



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

100 CHURCH STREET, 12TH FLOOR, NEW YORK, NEW YORK 10007

CRIMINAL JUSTICE REFORM ACT

QUARTERLY REPORT

VOL. 4, No. 2

QUARTER ENDING SEPTEMBER 30, 2020

Joni Kletter

Commissioner

Chief Administrative Law Judge

Introduction

The Criminal Justice Reform Act (CJRA) of 2016 created a civil preference for certain low level offenses previously prosecuted in criminal court, with the dual goal of preserving public safety while reducing arrests and incarceration. The law provides that, for certain specified violations and pursuant to Department Guidance, police officers have the discretion to write summonses for civil adjudication rather than criminal prosecution. Thus, the civil preference means an increase in the number of civil adjudications of these offenses, which will be conducted at OATH. Effective June 13, 2017, the NYPD began issuing civil summonses returnable to OATH for violations of certain sections of the New York City Administrative Code, and Title 56 of the Rules of the City of New York (New York City Park Rules), as specified in the CJRA. Many of the Administrative Code violations, such as littering, public urination, and unreasonable noise, had previously been adjudicated at OATH. However, the CJRA created new civil violations for consumption of alcohol on streets (open container) and for spitting, and it reduced civil penalties for some violations already adjudicated at OATH. Importantly, the CJRA also created a community service option in lieu of the monetary civil penalty and created a category of dismissal in the interest of justice, which will be an option under specified circumstances.

As mandated by the CJRA, the Chief Administrative Law Judge is required to submit to the Mayor and City Council, no later than 20 days after the end of each quarter, and post to the Office of Administrative Trials and Hearings' website a report regarding adjudications for the specified violations set forth in the law. *See* Charter § 1049(6) (setting forth reporting requirement). In accordance with that requirement, this report contains the number and percentage of adjudications, in total and disaggregated by violation, in which:

- (a) the respondent appeared, in total and disaggregated by whether such appearance was made in person or by another method;
- (b) the respondent accepted the option to perform community service pursuant to subdivision 4 of this section, in total and disaggregated by whether such service was performed;
- (c) a pre-adjudication withdrawal was made by the agency;
- (d) a decision was rendered after a hearing;
- (e) a civil penalty was ordered, disaggregated by numerical ranges of penalty amounts;
- (f) the violation was dismissed;
- (g) the violation was dismissed in the interest of justice pursuant to subdivision 5 of this section;
- (h) the respondent paid the civil penalties imposed, in whole or in part; and

(i) a default judgment was ordered due to the respondent's failure to appear for a hearing.

The following Tables 1 – 8 present the data mandated by the CJRA. It should be noted that reporting requirements for subdivisions “f” (violations dismissed) and “g” (violations dismissed in the interest of justice) have been combined into one table (Table 6) as the number and percentage of violations dismissed in the interest of justice is presented as a subset of all dismissed violations.

OATH is uniquely qualified to conduct these adjudications and has worked diligently to implement the innovations set forth in the law, by promulgating a new community service rule; collaborating with the Center for Court Innovation to develop the community service program, which was completely in-sourced effective January 1, 2019; enlisting an independent neutral evaluator of the program; and training over 340 Hearing Officers in the provisions of the CJRA and the new OATH procedures resulting therefrom.

Summary

Period: July 1, 2020 through September 30, 2020

	Paid Prior to Hearing		Appeared		Defaulted		Due-Process Review Dismissals *		Total	
AA01 - 56RCNY1-03(A)(3) - UNAUTHORIZED PRESENCE IN PARK WHEN CLOSED TO PUBLIC	14	0.43%	2	0.06%	30	0.93%	5	0.15%	51	1.58%
AA02 - 56RCNY1-03(B)(6) - FAILURE TO HAVE DISPLAY COMPLY WITH REQUIRED PERMIT	20	0.62%	1	0.03%	60	1.85%	0	0.00%	81	2.50%
AA03 - 56RCNY1-03(C)(1) - FAILURE TO COMPLY WITH DIRECTIVES OF POLICE,PARK SUPERVISOR,LIFEGUARD	9	0.28%	6	0.19%	61	1.89%	0	0.00%	76	2.35%
AA04 - 56RCNY1-03(C)(3) - FAILURE TO COMPLY WITH DIRECTIONS PROHIBITIONS ON SIGNS	96	2.97%	19	0.59%	194	6.00%	0	0.00%	309	9.55%
AA07 - 56RCNY1-04(B)(1)(III) - DESTRUCTION DEFACEMENT ABUSE OF PARK VEGETATION	2	0.06%	1	0.03%	4	0.12%	0	0.00%	7	0.22%
AA08 - 56RCNY1-04(B)(2) - WALKING PERMITTING ANIMAL CHILD TO WALK ON NEWLY SEEDED GRASS	1	0.03%	0	0.00%	0	0.00%	0	0.00%	1	0.03%
AA10 - 56RCNY1-04(B)(4) - UNAUTHORIZED POSSESSION OF GARDENING TOOL PLANT	1	0.03%	0	0.00%	0	0.00%	0	0.00%	1	0.03%
AA11 - 56RCNY1-04(C)(1) - LITTERING OR UNLAWFUL USE OF PARK WASTE RECEPTACLE	1	0.03%	0	0.00%	2	0.06%	0	0.00%	3	0.09%
AA14 - 56RCNY1-04(C)(4) - STORING LEAVING UNATTENDED PERSONAL BELONGINGS	0	0.00%	0	0.00%	6	0.19%	0	0.00%	6	0.19%
AA15 - 56RCNY1-04(D) - POSSESSION OF GLASS CONTAINER	1	0.03%	2	0.06%	3	0.09%	0	0.00%	6	0.19%
AA17 - 56RCNY1-04(G)(2) - UNLAWFUL FEEDING OF ANIMALS	0	0.00%	1	0.03%	1	0.03%	0	0.00%	2	0.06%
AA18 - 56RCNY1-04(I) - UNLEASHED UNCONTROLLED ANIMALS IN PARK	72	2.23%	40	1.24%	194	6.00%	0	0.00%	306	9.46%
AA19 - 56RCNY1-04(J)(1),3-18(B) - FAILURE TO REMOVE CANINE WASTE	0	0.00%	0	0.00%	4	0.12%	0	0.00%	4	0.12%
AA21 - 56RCNY1-04(K) - UNLAWFUL URINATION DEFECATION IN PARK	10	0.31%	2	0.06%	20	0.62%	0	0.00%	32	0.99%
AA22 - 56RCNY1-04(I)(1) - DISORDERLY BEHAVIOR--UNAUTHORIZED ACCESS TRESPASS	62	1.92%	11	0.34%	48	1.48%	0	0.00%	121	3.74%
AA23 - 56RCNY1-04(O) - OBSTRUCTION OF BENCHES, SITTING AREAS	0	0.00%	0	0.00%	1	0.03%	0	0.00%	1	0.03%
AA28 - 56RCNY1-05(B) - UNLAWFUL VENDING	10	0.31%	10	0.31%	118	3.65%	0	0.00%	138	4.27%
AA30 - 56RCNY1-05(D)(1) - UNREASONABLE NOISE	1	0.03%	0	0.00%	1	0.03%	1	0.03%	3	0.09%
AA31 - 56RCNY1-05(D)(2) - OPERATING SOUND REPRODUCTION DEVICE WITHOUT REQUIRED PERMIT	1	0.03%	0	0.00%	4	0.12%	0	0.00%	5	0.15%
AA35 - 56RCNY1-05(F)(1) - UNAUTHORIZED CONSUMPTION POSSESSION OF ALCOHOLIC BEVERAGE	153	4.73%	11	0.34%	129	3.99%	0	0.00%	293	9.06%
AA42 - 56RCNY1-05(M)(1) - FAILURE TO COMPLY WITH FIRE RESTRICTIONS	9	0.28%	2	0.06%	24	0.74%	0	0.00%	35	1.08%
AA43 - 56RCNY1-05(M)(2) - UNLAWFUL DISPOSAL OF FLAMMABLE MATERIALS	2	0.06%	0	0.00%	2	0.06%	0	0.00%	4	0.12%
AA64 - 56RCNY1-04(I) - UNLEASHED UNCONTROLLED ANIMAL IN PARK--SECOND OR SUBSEQUENT OFFENSE	0	0.00%	0	0.00%	3	0.09%	0	0.00%	3	0.09%
AA65 - 56RCNY1-03(C)(2) - FAILURE TO COMPLY WITH DIRECTIVES OF OTHER DEPARTMENT EMPLOYEE	1	0.03%	1	0.03%	10	0.31%	0	0.00%	12	0.37%
AA69 - 56RCNY1-04(F)(1) - POSSESSION OF A FIREARM PROPELLANT EXPLOSIVE ETC.	0	0.00%	0	0.00%	1	0.03%	0	0.00%	1	0.03%
AA71 - 56RCNY1-04(L)(2)(I) - DISORDERLY BEHAVIOR CLIMBING	0	0.00%	0	0.00%	2	0.06%	0	0.00%	2	0.06%
AA72 - 56RCNY1-05(I)(1) - FAILURE OF A PEDICAB OR BIKE OPERATOR TO COMPLY WITH SIGN	0	0.00%	1	0.03%	7	0.22%	0	0.00%	8	0.25%
AA74 - 56RCNY1-05(I) - FAILURE TO COMPLY WITH BICYCLE RIDING AND OR PEDICAB RESTRICTIONS	13	0.40%	4	0.12%	28	0.87%	5	0.15%	50	1.55%
AA76 - 56RCNY1-04(L)(3) - DISORDERLY BEHAVIOR FEE EVASION	0	0.00%	0	0.00%	1	0.03%	0	0.00%	1	0.03%
AA77 - 56RCNY1-04(L)(4) - DISORDERLY BEHAVIOR GAMBLING	4	0.12%	0	0.00%	1	0.03%	0	0.00%	5	0.15%
AA78 - 56RCNY1-04(L)(5)(I) - DISORDERLY BEHAVIOR RENDER ROAD DANGEROUS	7	0.22%	1	0.03%	5	0.15%	0	0.00%	13	0.40%
AA79 - 56RCNY1-04(L)(5)(II) - DISORDERLY BEHAVIOR RENDER PARK DANGEROUS	24	0.74%	2	0.06%	10	0.31%	0	0.00%	36	1.11%
AA80 - 56RCNY1-04(L)(6) - DISORDERLY BEHAVIOR FIGHTING ASSAULT	0	0.00%	0	0.00%	1	0.03%	0	0.00%	1	0.03%
AA81 - 56RCNY1-04(L)(7) - DISORDERLY BEHAVIOR SEXUAL ACTIVITY	5	0.15%	0	0.00%	10	0.31%	0	0.00%	15	0.46%
AA82 - 56RCNY1-04(L)(8) - DISORDERLY BEHAVIOR ENDANGER SAFETY OF OTHERS	0	0.00%	0	0.00%	1	0.03%	0	0.00%	1	0.03%
AA83 - 56RCNY1-04(L)(9) - DISORDERLY BEHAVIOR OPERATION OF BIKE,MOTOR VEHICLE,ETC.THAT ENDANGERS	2	0.06%	3	0.09%	20	0.62%	0	0.00%	25	0.77%
AA84 - 56RCNY1-04(N) - UNLAWFUL EXPOSURE	2	0.06%	0	0.00%	1	0.03%	0	0.00%	3	0.09%
AA86 - 56RCNY1-04(S)(2) - SOLICITING MONEY OR PROPERTY WITHOUT PERMIT	0	0.00%	0	0.00%	2	0.06%	0	0.00%	2	0.06%

Summary

Period: July 1, 2020 through September 30, 2020

	Paid Prior to Hearing		Appeared		Defaulted		Due-Process Review Dismissals *		Total	
AA93 - 56RCNY1-05(N) - UNAUTHORIZED DRIVING PARKING AUTOMOTIVE WORK	19	0.59%	1	0.03%	23	0.71%	0	0.00%	43	1.33%
AA94 - 56RCNY1-05(R)(2) - AREA USE RESTRICTIONS UNAUTHORIZED TOY OR MODEL AVIATION, BOATING	1	0.03%	0	0.00%	1	0.03%	0	0.00%	2	0.06%
AA95 - 56RCNY1-05(R)(3)(I) - AREA USE RESTRICTIONS UNAUTHORIZED ENDANGER PERSON PROPERTY	0	0.00%	2	0.06%	2	0.06%	0	0.00%	4	0.12%
AAA5 - 56RCNY1-05(B)(1) - UNLAWFUL VENDING - SECOND OR SUBSEQUENT VIOLATION WITHIN ONE YEAR	0	0.00%	0	0.00%	2	0.06%	0	0.00%	2	0.06%
AN01 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (7AM TO 10PM) 1ST	6	0.19%	3	0.09%	10	0.31%	8	0.25%	27	0.83%
AN04 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (10PM TO 7AM) 1ST	0	0.00%	2	0.06%	11	0.34%	10	0.31%	23	0.71%
AS03 - 16-118(1)(A) - LITTERING 1ST OFFENSE	55	1.70%	4	0.12%	91	2.81%	7	0.22%	157	4.85%
AS04 - 16-118(1)(A) - SWEEP-OUT 1ST OFFENSE	2	0.06%	0	0.00%	1	0.03%	0	0.00%	3	0.09%
AS05 - 16-118(1)(A) - THROW-OUT 1ST OFFENSE	0	0.00%	0	0.00%	1	0.03%	0	0.00%	1	0.03%
AS9H - 16-118(1)(B) - SPITTING	0	0.00%	0	0.00%	2	0.06%	1	0.03%	3	0.09%
AS9I - 16-118(6) - PUBLIC URINATION 1ST OFFENSE	0	0.00%	12	0.37%	267	8.25%	50	1.55%	329	10.17%
AX25 - AC10-125 - OPEN CONTAINER CONSUMPTION OF ALCOHOL ON STREETS	0	0.00%	30	0.93%	557	17.22%	391	12.09%	978	30.23%
Total	606	18.73%	174	5.38%	1977	61.11%	478	14.78%	3235	100.00%

* Summonses deemed to be defective upon due process review and dismissed

Table 1: Respondents who Paid Before a Hearing or Appeared

Period: July 1, 2020 through September 30, 2020

Specified Violation	Paid Before Hearing		Appeared at Hearing In-Person		Appeared at Hearing Remotely		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
AA01 - 56RCNY1-03(A)(3) - UNAUTHORIZED PRESENCE IN PARK WHEN CLOSED TO PUBLIC	14	0.43%	0	0.00%	2	0.06%	16	0.49%
AA02 - 56RCNY1-03(B)(6) - FAILURE TO HAVE DISPLAY COMPLY WITH REQUIRED PERMIT	20	0.62%	0	0.00%	1	0.03%	21	0.65%
AA03 - 56RCNY1-03(C)(1) - FAILURE TO COMPLY WITH DIRECTIVES OF POLICE,PARK SUPERVISOR,LIFEGUARD	9	0.28%	0	0.00%	6	0.19%	15	0.46%
AA04 - 56RCNY1-03(C)(3) - FAILURE TO COMPLY WITH DIRECTIONS PROHIBITIONS ON SIGNS	96	2.97%	0	0.00%	19	0.59%	115	3.55%
AA07 - 56RCNY1-04(B)(1)(III) - DESTRUCTION DEFAACEMENT ABUSE OF PARK VEGETATION	2	0.06%	0	0.00%	1	0.03%	3	0.09%
AA08 - 56RCNY1-04(B)(2) - WALKING PERMITTING ANIMAL CHILD TO WALK ON NEWLY SEEDED GRASS	1	0.03%	0	0.00%	0	0.00%	1	0.03%
AA10 - 56RCNY1-04(B)(4) - UNAUTHORIZED POSSESSION OF GARDENING TOOL PLANT	1	0.03%	0	0.00%	0	0.00%	1	0.03%
AA11 - 56RCNY1-04(C)(1) - LITTERING OR UNLAWFUL USE OF PARK WASTE RECEPTACLE	1	0.03%	0	0.00%	0	0.00%	1	0.03%
AA15 - 56RCNY1-04(D) - POSSESSION OF GLASS CONTAINER	1	0.03%	0	0.00%	2	0.06%	3	0.09%
AA17 - 56RCNY1-04(G)(2) - UNLAWFUL FEEDING OF ANIMALS	0	0.00%	0	0.00%	1	0.03%	1	0.03%
AA18 - 56RCNY1-04(I) - UNLEASHED UNCONTROLLED ANIMALS IN PARK	72	2.23%	0	0.00%	40	1.24%	112	3.46%
AA19 - 56RCNY1-04(J)(1),3-18(B) - FAILURE TO REMOVE CANINE WASTE	0	0.00%	0	0.00%	0	0.00%	0	0.00%
AA21 - 56RCNY1-04(K) - UNLAWFUL URINATION DEFECATION IN PARK	10	0.31%	0	0.00%	2	0.06%	12	0.37%
AA22 - 56RCNY1-04(I)(1) - DISORDERLY BEHAVIOR--UNAUTHORIZED ACCESS TRESPASS	62	1.92%	0	0.00%	11	0.34%	73	2.26%
AA28 - 56RCNY1-05(B) - UNLAWFUL VENDING	10	0.31%	0	0.00%	10	0.31%	20	0.62%
AA30 - 56RCNY1-05(D)(1) - UNREASONABLE NOISE	1	0.03%	0	0.00%	0	0.00%	1	0.03%
AA31 - 56RCNY1-05(D)(2) - OPERATING SOUND REPRODUCTION DEVICE WITHOUT REQUIRED PERMIT	1	0.03%	0	0.00%	0	0.00%	1	0.03%
AA35 - 56RCNY1-05(F)(1) - UNAUTHORIZED CONSUMPTION POSSESSION OF ALCOHOLIC BEVERAGE	153	4.73%	0	0.00%	11	0.34%	164	5.07%
AA42 - 56RCNY1-05(M)(1) - FAILURE TO COMPLY WITH FIRE RESTRICTIONS	9	0.28%	0	0.00%	2	0.06%	11	0.34%
AA43 - 56RCNY1-05(M)(2) - UNLAWFUL DISPOSAL OF FLAMMABLE MATERIALS	2	0.06%	0	0.00%	0	0.00%	2	0.06%
AA65 - 56RCNY1-03(C)(2) - FAILURE TO COMPLY WITH DIRECTIVES OF OTHER DEPARTMENT EMPLOYEE	1	0.03%	0	0.00%	1	0.03%	2	0.06%
AA66 - 56RCNY1-04(A)(1) - DESTRUCTION OR ABUSE OF DEPT. PROPERTY THAT CAUSES SIGNIFICANT DAMAGE	0	0.00%	0	0.00%	0	0.00%	0	0.00%
AA69 - 56RCNY1-04(F)(1) - POSSESSION OF A FIREARM PROPELLANT EXPLOSIVE ETC.	0	0.00%	0	0.00%	0	0.00%	0	0.00%
AA72 - 56RCNY1-05(I)(1) - FAILURE OF A PEDICAB OR BIKE OPERATOR TO COMPLY WITH SIGN	0	0.00%	0	0.00%	1	0.03%	1	0.03%
AA73 - 56RCNY1-04(L)(2)(II) - DISORDERLY BEHAVIOR CLIMBING STATUE OR ARTWORK THAT COULD DAMAGE	0	0.00%	0	0.00%	0	0.00%	0	0.00%
AA74 - 56RCNY1-05(I) - FAILURE TO COMPLY WITH BICYCLE RIDING AND OR PEDICAB RESTRICTIONS	13	0.40%	0	0.00%	4	0.12%	17	0.53%
AA77 - 56RCNY1-04(L)(4) - DISORDERLY BEHAVIOR GAMBLING	4	0.12%	0	0.00%	0	0.00%	4	0.12%
AA78 - 56RCNY1-04(L)(5)(I) - DISORDERLY BEHAVIOR RENDER ROAD DANGEROUS	7	0.22%	0	0.00%	1	0.03%	8	0.25%
AA79 - 56RCNY1-04(L)(5)(II) - DISORDERLY BEHAVIOR RENDER PARK DANGEROUS	24	0.74%	0	0.00%	2	0.06%	26	0.80%
AA81 - 56RCNY1-04(L)(7) - DISORDERLY BEHAVIOR SEXUAL ACTIVITY	5	0.15%	0	0.00%	0	0.00%	5	0.15%
AA83 - 56RCNY1-04(L)(9) - DISORDERLY BEHAVIOR OPERATION OF BIKE,MOTOR VEHICLE,ETC.THAT ENDANGERS	2	0.06%	0	0.00%	3	0.09%	5	0.15%
AA84 - 56RCNY1-04(N) - UNLAWFUL EXPOSURE	2	0.06%	0	0.00%	0	0.00%	2	0.06%
AA93 - 56RCNY1-05(N) - UNAUTHORIZED DRIVING PARKING AUTOMOTIVE WORK	19	0.59%	0	0.00%	1	0.03%	20	0.62%
AA94 - 56RCNY1-05(R)(2) - AREA USE RESTRICTIONS UNAUTHORIZED TOY OR MODEL AVIATION, BOATING	1	0.03%	0	0.00%	0	0.00%	1	0.03%
AA95 - 56RCNY1-05(R)(3)(I) - AREA USE RESTRICTIONS UNAUTHORIZED ENDANGER PERSON PROPERTY	0	0.00%	0	0.00%	2	0.06%	2	0.06%
AN01 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (7AM TO 10PM) 1ST	6	0.19%	0	0.00%	3	0.09%	9	0.28%
AN04 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (10PM TO 7AM) 1ST	0	0.00%	0	0.00%	2	0.06%	2	0.06%
AS03 - 16-118(1)(A) - LITTERING 1ST OFFENSE	55	1.70%	0	0.00%	4	0.12%	59	1.82%
AS04 - 16-118(1)(A) - SWEEP-OUT 1ST OFFENSE	2	0.06%	0	0.00%	0	0.00%	2	0.06%
AS9I - 16-118(6) - PUBLIC URINATION 1ST OFFENSE	0	0.00%	0	0.00%	12	0.37%	12	0.37%
AX25 - AC10-125 - OPEN CONTAINER CONSUMPTION OF ALCOHOL ON STREETS	0	0.00%	0	0.00%	30	0.93%	30	0.93%
Total	606	18.73%	0	0.00%	174	5.38%	780	24.11%

The percent of paid before hearing, in-person, remote and appeared total is of the total who paid before their CJRA hearing and CJRA hearings scheduled during the reporting period

Table 2: Respondents who Accepted Community Service Option

Period: July 1, 2020 through September 30, 2020

Specified Violation	Accepted Community Service		Completed Community Service	
	Number	Percent	Number	Percent
AA01 - 56RCNY1-03(A)(3) - UNAUTHORIZED PRESENCE IN PARK WHEN CLOSED TO PUBLIC	1	0.57%	2	1.15%
AA04 - 56RCNY1-03(C)(3) - FAILURE TO COMPLY WITH DIRECTIONS PROHIBITIONS ON SIGNS	2	1.15%	2	1.15%
AA15 - 56RCNY1-04(D) - POSSESSION OF GLASS CONTAINER	1	0.57%	1	0.57%
AA18 - 56RCNY1-04(I) - UNLEASHED UNCONTROLLED ANIMALS IN PARK	13	7.47%	11	6.32%
AA21 - 56RCNY1-04(K) - UNLAWFUL URINATION DEFECATION IN PARK	0	0.00%	1	0.57%
AA22 - 56RCNY1-04(I)(1) - DISORDERLY BEHAVIOR--UNAUTHORIZED ACCESS TRESPASS	3	1.72%	3	1.72%
AA28 - 56RCNY1-05(B) - UNLAWFUL VENDING	5	2.87%	1	0.57%
AA65 - 56RCNY1-03(C)(2) - FAILURE TO COMPLY WITH DIRECTIVES OF OTHER DEPARTMENT EMPLOYEE	1	0.57%	1	0.57%
AA74 - 56RCNY1-05(I) - FAILURE TO COMPLY WITH BICYCLE RIDING AND OR PEDICAB RESTRICTIONS	1	0.57%	1	0.57%
AA78 - 56RCNY1-04(L)(5)(I) - DISORDERLY BEHAVIOR RENDER ROAD DANGEROUS	1	0.57%	1	0.57%
AA95 - 56RCNY1-05(R)(3)(I) - AREA USE RESTRICTIONS UNAUTHORIZED ENDANGER PERSON PROPERTY	2	1.15%	2	1.15%
AS9I - 16-118(6) - PUBLIC URINATION 1ST OFFENSE	3	1.72%	3	1.72%
AX25 - AC10-125 - OPEN CONTAINER CONSUMPTION OF ALCOHOL ON STREETS	2	1.15%	2	1.15%
Total	35	20.11%	31	17.82%

The percent of accepted community service and completed community service is of the total number who appeared during the reporting period

Table 3: Pre-Adjudication Withdrawal Made by Agency

Period: July 1, 2020 through September 30, 2020

Specified Violation	Pre-Adjudication Withdrawal	
	Number	Percent
	0	0.00%
Total	0	0.00%

The percent of pre-adjudication withdrawals is of the total number of CJRA hearings scheduled during the reporting period

Table 4: Decision Rendered After a Hearing

Period: July 1, 2020 through September 30, 2020

Specified Violation	Decision Rendered After Hearing	
	Number	Percent
AA01 - 56RCNY1-03(A)(3) - UNAUTHORIZED PRESENCE IN PARK WHEN CLOSED TO PUBLIC	4	0.12%
AA02 - 56RCNY1-03(B)(6) - FAILURE TO HAVE DISPLAY COMPLY WITH REQUIRED PERMIT	1	0.03%
AA03 - 56RCNY1-03(C)(1) - FAILURE TO COMPLY WITH DIRECTIVES OF POLICE,PARK SUPERVISOR,LIFEGUARD	7	0.22%
AA04 - 56RCNY1-03(C)(3) - FAILURE TO COMPLY WITH DIRECTIONS PROHIBITIONS ON SIGNS	22	0.68%
AA07 - 56RCNY1-04(B)(1)(III) - DESTRUCTION DEFACEMENT ABUSE OF PARK VEGETATION	1	0.03%
AA15 - 56RCNY1-04(D) - POSSESSION OF GLASS CONTAINER	2	0.06%
AA17 - 56RCNY1-04(G)(2) - UNLAWFUL FEEDING OF ANIMALS	1	0.03%
AA18 - 56RCNY1-04(I) - UNLEASHED UNCONTROLLED ANIMALS IN PARK	40	1.24%
AA21 - 56RCNY1-04(K) - UNLAWFUL URINATION DEFECACTION IN PARK	2	0.06%
AA22 - 56RCNY1-04(I)(1) - DISORDERLY BEHAVIOR--UNAUTHORIZED ACCESS TRESPASS	11	0.34%
AA28 - 56RCNY1-05(B) - UNLAWFUL VENDING	10	0.31%
AA31 - 56RCNY1-05(D)(2) - OPERATING SOUND REPRODUCTION DEVICE WITHOUT REQUIRED PERMIT	0	0.00%
AA35 - 56RCNY1-05(F)(1) - UNAUTHORIZED CONSUMPTION POSSESSION OF ALCOHOLIC BEVERAGE	11	0.34%
AA42 - 56RCNY1-05(M)(1) - FAILURE TO COMPLY WITH FIRE RESTRICTIONS	2	0.06%
AA65 - 56RCNY1-03(C)(2) - FAILURE TO COMPLY WITH DIRECTIVES OF OTHER DEPARTMENT EMPLOYEE	2	0.06%
AA72 - 56RCNY1-05(I)(1) - FAILURE OF A PEDICAB OR BIKE OPERATOR TO COMPLY WITH SIGN	1	0.03%
AA74 - 56RCNY1-05(I) - FAILURE TO COMPLY WITH BICYCLE RIDING AND OR PEDICAB RESTRICTIONS	4	0.12%
AA78 - 56RCNY1-04(L)(5)(I) - DISORDERLY BEHAVIOR RENDER ROAD DANGEROUS	1	0.03%
AA79 - 56RCNY1-04(L)(5)(II) - DISORDERLY BEHAVIOR RENDER PARK DANGEROUS	2	0.06%
AA83 - 56RCNY1-04(L)(9) - DISORDERLY BEHAVIOR OPERATION OF BIKE,MOTOR VEHICLE,ETC.THAT ENDANGERS	3	0.09%
AA93 - 56RCNY1-05(N) - UNAUTHORIZED DRIVING PARKING AUTOMOTIVE WORK	1	0.03%
AA95 - 56RCNY1-05(R)(3)(I) - AREA USE RESTRICTIONS UNAUTHORIZED ENDANGER PERSON PROPERTY	2	0.06%
AN01 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (7AM TO 10PM) 1ST	3	0.09%
AN04 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (10PM TO 7AM) 1ST	2	0.06%
AS03 - 16-118(1)(A) - LITTERING 1ST OFFENSE	4	0.12%
AS9I - 16-118(6) - PUBLIC URINATION 1ST OFFENSE	14	0.43%
AX25 - AC10-125 - OPEN CONTAINER CONSUMPTION OF ALCOHOL ON STREETS	33	1.02%
Total	186	5.75%

The percent of decisions rendered after a hearing is of the total number of CJRA hearings scheduled during the reporting period.

Table 5: Civil Penalty Ordered		
Period: July 1, 2020 through September 30, 2020		
	Civil Penalty Ordered	
Penalty Amount Range	Number	Percent
\$0	43	23.12%
\$1 - \$75	34	18.28%
\$76 - \$150	17	9.14%
\$151 - \$300	3	1.61%
\$301 - \$500	0	0.00%
\$501 - \$700	0	0.00%
\$701 - \$1,000	0	0.00%
\$1000+	0	0.00%
Total	97	52.15%

The percent of civil penalties ordered is of the total number of CJRA decisions issued during the reporting period. A \$0 penalty indicates that community service has been completed and the imposed amount has been reduced to \$0.

Table 6: Dismissed Violations

Period: July 1, 2020 through September 30, 2020

Specified Violation	Dismissed		Dismissed in Interest of Justice	
	Number	Percent	Number	Percent
AA01 - 56RCNY1-03(A)(3) - UNAUTHORIZED PRESENCE IN PARK WHEN CLOSED TO PUBLIC	1	0.57%	0	0.00%
AA02 - 56RCNY1-03(B)(6) - FAILURE TO HAVE DISPLAY COMPLY WITH REQUIRED PERMIT	1	0.57%	0	0.00%
AA03 - 56RCNY1-03(C)(1) - FAILURE TO COMPLY WITH DIRECTIVES OF POLICE,PARK SUPERVISOR,LIFEGUARD	3	1.72%	0	0.00%
AA04 - 56RCNY1-03(C)(3) - FAILURE TO COMPLY WITH DIRECTIONS PROHIBITIONS ON SIGNS	12	6.90%	0	0.00%
AA07 - 56RCNY1-04(B)(1)(III) - DESTRUCTION DEFACEMENT ABUSE OF PARK VEGETATION	1	0.57%	0	0.00%
AA15 - 56RCNY1-04(D) - POSSESSION OF GLASS CONTAINER	1	0.57%	0	0.00%
AA17 - 56RCNY1-04(G)(2) - UNLAWFUL FEEDING OF ANIMALS	1	0.57%	0	0.00%
AA18 - 56RCNY1-04(I) - UNLEASHED UNCONTROLLED ANIMALS IN PARK	8	4.60%	0	0.00%
AA21 - 56RCNY1-04(K) - UNLAWFUL URINATION DEFECATION IN PARK	1	0.57%	0	0.00%
AA22 - 56RCNY1-04(I)(1) - DISORDERLY BEHAVIOR--UNAUTHORIZED ACCESS TRESPASS	5	2.87%	0	0.00%
AA28 - 56RCNY1-05(B) - UNLAWFUL VENDING	3	1.72%	0	0.00%
AA35 - 56RCNY1-05(F)(1) - UNAUTHORIZED CONSUMPTION POSSESSION OF ALCOHOLIC BEVERAGE	7	4.02%	0	0.00%
AA65 - 56RCNY1-03(C)(2) - FAILURE TO COMPLY WITH DIRECTIVES OF OTHER DEPARTMENT EMPLOYEE	1	0.57%	0	0.00%
AA72 - 56RCNY1-05(I)(1) - FAILURE OF A PEDICAB OR BIKE OPERATOR TO COMPLY WITH SIGN	1	0.57%	0	0.00%
AA74 - 56RCNY1-05(I) - FAILURE TO COMPLY WITH BICYCLE RIDING AND OR PEDICAB RESTRICTIONS	1	0.57%	0	0.00%
AA79 - 56RCNY1-04(L)(5)(II) - DISORDERLY BEHAVIOR RENDER PARK DANGEROUS	2	1.15%	0	0.00%
AA83 - 56RCNY1-04(L)(9) - DISORDERLY BEHAVIOR OPERATION OF BIKE,MOTOR VEHICLE,ETC.THAT ENDANGERS	2	1.15%	0	0.00%
AN01 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (7AM TO 10PM) 1ST	3	1.72%	0	0.00%
AN04 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (10PM TO 7AM) 1ST	1	0.57%	0	0.00%
AS03 - 16-118(1)(A) - LITTERING 1ST OFFENSE	4	2.30%	0	0.00%
AS9I - 16-118(6) - PUBLIC URINATION 1ST OFFENSE	7	4.02%	0	0.00%
AX25 - AC10-125 - OPEN CONTAINER CONSUMPTION OF ALCOHOL ON STREETS	23	13.22%	0	0.00%
Total	89	51.15%	0	0.00%

The percent of dismissed violations is of the total number of CJRA hearings during the reporting period.

NOTE: this **excludes** dismissals as the result of due process review.

The percent of violations dismissed in the interest of justice is of the total number of violations dismissed.

Table 7: Civil Penalties Paid				
Period: July 1, 2020 through September 30, 2020				
Specified Violation	Paid In Full		Partial Payment	
	Number	Percent	Number	Percent
AA01 - 56RCNY1-03(A)(3) - UNAUTHORIZED PRESENCE IN PARK WHEN CLOSED TO PUBLIC	28	1.04%	2	0.07%
AA02 - 56RCNY1-03(B)(6) - FAILURE TO HAVE DISPLAY COMPLY WITH REQUIRED PERMIT	26	0.97%	1	0.04%
AA03 - 56RCNY1-03(C)(1) - FAILURE TO COMPLY WITH DIRECTIVES OF POLICE,PARK SUPERVISOR,LIFEGUARD	15	0.56%	0	0.00%
AA04 - 56RCNY1-03(C)(3) - FAILURE TO COMPLY WITH DIRECTIONS PROHIBITIONS ON SIGNS	142	5.30%	0	0.00%
AA07 - 56RCNY1-04(B)(1)(III) - DESTRUCTION DEFACEMENT ABUSE OF PARK VEGETATION	3	0.11%	0	0.00%
AA08 - 56RCNY1-04(B)(2) - WALKING PERMITTING ANIMAL CHILD TO WALK ON NEWLY SEEDED GRASS	1	0.04%	0	0.00%
AA10 - 56RCNY1-04(B)(4) - UNAUTHORIZED POSSESSION OF GARDENING TOOL PLANT	1	0.04%	0	0.00%
AA11 - 56RCNY1-04(C)(1) - LITTERING OR UNLAWFUL USE OF PARK WASTE RECEPTACLE	1	0.04%	0	0.00%
AA14 - 56RCNY1-04(C)(4) - STORING LEAVING UNATTENDED PERSONAL BELONGINGS	1	0.04%	0	0.00%
AA15 - 56RCNY1-04(D) - POSSESSION OF GLASS CONTAINER	2	0.07%	0	0.00%
AA18 - 56RCNY1-04(I) - UNLEASHED UNCONTROLLED ANIMALS IN PARK	115	4.29%	3	0.11%
AA19 - 56RCNY1-04(J)(1),3-18(B) - FAILURE TO REMOVE CANINE WASTE	1	0.04%	0	0.00%
AA21 - 56RCNY1-04(K) - UNLAWFUL URINATION DEFECACTION IN PARK	11	0.41%	1	0.04%
AA22 - 56RCNY1-04(I)(1) - DISORDERLY BEHAVIOR--UNAUTHORIZED ACCESS TRESPASS	68	2.54%	1	0.04%
AA23 - 56RCNY1-04(O) - OBSTRUCTION OF BENCHES, SITTING AREAS	0	0.00%	1	0.04%
AA28 - 56RCNY1-05(B) - UNLAWFUL VENDING	21	0.78%	3	0.11%
AA30 - 56RCNY1-05(D)(1) - UNREASONABLE NOISE	1	0.04%	0	0.00%
AA31 - 56RCNY1-05(D)(2) - OPERATING SOUND REPRODUCTION DEVICE WITHOUT REQUIRED PERMIT	2	0.07%	0	0.00%
AA35 - 56RCNY1-05(F)(1) - UNAUTHORIZED CONSUMPTION POSSESSION OF ALCOHOLIC BEVERAGE	192	7.16%	1	0.04%
AA42 - 56RCNY1-05(M)(1) - FAILURE TO COMPLY WITH FIRE RESTRICTIONS	11	0.41%	0	0.00%
AA43 - 56RCNY1-05(M)(2) - UNLAWFUL DISPOSAL OF FLAMMABLE MATERIALS	2	0.07%	0	0.00%
AA65 - 56RCNY1-03(C)(2) - FAILURE TO COMPLY WITH DIRECTIVES OF OTHER DEPARTMENT EMPLOYEE	1	0.04%	1	0.04%
AA71 - 56RCNY1-04(L)(2)(I) - DISORDERLY BEHAVIOR CLIMBING	1	0.04%	0	0.00%
AA72 - 56RCNY1-05(I)(1) - FAILURE OF A PEDICAB OR BIKE OPERATOR TO COMPLY WITH SIGN	2	0.07%	0	0.00%
AA73 - 56RCNY1-04(L)(2)(II) - DISORDERLY BEHAVIOR CLIMBING STATUE OR ARTWORK THAT COULD DAMAGE	1	0.04%	0	0.00%
AA74 - 56RCNY1-05(I) - FAILURE TO COMPLY WITH BICYCLE RIDING AND OR PEDICAB RESTRICTIONS	19	0.71%	0	0.00%
AA77 - 56RCNY1-04(L)(4) - DISORDERLY BEHAVIOR GAMBLING	4	0.15%	0	0.00%
AA78 - 56RCNY1-04(L)(5)(I) - DISORDERLY BEHAVIOR RENDER ROAD DANGEROUS	10	0.37%	0	0.00%
AA79 - 56RCNY1-04(L)(5)(II) - DISORDERLY BEHAVIOR RENDER PARK DANGEROUS	27	1.01%	1	0.04%
AA81 - 56RCNY1-04(L)(7) - DISORDERLY BEHAVIOR SEXUAL ACTIVITY	6	0.22%	0	0.00%
AA82 - 56RCNY1-04(L)(8) - DISORDERLY BEHAVIOR ENDANGER SAFETY OF OTHERS	1	0.04%	0	0.00%
AA83 - 56RCNY1-04(L)(9) - DISORDERLY BEHAVIOR OPERATION OF BIKE,MOTOR VEHICLE,ETC.THAT ENDANGERS	3	0.11%	0	0.00%
AA84 - 56RCNY1-04(N) - UNLAWFUL EXPOSURE	2	0.07%	0	0.00%
AA93 - 56RCNY1-05(N) - UNAUTHORIZED DRIVING PARKING AUTOMOTIVE WORK	26	0.97%	1	0.04%
AA94 - 56RCNY1-05(R)(2) - AREA USE RESTRICTIONS UNAUTHORIZED TOY OR MODEL AVIATION, BOATING	1	0.04%	0	0.00%
AA96 - 56RCNY1-05(R)(3)(II) - AREA USE RESTRICTIONS UNAUTHORIZED SKATING SKIING SKATEBOARDING SLEDD	1	0.04%	0	0.00%
AN01 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (7AM TO 10PM) 1ST	7	0.26%	0	0.00%
AN04 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (10PM TO 7AM) 1ST	1	0.04%	0	0.00%
AS03 - 16-118(1)(A) - LITTERING 1ST OFFENSE	69	2.57%	0	0.00%
AS04 - 16-118(1)(A) - SWEEP-OUT 1ST OFFENSE	3	0.11%	0	0.00%
AS9H - 16-118(1)(B) - SPITTING	4	0.15%	0	0.00%
AS9I - 16-118(6) - PUBLIC URINATION 1ST OFFENSE	173	6.46%	4	0.15%
AX25 - AC10-125 - OPEN CONTAINER CONSUMPTION OF ALCOHOL ON STREETS	663	24.74%	11	0.41%
BN92 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (7AM TO 10PM) 1ST	0	0.00%	11	0.41%
Total	1669	62.28%	42	1.57%

The percent of paid in full and partial payment is of the total who paid either before their hearing, received a decision and order imposing a penalty, or defaulted during the reporting period

Table 8: Default Judgment Ordered for Failure to Appear

Period: July 1, 2020 through September 30, 2020

Specified Violation	Default Judgment (FTA)	
	Number	Percent
AA01 - 56RCNY1-03(A)(3) - UNAUTHORIZED PRESENCE IN PARK WHEN CLOSED TO PUBLIC	30	0.93%
AA02 - 56RCNY1-03(B)(6) - FAILURE TO HAVE DISPLAY COMPLY WITH REQUIRED PERMIT	60	1.85%
AA03 - 56RCNY1-03(C)(1) - FAILURE TO COMPLY WITH DIRECTIVES OF POLICE,PARK SUPERVISOR,LIFEGUARD	61	1.89%
AA04 - 56RCNY1-03(C)(3) - FAILURE TO COMPLY WITH DIRECTIONS PROHIBITIONS ON SIGNS	194	6.00%
AA07 - 56RCNY1-04(B)(1)(III) - DESTRUCTION DEFACEMENT ABUSE OF PARK VEGETATION	4	0.12%
AA11 - 56RCNY1-04(C)(1) - LITTERING OR UNLAWFUL USE OF PARK WASTE RECEPTACLE	2	0.06%
AA14 - 56RCNY1-04(C)(4) - STORING LEAVING UNATTENDED PERSONAL BELONGINGS	6	0.19%
AA15 - 56RCNY1-04(D) - POSSESSION OF GLASS CONTAINER	3	0.09%
AA17 - 56RCNY1-04(G)(2) - UNLAWFUL FEEDING OF ANIMALS	1	0.03%
AA18 - 56RCNY1-04(I) - UNLEASHED UNCONTROLLED ANIMALS IN PARK	194	6.00%
AA19 - 56RCNY1-04(J)(1),3-18(B) - FAILURE TO REMOVE CANINE WASTE	4	0.12%
AA21 - 56RCNY1-04(K) - UNLAWFUL URINATION DEFECACTION IN PARK	20	0.62%
AA22 - 56RCNY1-04(I)(1) - DISORDERLY BEHAVIOR--UNAUTHORIZED ACCESS TRESPASS	48	1.48%
AA23 - 56RCNY1-04(O) - OBSTRUCTION OF BENCHES, SITTING AREAS	1	0.03%
AA28 - 56RCNY1-05(B) - UNLAWFUL VENDING	118	3.65%
AA30 - 56RCNY1-05(D)(1) - UNREASONABLE NOISE	1	0.03%
AA31 - 56RCNY1-05(D)(2) - OPERATING SOUND REPRODUCTION DEVICE WITHOUT REQUIRED PERMIT	4	0.12%
AA35 - 56RCNY1-05(F)(1) - UNAUTHORIZED CONSUMPTION POSSESSION OF ALCOHOLIC BEVERAGE	129	3.99%
AA42 - 56RCNY1-05(M)(1) - FAILURE TO COMPLY WITH FIRE RESTRICTIONS	24	0.74%
AA43 - 56RCNY1-05(M)(2) - UNLAWFUL DISPOSAL OF FLAMMABLE MATERIALS	2	0.06%
AA64 - 56RCNY1-04(I) - UNLEASHED UNCONTROLLED ANIMAL IN PARK--SECOND OR SUBSEQUENT OFFENSE	3	0.09%
AA65 - 56RCNY1-03(C)(2) - FAILURE TO COMPLY WITH DIRECTIVES OF OTHER DEPARTMENT EMPLOYEE	10	0.31%
AA69 - 56RCNY1-04(F)(1) - POSSESSION OF A FIREARM PROPELLANT EXPLOSIVE ETC.	1	0.03%
AA71 - 56RCNY1-04(L)(2)(I) - DISORDERLY BEHAVIOR CLIMBING	2	0.06%
AA72 - 56RCNY1-05(I)(1) - FAILURE OF A PEDICAB OR BIKE OPERATOR TO COMPLY WITH SIGN	7	0.22%
AA74 - 56RCNY1-05(I) - FAILURE TO COMPLY WITH BICYCLE RIDING AND OR PEDICAB RESTRICTIONS	28	0.87%
AA76 - 56RCNY1-04(L)(3) - DISORDERLY BEHAVIOR FEE EVASION	1	0.03%
AA77 - 56RCNY1-04(L)(4) - DISORDERLY BEHAVIOR GAMBLING	1	0.03%
AA78 - 56RCNY1-04(L)(5)(I) - DISORDERLY BEHAVIOR RENDER ROAD DANGEROUS	5	0.15%
AA79 - 56RCNY1-04(L)(5)(II) - DISORDERLY BEHAVIOR RENDER PARK DANGEROUS	10	0.31%
AA80 - 56RCNY1-04(L)(6) - DISORDERLY BEHAVIOR FIGHTING ASSAULT	1	0.03%
AA81 - 56RCNY1-04(L)(7) - DISORDERLY BEHAVIOR SEXUAL ACTIVITY	10	0.31%
AA82 - 56RCNY1-04(L)(8) - DISORDERLY BEHAVIOR ENDANGER SAFETY OF OTHERS	1	0.03%
AA83 - 56RCNY1-04(L)(9) - DISORDERLY BEHAVIOR OPERATION OF BIKE,MOTOR VEHICLE,ETC.THAT ENDANGERS	20	0.62%
AA84 - 56RCNY1-04(N) - UNLAWFUL EXPOSURE	1	0.03%
AA86 - 56RCNY1-04(S)(2) - SOLICITING MONEY OR PROPERTY WITHOUT PERMIT	2	0.06%
AA93 - 56RCNY1-05(N) - UNAUTHORIZED DRIVING PARKING AUTOMOTIVE WORK	23	0.71%
AA94 - 56RCNY1-05(R)(2) - AREA USE RESTRICTIONS UNAUTHORIZED TOY OR MODEL AVIATION, BOATING	1	0.03%
AA95 - 56RCNY1-05(R)(3)(I) - AREA USE RESTRICTIONS UNAUTHORIZED ENDANGER PERSON PROPERTY	2	0.06%
AAA5 - 56RCNY1-05(B)(1) - UNLAWFUL VENDING - SECOND OR SUBSEQUENT VIOLATION WITHIN ONE YEAR	2	0.06%
AN01 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (7AM TO 10PM) 1ST	10	0.31%
AN04 - 24-218(A) - CAUSING OR PERMITTING UNREASONABLE NOISE (10PM TO 7AM) 1ST	11	0.34%
AS03 - 16-118(1)(A) - LITTERING 1ST OFFENSE	91	2.81%
AS04 - 16-118(1)(A) - SWEEP-OUT 1ST OFFENSE	1	0.03%
AS05 - 16-118(1)(A) - THROW-OUT 1ST OFFENSE	1	0.03%
AS9H - 16-118(1)(B) - SPITTING	2	0.06%
AS9I - 16-118(6) - PUBLIC URINATION 1ST OFFENSE	267	8.25%
AX25 - AC10-125 - OPEN CONTAINER CONSUMPTION OF ALCOHOL ON STREETS	557	17.22%
Total	1977	61.11%

The percent of default judgments for failure to appear is of the total who paid before their CJRA hearing and CJRA hearings scheduled during the reporting period