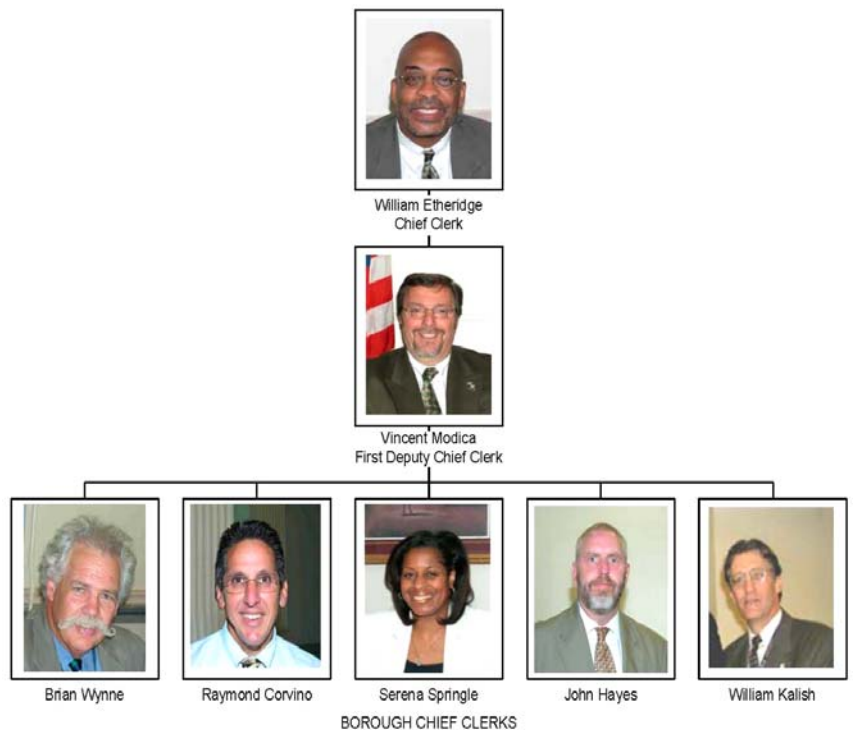
Central Administration staff also include Major Walter Glowacz (court officers); Ada Molina (personnel); Alice Hegarty (technology); Patrick Iannotto (supply and records); Jacqueline Dupree (data entry); Fernando Smith (interpreters); and Marilyn Vializ (court reporters).

The Administrative Judge's staff includes Beverly Russell (Counsel); Michael Yavinsky (Chief Court Attorney); Justin Barry (Drug Courts); and Lisa Lindsay (DV Courts).

Organization of NYC Criminal Court Judicial Staff



Non-Judicial Staff



Courthouse Locations

Bronx Criminal Court

215 E.161st Street, Bronx, NY 10451

Queens Criminal Court

125-01 Queens Blvd., Kew Gardens, NY 11415

Queens Summons

120-55 Queens Blvd., Kew Gardens, NY 11415

Midtown Community Court

314 W.54th Street, New York, NY 10019

Citywide Summons

346 Broadway, New York, NY 10013

Manhattan Criminal Court

100 Centre Street, New York, NY 10013

Brooklyn Criminal Court

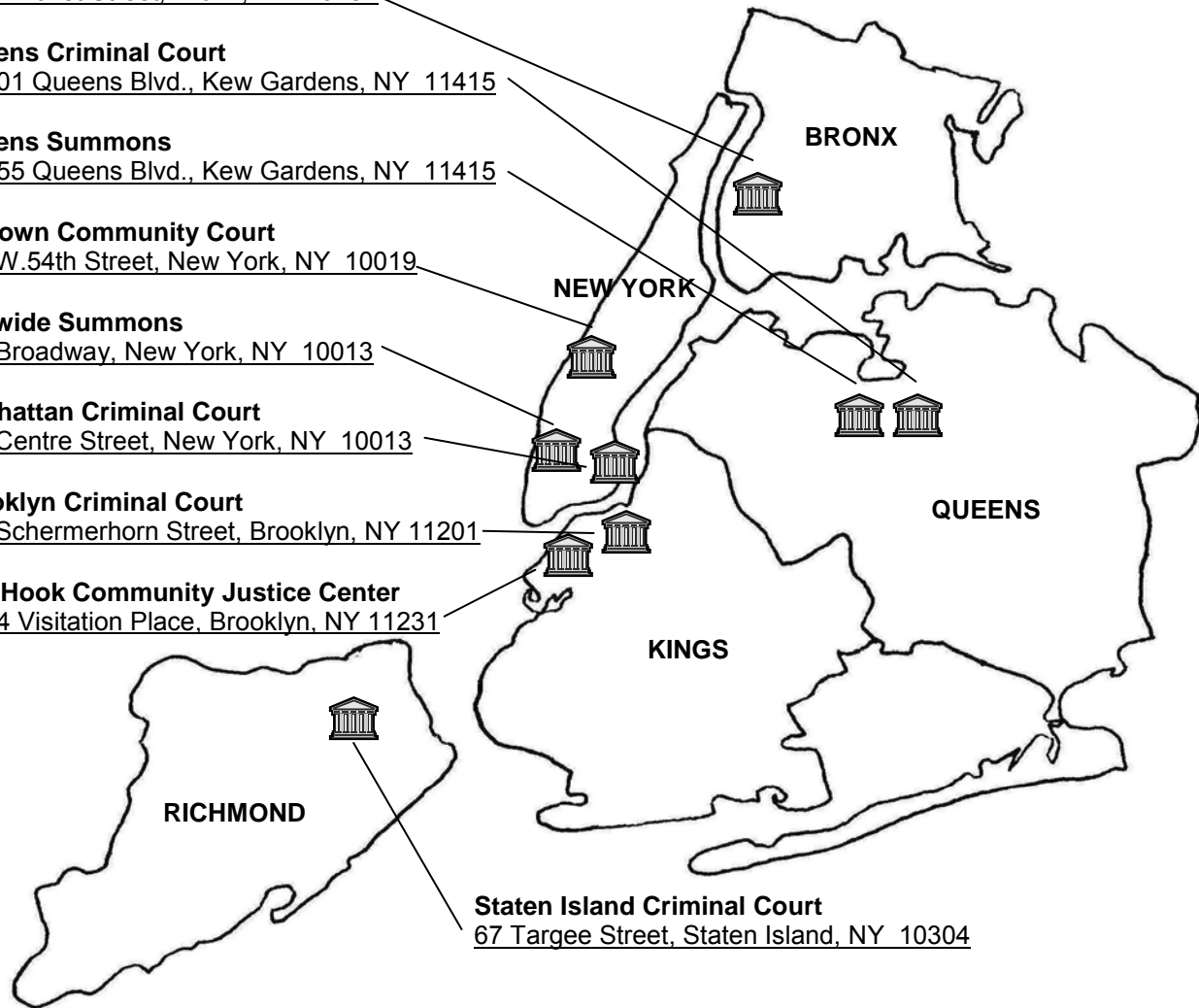
120 Schermerhorn Street, Brooklyn, NY 11201

Red Hook Community Justice Center

88-94 Visitation Place, Brooklyn, NY 11231

Staten Island Criminal Court

67 Targee Street, Staten Island, NY 10304



NEW YORK CITY



346 Broadway



Queens



Queens



Manhattan



Staten Island



Midtown



Red Hook



Bronx

NYC Criminal Court Jurisdiction

New York City Criminal Court is a court of citywide jurisdiction and, until November 8, 2004, operated throughout all five boroughs of New York City. In 2004 Criminal Court was comprised of 75 judges presiding over cases in 5 main courthouses (one in each borough), 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 — adjudicating them from their initial court appearance until final disposition. Criminal Court handles all aspects of the hundreds of thou-

sands 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 a significant number of 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 Administrative Code). Criminal Court has trial jurisdiction, hearing the case 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 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 significant percentage of all felony dispositions throughout the city.

Criminal Court Jurisdiction	
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).
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 over these cases as it might with a case over which it has Preliminary Jurisdiction . The one exception is when the district attorney files notice that they intend present the case to a grand jury and seek indictment.
Trial	Felony Offenses NYC Criminal Court Has Preliminary Jurisdiction over felony offenses (those where the defendant faces more than one year in jail upon conviction after trial). Preliminary Jurisdiction means that a criminal action is 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. Felonies are arraigned in Criminal Court and typically sent to the Felony Waiver Part to await grand jury action. Dispositions are taken in the Felony Waiver Part. If a Grand Jury indicts, the case is transferred to Supreme Court.

New Initiatives and Improved Service in 2004

Over the past year, Criminal Court has been on the vanguard of bringing Quality Service and a more consumer-oriented approach to the court system, piloting several exciting projects that make interactions with the Criminal Court more convenient for the consumer and efficient for its employees.

Plea By Mail

Starting July 1, 2004, individuals who receive a Criminal Court Summons for "Consumption of Alcohol on Streets Prohibited" (also known as "Open Container Violation" or "Consumption of Alcohol in Public") are eligible to plead guilty and pay a \$25 fine by mail. This program was designed to allow the more efficient disposition of some petty offenses. In 2004, 5,128 people pled guilty by mail allowing court staff to use resources more effectively.

Credit Card Payment

In December 2003, Criminal Court started accepting credit cards in the Summons and Arraignment Parts for the payment of fines. To date over \$1,700,000 in fines, surcharges and fees have been collected through credit card payments. Credit card acceptance represents a significant convenience for court users and also gives the court instant access to

payments while reducing the cost and effort devoted to fine collection.

Comprehensive Screening

Comprehensive Screening of all defendants arrested in Brooklyn for eligibility in court-monitored treatment began in January 2003. In 2004, Criminal Court initiated the planning process to bring this innovative program to Bronx and Queens counties in the coming year.

New Drug Courts

In 2003, Criminal Court opened three more drug courts bringing the total number of drug courts to seven. Criminal Court started the process of expanding drug court eligibility to misdemeanor offenders in the Bronx. The planning process for this program will be completed in the winter of 2005.

New Interpreters

In order to better serve the public, Criminal Court has expanded its interpreter staff to include a sign language and Cantonese interpreters. The additional interpreters have significantly improved service to the hearing-impaired and Chinese communities.

Sound Systems

In 2004 Criminal Court installed sound amplification systems in 64 courtrooms. All courtrooms

throughout the city, with the exception of those at 346 Broadway, are now wired for sound allowing the audience to more clearly hear what is taking place in the courtroom.

ADA Compliance and Accessibility

Criminal Court continued its effort to be fully compliant with the Americans with Disabilities Act. ADA representatives are listed at the public entrances of each facility allowing the disabled to quickly contact someone for help. The Court purchased assisted listening devices for the hearing-impaired for all of its facilities. New elevators being installed in Brooklyn and Manhattan are ADA compliant.

Security Improvements

In the summer Criminal Court announced the promotion of 25 court officers to the permanent title of Lieutenant. These new positions will improve the supervision of every command.

The Court also purchased five new X-ray machines to facilitate and expedite the entrance of court users into our facilities. Magnetometer operations were also expanded on a limited basis to begin at 8:00am (with full operation beginning at 9:00am), again with the goal of facilitating the public's entry into court facilities.

New Laws and Legislation — The Response

There were several pieces of legislation passed in 2004 that effected the New York City Criminal Court. When such laws are enacted, all relevant judicial and non-judicial staff are notified of the changes by the Office of the Chief Court Attorney. The following notifications were made regarding the most significant changes for 2004.

1. L 2004, ch 518 - Created Criminal Procedure Law § 180.85 ["Termination of Prosecution"]

This law creates a new procedure that allows for the termination of prosecution of an undicted felony complaint if it has not been resolved within 12 months of the Criminal Court arraignment. Termination may occur with the

consent of both parties, upon the motion of one party or *sua sponte* action by the court.

This legislation provides felony complaint judges with an administrative tool to manage their calendars more efficiently. Also, according to the Sponsor's Memo on this statute, "[t]hese pending unresolved complaints . . . prejudice employment, licensing

and other opportunities for the persons they charge; but present law provides no mechanism for seeking their dismissal, regardless of their age." Sponsor's Mem, Bill Jacket, L 2004, ch 568. **Effective Date: November 1, 2004.**

2. L 2004, ch 568 - Expands the period of probation for a conviction of Public Lewdness [Penal Law § 245.00]

Prior to this statutory enactment, public lewdness, a B misdemeanor, mandated a one year statutory period of probation. This law alters PL § 65.00 (3)(b) to state that "[f]or a class B misdemeanor, the period of probation shall be one year, except the period of probation shall be no less than one year and no more than three years for the class B misdemeanor of public lewdness as defined in section 245.00 of [the Penal Law]."

According to the Sponsor's Memo on this statute, "[r]esearch has shown a significant number of sex offenders admit to having committed acts of public lewdness early in their lives. . . Identification, therapy and treatment of sex offenders is the best known tool to reduce recidivism, however, most offenders will remain in treatment only when mandated by the court to do so. Therefore, requiring an extended period of probation is the best way to insure that treatment will be successful. . . . This bill would . . . [give] the court the discretion to order longer periods of probation for second or third offenses." Sponsor's Mem, Bill Jacket, L 2004, ch 568. **Effective Date: November 1, 2004.**

3. L 2004, ch 240 - Amending Judiciary Law § 524 to Extend Periods of Juror Disqualification

Extends the periods of juror disqualification based upon prior jury service.

In an effort to promote "greater energy and enthusiasm" amongst New Yorkers facing jury service, the legislature amended Judiciary Law § 524 to extend the periods between which an individual must serve on jury duty. The period of disqualification is now 6 years (increased from 4), but where such jury service lasted for more than ten days the period remains 8 years.

According to the Sponsor's Memo for

this statute, "[t]he purposes of this measure are several. First, by increasing these periods of disqualification, it should reduce, further still, the impositions that jury service can have upon the lives of New Yorkers. At the same time it is hoped that, with the foreknowledge that jury service will be a much rarer event for most citizens, those that are called to such service will approach it with greater energy and enthusiasm." Sponsor's Mem, Bill Jacket, L 2004, ch 568. **Effective Date: July 27, 2004.**

4. L 2004, ch 106 - Creates Penal Law § 240.48 [Disseminating a False Registered Sex Offender Notice].

Previously, it had been a violation of Correction Law § 168-v to disseminate a false registered sex offender notice. This statute repeals Correction Law § 168-v and creates PL § 240.48, a class A misdemeanor. This new section accomplishes two things. First, it makes the commission of this act a fingerprintable offense (which it was not as a violation of the Correction Law). Second, the current version clarified a mens rea problem that existed under the former version.

According to the Sponsor's Memo for this statute, "[d]isseminating a notice which falsely reports that an individual is a registered sex offender may cause severe harm not only to the person falsely accused but to the community as well. A person defamed by such a false allegation will find it difficult to regain his or her standing in the community. A false report that a person is a registered sex offender could cause that person serious harm including loss of employment or threats of physical injury. Community members who receive a false notice may suffer unnecessary anxiety. Further, false notifications can dilute the effectiveness of actual community notification under the Sex Offender Registration Act among communities in which a false notification is circulated." Sponsor's Mem, Bill Jacket, L 2004, ch 106. **Effective date: August 8, 2004.**

5. L 2004, ch 56 - Creates the Supplemental Sex Offender Victim Fee (Part E) and Makes Penal Law § 60.35 Surcharges Applicable to

Youthful Offender Adjudications (Part F).

Part E of this statute created a \$1,000 Supplemental Sex Offender Fee for either felony or misdemeanor convictions of offenses contained in Articles 130 or 263 of the Penal Law, or Incest (as defined in Penal Law § 255.25). This fee appears to also apply to convictions for an attempt of a listed offense, and it also appears that this fee may be waived (*i.e.*, no reference of the SSOVF was added to Article 420 of the Criminal Procedure Law). **Effective Date: August 20, 2004.**

Part F of this statute amended the Penal Law to allow for the surcharges listed in PL § 60.35 (mandatory surcharge, crime victim assistance fee, sex offender registration fee, DNA databank fee, and supplemental sex offender fee) to apply to sentences imposed upon a youthful offender finding. The Vehicle and Traffic Law was also amended to allow for collection of the surcharges where a VTL offense is substituted with a Youthful Offender adjudication. [Note: It appears that the crime victim assistance fee may be waived for an eligible youth. See CPL §§ 420.30(3) and 420.35(2).] **Effective Date: February 16, 2005.**

6. L 2004, ch 138 - Expansion of Designated Offenses for Purposes of Registering with the State's DNA Databank.

Amends Executive Law § 995(7) to expand the list of offenses for which defendants must provide samples to the state's DNA index. This statutory expansion effectively requires that those convicted of all registerable offenses (pursuant to the Sex Offender Registration Act [Article 168 of the Correction Law]) - both felony and misdemeanor - are also required to submit DNA to the state index as "designated offenders". A number of additional felony offenses were also added. **Effective Date: July 6, 2004.** [Note: This amendment applies not only to designated offenses committed on or after July 6, 2004, but also to designated offenses committed prior to July 6, 2004 where service of the sentence imposed upon conviction of the designated offense has not been completed prior to July 6, 2004.]

COURT OPERATIONS — ARRAIGNMENTS



AR1 - The recently renovated arraignment part in Manhattan Criminal Court.

Arraignment marks the first time that a criminal defendant appears in court. Criminal Court operates arraignment parts day and night, everyday of the year in all five counties of the city. In 2004, 319,306 defendants were arraigned in NYC Criminal Court on Desk Appearance Ticket (DAT) or On-Line arrest 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 actions must

occur, all typically within a 24 hour period. The flow-chart on the facing page shows all of the necessary steps that must occur between a defendant's arrest and the time that he or she appears in court. The defendant must be brought to Central Booking where his arrest 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 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 determine which courtroom should conduct the arraignment, assign a docket number to the case and initialize the case in the court's computer. 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, the criminal 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 2004 there were 163,664 cases disposed of throughout all of Criminal Court's arraignment parts or 51% of all arrest cases arraigned.

DAT/On-Line Arraignments - 2004 and 2003

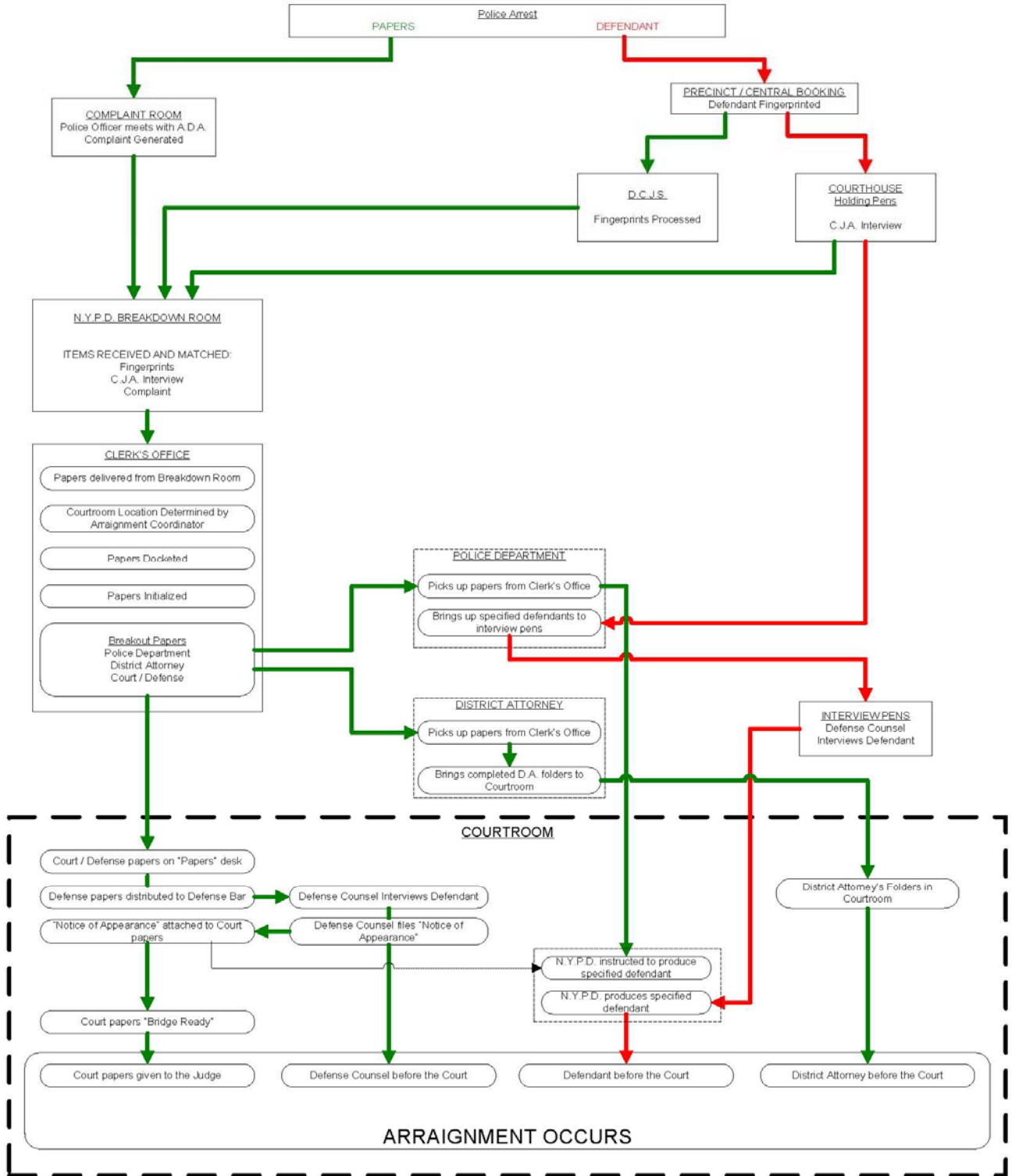
		Citywide	Bronx	Kings	New York	Queens	Richmond
2004	Total Arraignments	319,306	67,170	79,506	104,857	58,386	9,387
	<i>On-line Arrests</i>	297,619	62,701	75,761	94,682	56,051	8,424
	<i>DAT</i>	21,687	4,469	3,745	10,175	2,335	963
2003	Total Arraignments	322,385	69,995	82,241	100,076	59,668	10,405
	<i>On-line Arrests</i>	302,336	65,333	77,721	92,945	57,244	9,093
	<i>DAT</i>	20,049	4,662	4,520	7,131	2,424	1,312

DAT/On-Line Arraignments – Comparison 1999 and 1994

1999	Total Arraignments	367,962	76,292	95,904	121,068	62,632	12,066
	<i>On-Line Arrests</i>	349,109	71,737	91,363	115,914	59,533	10,562
	<i>DAT</i>	18,853	4,555	4,541	5,154	3,099	1,504
1994	Total Arraignments	315,135	62,266	85,812	111,642	47,427	8,028
	<i>On-Line Arrests</i>	249,195	51,595	68,174	84,316	38,639	6,471
	<i>DAT</i>	65,940	10,631	17,638	27,326	8,788	1,557

Arrest to Arraignment — The Path of the Case

ARREST TO ARRAIGNMENT FLOWCHART



Arrest-to-Arraignment — The Process

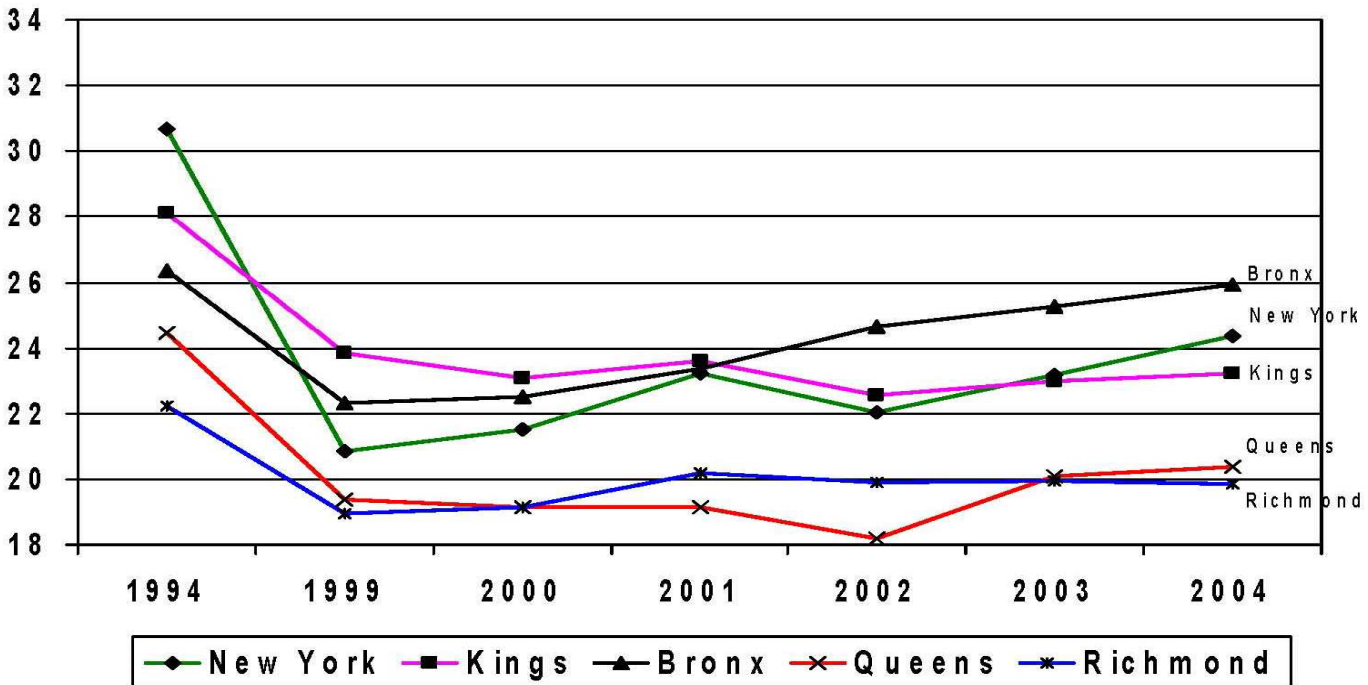
There is a tremendous amount of work that must be done after the police arrest a defendant and before the defendant is ready to appear in front of a judge at arraignment. The police must meet with the District Attorney's Office who will in turn draft a complaint. The police must also send the defendant's fingerprints to DCJS in Albany and await the return of a criminal history. The court arraign-

ment clerks must create a court file, docket number and enter the information into the court's database. Meanwhile, the Criminal Justice 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. The chart on

the previous page shows all the actions that must be completed by different agencies before an arraignment may happen. This page highlights the average time it has taken to get a defendant before a judge after his arrest in 2003 and 2004 and how that compares with the past 10 years. This time period is made all the more important by a mandate from the Court of Appeals to complete this process within 24 hours.

Average Arrest to Arraignment Times (in hours) 1999 to 2004



Arrest to Arraignment Times - 2004 and 2003

	Citywide	Bronx	Kings	New York	Queens	Richmond
2004 Avg. A to A Times (hours)	23.40	26.00	23.25	24.28	20.34	19.91
2003 Avg. A to A Times (hours)	22.79	25.25	22.99	23.19	20.09	19.96

Arrest to Arraignment Times - 2002, 2001, 2000, 1999 and 1994

2002		21.91	24.65	22.58	22.03	18.17	19.88
2001		22.49	23.37	23.58	23.20	19.12	20.17
2000	Avg. A to A Times (hrs)	21.65	22.53	23.10	21.51	19.13	19.14
1999		21.62	22.33	23.84	20.87	19.38	18.93
1994		27.97	26.35	28.13	30.68	24.45	22.21

Number of Arraignment Parts - 2004								
	Citywide	Bronx	Kings	Midtown	New York	Queens	Red Hook	Richmond
Arraignment Parts	26.6*	5	6	1	6	5.1*	0.5*	1.5*
Day	11.1*	2	2	1	2	2.1*	0.5*	1
Night	6	1	2	0	2	1	0	0
Weekend Day	4.5*	1	1	0	1	1	0	0.5*
Weekend Night	5	1	1	0	2	1	0	0

* Some arraignment parts are listed as a fraction. In Queens, the one arraignment part that is only open one day each 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 or the one directly below.

Number of Arraignments - 2000 through 2004 *							
		Citywide	Bronx	Kings	New York	Queens	Richmond
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
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

* Excludes arraignments on summonses. For discussion on summons matters, see page 15.

Most Frequently Charged Offenses At Arraignments

Top 10 Arraignment Charges Citywide — 2004, 1999,1994

Comparison by most frequently arraigned		2004	1999	1994	
PL	220.03	Crim poss CS 7°	1	1	2
PL	120.00	Assault 3°	2	3	4
PL	221.10	Crim poss marihuana 5°	3	2	—
PL	165.15	Theft of services	4	4	1
PL	155.25	Petit larceny	5	7	5
PL	220.39	Crim Sale CS 3°	6	5	—
VTL	511.1	Agg unlicensed op MV	7	6	3
VTL	511.1A	Agg unlicensed op MV	8	—	—
PL	140.15	Criminal trespass 2°	9	8	—
AC	20-453	Unlicensed vendor	10	—	—
PL	221.40	Crim sale marihuana 4°	—	9	—
PL	120.05	Assault 2°	—	10	6
PL	160.15	Robbery 1°	—	—	7
PL	220.16	Crim poss CS 3°	—	—	8
PL	160.10	Robbery 2°	—	—	9
PL	205.30	Resisting arrest	—	—	10

Top 10 Misdemeanor Arraignment Charges Citywide — 2004, 1999,1994

Comparison by most frequently arraigned		2004	1999	1994	
PL	220.03	Crim poss CS 7°	1	1	2
PL	120.00	Assault 3°	2	3	3
PL	221.10	Crim poss marihuana 5°	3	2	—
PL	165.15	Theft of services	4	4	1
PL	155.25	Petit larceny	5	6	4
VTL	511.1	Agg unlicensed op MV	6	5	10
VTL	511.1A	Agg unlicensed op MV	7	—	—
PL	140.15	Criminal trespass 2°	8	7	8
AC	20-453	Unlicensed vendor	9	—	—
PL	140.10	Criminal trespass 3°	10	9	9
PL	221.40	Crim sale marihuana 4°	—	8	—
PL	120.14	Menacing 2°	—	10	—
PL	205.30	Resisting arrest	—	—	5
VTL	511.2	Agg unlicensed op MV	—	—	6
PL	240.37	Loitering Prostitution	—	—	7

Top 10 Felony Arraignment Charges Citywide — 2004, 1999,1994

Comparison by most frequently arraigned		2004	1999	1994	
PL	220.39	Crim sale CS 3°	1	1	1
PL	120.05	Assault 2°	2	2	2
PL	220.16	Crim poss CS 3°	3	4	4
PL	160.10	Robbery 2°	4	5	3
PL	160.15	Robbery 1°	5	3	5
PL	170.25	Crim poss forged In 2°	6	—	—
PL	155.30	Grand larceny 4°	7	8	8
PL	265.02	Crim poss weapon 3°	8	9	6
PL	155.35	Grand larceny 3°	9	7	8
PL	140.25	Burglary 2°	10	10	7
PL	215.51	Criminal contempt 2°	—	6	—
PL	165.50	Crim poss stol prop 3°	—	—	9
PL	140.20	Burglary 3°	—	—	10

Top 10 Arraignment Charges Midtown Community Court and Red Hook Community Justice Center — 2004

Most frequently arraigned		MCC	RHCJC	
PL	155.25	Petit larceny	1	6
PL	165.15	Theft of services	2	5
AC	20-453	Unlicensed vendor	3	—
PL	230.00	Prostitution	4	8
VTL	511.1	Agg unlicensed op MV	5	4
AC	10-125	Public consump alc	6	7
PL	240.37	Loitering Prostitution	7	—
PL	221.10	Crim poss marihuana 5°	8	3
PL	120.00	Assault 3°	9	2
PL	220.03	Crim poss CS 7°	10	1
PL	140.10	Criminal trespass 3°	—	9
PL	120.14	Menacing 2°	—	10

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

more 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 more than a third of all cases are disposed of in arraignments.

Dispositions at Arraignments - 2000 through 2004

	Citywide		Bronx		Kings		New York		Queens		Richmond	
	#	%	#	%	#	%	#	%	#	%	#	%
2004	163,664	51.3	37,391	55.7	39,018	49.1	54,350	51.8	29,506	50.5	3,399	36.2
2003	161,759	50.2	33,187	47.4	41,165	50.1	51,365	51.3	31,684	53.1	4,358	41.9
2002	166,782	50.9	34,695	48.9	44,276	51.8	54,847	52.9	28,536	50.7	4,428	39.9
2001	179,567	52.8	34,607	48.9	50,502	52.5	59,882	56.6	30,060	53.7	4,516	39.7
2000	210,513	54.4	47,417	56.3	51,898	49.7	73,361	59.7	33,942	53.2	3,895	32.6

Citywide Summons Operation

In the past two years the personnel working in the Citywide Summons back office processed over 1.1 million summons filings (a number that does not include summonses that never received a docket number).

The 29 clerks, data entry and office assistants who comprise the Citywide Summons Operation are responsible for scanning, initializing and docketing every summons case in New York City.

Summons come from over 40 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 drop off summonses at the Central Receiving Unit. The Central Receiving Unit

separates these summonses by county and then by appearance date. It also looks for defects serious enough that would prohibit the summons from being docketed, such as a missing signature, narrative or bad 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 an electronic image of the ticket.

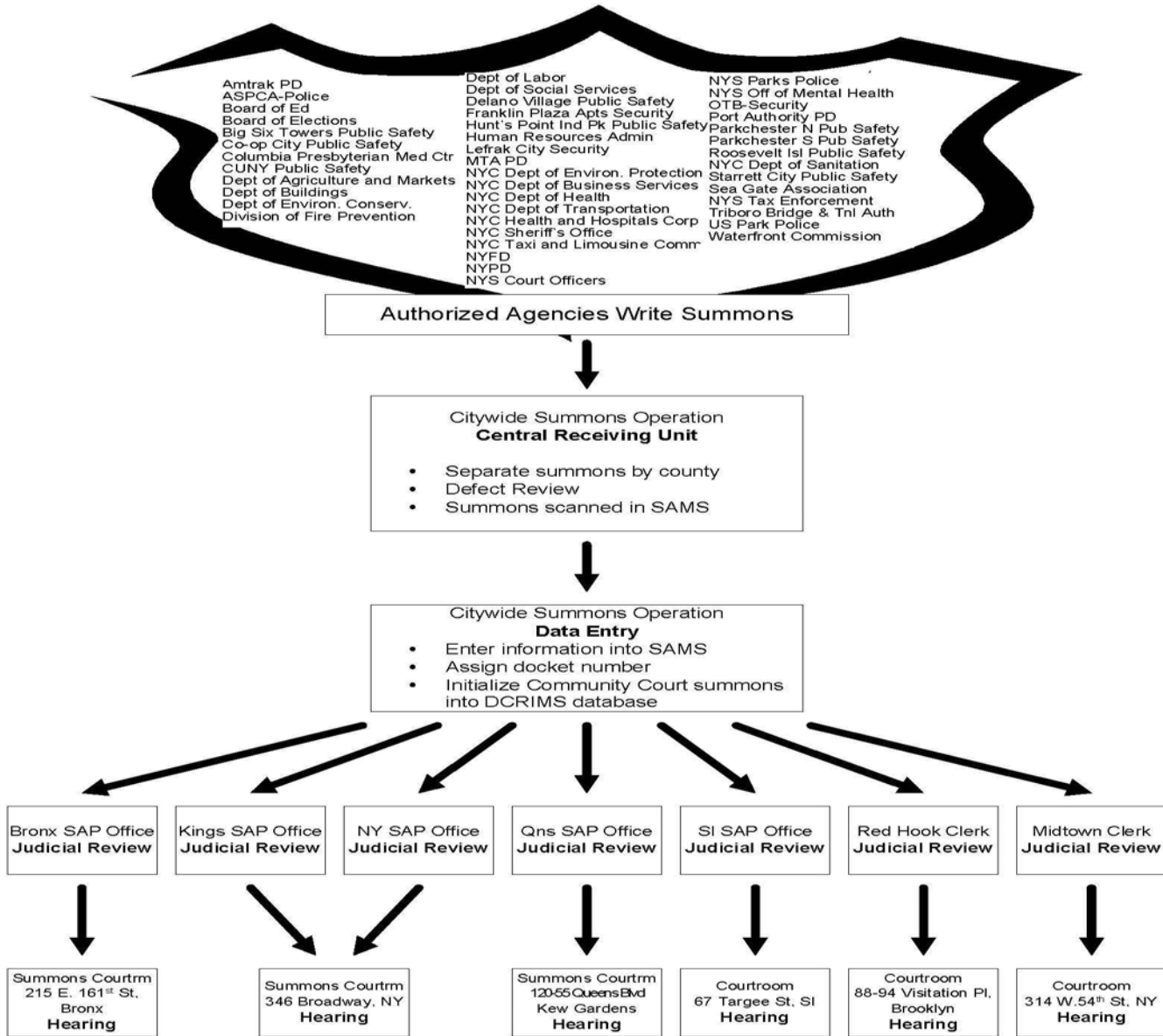
Once the summonses are scanned into the Summons Automated Management System (SAMS), data entry personnel enter all the pertinent information into the SAMS database and assign each summons a docket number.

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 of-

fice 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 hearing.

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 crew also sends out notices 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.

Summonses — From Ticket to Hearing



Summons Revenue - 2004

	Citywide	Bronx	Kings*	New York*	Queens	Richmond
Fine City	\$4,935,980	\$1,168,650	\$582,330	\$1,794,820	\$1,236,485	\$153,695
Fine State	\$1,093,304	\$154,770	\$89,048	\$529,016	\$257,275	\$63,195
Surcharge CVAF	\$346,485	\$59,125	\$45,525	\$122,860	\$103,355	\$15,620
Surcharge Misd	\$10,355	\$1,110	\$410	\$5,250	\$2,425	\$1,160
Surcharge Violation	\$1,302,250	\$229,505	\$181,175	\$456,580	\$378,980	\$56,010
Surcharge VTL	\$100,840	\$22,180	\$3,070	\$24,290	\$42,020	\$9,280
Total	\$7,789,214	\$1,635,340	\$901,558	\$2,932,816	\$2,020,540	\$298,960

* 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 — Filings, Docketing and Arraignments

Summary of Summons Filings - 2004								
	Citywide	Bronx	Kings	Midtown	New York	Queens	Red Hook	Richmond
Filings	581,734	137,907	134,758	16,455	151,372	111,625	10,811	18,806
Defects (-)	33,600	10,756	8,747	—	7,904	5,549	—	644
Docketed Filings	548,135	127,151	126,011	16,455	143,468	106,076	10,811	18,162
Dism Insuff (-)	96,344	13,828	30,950	—	45,865	5,701	—	—
Arraigned	452,434	113,323	95,061	16,455	97,603	100,375	10,811	18,162
Year End Totals of Docketed Summons Cases - 2003, 2002, 2001, 2000								
2003	578,095	154,396	132,924	15,982	133,168	106,084	16,038	19,503
2002	505,331	123,323	134,171	12,926	115,164	92,881	10,376	16,490
2001	534,586	139,113	138,624	11,796	116,274	96,803	12,045	19,931
2000	581,841	138,487	157,790	14,044	130,364	109,153	6,559	25,444
Year End Totals of Defendants Arraigned on Summons Cases - 2000								
2000	290,709	67,932	74,216	—	74,726	62,076	—	11,759

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.

Frequently Charged Summons Cases

Top Summons Charges Issued Citywide — 2004				
			2004	2000
AC	10-125	Pub. Consumption Alcohol	1	1
PL	240.20(5)	Disorderly Conduct	2	3
AC	19-176	Bicycle on Sidewalk	3	—
TL	140.02	Op MV of Viol Safe Rules	4	6
PL	140.05	Trespass	5	4
HC	153.09	Offensive Matter in Street	6	8
PL	240.20	Disorderly Conduct	7	7
AC	19-506	Permitting Unlic Op Veh.	8	2
AC	16-118	Litter Liquids, Noxious	9	—
PRR	1-03	Unlawfully in Park/After Hr	10	—
AC	19-504	Taxi:Accept Hails w/o lic	—	5
PL	221.05	Unlaw. Poss Marihuana	—	9
HC	161.04	Fail to Have Dog License	—	10

Plea By Mail

Starting July 1, 2004 individuals who receive a Criminal Court Summons citing a violation of Section 10-125 (2b) of the N.Y.C. Administrative Code—"Consumption of Alcohol on Streets Prohibited" (also known as "Open Container Violation" or "Consumption of Alcohol in Public") are eligible to plead guilty and pay a \$25 fine by mail.

In 2004, 5,128 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 wisely manage limited staffing resources.

INSTRUCTIONS FOR PLEADING GUILTY TO SUMMONS BY MAIL
 PD 250-111 (3-03)

THIS FORM MUST BE ISSUED ALONG WITH A SUMMONS, IN LIEU OF AN ARREST, ONLY FOR VIOLATION OF ADMINISTRATIVE CODE SECTION 10-125(b), CONSUMPTION OF ALCOHOL IN PUBLIC.

TO PLEAD NOT GUILTY:
 YOU MUST APPEAR IN COURT AT THE PLACE AND TIME SPECIFIED ON THE SUMMONS YOU RECEIVED.

TO PLEAD GUILTY BY MAIL YOU MUST SEND THE FOLLOWING:

- THIS PLEA FORM, COMPLETED AND SIGNED
- THE SUMMONS YOU RECEIVED
- A CHECK OR MONEY ORDER FOR \$25.00 MADE PAYABLE TO N.Y.C. CRIMINAL COURT (DO NOT SEND CASH), WITH THE SUMMONS NUMBER WRITTEN ON THE PAYMENT.

THE ABOVE ITEMS MUST BE MAILED, WITHIN 10 DAYS OF THE DATE THAT THE SUMMONS WAS ISSUED, TO:

N.Y.C. CRIMINAL COURT
 P.O. BOX 555
 NEW YORK, NY 10013-0555

IF YOU PLEAD GUILTY BY MAIL, YOU DO NOT NEED TO APPEAR IN COURT.

PLEA FORM (PRINT CLEARLY)
 COMPLETE ONLY IF YOU WISH TO PLEAD GUILTY BY MAIL. PLEA FORM MUST BE SIGNED BY THE PERSON PLEADING GUILTY.

Name _____ Date of Birth _____
 Address _____ Apt. _____
 City _____ State _____ Zip _____

I hereby plead guilty to Administrative Code Section 10-125(b), the offense of Consumption of Alcohol in Public, a violation, not a crime, as charged in:
 Summons Number _____ Issued On _____
(As it appears on the top of the Summons) (Date)

By Entering a Plea of Guilty to This Charge, I Agree to the Following:

- I Waive Arraignment in Open Court, The Right to Receive a Copy of the Accusatory Instrument and The Right to the Aid of Counsel.
- I Understand that a Plea of Guilty to the Charge is Equivalent to a Conviction after Trial.
- I Understand that this Violation is Punishable by a Fine of Not More Than \$25.00 or Imprisonment of up to Five Days or Both.
- I Agree that the Sentence Imposed Will be a Fine of \$25.00.
- I Understand that the Court May Refuse to Accept the Plea of Guilty, Because of my Prior Criminal Record or Other Special Circumstances, in Which Case, My Payment Will be Returned and Will Be Notified in Writing to Appear Before the Court at a Designated Date, Time and Place to Answer the Charge.
- I Plead Guilty to and Admit Committing the Offense as Set Forth in the Summons Served Upon Me.

Signature _____ Date _____

SUMMONS AND CHECK OR MONEY ORDER FOR \$25.00 MUST BE ENCLOSED WITH THIS FORM

Plea By Mail Form

COURT OPERATIONS — PRETRAIL AP PARTS



AP3 — All-Purpose Part at Brooklyn Criminal Court, 120 Schermerhorn Street

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 after negotiations

with defense counsel and the prosecutor. There were 147,425 cases disposed of citywide in AP parts, accounting for 44.6% 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 request for suppression hearings and jury trials 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 at-

torney's files, speeding the way to real trial readiness.

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 some bench trials. Over the years, some of these AP parts have become specialized. Included in this section are problem-solving courts designed to focus on various societal problems, including the Domestic Violence Courts, Drug Courts

and Persistent Misdemeanant or "Spotlight" parts. 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 their discharge, probation or release, taking some of the burden off of the AP parts.

Note: While these specialized parts are AP parts, for the purposes of this report they are reported on separately. Statistics on AP parts include only "non-specialized courtrooms." Information on the "specialized" courtrooms appears in their own sections. For a full discussion of the NYC Criminal Court Drug Court Initiative, please see the separate drug court Annual Report.

Number of All Purpose Parts - 2004						
	Citywide	Bronx	Kings	New York	Queens	Richmond
AP Parts	34	8	10	7	7	2
Average Number of AP Parts Open on a Daily Basis - 2004						
Average # AP Parts Open Daily	28.6	6.9	8.5	6.6	6.4	1.4
Average Number of AP Parts Open on a Daily Basis - Comparison 1999						
1999	Average # AP Pts Open	30.3	—	—	—	—
Mean Disposition Age of Dockets Surviving Arraignments and Disposed in AP Parts - 2004						
Mean Disposition Age in AP Parts	91.2 days	92.4 days	74.0 days	104.9 days	87.6 days	84.6 days
Mean Disposition Age of Dockets Surviving Arraignments and Disposed in AP Parts - Comparison 1999 and 1994						
1999	Mean Age at Dispo. AP Pts	70.2 days	—	—	—	—
1994	Mean Age at Dispo. AP Pts	50.4 days	—	—	—	—
Number of Calendared Cases Heard in AP Parts - 2004						
Total Cases Calendared	607,428	120,921	161,863	154,575	139,753	30,316
<i>Pre-Disposition Cases Calendared</i>	463,331	100,199	102,810	137,636	101,731	20,955
<i>For Sentence Cases Calendared</i>	20,407	2,337	7,319	3,619	5,768	1,364
<i>Post Disposition Cases Calendared</i>	123,690	18,385	51,734	13,320	32,254	7,997
Number of Calendared Cases Heard in AP Parts - Comparison 1999						
1999	Total Cases Calendared	793,284	—	—	—	—
	<i>Pre-Disposition Cases</i>	526,663	—	—	—	—
	<i>For Sentence Cases</i>	18,810	—	—	—	—
	<i>Post Disposition Cases</i>	247,811	—	—	—	—
Mean Number of Cases Calendared Per Day in AP Parts - 2004						
Cases Calendared	69.7	79.8	65.7	78.4	75.4	33.2
<i>Pre-Disposition Cases Calendared</i>	53.2	66.1	41.8	69.8	54.9	22.9
<i>For Sentence Cases Calendared</i>	2.3	1.5	3.0	1.8	3.1	1.5
<i>Post Disposition Cases Calendared</i>	14.2	12.1	21.0	6.8	17.4	8.7
Mean Number of Cases Calendared Per Day in AP Parts - Comparison 1999						
1999	Cases Calendared	88.3	—	—	—	—
	<i>Pre-Disposition Cases</i>	58.6	—	—	—	—
	<i>For Sentence Cases</i>	2.1	—	—	—	—
	<i>Post Disposition Cases</i>	27.6	—	—	—	—
Total Dispositions in AP Parts - 2004						
Total Dispositions	147,425	34,897	32,005	47,611	26,998	5,914
Total Dispositions in AP Parts - Comparison 1999 and 1994						
1999	Total Dispositions	156,691	—	—	—	—
1994	Total Dispositions	164,615	—	—	—	—

Mean Number of Appearances Arraignment to Disposition for Dockets Disposed in AP Parts - 2004

	Citywide	Bronx	Kings	New York	Queens	Richmond
Mean Number of Appearances	4.5	4.9	4.1	4.2	5.0	4.9

Types of Dispositions in AP Parts - 2004

Misdemeanor Dispositions in AP Pts	77,376	—	—	—	—	—
Infraction/Violation Dispositions - AP	30,938	—	—	—	—	—
ACD and Other Dismissals - AP	56,289	—	—	—	—	—

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 felony offenses are arraigned in the Criminal Court arraignment parts and the cases are then usually sent to a felony waiver part to await grand jury action. Once the prosecutor notifies the court that the grand jury has voted an indictment, the case is transferred to Supreme Court.

Felony waiver parts are staffed by Criminal Court judges designated as Acting Supreme Court justices. District

Attorney's 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 in the felony waiver part 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. Over 36,000 dispositions were taken in felony waiver parts throughout the city in 2004.

Felony waiver parts also hear motions, bail applications and extradition matters among other things.

Felony Waiver Parts are among some of the most productive courtrooms in the city. There were over 123,000 cases calendared in Criminal Court's felony waiver parts throughout the city of which over 36,000 were disposed. Compare this with 26,913 filings and about 25,000 dispositions combined in the city's five Supreme Courts.

While every county disposes of a large amount of drug cases in their felony waiver parts, the practice differs with other cases. For instance, New York County does not have a felony waiver part for non-drug cases but Brooklyn has a felony waiver part that handles all types of felony filings.

Number of Felony Waiver Parts - 2004

	Citywide	Bronx	Kings	New York	Queens	Richmond
Felony Waiver Parts	6.5	2	1	1	2.2	.3

Top 10 Arraignment Charges of Dockets Disposed in Felony Waiver Parts Citywide and By County— 2004

Comparison by most frequently arraigned			Citywide	Bronx	Kings	New York	Queens	Richmond
PL	220.39	Crim sale CS 3°	1	1	1	1	1	1
PL	220.16	Crim poss CS 3°	2	2	5	2	2	3
PL	160.15	Robbery 1°	3	4	2	—	3	4
PL	160.10	Robbery 2°	4	6	4	4	4	5
PL	120.05	Assault 2°	5	3	6	5	6	2
PL	265.02	Crim poss weapon 3°	6	7	3	3	10	7
PL	170.25	Crim poss forged In 2°	7	5	10	—	5	9
PL	140.25	Burglary 2°	8	10	7	6	7	8
PL	155.35	Grand larceny 3°	9	9	9	—	8	6
PL	125.25	Murder 2°	10	8	8	—	9	10

Average Number of Felony Waiver Parts Open on a Daily Basis - 2004						
	Citywide	Bronx	Kings	New York	Queens	Richmond
Avg. # Fel. Waiver Pts Open Daily	5.81	2.0	1.0	1.0	2.1	0.1
Average Number of Felony Waiver Parts Open on a Daily Basis - Comparison 1999						
1999	Average # AP Pts Open	5.6	—	—	—	—
Mean Disposition Age of Dockets Surviving Arraignments and Disposed in Felony Waiver Parts - 2004						
Mean Disposition Age in FW Parts	65.5 days	48.0 days	58.8 days	52.5 days	97.1 days	69.8 days
Mean Disposition Age of Dockets Surviving Arraignments and Disposed in Felony Waiver Parts - 1999 and 1994						
1999	Mean Age at Dispo FW Pts	44.0 days	—	—	—	—
1994	Mean Age at Dispo FW Pts	29.8 days	—	—	—	—
Number of Calendared Cases Heard in Felony Waiver Parts - 2004						
Total Cases Calendared	123,121	31,357	18,898	9,055	43,747	20,064
<i>Pre-Disposition Cases Calendared</i>	109,187	30,966	18,293	8,670	39,096	12,162
<i>For Sentence Cases Calendared</i>	3,396	166	234	155	2,048	793
<i>Post Disposition Cases Calendared</i>	10,538	225	371	230	2,603	7,109
Number of Calendared Cases Heard in Felony Waiver Parts - Comparison 1999						
1999	Total Cases Calendared	137,099	—	—	—	—
	<i>Pre-Disposition Cases</i>	118,394	—	—	—	—
	<i>For Sentence Cases</i>	3,364	—	—	—	—
	<i>Post Disposition Cases</i>	15,341	—	—	—	—
Total Dispositions in Felony Waiver Parts - 2004						
Dispositions	36,122	11,216	8,333	3,995	9,189	3,389
% of Felony Cases Arraigned Disposed of in Felony Waiver Parts	46.4	63.6	53.4	18.9	58.0	65.7
Total Dispositions in Felony Waiver Parts - Comparison 1999 and 1994						
1999	Total Dispositions	38,834	—	—	—	—
1994	Total Dispositions	43,401	—	—	—	—

Comparison with Supreme Court Filings and Dispositions

Citywide Supreme Court Filings and Dispositions - 2004, 1999 and 1994						
	Citywide	Bronx	Kings/Richmond	New York	Queens	
2004	Filings	28,747	9,484	6,167	8,208	4,888
	Dispositions	30,783	10,538	6,614	8,596	5,035
1999	Filings	30,174	7,248	6,963	11,367	4,596
	Dispositions	33,805	8,284	7,544	12,929	5,048
1994	Filings	45,940	9,543	12,230	15,137	9,030
	Dispositions	47,552	9,628	12,823	16,265	8,836

Domestic Violence Courts

Criminal Court currently operates Domestic Violence or DV courts within every county. Brooklyn, Bronx, Manhattan and Queens operate DV Complexes, which include an All-Purpose part, Trial part and Compliance parts dedicated to adjudicating these types of crimes. Bronx Criminal Court also operates the Bronx IDV part, the first IDV part in NY state. All told, Criminal Court has thirteen courtrooms dedicated to handling these types of offenses.

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

Integrated Domestic Violence or IDV courts handle criminal domestic violence cases and related family and/or matrimonial issues. The IDV courts are designed to address the unique nature of domestic violence by streamlining court procedures stemming from the criminal, family and matrimonial issues, thereby reducing the burdens on

victims. Very often victims of domestic violence must appear in front of three different courts with three different judges to address all the issues surrounding domestic abuse. There may be a divorce hearing in Supreme Court, a family court case involving custody or visitation of children from the relationship and a criminal case in Criminal Court. IDV courts allow one judge to handle all three court matters in the same courtroom, eliminating multiple trips to court and allowing coordination of justice and services.

Number of Domestic Violence Court Parts in Criminal Court - 2004

	Citywide	Bronx	Kings	New York	Queens	Richmond
Domestic Violence Courts	12.3	4.0	3.0	3.0	2.0	.3

Average Number of Dockets Pending in All Domestic Violence Parts Daily - 2004

Average Pending Caseload	349.7	—	—	—	—	—
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Compliance Parts

Every county except Richmond has a Domestic Violence Compliance part. In these parts, cases in which a Domestic Violence Court judge orders defendants to attend batterer intervention, substance abuse, mental health or parenting skills programs are monitored by a Judicial Hearing Officer to ensure that the defendants comply with the judges' directives. Defendants who do not comply are

referred back to the original judge for appropriate action.

Number of Cases Calendared in Domestic Violence Compliance Parts - 2004

	Citywide	Bronx	Kings	New York	Queens
Total Calendared Cases	6,538	1,466	2,218	1,094	1,760

Number of Cases Calendared QCP - 2004

	Queens
Total Calendared Cases	1,460

In addition to DVC, Queens has a compliance part, Queens Compliance part (QCP), that monitors defendants' performance of conditions of sentence and/or release. Cases are referred from all Queens courtrooms other than the domestic violence part.

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, landlords and ten-

ants, or consumer and merchant. 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 Total Case Referrals - 2004

	Citywide	Bronx	Kings	New York	Queens
Total Referrals	18,891	5,330	6,511	3,975	3,075

Drug Treatment Court Initiative

Criminal Court's seven drug courts handle cases involving drug-abusing offenders. Each seeks to change drug-abusing behavior through comprehensive supervision, drug testing, treatment services and immediate sanctions and incentives.

Drug court staff interview eligible non-violent defendants to determine whether they abuse drugs and are able to enter into a substance abuse treatment program. If the defendant is interested in participating, he or she pleads guilty and agrees to enter treatment for anywhere from 8 months to 2 years (depending on the court, the severity of the crime and length of the defendant's criminal record). With the help of the drug court staff, the judge supervises the defendant's progress in treatment with frequent drug tests, visits to court and intense case management. The court will impose interim sanctions (including jail) if

the defendant tests positive for drugs or fails to go to treatment and will offer interim incentives (such as increasing amounts of freedom) if the defendant does consistently well. If the defendant completes



Misdemeanor Brooklyn Treatment

treatment, the court will either dismiss the charges or impose a non-jail sentence. If the defendant ultimately fails to follow through on his/her court mandate, the court will

impose a jail sentence.

Drug courts offer not only substance abuse treatment to participating defendants, but also other services such as medical and psychiatric care, educational services, vocational training and job placement.

Criminal Court has also instituted Comprehensive Screening, a system of ensuring that all defendants eligible to participate in a drug court are given that opportunity within a day or two of their arrest. It is a two step process involving a review of a defendant's rap sheet and charges by a court clerk prior to arraignment and an clinical assessment the day after arraignment by a drug court case manager to determine whether the defendant abuses drugs and is eligible for treatment. Brooklyn began Comprehensive Screening in January 2003 and the arraignment clerks have reviewed over 80,000 filings in the first year. Comprehensive Screening will expand to the other boroughs within the next year.

Number of Drug Court Parts in Criminal Court - 2004

	Citywide	Bronx	Kings	New York	Queens	Richmond
Drug Courts	7	1	2	2	1	1

Number of Plea Dispositions taken in Drug Courts - 2004

Total Pleas	2,879	—	—	—	—	—
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Spotlight Parts

Operation Spotlight, a multi-agency initiative sponsored by the Mayor's Office of the Criminal Justice Coordinator, launched in 2002, focuses on

chronic misdemeanor offenders who commit a disproportionate amount of crime throughout the city. Specialized courts were established in all five boroughs to hear *Operation Spotlight* cases. The initiative has expe-

ditied the processing of narcotics laboratory reports, fast-tracked probation and parole revocations, and increased trial capacity and direct links to services for drug-addicted and mentally ill defendants

Number of Cases Calendared in Spotlight Parts - 2004

	Citywide	Bronx AP5	Kings TP2	New York SA	Queens AP3
Total Calendared Cases	54,160	18,186	7,865	24,273	3,836
<i>Predisposition Cases</i>	43,727	14,953	6,118	20,853	1,803
<i>For Sentence</i>	1,998	457	277	1,096	168
<i>Post Disposition</i>	8,435	2,776	1,470	2,324	1,865

COURT OPERATIONS — TRIAL PARTS



Trial Part at 100 Centre Street in Manhattan

Trial Parts in the Criminal Court handle most of the trials — both bench and jury. 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 evidentiary hearings.

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

Pre Trial Hearings

Trial Parts conduct the majority of the pretrial hearings done in the Criminal Court. The statistics below, divided into felony and other hearings, show the number of pre-trial hearings. Felony hearings upon a felony complaint, determining whether felony charges

should be brought to trial, 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

evidentiary hearings.

A breakdown of hearings done in 1999 is offered as a comparison of the amount of hearings done five years ago.

Pre Trial Hearings - 2004

	Citywide	Bronx	Kings	New York	Queens	Richmond
Pre Trial Hearings Commenced	1,212	301	181	100	520	110
Felony Hearings	27	1	0	15	0	11
Other Hearings	1,185	300	181	85	520	99

Pre Trial Hearing Commenced – Comparison 1999

1999		Citywide	Bronx	Kings	New York	Queens	Richmond
	Total Hearings	1,662	284	189	727	341	121
	Felony Hearings	141	92	2	21	9	17
	Other Hearings	1,521	192	187	706	332	104

Trial Verdicts - 2004 through 2000, 1999 and 1994																			
		Citywide			Bronx			Kings			New York			Queens			Richmond		
		Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot
2004	Jury	156	124	280	20	18	38	24	28	52	77	41	118	30	33	63	5	4	9
	Bench	233	214	447	56	70	126	74	47	121	52	45	97	47	43	90	4	9	13
	Total	389	338	727	76	88	164	98	75	173	129	86	215	77	76	153	9	13	22
2003	Jury	123	137	260	13	19	32	31	34	65	60	58	118	17	25	42	2	1	3
	Bench	293	224	517	78	81	159	96	49	145	56	28	84	63	61	124	0	5	5
	Total	416	361	777	91	100	191	127	83	210	116	86	202	80	86	166	2	6	8
2002	Jury	153	110	263	11	8	19	36	28	64	79	47	126	24	27	51	3	0	3
	Bench	371	307	678	94	114	208	133	73	206	83	52	135	55	63	118	6	5	11
	Total	524	417	941	105	122	227	169	101	270	162	99	261	79	90	169	9	5	14
2001	Jury	117	85	202	5	6	11	44	17	61	44	33	77	23	23	46	1	6	7
	Bench	291	277	568	74	111	185	104	47	151	65	40	105	44	71	115	4	8	12
	Total	408	362	770	79	117	196	148	64	212	109	73	182	67	94	161	5	14	19
2000	Jury	114	102	216	8	13	21	37	19	56	59	51	110	7	12	19	3	7	10
	Bench	313	250	563	84	92	176	71	54	125	102	49	151	43	50	93	13	5	18
	Total	427	352	779	92	105	197	108	73	181	161	100	261	50	62	112	16	12	28
1999	Jury	130	121	251	9	19	28	30	20	50	74	65	139	12	13	25	5	4	9
	Bench	296	271	567	90	132	222	36	17	53	80	39	119	73	76	149	17	7	24
	Total	426	392	818	99	151	250	66	37	103	154	104	258	85	89	174	22	11	33
1994	Jury	141	135	276	23	37	60	39	16	55	61	56	117	15	21	36	3	5	8
	Bench	305	258	563	37	67	104	153	87	240	96	71	167	17	27	44	2	6	8
	Total	446	393	839	60	104	164	192	103	295	157	127	284	32	48	80	5	11	16

Bench Trial Verdicts Mean Age at Disposition							
		Citywide	Bronx	Kings	New York	Queens	Richmond
Mean Age at Disposition (days)		309.3	445.3	212.6	206.4	353.8	305.8
Bench Trial Verdicts Mean Age at Disposition - Comparison 1999 and 1994							
1999	Mean Age at Dispo.	292.8	—	—	—	—	—
1994	Mean Age at Dispo.	175.6	—	—	—	—	—
Jury Trial Verdicts Mean Age at Disposition - 2004							
Mean Age at Disposition (days)		320.3	500.8	215.2	298.1	347.7	265.0
Jury Trial Verdicts Mean Age at Disposition - Comparison 1999 and 1994							
1999	Mean Age at Dispo.	352.3	—	—	—	—	—
1994	Mean Age at Dispo.	237.3	—	—	—	—	—

COURT OPERATIONS — COMMUNITY COURTS

Red Hook Community Justice Center

Red Hook Community Justice Center, opened in 2000, reflects a partnership of the Criminal Court of the City of New York, the Kings County District Attorney's Office, the Center for Court Innovation and the City of New York as well as partnerships with many community based social service providers. Modeled after the Midtown Community Court, the Justice Center 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.



Red Hook Courtroom

The Justice Center seeks to address the needs of the community as a whole and is structured to address all those needs by incorporating a multi-jurisdictional court and housing programs to improve quality of life in 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 services and job training programs. All of these services are available to

defendants and victims as well as to members of the Red Hook community.

The Justice Center 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.

The Justice Center also 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. Technology

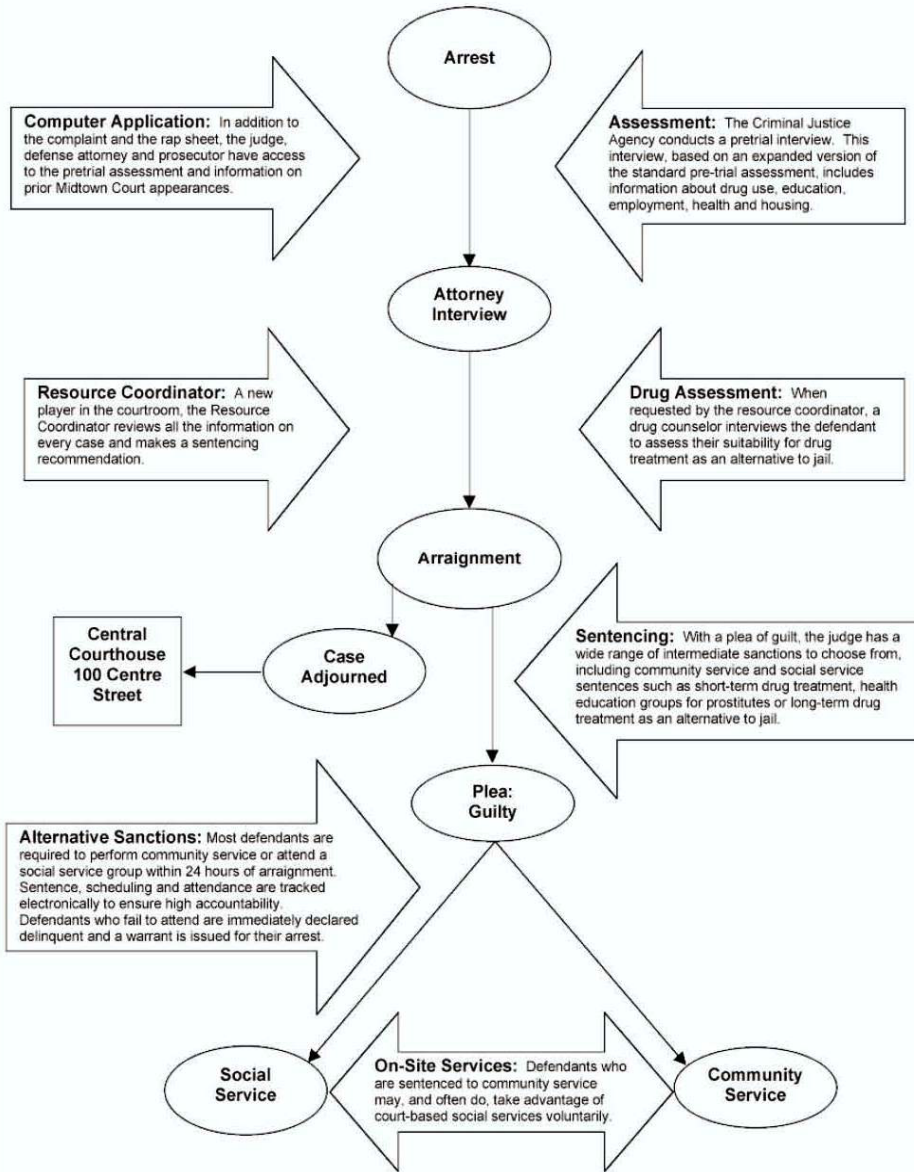
also provides the court with the ability to track sentences and compliance with program mandates.

While standard statistics can really only show a small amount of the work actually done at courts such as Red Hook, the next two pages give a snapshot of the volume of cases that are seen at both Red Hook and Midtown Community Courts. The tables include number of defendants arraigned, the number of cases the court was able to dispose of at arraignments, number of cases surviving arraignments, mean age of disposition for cases heard at the two community courts and the number of trials taken to verdict. A comparison of 2004, 1999 and 1994 arraignments cases and mean age at disposition is offered for Midtown. Since Red Hook started in the middle of the 2000 calendar year, a comparison of 2004 and 2001 arraignment cases and mean age of disposition is offered for Red Hook.

Red Hook		
	2004	2001
Arraignments	3,168	4,199
Dispositions at Arraignment	1,912	—
Dockets Surviving Arraignment	1,256	—
Mean Age at Disposition	98.9 days	83.1 days
Total Trial Verdicts	9	—
<i>Convicted</i>	5	—
<i>Acquitted</i>	4	—

Midtown Community Court

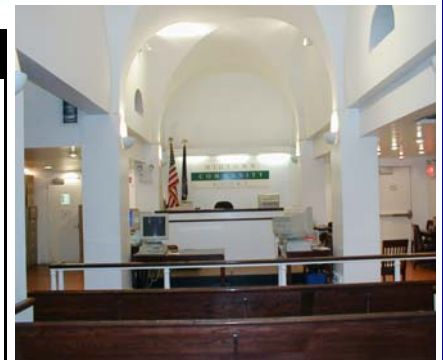
Midtown Community Court Case Flow Summary



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. In 1999, the Court began to hear small claims cases as well, bringing a problem-solving approach to a new set of neighborhood problems.

The chart to the left shows the path of a typical Midtown case from arrest to the referral to social services. The host of services offered at Midtown come into play at different stages of the process.

Midtown			
	2004	1999	1994
Arraignments	10,593	10,340	12,482
Dispositions at Arraignment	7,076	—	—
Dockets Surviving Arraignment	3,517	—	—
Mean Age at Disposition	91.9 days	57.6 days	98.4 days
Summons Trial Verdicts	8	—	—
Small Claims Trials	110	—	—



Midtown Courtroom

COURT OPERATIONS - CENTRAL ADMINISTRATION

Central Administration at 100 Centre Street coordinates and oversees the operation of Criminal Court throughout the city. Central Administration is divided into three main offices - the Administrative Judge, Chief Clerk and Chief Court Attorney.

Office of the Administrative Judge

Administrative Judge Juanita Bing Newton is the chief judicial officer of the Court. The administrative judge is responsible for the overall direction and policies of the Court. Judge Newton is also responsible for judicial assignments and meets with the individual county Supervising Judges on a regular basis to map out new programs and initiatives and ensure that the court runs properly.

Included in the Administrative Judge's staff are her counsel, Beverly Russell, who assists 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 assist the Administrative and Supervising Judges in the planning, implementation, budgeting (including identification of funding sources, see chart below) and day-to-day operations of these specialized courts.



Seated: Hon. Juanita Bing Newton and Chief Court Attorney Michael Yavinsky. Standing: Citywide DV Coordinator Lisa Lindsay, Citywide Drug Court Coordinator Justin Barry and Counsel Beverly Russell

Office of the Chief Clerk

Chief Clerk William Etheridge supervises all non-judicial 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.



Seated: Personnel Director Ada Molina. Standing: Chief Clerk William Etheridge and 1st Dep. Chief Clerk Vincent Modica

Chief Court Attorney

Chief Court Attorney Michael Yavinsky is responsible for the assignment and supervision of court attorneys working for the Criminal Court citywide. This office also keeps judicial and non-judicial staff abreast of new developments and changes in the criminal law.

Active Criminal Court Grant Awards - 1998 through 2004

	Grant Source	Year Awarded	Award Amount
Queens Domestic Violence Court	USDOJ	1999	\$275,343
Manhattan Misdemeanor Treatment Court	USDOJ	2000	\$384,658
Manhattan Treatment Court	LLEBG	1998	\$2,229,872
Bronx Treatment Implementation Grant	USDOJ	2000	\$380,994
Bronx Treatment Court Enhancement Grant	Byrne Grant	2004	\$15,000
Bronx Treatment Court Enhancement Grant	USDOJ	2000	\$244,341
Red Hook Drug Court Planning Grant	USDOJ	2000	\$29,952
Queens Misdemeanor Implementation Grant	USDOJ	2003	\$490,220
Richmond Drug Court Planning Grant	USDOJ	2000	\$22,458
Richmond Treatment Implementation Grant	USDOJ	2000	\$390,408
Total			\$4,463,246

Criminal Court Revenue 2004						
	Bronx	Kings*	New York*	Queens	Richmond	Citywide
Bail	\$2,274,525	\$1,647,977	\$1,523,885	\$1,848,654	\$658,662	\$7,953,703
DNA Fee	\$50	\$0	\$0	\$0	\$0	\$50
DNA Fee Supreme	\$1,000	\$0	\$0	\$0	\$0	\$1,000
DWI Surcharge	\$14,325	\$19,700	\$8,250	\$38,250	\$10,525	\$91,050
DWI Surcharge Supreme	\$475	\$0	\$0	\$0	\$0	\$475
Fine City Arrest	\$557,527	\$238,342	\$326,047	\$888,614	\$161,015	\$2,171,545
Fine City Summons	\$1,168,650	\$582,330	\$1,794,820	\$1,236,485	\$153,695	\$4,935,980
Fine DWI	\$449,626	\$464,073	\$377,635	\$945,320	\$251,215	\$2,487,869
Felony City Arrest	\$1,555	\$0	\$0	\$0	\$0	\$1,555
Felony DWI Fine	\$1,000	\$0	\$0	\$0	\$0	\$1,000
Felony State Arrest	\$125	\$0	\$0	\$0	\$0	\$125
Fine State Arrest	\$503,786	\$611,393	\$502,055	\$781,497	\$150,740	\$2,549,471
Fine State Summons	\$154,770	\$89,048	\$529,016	\$257,275	\$63,195	\$1,093,304
Misc Court Costs	\$0	\$0	\$62	\$0	\$75	\$137
Misc Court Costs Supreme	\$50	\$0	\$0	\$0	\$0	\$50
Misc Other	\$125	\$75	\$205	\$550	\$50	\$1,005
Misc Other Supreme	\$140	\$0	\$0	\$0	\$0	\$140
Misc Overage	\$210	\$0	\$0	\$0	\$0	\$210
Misc Returned Check	\$0	\$0	\$120	\$40	\$0	\$160
SORA	\$0	\$50	\$0	\$0	\$0	\$50
SORA Supreme	\$50	\$0	\$0	\$0	\$0	\$50
Subpoena Fee	\$239	\$0	\$345	\$0	\$0	\$584
Surcharge CVAF Summons	\$59,125	\$45,525	\$122,860	\$103,355	\$15,620	\$346,485
Surcharge CVAF Arrest	\$141,962	\$119,333	\$190,295	\$222,562	\$32,165	\$706,317
Felony CVAF	\$544	\$0	\$0	\$0	\$0	\$544
Felony Surcharge	\$9,580	\$0	\$0	\$0	\$0	\$9,580
Surcharge Misdemeanor Summons	\$1,110	\$410	\$5,250	\$2,425	\$1,160	\$10,355
Surcharge Misdemeanor Arrest	\$167,265	\$120,545	\$201,310	\$277,151	\$28,615	\$794,886
Surcharge Violation Summons	\$229,505	\$181,175	\$456,580	\$378,980	\$56,010	\$1,302,250
Surcharge Violation Arrest	\$380,542	\$273,014	\$581,505	\$565,196	\$73,020	\$1,873,277
Surcharge VTL Summons	\$22,180	\$3,070	\$24,290	\$42,020	\$9,280	\$100,840
Surcharge VTL Arrest	\$215,632	\$310,166	\$197,422	\$378,801	\$83,105	\$1,185,126
Transcript	\$113,950	\$34,540	\$197,640	\$80,130	\$27,730	\$453,990
Transcript Supreme	\$2,700	\$0	\$0	\$0	\$0	\$2,700
Total	\$6,472,323	\$4,740,766	\$7,039,591	\$8,047,305	\$1,775,877	\$28,075,862

* See note on bottom of page 18 concerning allocation of Kings and Manhattan summons fines and surcharges.

Criminal Court Disbursements	
Disbursement to NYC Department of Finance	\$15,063,833
Disbursement to NYC Department of the Controller (DWI revenue disbursed to Controller)	\$2,580,394
Total disbursements to city (subtotal)	\$17,644,227
Total disbursement to state	\$10,431,635
Total disbursements	\$28,075,862

COURT OPERATIONS — SUMMARY INFORMATION**Citywide Dispositions - 2000 through 2004**

	2004	2003	2002	2001	2000
Total	330,521	317,306	325,193	345,234	388,042
Guilty Plea	164,856	163,574	165,631	174,416	198,216
Convicted	382	416	524	408	427
Acquitted	342	361	417	362	352
ACD	62,521	66,542	67,511	73,233	80,044
Dismissal	49,140	44,925	48,258	52,584	56,899
To Grand Jury	15,546	16,765	18,521	17,872	19,657
SCI	5,678	5,874	6,489	6,464	6,595

Dockets Pending on December 31 (Snapshot of Pending Cases) - 2000 through 2004

	Citywide	Bronx	Kings	New York	Queens	Richmond	
2004	Total	36,637	312	10,209	15,787	8,671	1,658
	<i>Total Pending Disposition</i>	33,968	119	9,330	15,206	7,817	1,496
	<i>Felony</i>	8,232	7	1,248	3,729	2,935	313
	<i>Misd/Inf/Viol/Oth</i>	25,736	112	8,082	11,477	4,882	1,183
	<i>Total Pending Sentence</i>	2,669	193	879	581	854	162
2003	Total	47,183	11,247	10,355	15,194	8,721	1,666
	<i>Total Pending Disposition</i>	44,603	10,883	9,540	14,665	7,951	1,564
	<i>Felony</i>	10,547	2,008	1,927	3,659	2,641	312
	<i>Misd/Inf/Viol/Oth</i>	34,056	8,875	7,613	11,006	5,310	1,252
	<i>Total Pending Sentence</i>	2,580	364	815	529	770	102
2002	Total	41,933	9,088	9,137	14,297	7,657	1,754
	<i>Total Pending Disposition</i>	39,619	8,723	8,474	13,740	7,035	1,647
	<i>Felony</i>	10,691	2,245	897	4,620	2,540	389
	<i>Misd/Inf/Viol/Oth</i>	28,928	6,478	7,577	9,120	4,495	1,258
	<i>Total Pending Sentence</i>	2,314	365	663	557	622	107
2001	Total	37,494	8,662	8,590	11,709	7,093	1,440
	<i>Total Pending Disposition</i>	35,604	8,374	8,021	11,252	6,605	1,352
	<i>Felony</i>	9,996	1,905	907	4,455	2,371	358
	<i>Misd/Inf/Viol/Oth</i>	25,608	6,469	7,114	6,797	4,234	994
	<i>Total Pending Sentence</i>	1,890	288	569	457	488	88
2000	Total	41,422	8,734	10,501	13,103	7,276	1,808
	<i>Total Pending Disposition</i>	39,447	8,448	9,821	12,593	6,904	1,681
	<i>Felony</i>	10,103	2,026	1,143	4,361	2,105	468
	<i>Misd/Inf/Viol/Oth</i>	29,344	6,422	8,678	8,232	4,799	1,213
	<i>Total Pending Sentence</i>	1,975	286	680	510	372	127

COURT OPERATIONS — SUMMARY INFORMATION

The charts on the facing page give a fairly good summary of some of the work that is accomplished in the Criminal Court over the course of the year.

Dispositions

The chart on top indicates the numbers and types of dispositions reported every year since 2000. The data shows that dispositions have dropped since 2001.

Caseloads

The bottom chart on the facing page shows the caseload, or number of cases in Criminal Court citywide, pending as of the last day of the year. The Bronx Criminal Court merged with Supreme Court as of November 9, 2004 therefore only cases pending in the Bronx arraignment parts on December 31, 2004 are counted toward the total pending caseload.

But for the merger, pending caseloads are just slightly lower than those reported on the last day of 2003. These pending caseload numbers are a fairly good indication of the amount of work pending in the Court at any given time and the amount of work handled by judges and non-judicial personnel.

Court News

Criminal Court Judge's Semi-Annual Seminars

Administrative Judge Juanita Bing Newton continued to offer biannual training for all Criminal Court judges at the NYS Judicial Institute in White Plains. The trainings included presentations on issues of relevance to the judges, such as search warrants, immigration, domestic violence, collateral consequences of criminal convictions, drug courts and substance abuse treatment.

Inspired by a presentation on search warrants at the first training session, Court of Appeals Judge Albert Rosenblatt decided to update and consolidate his Search Warrant Manual, first written in 1983. Criminal Court assisted Judge Rosenblatt in this project. The manual will be distributed statewide in early 2005.



The Complete Search Warrant, Annotated

Consolidated Edition

By

Albert M. Rosenblatt

NEW YORK STATE
UNIFIED COURT
SYSTEM

November 2004

Court News

Second Call Newsletter

2004 saw the rebirth of the Criminal Court newsletter, **Second Call**. Last published thirty years ago, the first issue was distributed in June. The **Second Call** is published by the Office of the Administrative Judge and will be distributed three times a year. It is written as a collaborative effort by Criminal Court employees throughout the city.

The first issue (right) featured articles on technology, human resources, security, court news throughout the city and features on outstanding employees.

The newsletter also featured biographical sketches of new managers hired in the months prior to its distribution and a profile of Criminal Court's Drug Court Initiative.



Bring Your Child to Work Day - 2004



As always "Bring Your Child to Work Day" was a great success in 2004, thanks to the informative lectures and tours of our court staff.

Top Left: Deputy Borough Chief Clerk Joe Vitolo talks to future court employees in Manhattan

Bottom Left: Major Walter Glowacz answers some questions concerning court security and being a court officer

Below: Judge William Harrington gives some insight on being a judge



Criminal Court Summer Law and High School Intern Programs



Summer Law Interns Above: Standing (from L to R): Karen Delfyett, Keisha Miller, Ellen Magid, Carson Beker, Jessica Laut, John Embree, Chief Court Attorney Michael Yavinsky, Toi Frederick, Kelly Schwab, Veronica Bennett, and Justice Initiatives Executive Assistant Barbara Mule. Seated (from L to R): Erin Cho, Andrija Dandridge, Jina Gouaige, Administrative Judge Juanita Bing Newton, Hani Moskowitz, Melissa Sussman, and Rosie Stadnik.

High School Interns Below: Rebecca Leung and Marlon Delisser worked with Francisco Castro, Dennis Hemingway and Grigory Ozerskiy in the Technology Department this summer



2004 Republican National Convention

Scenes from Criminal Court's Preparation for the RNC (Right) Manhattan Criminal Court's "War Room" (from left) DANY Bureau Chief Gary Galperin, Chief Matthew O'Reilly, Borough Chief Clerk John Hayes, Chief Court Attorney Michael Yavinsky, Deputy Chief Clerk Frank Engel, Deputy Borough Chief Clerk Joe Vitolo, 1st Deputy Chief Clerk Vinny Modica, Beverly Russell, Supervising Judge Martin Murphy, NYPD Lt. Steve Olson, Chief Clerk Bill Etheridge, Supervising Court Attorney Rosemarie Wyman, LAS Arraignment Supervisor David Kapner, LAS Attorney-in-Charge Irwin Shaw, LAS Deputy Attorney-in-Charge Steve Golden. (Below Left) Temporary security tents set up outside the South entrance of 100 Centre Street included magnetometers, x-ray machines and bomb detecting devices.



Court News

Chief Judge Kaye Reopens Renovated Manhattan Arraignment Courtroom

Counter-clockwise from Bottom Left: AR1 before construction; AR1 during the work; completed AR1: Supervising Judge Martin Murphy speaking during Opening Ceremony; Chief Judge Judith Kaye making keynote address.



New Lieutenants Report for Duty



New court officer lieutenants reported for duty in July.

Left: Roy Velez, Vernon Dove, Stephanie Hunter, Aysh-Sha Burwell and Kathy Negron

Below Left: Major Walter Glowacz, James Masucci, Robert Olinsky, Juliana Wus, Raymond Gonzowski, Robert Vitucci, Ed Jakubek .

Below: Michael Senese, Carl Gallagher, John DeSimone, Major Glowacz, Steven Crisafulli, Walter Holmes, Michael Fraser and Robert Miglino

Not Pictured: Walter Holmes, Sean Egan, John Bonnano and Edward Kondek



NYC Criminal Court Employees of the Year - 2004

In 2004, Hon. Juanita Bing Newton solicited ideas from judges, management and line employees on how the Court could recognize some of its outstanding personnel. The decision was made to honor employees who demonstrate extraordinary professionalism and dedication to the mission of the Court.

A committee of employees with representatives from throughout the city nominated eight employees for Employee of the Year 2004. The winners were Mary Sullivan, supervising court reporter, Bronx; Debbie Dlugokenski, senior court clerk, Kings; Patricia Everett, associate court clerk, New York; Domenick Lampasi, senior court clerk and Janice Shapiro, court office assistant, Queens; Lt. James Masucci, Richmond county; Davon Culley, court assistant, and Jermaine Dowling, senior court clerk, central administration.

Jermaine Dowling



Patricia Everett



Davon Culley



Deborah Dlugokenski



Domenick Lampasi



Lt. James Masucci



Janice Shapiro



Mary Sullivan



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