Criminal Court

of the

City of New York

Annual Report

2006

Hon. Juanita Bing Newton
Administrative Judge

William H. Etheridge III
Chief Clerk

CRIMINAL COURT OF THE CITY OF NEW YORK
2006 ANNUAL REPORT
Published April 2007

This Report was published by the Office of the Administrative Judge of New York City Criminal Court.

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100 Centre St Lobby

This report showcases some of the impressive art, architectural details and fixtures found throughout NYC Criminal Court's nine courthouses.

Calendar Year 2006 - 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 three sections; the first part is an introduction and summary of the organizational structure of the Court, the second part describes court operations - arraignments, all-purpose parts, trial parts and community courts and other specialized courtrooms, along with a description of the Court's back office - the last section takes a look back at Court news over the past year and exciting new projects coming in 2007. This report explains how each court operation functions and then provides a quantitative analysis of the work in an effort to give the reader a snapshot of the volume and outcomes of cases over the past year.

In 2004, the Bronx Criminal Division assumed administrative responsibility over many aspects of misdemeanor case processing in the Bronx. For the most part we do not address statistical information relating to Bronx misdemeanor operations. There are exceptions, however. We do report on summons, arraignment statistics and revenue numbers in the Bronx as part of the entire Criminal Court picture. We have also clearly marked any table or graph that contains Bronx statistics. (See page 31 for further information).

Here are some 2006 Criminal Court milestones :

- 23.99 hour average arrest-to-arraignment time
- 332,496* online arrest/DAT cases arraigned;
- 602,944* summons filings;
- 264,295 online arrest/DAT dispositions;
- 919,415 cases calendared;
- 519,269 cases calendared in all purpose parts;
- 25,613 felony dispositions in Criminal Court felony waiver parts compared to 21,334 dispositions in all corresponding four Supreme Courts, Criminal Term;
- 856 pre-trial hearings commenced;
- 2,117 trial verdicts (combined arrest/DAT and summons);
- $33,909,379* in revenue; and
- $120,094,025* operating budget.

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 and the Court's response to new laws and legislation and executive branch initiatives, such as Operation Spotlight.

NYC Criminal Court 2006 By the Numbers

Budget:	**$120,094,025***	**Non-judicial personnel:**	**1,222**
Total revenue:	**$33,909,379***	**Hearings commenced:**	**856**
Fine revenue:	**$14,913,991***	**Court officers:**	**516**
Bail revenue:	**$11,206,201***	**Trial verdicts (arrest cases):**	**504**
Summons revenue:	**$8,210,384***	**Clerks:**	**205**
Summons filings:	**602,944***	**Judges authorized by statute:**	**107**
Arraignments (Online/DATs):	**332,496***	**Court Reporters:**	**88**
Misdemeanor filings:	**271,738***	**Court Interpreters:**	**61**
Felony filings:	**59,601***	**Court Attorneys:**	**59**
Jurors serving:	**4,825**	**Judges actually sitting:**	**56**
Trials (summons cases):	**1,613***	**Courthouses:**	**9***

** Includes Bronx information*

Introduction — Administrative Judge Juanita Bing Newton

Greetings from the New York City Criminal Court. This year filings and resulting workloads were at an all time high. There has not been an equivalent increase in personnel, so we increasingly rely on the hard work and dedication of outstanding jurists and non-judicial personnel. We are constantly asking for more and judges and staff always rise to the challenge. In recognition of their devotion, last year we profiled our non-judicial personnel in this report. For 2006 I want to profile the judges of our Court and in these pages you will find the women and men who dispensed justice on over 930,000 cases this year.

We continued to grapple with the increasing amount of "quality of life" arrests but, along with the seemingly limitless quantities of misdemeanor and other petty offenses, Criminal Court also saw a reverse in the decade long trend of decreasing felony filings. This year we saw the first increase in felony arrests in well over ten years. Criminal Court judges sitting in our felony waiver parts actually handle more of these cases to final disposition than their counterparts in the Supreme Court.

Over the course of the last fifteen years, Criminal Court has responded to the changes in arrest patterns and criminal justice theory by experimenting with new ways of processing our caseload. We were among the first in the state to open domestic violence courts and drug courts to attack age old problems in a new, meaningful way. We have opened two community courts that are shining examples for the rest of the country and the world. What is not as well documented is the improvements that we have made to the way that we dispense justice in our mainstream caseload. A recent study on the perception of fairness by court users at Red Hook Community Justice Center, excerpts of which we include in this report, shows that users of both the Red Hook courthouse and our much larger centralized Brooklyn courthouse also responded very favorably to the work of our judges and staff. Most believed that even in a courthouse that calendared over 360,000 cases each year, cases were being handled fairly and appropriately.

Honorable Juanita Bing Newton
Administrative Judge

What a testament to our judges and non-judicial personnel! Even in the busiest courthouses in the country, we never lose sight of the most important part of our job - bringing justice to the people of this great city.

This report discusses online arrest/Desk Appearance Ticket (DAT) and summonses arraignments and filings. Online arrest/DAT refers to those cases that are filed with the court subsequent to a arrest by a law enforcement officer and the filing of a formal complaint. With online arrest/DAT cases, the defendant is typically detained either at a local police precinct or central booking while fingerprints are taken and a criminal history report returned. Online arrest defendants are held until seen by a judge. DAT defendant are released after printing, at the discretion of law enforcement, and given a notice to appear in court on a future date. Unless indicated, this report groups these two types of cases together into one category.

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

Organizational Structure of NYC Criminal Court

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

Many of the 107 judges appointed to the Criminal Court have been assigned to the Criminal Term of the Supreme Court in order to handle felony cases. To assist in processing Criminal Court cases, court administrators have assigned to the Criminal Court, New York City Civil Court Judges and, on occasion, a Judge of the New York City Family Court. All judges presiding over a Criminal Court Part on December 29, 2006 are listed on page 8.

The Court is headed by a citywide Administrative Judge who is responsible for the overall operation of the Court. Administrative Judge Juanita Bing Newton was assisted in 2006 in this task by three supervising judges, one for Manhattan - Hon. Eileen Koretz, one for Queens - Hon. Deborah Stevens Modica and a third who supervises our courts in Kings and Richmond counties - Hon. William Miller.

Under the direction of the Administrative Judge, the Chief Clerk of the court oversees the Court's staff of non-judicial personnel. Chief Clerk William H. Etheridge III is assisted in this task by the First Deputy Chief Clerk for citywide operations, Vincent Modica. In addition, the Chief Clerk is supported by four Borough Chief Clerks who, along with the supervising judges, oversee the day-to-day operations in each county - Serena Springle (New York), John Hayes (Kings), Brian Wynne (Queens) and Andrew Hassell (Richmond). The citywide summons operation is supervised by Senior Court Clerk Robert Cassidy and Donald Vasti and Sandra Martin Smith oversee the operations of Midtown Community Court and Red Hook Criminal Justice Center, respectively.

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 include Beverly Russell (Counsel); Michael Yavinsky (Chief Court Attorney); Justin Barry (Drug Courts); and Lisa Lindsay (DV Courts).

Criminal Court Caseload — A 10 Year Overview

Criminal Court saw a 5% increase in arrest/DAT arraignments from 317,286 in 2005 to 332,496 in 2006. Both misdemeanor and felony filings increased over the last year reversing the downward trend of filings, the Court has experienced since the peak of the last decade 1998 when the Court arraigned over 400,000 arrest/DAT cases. While total filings in 2006 were 17% lower than the total in 1996, they were only 2% lower than those in 2001, five years ago.

The big picture continues to show law enforcement's continued focus on "quality of life" crimes. While summons filings were down slightly from the year before, they are still up over 6% from 2001 and 74% from ten years ago.

Another indicator of the increase in workload is the 8% increase in the number of calendared cases in the last two years from 841,894 in 2004 to 919,415 in 2006. In the same period the number of pending cases on December 31 increased dramatically from 36,325 in 2004 to 43,858 in 2006. While the workload has steadily risen, the amount of judges available to preside in the Court has dropped with the Court logging 12,149 judge days in 2006 compared to 12,184 in 2004. Criminal Court is managing an increasing workload with less resources than it has had in past years.

CRIMINAL COURT
CITY OF NEW YORK
MANAGEMENT ORGANIZATION
2006

2006
New York City Criminal Court

Hon. Juanita Bing Newton
Administrative Judge

NEW YORK

Hon. Eileen Koretz
Supervising Judge

Criminal Court Judges
Hon. Abraham Clott
Hon. A. Kirke Bartley
Hon. Ellen Coin
Hon. James Gibbons
Hon. Gerald Harris
Hon. Melissa Jackson
Hon. Alexander Jeong
Hon. Patricia Nunez
Hon. Neil Ross
Hon. Larry Stephen

Civil Court Judges
Hon. Matthew Cooper
Hon. Anthony Ferrara
Hon. Ellen Gesmer
Hon. Deborah Kaplan
Hon. Tanya Kennedy
Hon. Evelyn Laporte
Hon. Robert Mandelbaum
Hon. Shawndya Simpson

Acting Supreme Court Justice
Hon. Laura Ward

Midtown Community Court
Hon. Richard Weinberg

KINGS-RICHMOND

Hon. William Miller
Supervising Judge

Criminal Court Judges
Hon. Richard Allman
Hon. Miriam Best
Hon. James Burke
Hon. Miriam Cyrulnik
Hon. William McGuire
Hon. Suzanne Mondo
Hon. Matthew Sciarrino (SI)
Hon. Toko Serita
Hon. Ruth E. Smith
Hon. Alvin Yearwood

Civil Court Judges
Hon. Michael Gerstein
Hon. Desmond Green (SI)
Hon. Kenneth Holder
Hon Eileen Nadelson
Hon. Geraldine Pickett
Hon. Betty Williams
Hon. John Wilson

Acting Supreme Court Justices
Hon. William Garnett
Hon. Joseph Gubbay
Hon. Alan Meyer (SI)

Red Hook CJC
Hon. Alex Calabrese

QUEENS

Hon. Deborah Stevens Modica
Supervising Judge

Criminal Court Judges
Hon. Fernando Camacho
Hon. Lenora Gerald
Hon. William Harrington
Hon. Gene Lopez
Hon. Suzanne Melendez
Hon. Mary O'Donoghue
Hon. Robert Raciti
Hon. Joseph Zayas

Civil Court Judges
Hon. Ira Margulis
Hon. Steven Paynter
Hon. Alex Zigman

Acting Supreme Court Justices
Hon. Dorothy Chin Brandt
Hon. Pauline Mullings

William H. Etheridge III, Chief Clerk
Vincent Modica, First Deputy Chief Clerk

Serena Springle,
New York Borough Chief Clerk
Joseph Vitolo,
New York Deputy Borough Chief Clerk

John Hayes,
Kings Borough Chief Clerk
Timothy McGrath,
Kings Deputy Borough Chief Clerk
Andrew Hassell,
Richmond Borough Chief Clerk

Brian Wynne,
Queens Borough Chief Clerk
Carey Wone,
Queens Deputy Borough Chief Clerk

Courthouse Locations

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

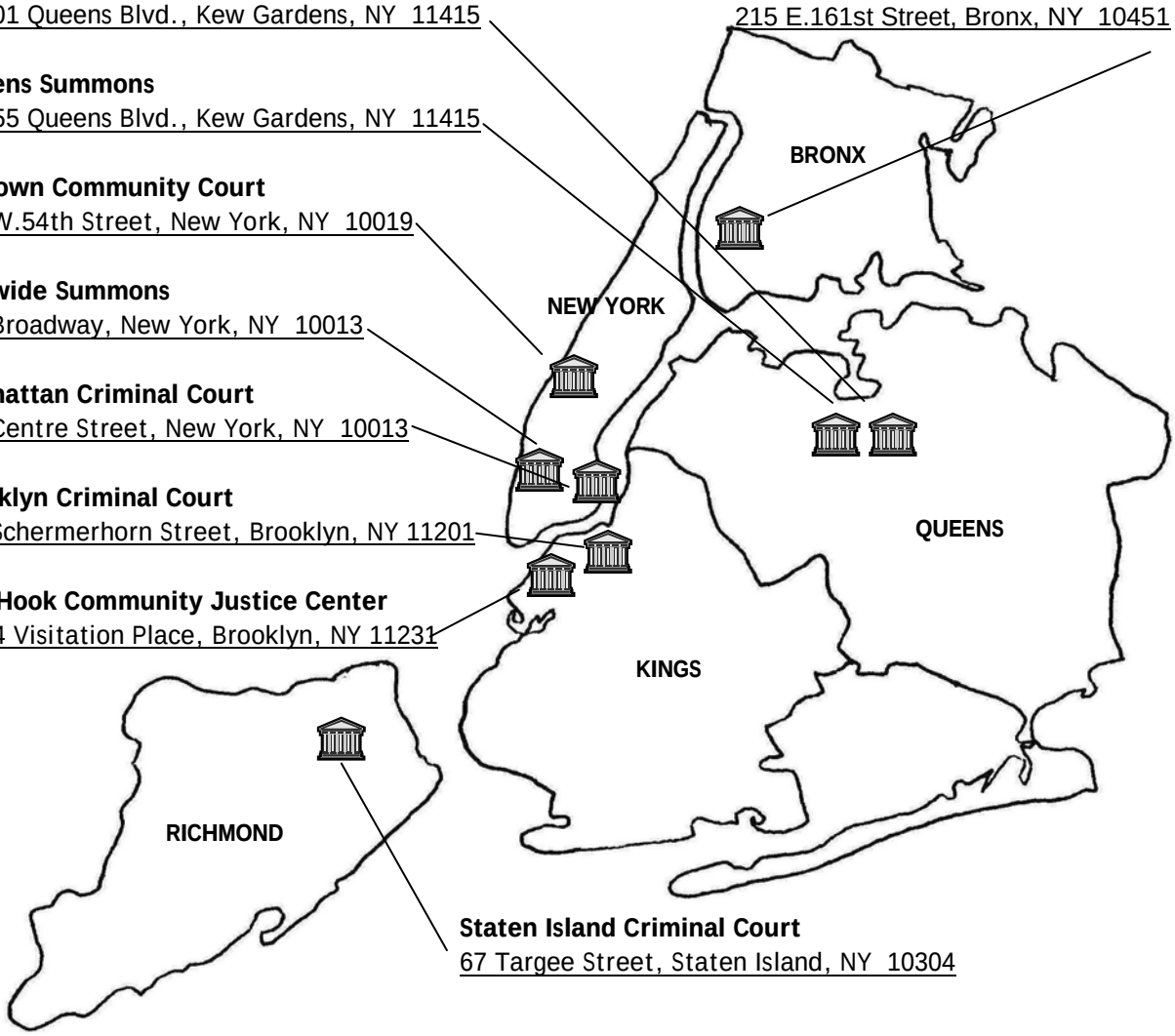
Citywide Summons
346 Broadway, New York, NY 10013

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

Bronx Arraignments and Summons
215 E.161st Street, Bronx, NY 10451



Staten Island Criminal Court
67 Targee Street, Staten Island, NY 10304

NEW YORK CITY

Citywide Summons

Brooklyn

Manhattan

Red Hook

Bronx Arraignments/Summons

Queens

Queens Summons

Staten Island

Midtown

New Initiatives and Improved Service in 2006

Over the past year, Criminal Court continued to look for ways to increase the quality and efficiency of the delivery of justice throughout New York City, as well as making the courthouses more user-friendly. Some of these initiatives are listed below:

Video Hospital Arraignments

Criminal Court implemented a pilot project in Manhattan Criminal Court that allows hospitalized defendants awaiting arraignment to appear before a judge by videoconference. Arraignment of hospitalized defendants are a significant drain on the Court's scarce judicial resources, requiring a judge, lawyers and court staff to spend a half-day or more visiting a hospital to arraign a handful of defendants. In the same time period a judge presiding in an arraignment part can arraign upwards of one hundred cases. The Court's video arraignment project with Bellevue Hospital allows Manhattan judges to arraign these defendants in a matter of minutes in the courthouse, rather than hours spent traveling throughout Manhattan. The pilot will expand to other hospitals and counties in 2007.

Comprehensive Screening

Queens County began the comprehensive screening of all defendants arrested in the county for eligibility in court-monitored treatment (both Criminal and Supreme Court drug courts) in September. The program will expand to Manhattan in 2007.

Citywide Training

Expanding on the Court's commitment to supplement yearly judge's training with its own seminars for judges, Criminal Court initiated a citywide training program in May 2006 for all court reporters, court interpreters and court officers. In 2007 the Court will expand the training to court clerks and court assistants.

Summons Redesign

The Court has worked with the New York City mayor's office, the police department and the Office of Court Administration to redesign the class "C" summons that initiate the vast majority of prosecutions in the Court's summons parts. The new summons will allow more efficient processing of the over 600,000 summons cases each year for both court personnel and the forty law enforcement agencies that use the summons form.

Lobby Information Displays

Court administrators worked throughout the year to pave the way for new large flat panel television monitors that display information about the court, answer frequently asked questions and even show the daily calendars for every part. Citywide summons at 346 Broadway and Midtown Community Court will be the first courthouses to have the displays installed.

LIFT Education and Information Site

Criminal Court worked with Legal Information for Families Today (LIFT) to place an Education and Information Site in the lobby of the Brooklyn courthouse. The pilot project was designed to help victims, defendants' families and other court users to navigate the court system, answer questions and make referrals to necessary services. The site started dispensing information in September.

School Connections Program Expansion

Operating since 2004, in conjunction with our Brooklyn drug courts, the School Connections program brought a liaison from the New York City Department of Education into the courthouse to reconnect adolescent offenders with the school system and get them back on track to graduate or get a General Equivalency Diploma. This year the School Connections program was expanded to permit all Brooklyn judges to refer any defendant, regardless of drug court eligibility, to the program.

School Outreach

Queens Criminal Court began its School Outreach program in November as a way of connecting with students in Queens and educating them about the court system and discussing everyday topics such as bullying and careers. Queens judges and non-judicial personnel have so far "adopted" twenty-two schools.

Research on Defendants' Perceptions of Fairness

In the summer of 2005, the Center for Court Innovation conducted a research project comparing defendant perceptions of fairness in the Red Hook Community Justice Center (Red Hook) and Brooklyn's centralized criminal court. Nearly 400 defendants took part in a survey comparing their perceptions of the treatment they received. The survey evaluated the effects of court location, defendant background (race, ethnicity, sex and socioeconomic status), the outcome of their current court case, and the stage of their case at the time of the survey.

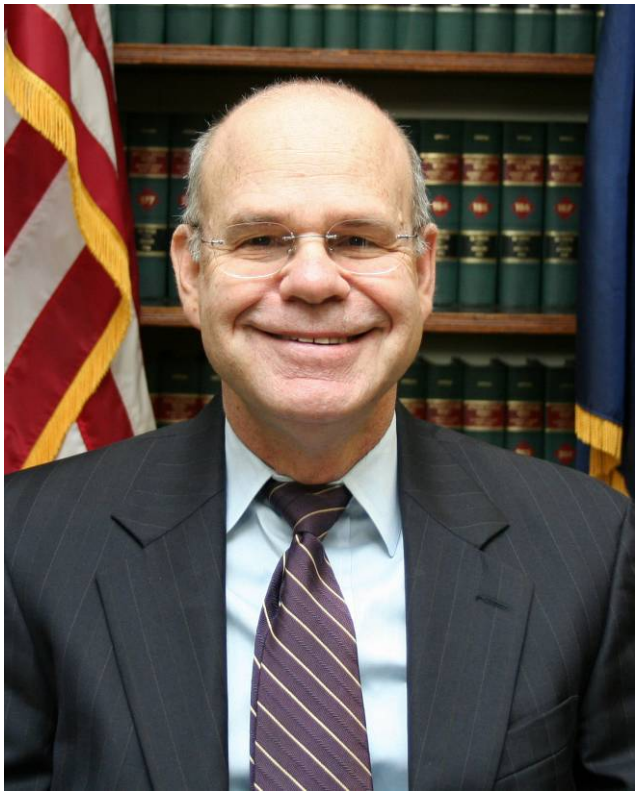
CCI's project looked to compare defendant perceptions of fairness at Red Hook and 120 Schermerhorn St. courthouse. Some of the findings follow:

The quality of communication that defendants experienced in the courtroom had a significant effect on their overall perceptions of the court's fairness. Clear communication was slightly more important to defendants' overall perceptions of fairness than respectful and helpful treatment from court staff, although these were also important elements. This suggests that efforts to improve communication and enable defendants to express their own perspectives can create more positive perceptions.

Defendants' perception of the judge was the most important predictor of overall perceptions of the court's fairness. Defendants who perceived that the judge treated them with respect, helpfulness, and objectivity were more likely to say their experience was fair overall. Although the treatment of defendants by other court actors, including the defense attorney, prosecutor and court officers, was also important, perceptions of the judge were overwhelmingly more important to determining perceptions of overall fairness.

While Red Hook was considered more fair than the traditional court, defendant responses to Criminal Court at 120 Schermerhorn Street were also highly positive. The services, transparency and collaboration characteristic of the community court model used at Red Hook heighten defendant perceptions of fairness. While defendant responses to Red Hook were generally more positive than those at 120 Schermerhorn Street, at least 70 percent of defendants were satisfied with nearly all of the court actors and court processes in both courts.

The study's conclusions that Red Hook was perceived as fair was anticipated and well deserved. It was a pleasant surprise that the larger courthouse on Schermerhorn Street was viewed by defendants as almost as fair as the smaller community court. Differences in the defendant responses concerning judges and court officers in the two courthouses were so small that the researchers deemed them statistically insignificant. The study confirms perceptions of fairness are colored by the level of communication and respectful and helpful treatment. It also confirms that large volume courthouses can aspire to and reach the same level of "quality service." The study also shows that changes are occurring across the entire Criminal Court. Justice is our focus!



Honorable William Miller
Supervising Judge, Kings County

New Laws and Legislation

There were quite a few pieces of legislation passed in 2006 that impacted New York City Criminal Court. When these laws are enacted, all relevant judicial and non-judicial staff are notified of the changes by the Office of the Chief Court Attorney. These notifications provided information on statutes, legislative history, case law analysis and other information to foster implementation. The following pages show the most significant notifications made in 2006.

Legislative Changes of 2006

A. Changes Affecting the Penal Law

1. L 2006, ch 742 - Amending Penal Law § 265.03 [Criminal Possession of a Weapon in the Second Degree]; Repealing Subdivision (4) of Penal Law § 265.02 [Criminal Possession of a Weapon in the Third Degree]

This law repeals subdivision (4) of PL § 265.02 and adds a new subdivision (3) to PL § 265.03 prohibiting possession of any loaded firearm. The same "home or place of business" exception provided for in PL § 265.02(4) has also been added to PL § 265.03(3). This exception specifically provides that "[s]uch possession, shall not, except as provided in subdivision one or seven of [PL § 265.02], constitute a violation of this subdivision if such possession takes place in such person's home or place of business." These changes effectively elevate possession of a loaded firearm under the abovementioned circumstances from a class D felony to a class C felony.

According to the Sponsor's Memo in support of this law, "approximately 60% of the homicides that occur in the City of New York are committed with guns, many of which are illegal." Elevating the penalty for possession of one illegal loaded firearm sends "a clear message that the people of New York will not tolerate violence perpetuated by illegal weapons."

NOTE: On December 15, 2006, L 2006, ch 742 was amended by L 2006, ch 745. Chapter 742 had deleted PL § 265.03(1)(b), which prohibited possession of a loaded firearm with the intent to use the same unlawfully against another. This language was reinstituted by Chapter 745. Chapter 745 also made a clarification to the language of subdivision (3) of PL § 265.02.

Honorable Eileen Koretz
Supervising Judge, New York County

Effective Date: November 1, 2006

2. L 2006, ch 738 - Adding Penal Law §§ 270.25, 270.30 and 270.35 [The Craig J. Todeschini Unlawful Fleeing a Police Officer Act]

This law adds three new sections to the Penal Law creating the crimes of Unlawful Fleeing a Police Officer in a Motor Vehicle in the First, Second, and Third Degree [PL §§ 270.35, 270.30, and 270.25, respectively].

Under PL § 270.25, a person is guilty of Unlawful Fleeing a Police Officer in a Motor Vehicle in the Third Degree when, knowing that he has been directed to stop his motor vehicle by a uniformed police officer or a marked police vehicle by the activation of either the lights or the lights and si-

ren of such vehicle, he drives at speeds at least 25 miles per hour above the speed limit or engages in Reckless Driving [VTL § 1212]. This offense is a class A misdemeanor.

A person is guilty of Unlawful Fleeing a Police Officer in a Motor Vehicle in the Second Degree [PL § 270.30], a class E felony, when he commits the offense of Unlawful Fleeing a Police Officer in a Motor Vehicle in the Third Degree and, as a result of such conduct, a police officer or a third person suffers serious physical injury. Further, a person is guilty of Unlawful Fleeing a Police Officer in a Motor Vehicle in the First Degree [PL § 270.35], a class D felony, when he commits the offense of Unlawful Fleeing a Police Officer in a Motor Vehicle in the Third Degree and, as a result of such conduct, a police officer or a third person is killed.

Prior to the creation of these offenses, a person who forced a police officer to engage in a vehicle pursuit was only punishable for failure to obey a police officer, a traffic infraction. According to the Sponsor's Memo in support of this law, individuals may have attempted to flee instead of pulling over due to this lenient punishment, and sometimes this resulted in chases that led to innocent civilians or police officers suffering injury or death. Therefore, "this [law] is designed to protect police officers, motorists, and pedestrians by deterring [high speed chases] and appropriately punishing those who would engage in high speed chases."

Effective Date: November 1, 2006

3. L 2006, ch 682 - Amending Penal Law § 275.40 [Failure to Disclose the Origin of a Recording in the First Degree]

This law amends the elements of Failure to Disclose the Origin of a Recording in the First Degree [PL § 275.40]. Specifically, a person is guilty of this offense when he commits Failure to Disclose the Origin of a Recording in the Second Degree [PL § 275.35] and either: (1) he has been convicted of Failure to Disclose the Origin of a Recording in the First or Second Degree within the past five years, or (2) the commission of the crime involves at least 100 unauthorized sound recordings or at least 100 unauthorized audiovisual recordings. [Under the prior law, the number of unauthorized sound recordings was required to be at least 1000.]

Honorable Deborah Stevens Modica
Supervising Judge, Queens County

According to the Sponsor's Memo in support of this law, "the counterfeit goods trade takes billions of dollars out of the state's economy, with an annual fiscal impact of over $2.6 billion dollars in lost revenue [,and music] piracy is a growing part of this problem."

Effective Date: November 1, 2006

4. L 2006, ch 585 - Amending Penal Law §§ 145.15 and 145.20 [Criminal Tampering in the First and Second Degree]

This law amends PL §§ 145.15 and 145.20 to include nuclear powered electric generating facilities in the class of properties to which the crimes of Criminal Tampering in the First and Second Degree apply. [Criminal Tampering in the First Degree is a class D felony, and Criminal Tampering in the Second Degree is a class A misdemeanor.]

According to the Sponsor's Memo in support of this law, "nuclear power facilities are sensitive properties that require a high level of security against

unauthorized people who either inadvertently or intentionally enter a secured area. . . ." Thus, it is appropriate and prudent to provide them with the same safeguards as the other utilities included under PL §§ 145.15 and 145.20.

Effective Date: August 16, 2006

5. L 2006, ch 564 - Adding Penal Law § 220.28 [Use of a Child to Commit a Controlled Substance Offense]

This law adds PL § 220.28, a class E felony. Under PL § 220.28, a person is guilty of Use of a Child to Commit a Controlled Substance Offense when, being 18 years old or more, he commits a felony sale or felony attempted sale of a controlled substance, and, as part of that criminal transaction, knowingly uses a child to effectuate such sale or attempted sale. For purposes of this section, a child is any person less than 16 years old.

Use of a child in this manner is defined as conduct by which the defendant either: (1) conceals the controlled substance on the child for the purpose of effectuating the sale or attempted sale to a third person, or (2) requires the child to sell or attempt to sell a controlled substance to a third person or offer direct assistance to the defendant in selling or attempting to sell a controlled substance to a third person.

According to the Sponsor's Memo in support of this law, it has become increasingly common for adults to use children as a distraction during drug sales or even to hide drugs on the bodies of children in order to escape detention and arrest. "This [law will] address these troubling circumstances with a specific penalty aimed at adults who are unlawfully using children in this manner."

Effective Date: November 1, 2006

6. L 2006, ch 558 - Amending Penal Law §§ 156.00, 156.05, 156.10, 156.20 and 165.15 [Offenses Involving Computers]

This law amends various sections of the Penal Law in relation to the unauthorized use of computers. Specifically, this law amends PL § 156.00 to clarify

Honorable Richard Allman
Kings County

the definition of "without authorization" as well as to add definitions for "computer network" and "access." The elements of several computer-related offenses [PL §§ 156.05, 156.10, 156.20 and 165.15] are also amended to include the terms "computer network" and "access."

Citing the increasing use of computers in our daily lives, this law's sponsor noted that this legislation will ensure that the Penal Law keeps up with the ever-changing computer technology to prosecute individuals who "maliciously disrupt computer systems and steal information from computers."

Effective Date: November 1, 2006

7. L 2006, ch 436 - Amending Penal Law §§ 70.70, 220.00, 220.34 and 220.44 [Adding School Buses as Designated Areas for Purposes of Controlled Substance Offenses]

This law amends various sections of the Penal Law

to add school buses as designated areas where individuals, by their conduct, may be charged with controlled substance offenses. Further, this amendment adds subdivision (17) to PL § 220.00 to include a definition of "school bus."

According to the Sponsor's Memo in support of this law, "[c]learly, it is appropriate to extend the same penalties for the criminal sale of a controlled substance in or near school grounds to such criminal sale on school buses. Parents should be able to expect the same safety measures to apply to school buses as those in place for school facilities."

Effective Date: September 1, 2006

8. L 2006, ch 350 - Amending Penal Law § 215.52 [Aggravated Criminal Contempt]

This law amends PL § 215.52 to broaden the scope of the offense of Aggravated Criminal Contempt. In addition to the prior definition of that offense, this law further provides that a person is guilty of Aggravated Criminal Contempt when: (1) he commits the crime of Criminal Contempt in the First Degree as defined in subdivision (b) or (d) of PL § 215.51 and has been previously convicted of Aggravated Criminal Contempt; or (2) he commits the crime of Criminal Contempt in the First Degree, as defined in paragraph (i), (ii), (iii), (v) or (vi) of subdivision (b) or subdivision (c) of PL § 215.51 and has been previously convicted of Criminal Contempt in the First Degree, as defined in subdivision (b), (c), or (d) of PL § 215.51 in the preceding five years.

According to the Sponsor's Memo in support of this law, the penalties for violating an order of protection under the prior law have proven to be insufficient to deter repeat offenses. The sponsor noted that "[t]he number of violations of orders of protection in New York State [is] astronomical, with a large proportion violated within 24 hours of the order having been issued." As such, the purpose of this law is "to deter repeat offenders and further protect victims of domestic violence."

Effective Date: November 1, 2006

9. L 2006, ch 349 - Amending Penal Law § 215.51 [Criminal Contempt in the First Degree]

Honorable Miriam Best
Kings County

This law amends PL § 215.51 to add a prior conviction for Aggravated Criminal Contempt [PL § 215.52] to the list of predicate offenses for the crime of Criminal Contempt in the First Degree. Under the prior law, a defendant convicted of Criminal Contempt in the Second Degree, an A misdemeanor, would have the penalty enhanced to Criminal Contempt in the First Degree, an E felony, when he has a conviction for Criminal Contempt in the First or Second Degree in the previous five years. The prior law, however, did not provide for enhancement of the penalty from a misdemeanor to a felony when the prior offense was the more serious offense of Aggravated Criminal Contempt, a D felony. This amendment corrects that deficiency.

According to the Sponsor's Memo in support of this law, "[t]his law is designed to address the problem of repeated violations of orders of protection in domestic violence cases by increasing penalties for

perpetrators who ignore these court orders and repeatedly harass, threaten or abuse their victims."

Effective Date: November 1, 2006

10. L 2006, ch 320 - Amending Penal Law § 255.25; Adding Penal Law §§ 255.26 and 255.27; Amending Various Other Statutory Provisions [Expanding the Crime of Incest]

This law amends PL § 255.25 to vary the degree of criminal liability for the offense of incest. Penal Law § 255.25 is amended to be known as the crime of Incest in the Third Degree, a class E felony. Further, the crimes of Incest in the First Degree [PL § 255.27] and Incest in the Second Degree [PL § 255.26] are added.

Under PL § 255.27, a person is guilty of Incest in the First Degree [a class B felony] when he commits the crime of Rape in the First Degree, as defined under subdivision (3) or (4) of PL § 130.35, or Criminal Sexual Act in the First Degree, as defined under subdivision (3) or (4) of PL § 130.50, against a person whom he knows to be related to him, whether through marriage or not, as an ancestor, descendant, brother, sister of either the whole or half blood, uncle, aunt, nephew or niece. Under PL § 255.26, a person is guilty of Incest in the Second Degree [a class D felony] when he commits the crime of Rape in the Second Degree [PL § 130.30] or Criminal Sexual Act in the Second Degree [PL § 130.45] against any of the persons listed above.

This law also amends various provisions of the Penal Law, Criminal Procedure Law, Correction Law, Civil Rights Law, Executive Law, Family Court Act, and Social Services Law to reflect these new offenses.

According to the Sponsor's Memo in support of this law, the prior law allowed for "exceptionally lenient treatment for child sex offenders who are closely related to the child." This legislation will close this loophole, as it is indefensible that these offenders have been granted "a virtual get-out-of-jail-free card."

Effective Date: November 1, 2006

Honorable Dorothy Chin Brandt
Queens County

11. L 2006, ch 281 - Amending Penal Law § 265.20(a)(7-e) [Exemption for Possession and Use of a Pistol or Revolver at Certain Pistol Ranges]

This law amends PL § 265.20 to lower the age at which a person is entitled to an exemption from being charged with Criminal Possession of a Weapon for possession and use of a pistol or revolver at certain pistol ranges. Under the new law, any person at least 14 years old but under 21 years old who has not been previously convicted of a felony or serious offense and who does not appear to pose a danger to himself or others may possess a pistol or revolver at certain pistol ranges, provided that such weapon is licensed to and used under the immediate supervision of a person licensed to possess that weapon. Under the prior law, a person had to be at least 18 and less than 21 to qualify for this exemption.

According to the Sponsor's Memo in support of this

law, young adults in New York could not legally practice for or compete in target pistol shooting competitions under the prior law. "This [law] allows the possession of pistol[s] and revolvers for such sporting purposes alone."

Effective Date: July 26, 2006

12. L 2006, ch 199 - Amending Penal Law § 265.01(3) [Criminal Possession of a Weapon in the Fourth Degree]

This law amends PL § 265.01(3) to prohibit the possession of a rifle, shotgun or firearm in or upon a school bus without specific written authorization. According to the Sponsor's Memo in support of this law, the Penal Law did not specifically prohibit the possession of firearms on school buses prior to this amendment. "This [law extends] the provisions of [PL § 265.01(3) to school buses] while balancing the legitimate concerns and interests of lawful gun owners."

Effective Date: November 1, 2006

13. L 2006, ch 110 - Creating Penal Law § 120.02 ["Cynthia's Law" – Reckless Assault of a Child]

This law creates the crime of Reckless Assault of a Child (PL § 120.02) and designates it a class D violent felony. Under PL § 120.02, "[a] person is guilty of reckless assault of a child when, being eighteen years of age or more, such person recklessly causes serious physical injury to the brain of a child less than five years old by shaking the child, or by slamming or throwing the child so as to impact the child's head on a hard surface or object. In addition, the new statute sets forth a definition of "serious physical injury" that includes the hallmark signs of shaken baby syndrome. This law also amends PL § 70.02(1)(c) to account for the creation of this new crime.

According to the Sponsor's Memo in support of this law, this new crime was created to combat "grave injustices in cases like shaken baby syndrome and serious beating cases where children suffer grievous injury, but the intent to injure cannot be demonstrated." Specifically, under the prior law, if a defendant committed a reckless assault on a child that caused serious physical injury but the People could not establish depraved indifference, the defendant could only be convicted of a misdemeanor. This new law "will remedy the problem of proving intent to injure by a caregiver."

Honorable James Burke
New York County

Effective Date: November 1, 2006

14. L 2006, ch 107 - Adding Penal Law §§ 130.95 [Predatory Sexual Assault] and 130.96 [Predatory Sexual Assault Against a Child]; Amending Penal Law §§ 70.00, 70.06, 70.07 and 70.08; Amending Correction Law § 168-a

This law establishes the offenses of Predatory Sexual Assault (PL § 130.95) and Predatory Sexual Assault Against a Child (PL § 130.96), both of which are class A-II felonies. For purposes of the Sex Offender Registration Act, these offenses are also classified as sexually violent offenses. See Correction Law § 168-a(3)(a).

A person is guilty of Predatory Sexual Assault when he commits the crime of Rape in the First Degree, Criminal Sexual Act in the First Degree,

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Aggravated Sexual Abuse in the First Degree, or Course of Sexual Conduct Against a Child in the First Degree and when:

(a) in the course of the commission of the crime or in the immediate flight therefrom, he causes serious physical injury to the victim of such crime or uses or threatens the immediate use of a dangerous instrument; or

(b) he has engaged in conduct constituting one of the abovementioned crimes against one or more additional persons; or

(c) he has previously been convicted of a felony defined in Article 130 of the Penal Law, Incest (PL § 255.25), or Use of a Child in a Sexual Performance (PL § 263.05).

A person is guilty of Predatory Sexual Assault Against a Child when, being 18 years old or older, he commits the crime of Rape in the First Degree, Criminal Sexual Act in the First Degree, Aggravated Sexual Abuse in the First Degree, or Course of Sexual Conduct Against a Child in the First Degree, and the victim is less than 13 years old. The minimum sentence for these offenses shall be at least 10 years and no more than 25 years.

According to the Sponsor's Memo in support of this law, "[t]his [law], by providing life maximum sentences for first time offenders who commit egregious acts of sexual assault, [will] increase penalties to further deter and punish these heinous crimes."

Effective Date: June 23, 2006

15. L 2006, ch 100 - Amending Penal Law § 120.05[11] [Assault in the Second Degree]

This law amends PL § 120.05(11) to include signalpersons in the class of transit employees enumerated therein. An assault against a signalperson while he is performing an assigned duty on, or directly related to, the operation of a train or bus and which results in physical injury to the signalperson is now classified as a class D felony.

According to the Sponsor's Memo in support of this law, this amendment is justified because "MTA signalpersons play a crucial role in maintaining the security of our signal systems . . . and [t]hreats to their safety significantly undermine the safety of all those who ride on trains and subways."

Honorable Alex Calabrese
Red Hook Community Justice Center

Effective Date: November 1, 2006

16. L 2006, ch 93 - Amending Penal Law §§ 60.06 and 110.05; Amending Criminal Procedure Law §§ 180.85 and 190.25; Amending Vehicle and Traffic Law § 509-cc [Relating to Aggravated Murder]

This law makes various amendments to provisions of existing law to correct for the recently enacted crime of Aggravated Murder [PL § 125.26]. Most notably, this law amends PL § 110.05(1) to include Aggravated Murder in the list of offenses for which attempt to commit the offense constitutes an A-I felony.

This law also amends CPL § 30.30 to exclude Ag-

gravated Murder from speedy trial time limitations; amends CPL § 180.85 to exclude Aggravated Murder from provisions which allow for consent to termination of prosecution; amends CPL § 190.25 to allow a professional providing emotional support to a witness under 12 years of age to be present with the child in a Grand Jury proceeding involving an Aggravated Murder charge; amends VTL § 509-cc to include Aggravated Murder in the list of offenses that disqualify a person convicted of the offense from holding a school bus driver's license; and amends PL § 60.06 to make a technical change in the title of that section.

Effective Date: June 7, 2006

17. L 2006, ch 49 - Amending Penal Law § 240.31 [Aggravated Harassment in the First Degree]

This law amends PL § 240.31 to include placing a swastika on real property without permission to do so and setting a cross on fire in public view as offenses that, when coupled with the intent to harass, annoy, threaten or alarm another person, constitute Aggravated Harassment in the First Degree, a class E felony.

According to the Sponsor's Memo in support of this law, "[s]wastikas and burning crosses are symbols that have been used against groups of people to instill fear of bodily harm or death. The use of these symbols rises above simple graffiti or vandalism and must have more severe consequences."

Effective Date: June 7, 2006

18. L 2006, ch 13 - Amending Penal Law § 240.06(2) [Riot in the First Degree]

This law amends PL § 240.06(2) to include riots occurring in local correctional facilities as punishable under this subdivision of Riot in the First Degree. [Previously, only riots occurring in state correctional facilities were covered.] The sponsor of this law noted that this amendment was necessary because the same type of tumultuous behavior that constitutes a violation of the law could occur in a local correctional facility, but the law – if left unamended – would not apply.

Effective Date: March 21, 2006

Honorable Fernando Camacho
Deputy Supervising Judge, Queens County

B. Changes Affecting the Criminal Procedure Law

1. L 2006, ch 695 - Amending Criminal Procedure Law § 360.25 [Challenging Jurors for Cause in Cases in Local Criminal Courts]

This law amends CPL § 360.25 to clarify the language of that provision by making it consistent with the language of CPL § 270.20, which governs challenges for cause in cases brought by way of indictment. Specifically, CPL § 360.25 will no longer provide that a juror may be challenged for cause if he served on a jury in a prior action involving the "same conduct charged," but instead will provide for such a challenge in cases where the juror served on a jury involving the "same incident charged."

Effective Date: November 1, 2006

2. L 2006, ch 253 - Amending Criminal Procedure Law §§ 530.12 and 530.13; Amending Various Sections of the Family Court Act [Protection

of Animals Under a Court Order of Protection]

This law amends CPL §§ 530.12 and 530.13, as well as various sections of the Family Court Act, to permit companion animals to be protected under a court order of protection. Specifically, a defendant may now be required "to refrain from intentionally injuring or killing, without justification, any companion animal the defendant knows to be owned, possessed, leased, kept or held by the victim or a minor child residing in the [victim's] household." CPL § 530.12; see CPL § 530.13. A "companion animal" is "any dog or cat, . . . [or] any other domesticated animal normally maintained in or near the household of the owner or person who cares for such other domesticated animal." See Agriculture and Markets Law § 350.

Effective Date: July 26, 2006

3. L 2006, ch 215 - Amending Criminal Procedure Law §§ 530.12 and 530.13 [Final Orders of Protection]

This law amends the Criminal Procedure Law regarding the maximum permissible duration of final orders of protection. These changes impact final orders of protection issued in cases involving family offenses (see CPL § 530.12) as well as cases involving other offenses (see CPL § 530.13).

For felonies, the maximum permissible duration of a final order of protection shall not exceed the greater of (a) eight years [formerly, five years] from the date of such conviction, or (b) eight years [formerly, three years] from the date of the expiration of the maximum term of an indeterminate sentence of imprisonment or the term of a determinate sentence of imprisonment actually imposed. For A misdemeanors, the duration of a final order of protection shall not exceed five years [formerly, three years] from the date of conviction. For B misdemeanors or any other offense, the duration of a final order of protection shall not exceed two years [formerly, one year] from the date of conviction.

Effective Date: August 25, 2006

4. L 2006, ch 3 - Amending Criminal Procedure

Honorable Abraham Clott
New York County

Law § 30.10 [Timeliness of Prosecution; Periods of Limitation]; Amending Civil Practice Law and Rules [CPLR] § 215; Adding CPLR § 213-c

This law amends CPL § 30.10(2)(a) by eliminating the statute of limitations for prosecutions of Rape in the First Degree [PL § 130.35], Criminal Sexual Act in the First Degree [PL § 130.50], Aggravated Sexual Abuse in the First Degree [PL § 130.70], and Course of Sexual Conduct Against a Child in the First Degree [PL § 130.75].

According to the Sponsor's Memo, this law "is predicated upon the justifiable notion that offenders who commit violent and serious acts should not be shielded from prosecution by the mere passage of time, especially at the expense of those whom they have victimized, and whose physical and emotional scars will endure without limitation."

Effective Date: June 23, 2006 [The amendment to CPL § 30.10 applies to offenses committed on

and after this date as well as offenses committed prior to this date, provided that, for the latter offenses, prosecution was not time barred, under the prior law, on this date.]

C. Changes Affecting the Vehicle and Traffic Law

1. L 2006, ch 732 - Amending Various Sections of the Vehicle and Traffic Law and Other Statutory Provisions [Relating to Alcohol and Other Drug Related Traffic Offenses]

This law introduces a number of substantial changes that will impact how courts approach alcohol and other drug related driving while intoxicated or impaired cases.

1. New Offenses: This law adds two offenses to the Vehicle and Traffic Law:

a. VTL § 1192(2-a): Aggravated Driving While Intoxicated; Per se [ADWI]: No person shall operate a motor vehicle with .18 of one per centum or more by weight of alcohol in his blood, breath, urine or saliva. [This law erroneously provided that the threshold level was .18 grams of alcohol. This error was corrected by L 2006, ch 746.] Violation of this section is a misdemeanor punishable by a fine of not less than $1,000 nor more than $2,500, by imprisonment for no more than one year, or by both such fine and imprisonment.

b. VTL § 1192(4-a): Driving While Ability Impaired by the Combined Influence of Drugs or of Alcohol and Any Drug or Drugs: No person shall operate a motor vehicle while his ability to operate such motor vehicle is impaired by the combined influence of drugs or of alcohol and any drug or drugs. Violation of this section is a misdemeanor, punishable by a fine of not less than $500 nor more than $1,000, by imprisonment for no more than one year, or by both such fine and imprisonment.

2. Plea and Sentencing Issues: Pursuant to this law, any person convicted of ADWI and sentenced to probation is required to install an ignition interlock device during the term of such probation. Further, in cases where ADWI is charged, this law imposes restrictions on pleas. Specifically, any such plea must include a conviction to either VTL §§ 1192(2), 1192(2-a) or 1192(3), unless the district attorney consents to a plea on another charge and

Honorable Ellen Coin
New York County

the court sets forth on the record the basis for such disposition. The court, however, must require the defendant to attend and complete the alcohol and drug rehabilitation program established pursuant to VTL § 1196 (i.e. the DDP Program) unless they have already entered into a program pursuant to VTL § 1198-a. Additionally, this law elevates ADWI to felony status when the offense involves the operation of a special vehicle. Depending upon the type of vehicle as well as the circumstances under which it is being operated, the offense is classified as either a class D or class E felony.

3. Screening and Assessment: This law adds VTL § 1198-a, entitled Special Procedures and Disposition Involving Alcohol and Substance Abuse Assessment and Treatment. Pursuant to this section, a defendant must submit to a screening and/or assessment for alcohol or substance abuse and dependency under the following conditions:

a. "Screening" is required when a defendant is

charged with (or prior to sentence, convicted of):

1) a first violation of VTL §§ 1192(1), (2), (3) or (4) and has a BAC of less than .15; or

2) a defendant has refused to submit to a chemical test.

b. "Assessment" is required when:

1) the results of the screening indicate that a defendant is abusing or dependent on alcohol or drugs; or

2) a defendant is charged with VTL §§ 1192(1), (2), (3), (4) or (4-a) after having been convicted of any subdivision of VTL § 1192 or of Vehicular Assault in the Second or First Degree or of Vehicular Manslaughter in the Second or First Degree, within the preceding five years or after having been convicted of any subdivision of VTL § 1192 or Vehicular Assault in the Second or First Degree or of Vehicular Manslaughter in the Second or First Degree two or more times within the preceding ten years; or

3) a defendant is charged with VTL §§ 1192 (2), (3) or (4) and has a BAC of .15 or more or is charged with (or prior to sentence, convicted of) ADWI.

4. License Revocations: a. Refusals: This law amends VTL §1194(2)(d)(1) to increase the mandatory revocation periods for refusal to submit to a chemical test. For first time offenders, except those operating a commercial motor vehicle, the mandatory revocation period is one year [formerly, six months], and for offenders who refuse when operating a commercial vehicle, the mandatory revocation period is 18 months [formerly, one year]. For offenders who have either: (i) a prior refusal within the preceding five years, or (ii) a conviction to VTL §§ 1192 or 1192-a within the preceding five years, the mandatory revocation period is 18 months [formerly, one year];

b. Permanent Revocations: This law also amends VTL § 1193(2)(b) to add a new subparagraph (12), which creates "Permanent Driver's License Revocations." Such revocations are mandatory, and are triggered when a defendant has a certain number of prior refusals to submit to a chemical test and/or prior DWI convictions within certain specified periods of time. Importantly, while this law specifies that revocation is "permanent," it further provides that revocation may be waived after either five or eight years, depending on various factors, upon application to the DMV.

Honorable Miriam Cyrulnik
Kings County

NOTE: Various other amendments were made to L 2006, ch 732 by L 2006, ch 746, which became effective on December 15, 2006.

Effective Date: November 1, 2006

2. L 2006, ch 648 - Amending Vehicle and Traffic Law § 402 [Requirements for the Condition of License Plates]

This law amends VTL § 402 to make it unlawful for any person, firm, partnership, association, limited liability company, or corporation to sell, offer for sale or distribute any artificial or synthetic material or substance which, when applied to a license

plate, distorts a recorded or photographic image of such plate.

According to the Sponsor's Memo in support of this law, there are spray-on substances available for purchase which, when applied to a license plate, create a high gloss, clear, reflective finish on the plate. The glossy finish is used to hinder law enforcement's ability to capture license plate numbers when attempting to photograph them.

Effective Date: September 13, 2006

3. L 2006, ch 574 - Amending Vehicle and Traffic Law §§ 1202 and 1800 [Obstruction of Fire Hydrants During Emergencies]

This law amends VTL § 1202(b) to add paragraph (2) prohibiting any person from stopping, standing or parking a vehicle within 15 feet, or a different distance if otherwise provided, of a fire hydrant, where access to the hydrant by a fire vehicle is impaired while the fire vehicle is engaged in an emergency operation. This prohibition does not apply, however, when the vehicle is attended by a licensed operator who is in the front seat and can immediately move the vehicle in case of emergency.

A person convicted of violating this provision shall, for a first conviction, be punished by a fine of not more than $400, imprisonment for not more than 15 days, or both. A second violation committed within 18 months of the first violation carries a punishment of not more than $600, imprisonment for not more than 45 days, or both. Where a person is convicted of three or more such violations within 18 months, he shall be punished by a fine of not more than $750, imprisonment for not more than 90 days, or both. See VTL § 1800(b).

According to the Sponsor's Memo in support of this law, "[i]f a person leaves an unattended vehicle in front of a fire hydrant during an emergency situation, thus blocking access to the hydrant, it creates an extreme danger and impedes the response time to an emergency circumstance. This [law will] increase the fine for [this] violation . . . to further discourage drivers from parking in front of a fire hydrant."

Effective Date: November 1, 2006

Honorable Dena Douglas
New York County

4. L 2006, ch 245 - Amending Penal Law §§ 120.04 and 125.13 ["Bill Leaf-Brandi Woods Law" – Increasing Penalties for Certain Vehicular Crimes]

This law amends PL § 120.04 to add a subdivision (3) which provides that a person is guilty of Vehicular Assault in the First Degree when he commits the crime of Vehicular Assault in the Second Degree [PL § 120.03] and has been convicted previously of violating any of the provisions of VTL § 1192 within the preceding 10 years.

This law also amends PL § 125.13 to add a new subdivision (3) which states that a person is guilty of Vehicular Manslaughter in the First Degree when he commits the crime of Vehicular Manslaughter in the Second Degree [PL § 125.12] and has been convicted previously of violating any of the provisions of VTL § 1192 within the preceding 10 years.

According to the Sponsor's Memo in support of this law, the prior law did not "adequately punish repeat drunk driving offenders." This legislation is

intended "to increase penalties on repeat offenders in order to act as a deterrent against future offenses."

Effective Date: November 1, 2006

5. L 2006, ch 231 - Amending Vehicle and Traffic Law § 1192 [Consideration of Out of State Convictions]

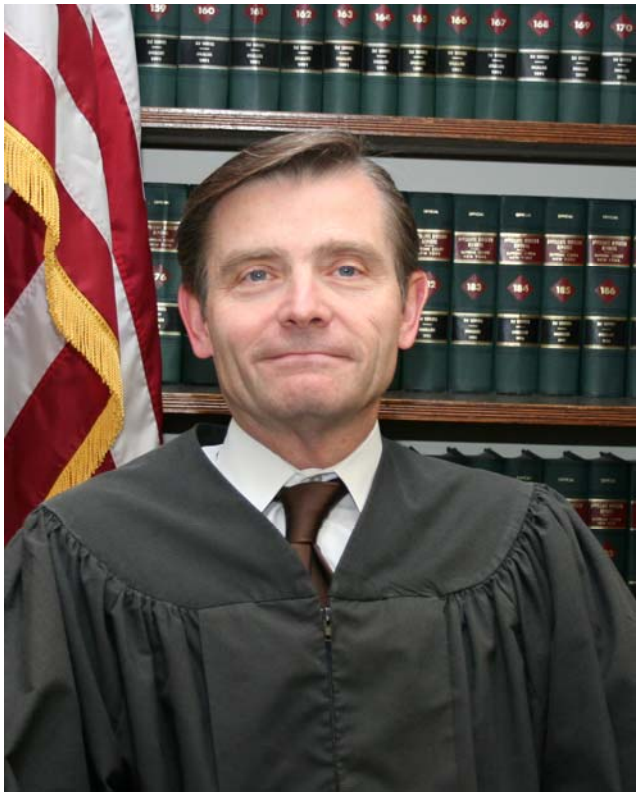
This law amends subdivision (8) of VTL § 1192 to require that a prior out-of-state conviction for operating a motor vehicle while under the influence of alcohol or drugs be deemed a prior conviction under VTL § 1192 for purposes of determining penalties under this section or for purposes of any administrative action required to be taken pursuant to VTL § 1193(2). This requires, however, that, had the conduct occurred in New York, it would constitute a misdemeanor or felony under section 1192. Where the conduct would have constituted a violation of any provision of section 1192, other than a misdemeanor or felony, then it is deemed a violation of VTL § 1192(1).

According to the Sponsor's Memo in support of this law, "under [the prior] law, out-of-state convictions for driving under the influence of alcohol or drugs [were] only considered to be traffic infractions, even if the crime [was] equivalent to a misdemeanor or felony offense in New York State. . . . This [law] eliminates one of the loopholes that allows repeat DWI offenders to face lesser penalties simply because prior convictions occurred out of state."

Effective Date: November 1, 2006 [Section 1192 (8), as amended by this law, only applies to convictions occurring on or after November 1, 2006. For convictions occurring on or after November 29, 1985 through and including October 31, 2006, VTL § 1192(8), as it existed prior to this amendment, is applicable.]

D. Changes Affecting Registered Sex Offenders

1. L 2006, ch 91 - Amending Correction Law § 168-a; Amending Executive Law § 995 [Relating to Compelling Prostitution]



Honorable William Garnett
Kings County

This law amends Correction Law § 168-a to make the offense of Compelling Prostitution [PL § 230.33] a sex offense for purposes of sex offender registration and amends Executive Law § 995 to make this offense a designated offense for purposes of the DNA databank. Accordingly, any person convicted of Compelling Prostitution is now required to register as a sex offender under the Sex Offender Registration Act and to provide a DNA sample for inclusion in the DNA databank.

In support of these amendments, the sponsor of this law noted that "[C]ompelling [P]rostitution is an offense similar to many currently defined crimes for which inclusion in the sex offender registry and the DNA database is required."

Effective Date: June 7, 2006

2. L 2006, ch 2 - Amending Executive Law § 995 (7) [Expanding the Collection of DNA and Imposition of the DNA Databank Fee]

This law amends Executive Law § 995(7) to expand the definition of "designated offense" for the purposes of collecting DNA and imposing the $50 DNA databank fee. The definition now includes all felonies, all attempts to commit felonies which are themselves felonies, and 35 misdemeanors.

According to the Sponsor's Memo in support of this law, "[i]ncreasing the list of crimes for which DNA samples are required will enhance the possibilities of both detecting the perpetrators of crimes which have already been committed and preventing the commission of crimes in the future."

Effective Date: June 23, 2006 [However, this law applies not only to designated offenses committed on or after the effective date, but also to designated offenses committed prior to the effective date, where service of the sentence imposed upon conviction has not been completed prior to the effective date.]

3. L 2006, ch 1 - Amending Correction Law §§ 168-b, 168-h, 168-l, and 168-o [Extending the Duration that Sex Offenders Must Report]

This law amends the following sections of the Correction Law to extend the duration for which registered sex offenders must report and verify under the Sex Offender Registration Act.

a. Section 168-h(1) is amended to require that all Level I sex offenders and all sex offenders who have registered but have not yet received a risk level classification register and verify with DCJS annually for 20 years. [This requirement does not apply to those individuals that have been designated as either sexual predators, sexually violent offenders, or predicate sex offenders.]

b. Section 168-h(2) is amended to require that all Level II and Level III sex offenders, as well as all sex offenders who have been designated as sexual predators, sexually violent offenders, or predicate sexual offenders, register and verify with DCJS annually for life. [This requirement only applies to those offenders who, on or after March 11, 2002, have been designated a sexual predator, a sexually violent offender, or a predicate sex offender, or have been classified as a Level II or III sex offender.]

Honorable Michael Gerstein
Kings County

c. Section 168-o is amended to permit Level II sex offenders who have not been designated as a sexual predator, a sexually violent offender, or a predicate sexual offender and who have been registered for a minimum period of 30 years to petition the sentencing court for relief of the lifetime reporting requirements. These petitions may not be considered more than once every two years. [Under the previous version of this section, Level III sex offenders could petition their lifetime reporting requirements after being registered for 13 years. Additionally, Level III sex offenders no longer have the ability to petition for this relief.]

According to the Sponsor's Memo in support of this law, "[c]ommunities have the right to know about these individuals and that right should not be taken away over time." Thus, "[t]he goal of this legislation is to prevent any level three or designated sex offender from coming off the registry during their lifetime and for any level two to only be able to be removed with approval by the sentencing court."

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Effective Date: January 18, 2006

E. Miscellaneous Changes

1. L 2006, ch 561 - Adding General Business Law §§ 251-b and 251-c; Amending Executive Law § 837 [Criminal Background Checks for Flight Instruction Applicants]

This law amends General Business Law § 251-b to provide that any institution offering flight instruction require any applicant for such instruction to submit criminal history information to DCJS. Further, DCJS is authorized to exchange fingerprint data and criminal background check information with the FBI. In addition, under this law, any person who willfully permits the release of any confidential criminal history information to persons not permitted to receive this information shall be guilty of a misdemeanor.

According to the Sponsor's Memo in support of this law, "[d]ue to the attacks of September 11th, 2001, there is an urgent need for greater security in the aviation industry. Accordingly, requiring background checks for any person [seeking] flight instruction from flight schools is an effective screening measure in order to meet these heightened security demands."

Effective Date: October 15, 2006

2. L 2006, ch 457 - Amending Public Health Law § 3306 [Schedules of Controlled Substances]

This law amends Public Health Law § 3306 to conform the schedules of controlled substances under New York law with the federal schedules of controlled substances (21 CFR 1308).

According to the Sponsor's Memo in support of this law, the differences between the state and federal schedules are "problematic" as they result in confusion amongst the medical, pharmaceutical, and law enforcement professions concerning the controlled substance status of particular drugs and allow drug-seeking individuals to take advantage of the differences in the laws to unlawfully obtain prescription controlled substances. These amendments will "enable the Department [of Health] to more effectively detect, prevent and prosecute the diversion and illicit use of . . . drugs."

Honorable James Gibbons
New York County

Effective Date: August 16, 2006

3. L 2006, ch 346 - Amending Public Health Law §§ 4210-a, 4216, 4218 and 4307 [Increase in Certain Penalties for Offenses Involving Bodies of Deceased Persons]

This law amends various sections of the Public Health Law [PHL] to increase certain penalties for offenses involving the bodies of deceased persons. Public Health Law § 4210-a is amended to elevate the unlawful dissection of the body of a human being from a misdemeanor to a class E felony. This legislation also reclassifies Body Stealing [PHL § 4210-a], which was formerly a class E felony, as a class D felony. Public Health Law § 4218 is amended to elevate the unlawful opening of a grave from a class E felony to a class D felony. In addition, sales and purchases of human organs, prohibited under PHL § 4307, is raised from a mis-

demeanor to a class E felony.

According to the Sponsor's Memo in support of this law, "there is a certain risk of disease transmission associated with tissue transplantation" and thus, "the New York State Health Department and FDA require firms that collect tissue to screen and test donors for relevant communicable disease agents and diseases . . . ." The sponsor noted, however, that when human tissue is obtained illegally, the medical screening process is circumvented. As such, "[t]his legislation increases the penalties for activities related to the unlawful and improper harvesting of human tissue, bone and other materials in an effort to deter these types of unlawful activities."

Effective Date: November 1, 2006

4. L 2006, ch 323 - Amending Education Law § 6903 [Unauthorized Use of the Title "Nurse"]

This law amends Education Law § 6903 to prohibit any person from using the title "nurse," or any other title or abbreviation that would represent to the public that the person is authorized to practice nursing, unless the person is licensed or otherwise authorized to do so under Article 139 of the Education Law. Unauthorized use of such title constitutes a class A misdemeanor. Further, knowingly aiding or abetting three or more persons to use such title without authorization or knowingly employing three or more persons who use such title without authorization is a class E felony. See Education Law § 6513.

According to the Sponsor's Memo in support of this law, the prior law prohibited the unauthorized use of the titles "registered nurse" and "licensed practical nurse" but not the title "nurse." "This [law limits] use of the title 'nurse' to persons legally authorized to practice nursing under the Nurse Practice Act."

Effective Date: July 26, 2007 [However, the addition, amendment, and repeal of any rule or regulation necessary for the implementation of this law by the effective date is authorized immediately.

5. L 2006, ch 312 - Amending Alcoholic Beverage Control Law § 105-a [Sale of Beer at Retail on Sunday]

Honorable Desmond Green
Richmond County

This law amends Alcoholic Beverage Control Law § 105-a to permit the retail sale of beer for off-premises consumption on Sundays after 8 a.m. The law still provides, however, that beer cannot be sold between 3 a.m. and this time. The prior law prohibited any such sale between 3 a.m. and 12 p.m.

According to the Sponsor's Memo in support of this law, "[w]ith people attending religious services at varying times and days, not just on Sunday mornings, the [prior] prohibition between [3 a.m.] and 12 noon doesn't seem practical today. By amending this section it would make it easier for people traveling and families picnicking to stop at the store in the morning after [8 a.m.] to get their groceries for the day."

Effective Date: July 26, 2006

6. L 2006, ch 151 - Amending Navigation Law § 49-a(2) [Operation of a Vessel While Under the Influence of Alcohol or Drugs]

This law amends Navigation Law § 49-a(2) to con-

New Laws and Legislation

Honorable Joseph Gubbay
Kings County

form the penalties for boating while intoxicated and boating while ability impaired to those for driving while intoxicated and driving while ability impaired.

Specifically, the fine for boating while ability impaired was increased to not less than $300 nor more than $500. [Conviction of this offense still carries a potential term of imprisonment of no more than 15 days to be imposed in place of or in conjunction with a fine.] Where a person has committed this offense after having been convicted of any subdivision of Navigation Law § 49-a within the previous five years, the maximum fine has been reduced to not less than $500 nor more than $750. [Conviction of this offense still carries a potential term of imprisonment of no more than 30 days to be imposed in place of or in conjunction with a fine.] Further, where a person has committed this offense after having been convicted of any subdivision of Navigation Law § 49-a two or more times within the preceding ten years, he shall be guilty of a misdemeanor and is subject to a fine of not less than $750 nor more than $1500, up to 180 days of imprisonment, or both.

The penalty for boating while intoxicated is increased to a term of imprisonment of not more than one year, a fine of not less than $500 nor more than $1000, or both. A person who commits this offense after having been convicted of this offense within the previous 10 years shall be guilty of a class E felony and punished by a period of imprisonment as provided in the Penal Law, by a fine of not less than $1000 nor more than $5000, or by both. Further, a person who commits this offense after having been convicted of this offense twice within the previous 10 years shall be guilty of a class D felony and punished by a period of imprisonment as provided in the Penal Law, by a fine of not less than $2000 nor more than $10,000, or by both.

According to the Sponsor's Memo in support of this

Honorable Kenneth Holder
Kings County

Honorable Melissa Jackson
Deputy Supervising Judge, New York County

law, boating has become more and more popular in New York and, while fatalities on our waters are on the decline, "[t]he U.S. Coast Guard suggests that alcohol is a factor in up to 50% of all boating accidents." As such, "[t]his legislation is intended to give Marine law enforcement and prosecutors the tools necessary to maintain an aggressive posture against BWI and BWAI violators."

Effective Date: August 6, 2006

7. L 2006, ch 98 - Amending Penal Law § 1.05 [General Purposes]; Amending Correction Law § 702 [Certificates of Relief from Disabilities Issued by Courts]

This law amends the Penal Law and the Correction Law for the purpose of promoting the successful and productive reentry and reintegration of formerly incarcerated individuals into society. Penal Law §1.05 is amended to specifically include this as one of the purposes of the Penal Law. In fostering this purpose, Correction Law §702 is also amended to ensure that probation reports are provided to an applicant for a certificate of relief from disabilities or his attorney at the direction of the court when the court issues a decision on the application for the certificate. [Note: Correction Law §702 has since been amended by L 2006, ch 720 to provide that such report shall be provided upon the court's receipt of report, not upon the court's issuance of a decision on the application.]

According to the Sponsor's Memo in support of this law, "in many cases, formerly incarcerated individuals need to be able to obtain certificates of relief from disabilities to engage in a number of employment opportunities." As such, "[t]he removal of legal and bureaucratic barriers to reentry will reduce the revolving door of recidivism and promote the concept of restorative justice."

Effective Date: June 7, 2006

Honorable Alexander Jeong
Kings County

NYC Criminal Court Jurisdiction

New York City Criminal Court is a court of citywide jurisdiction but, since November 2004, has exercised full administrative oversight of all Criminal Court operations in four of five boroughs of New York City.* In 2006 Criminal Court administration assigned fifty-eight judges to preside over cases in five main courthouses, two community courthouses, a citywide summons operation in Manhattan and a summons operation in the Queens Borough Hall.

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

Misdemeanors

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

Felonies

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

While Criminal Court does not have jurisdiction to hear trials on felony matters, a very large number of final dispositions on felonies are adjudicated by our Criminal Court judges sitting in Felony Waiver Parts. (These judges are designated by administrative order to sit as an Acting Justice of the Supreme Court). These parts act as both Criminal Court and Supreme Court Parts, allowing prosecutor and defense counsel to agree in certain cases to waive the presentation to the Grand Jury and instead prosecute the case with a Superior Court Information (SCI). Cases disposed of by SCI make up a substantial percentage of all felony dispositions throughout the city.

Criminal Court Jurisdiction for Matters Outside Bronx County

Types of Matters Heard in New York City Criminal Court

	Misdemeanors and Petty Offenses	Felony Offenses
Arraignment	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).	NYC Criminal Court Has **Preliminary Jurisdiction** over felony offenses (those where the defendant faces 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.	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.
Trial	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 to present the case to a grand jury and seek indictment. If the district attorney obtains an indictment the case is then transferred to Supreme Court. If no indictment follows, Criminal Court retains Trial Jurisdiction.	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.

* See Bronx Criminal Division Section on facing page

Bronx Criminal Division

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

Administratively, Criminal Court continues to lend operational and budgetary support to the Criminal Division's Administrative Judge John Collins and Deputy Administrative Judge Eugene Oliver (former supervising judge of Bronx Criminal Court) on issues and matters that are within its statutory jurisdiction. Moreover, we lend technical support to important initiatives. Justin Barry, Criminal Court's drug court coordinator, consulted with Bronx administrators, judges and drug court personnel on the creation of a new Bronx Misdemeanor Treatment Court and implementation of the comprehensive screening project to quickly and efficiently identify eligible drug court defendants. Criminal Court's chief clerk's staff continued to lend technical assistance on a variety of important issues, including budget, supplies, recordkeeping and cashiering.

This report details information relating to Bronx Criminal Court's budget and its summons operation. We also list, below, a statistical overview of arraignments in the Bronx for 2006. Other statistics relating to misdemeanor and preliminary felony case processing are not reported at length.

Bronx Online/DAT Arrest Arraignment Statistics

	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997
Arraignments - Total	67,839	66,764	67,170	69,995	70,972	70,759	84,234	76,292	83,513	77,136
Felony Arraignments	14,120	14,003	14,262	14,239	16,825	17,166	17,865	19,418	23,459	23,099
Misdemeanor Arraignments	49,053	47,782	46,353	48,560	48,241	46,955	58,471	50,395	54,625	49,443
Inf/Viol Arraignments	2,022	2,498	3,020	3,067	1,818	1,982	2,558	2,100	1,571	1,032
Other Arraignments	2,644	2,481	3,535	4,129	4,088	4,656	5,340	4,379	3,858	3,562

314 West 54th Street Center Stairway

COURT OPERATIONS — ARRAIGNMENTS

Honorable Tanya Kennedy
New York County

The arraignment marks the first time that a criminal defendant appears in court. Criminal Court operates arraignment parts day and night, every day of the year in all five counties of the city. In 2006, 332,496 defendants were arraigned citywide on On-Line arrest or Desk Appearance Ticket (DAT) cases, an almost 5% increase over 2005.

Arraignments are actually the final stage of the arrest process in New York City. Before the defendant appears before the Judge, a complicated series of steps must occur, all typically within a twenty-four hour period. The flowchart on page 38 shows all of the necessary steps that must occur between a defendant's arrest and the time that he or she first appears in court. The defendant must be brought to Central Booking where his 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 prepare a final file for the court and attorneys, assign a docket number to the case and initialize the case in the court's computer system. Defense counsel - either assigned or private - is then given an opportunity to interview the defendant before he or she sees the judge.

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

Arraignment is also the first opportunity to dispose of misdemeanor cases. In 2006 there were 164,491 cases disposed of throughout all of Criminal Court's five county arraignment parts, almost 50% of all arrest cases arraigned.

Number of Daily Arraignment Parts - 2006

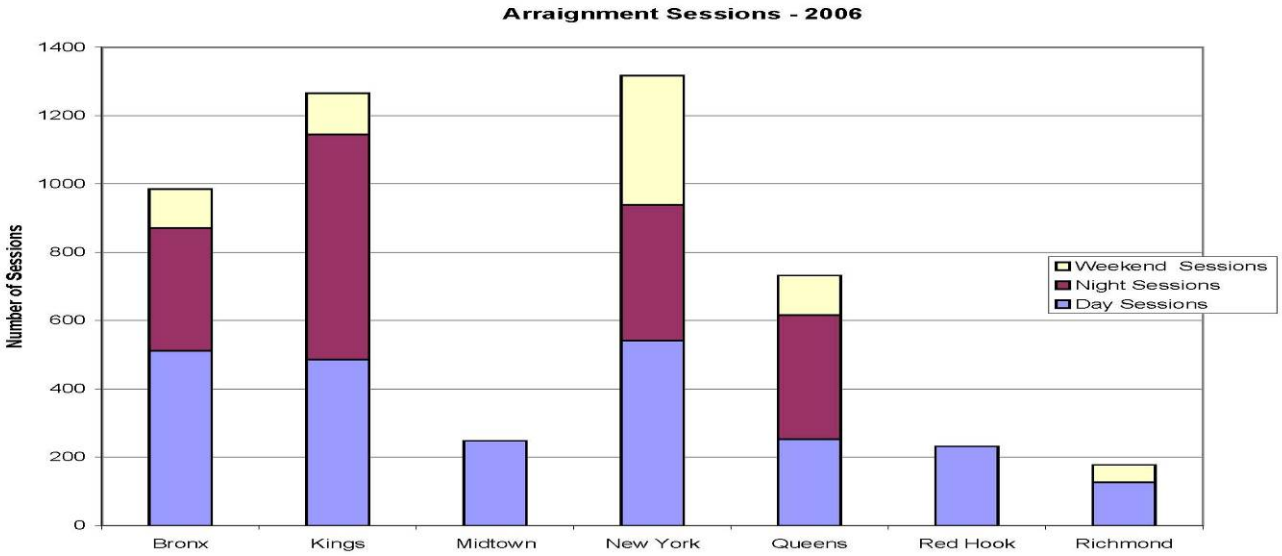
	Citywide	Bronx	Kings	Midtown	New York	Queens	Red Hook	Richmond
Arraignment Parts	25.4*	5.1	6.8	1.0	6.8	4.1*	0.5*	1.1*
Day	9.4*	2.1	2.0	1.0	2.1	1.1*	0.5*	0.6
Night	5.5	1.0	1.8	0	1.7	1.0	0	0
Weekend Day	4.5*	1.0	1.0	0	1.0	1.0	0	0.5*
Weekend Night	6.0	1.0	2.0	0	2.0	1.0	0	0

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

Arraignment Sessions* - 2006

	Citywide	Bronx	Kings	Midtown	New York	Queens	Red Hook	Richmond**
Total Sessions	4,920.8	985.0	1266.0	248.0	1280.0	732.0	232.0	177.8
Day Sessions	2,398.3	512.0	486.0	248.0	541.0***	253.0	232.0	126.3
Night Sessions	2,003.0	359.0	658.0	0	623.0	363.0	0	0
Weekend Day Sessions	519.5	114.0	122.0	0	116.0	116.0	0	51.5

* Arraignment sessions are the number of judge days for the year devoted to arraignments. ** Richmond county sessions are computed as follows: APAR1 (#judge days x 1/2) , APAR2 (#of judge days x 1/4), APAR$ (# of judge days x 1/2). *** New York county is the only county recording judge days for hospital arraignments. Other counties conduct hospital arraignments but do not record the data separately. NY county recorded 37 judge days for hospital arraignments.



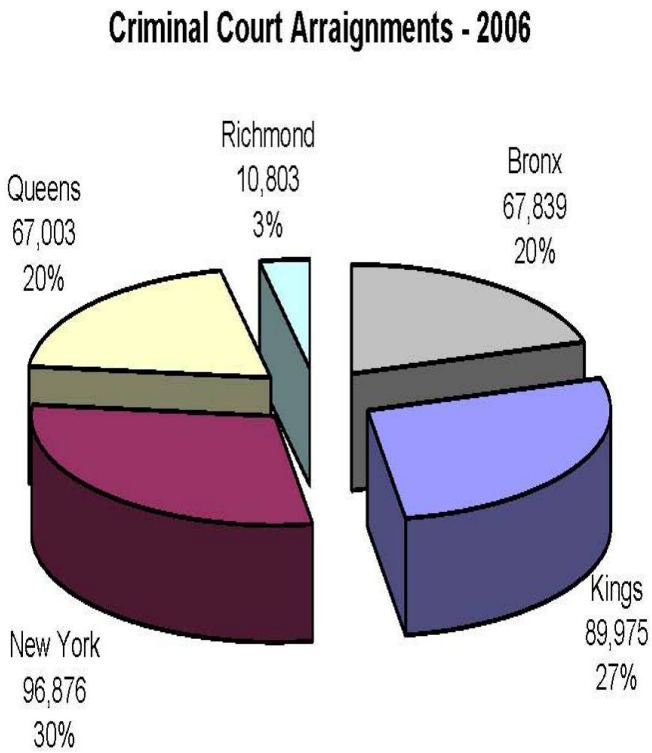
120 Schermerhorn Street Lobby

125-01 Queens Boulevard, sculpture

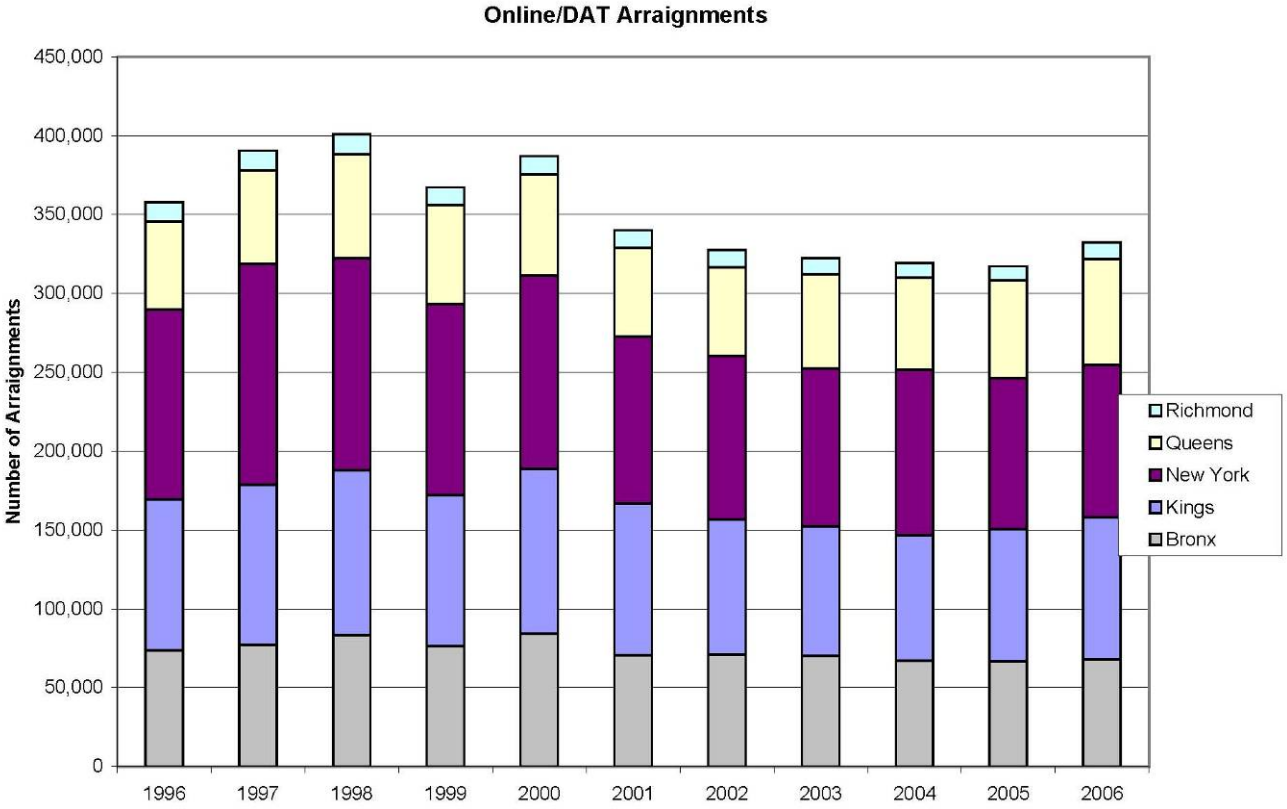
COURT OPERATIONS — ARRAIGNMENTS

DAT/On-Line Arraignments

		Citywide	Bronx	Kings	New York	Queens	Richmond
2006	**Total Arraignments**	332,496	67,839	89,975	96,876	67,003	10,803
	DAT	17,950	3,840	2,427	8,496	2,510	677
	On-Line Arrests	314,546	63,999	87,548	88,380	64,493	10,126
2005	**Total Arraignments**	317,286	66,764	83,692	95,661	61,926	9,243
	DAT	20,515	4,842	3,245	9,450	2,262	716
	On-Line Arrests	296,771	61,922	80,447	86,211	59,664	8,527
2004	**Total Arraignments**	319,306	67,170	79,506	104,857	58,386	9,387
	DAT	21,687	4,469	3,745	10,175	2,335	963
	On-Line Arrests	297,619	62,701	75,761	94,682	56,051	8,424
2003	**Total Arraignments**	322,385	69,995	82,241	100,076	59,668	10,405
	DAT	20,049	4,662	4,520	7,131	2,424	1,312
	On-Line Arrests	302,336	65,333	77,721	92,945	57,244	9,093
2002	**Total Arraignments**	327,592	70,972	85,541	103,671	56,318	11,090
	DAT	17,773	3,404	3,626	6,597	2,809	1,337
	On-Line Arrests	309,819	67,568	81,915	97,074	53,509	9,753
2001	**Total Arraignments**	339,993	70,759	96,174	105,746	55,937	11,377
	DAT	17,793	4,512	3,420	5,563	2,959	1,339
	On-Line Arrests	322,200	66,247	92,754	100,183	52,978	10,038
2000	**Total Arraignments**	387,094	84,234	104,352	122,803	63,786	11,946
	DAT	17,695	4,713	3,534	5,040	2,948	1,460
	On-Line Arrests	369,399	79,521	100,818	117,763	60,838	10,486
1999	**Total Arraignments**	367,962	76,292	95,904	121,068	62,632	11,377
	DAT	18,853	4,555	4,541	5,154	3,099	1,504
	On-Line Arrests	349,109	71,737	91,363	115,914	59,533	9,873
1998	**Total Arraignments**	400,886	83,513	104,389	134,404	65,772	12,808
	DAT	51,569	10,610	14,499	16,676	7,627	2,157
	On-Line Arrests	349,317	72,903	89,890	117,728	58,145	10,651
1997	**Total Arraignments**	390,499	77,136	101,619	139,751	59,388	12,605
	DAT	78,066	18,673	20,628	27,916	8,475	2,374
	On-Line Arrests	312,433	58,463	80,991	111,835	50,913	10,231
1996	**Total Arraignments**	357,938	73,606	95,824	120,485	55,431	12,592
	DAT	89,272	23,178	22,070	31,904	9,414	2,704
	On-Line Arrests	268,666	50,428	73,754	88,581	46,017	9,888



Honorable Gene Lopez
Queens County



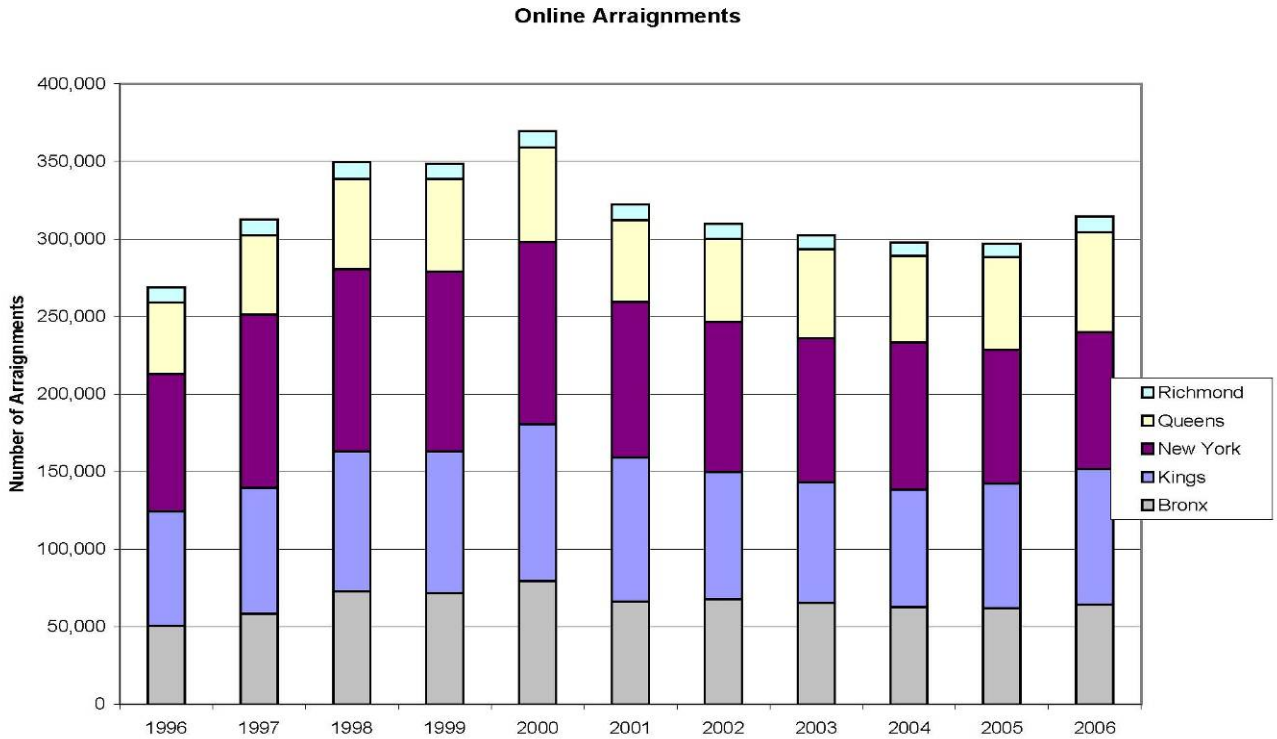
COURT OPERATIONS — ARRAIGNMENTS

Honorable Robert Mandelbaum
New York County

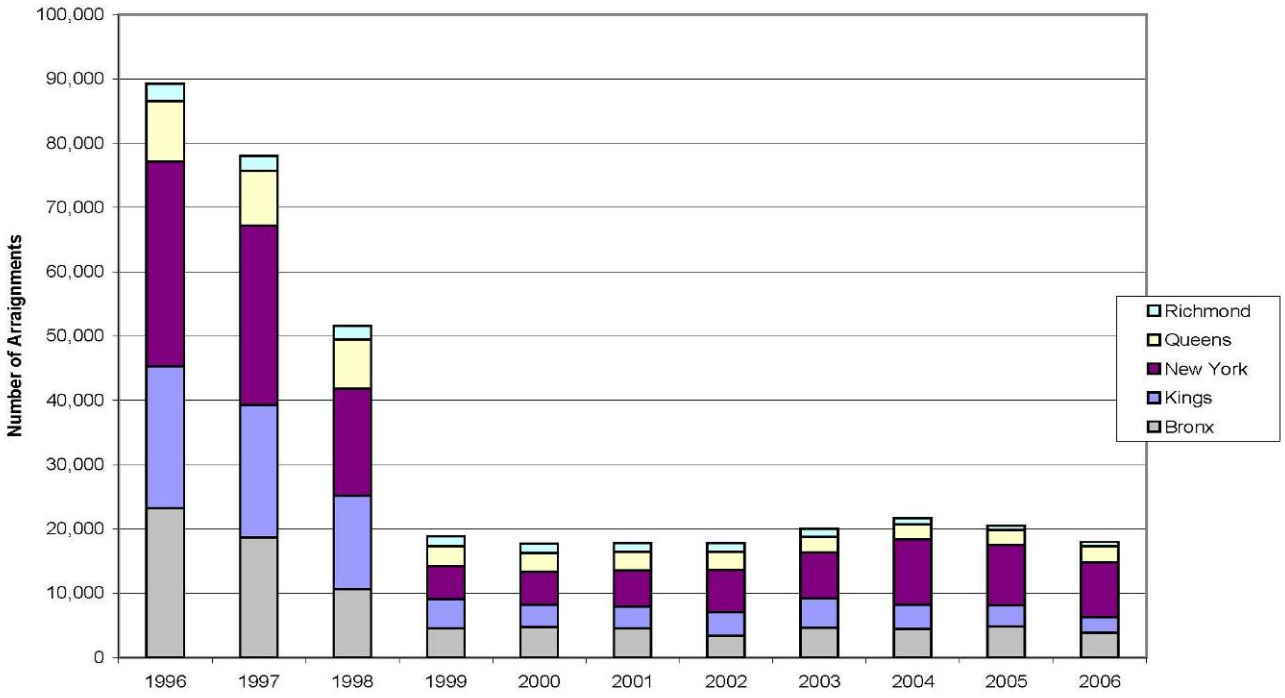
100 Centre Street Lobby

125-01 Queens Boulevard Facade

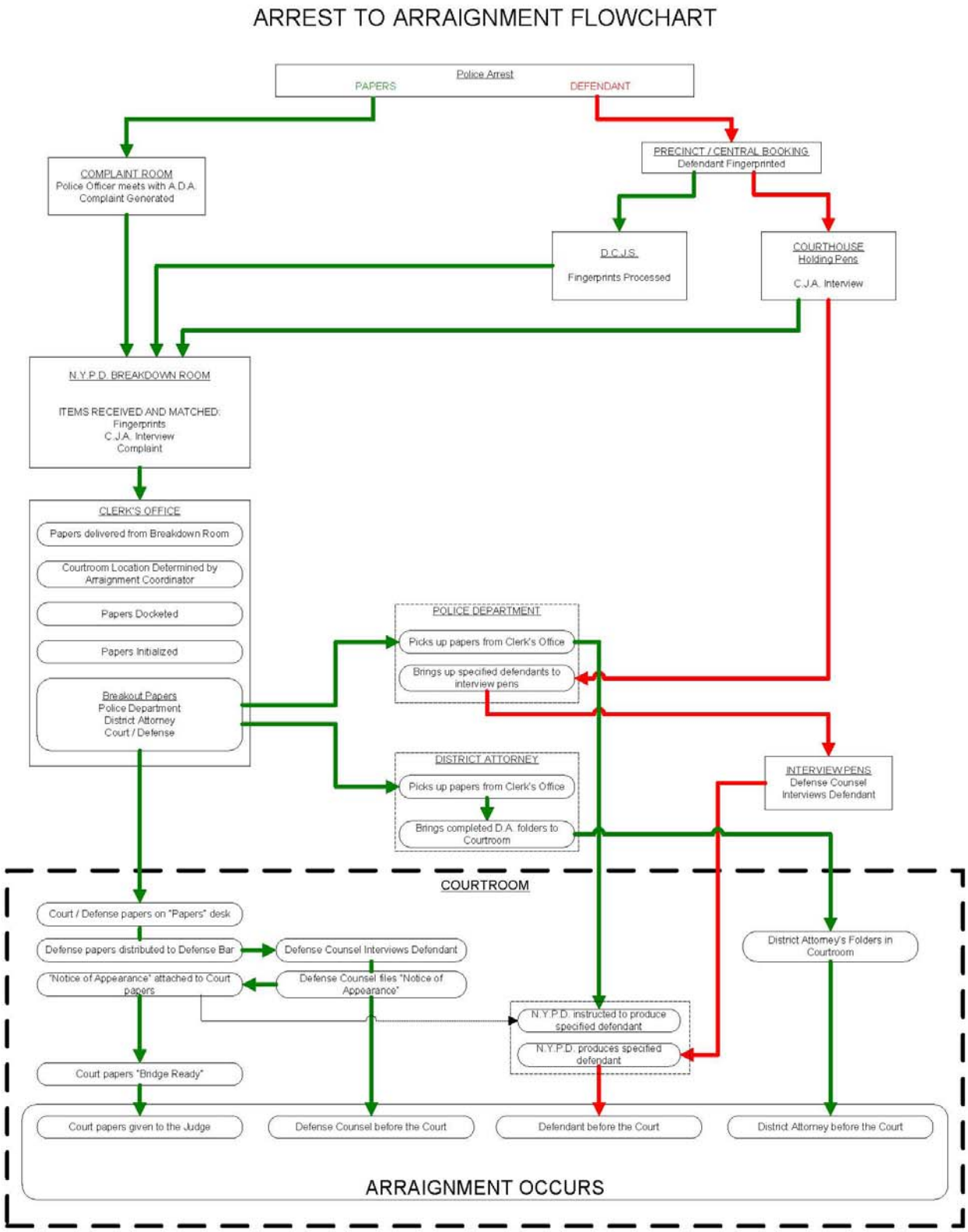
Honorable Ira Margulis
Queens County



100 Centre Street Facade



Arrest to Arraignment — The Path of the Case



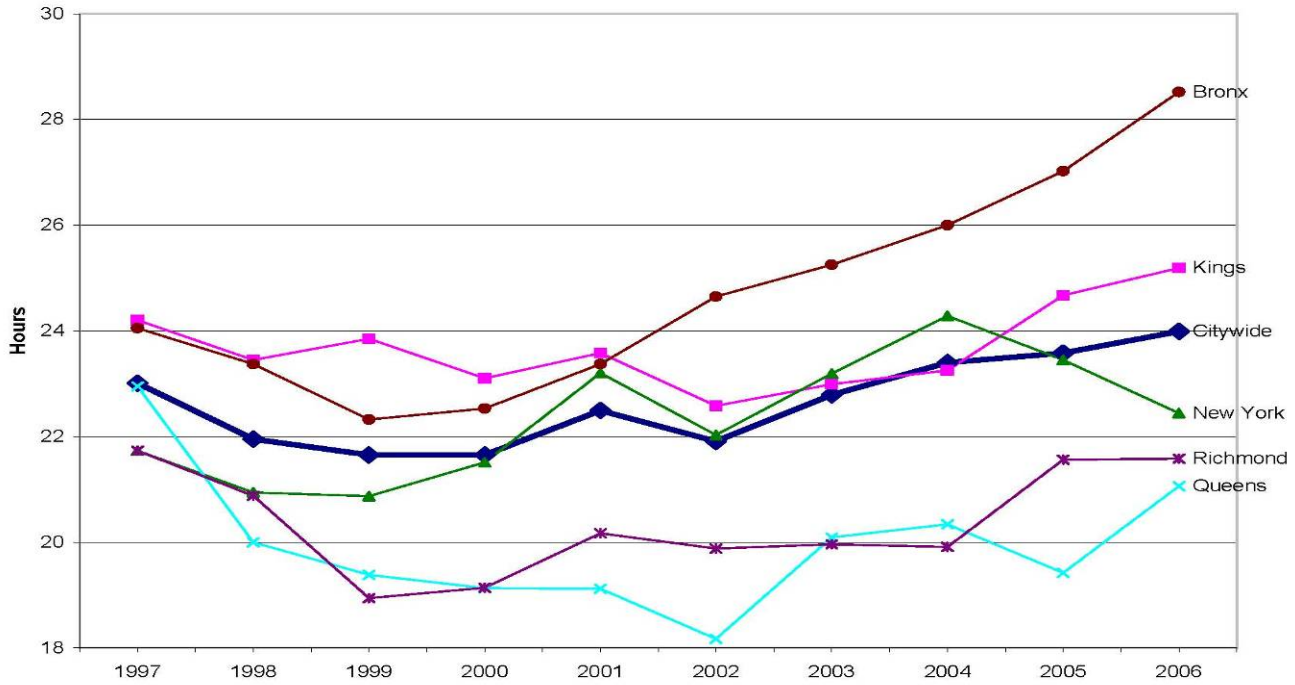
Arrest to Arraignment — The Process

There is a tremendous amount of work that must be done after the police arrest a defendant and before the defendant is ready to appear in front of a judge at arraignment. The police must meet with the District Attorney's Office, which will in turn draft a complaint. The police must also send the defendant's fingerprints to DCJS in Albany and await the return of a criminal history. The court arraignment clerks must create a court file, 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. This page highlights the average time between arrest and arraignment for 2006 and how that compares over 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 twenty-four hours.

Average Arrest to Arraignment Times (Hours)*

	Citywide	Bronx	Kings	New York	Queens	Richmond
2006	23.99	28.52	25.19	22.44	21.06	21.58
2005	23.58	27.02	24.67	23.45	19.42	21.56
2004	23.40	26.00	23.25	24.28	20.34	19.91
2003	22.79	25.25	22.99	23.19	20.09	19.96
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	21.65	22.53	23.10	21.51	19.13	19.14
1999	21.65	22.32	23.85	20.87	19.38	18.94
1998	21.95	23.37	23.45	20.94	20.00	20.88
1997	23.01	24.05	24.20	21.73	22.95	21.73



** Includes Bronx information*

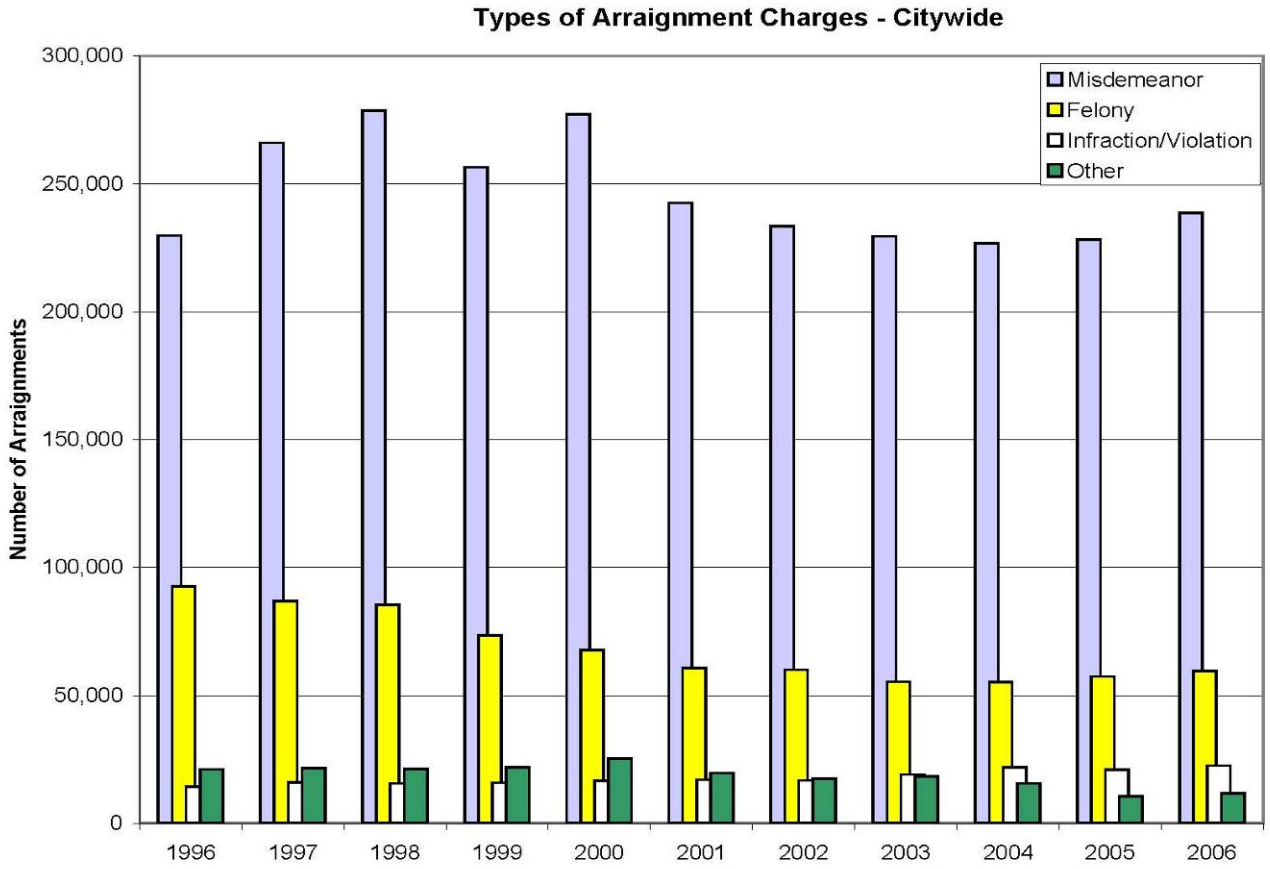
Arraignments — Types of Charges

Types of Online/DAT Arraignments*

		Citywide	Bronx	Kings	New York	Queens	Richmond
2006	**Total**	332,496	67,839	89,975	96,876	67,003	10,803
	Felony	59,637	14,120	16,377	16,344	10,735	2,061
	Misdemeanor	238,665	49,053	63,860	70,216	47,443	8,093
	Infraction/Violation	22,527	2,022	6,448	7,067	6,670	320
	Other	11,667	2,644	3,290	3,249	2,155	329
2005	**Total**	317,286	66,764	83,692	95,661	61,926	9,243
	Felony	57,475	14,003	14,314	16,846	10,465	1,847
	Misdemeanor	228,285	47,782	60,506	69,396	43,803	6,798
	Infraction/Violation	20,946	2,498	5,765	6,432	5,912	339
	Other	10,580	2,481	3,107	2,987	1,746	259
2004	**Total**	319,306	67,170	79,506	104,857	58,386	9,387
	Felony	55,187	14,262	11,615	17,357	10,349	1,604
	Misdemeanor	226,769	46,353	59,659	73,222	40,629	6,906
	Infraction/Violation	21,749	3,020	4,388	8,950	4,857	534
	Other	15,601	3,535	3,844	5,328	2,551	343
2003	**Total**	322,385	69,995	82,241	100,076	59,668	10,405
	Felony	55,422	14,239	11,962	17,548	9,996	1,677
	Misdemeanor	229,524	48,560	62,436	68,457	42,521	7,550
	Infraction/Violation	19,065	3,067	3,609	7,028	4,609	752
	Other	18,374	4,129	4,234	7,043	2,542	426
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 of summons matters, see page 44.

		Citywide	Bronx	Kings	New York	Queens	Richmond
1999	**Total**	367,962	76,292	95,904	121,068	62,632	12,066
	Felony	73,664	19,418	16,898	23,542	10,863	2,943
	Misdemeanor	256,511	50,395	69,889	83,568	45,422	7,237
	Infraction/Violation	15,893	2,100	4,071	4,043	4,280	1,399
	Other	21,894	4,379	5,046	9,915	2,067	487
1998	**Total**	400,886	83,513	104,389	134,404	65,772	12,808
	Felony	85,380	23,459	20,185	26,650	12,214	2,872
	Misdemeanor	278,727	54,625	74,291	94,057	47,789	7,965
	Infraction/Violation	15,538	1,571	4,695	4,370	3,354	1,548
	Other	21,241	3,858	5,218	9,327	2,415	423
1997	**Total**	390,499	77,136	101,619	139,751	59,388	12,605
	Felony	86,928	23,099	19,830	27,708	13,189	3,102
	Misdemeanor	266,091	49,443	72,633	96,421	40,172	7,422
	Infraction/Violation	16,003	1,032	4,019	5,822	3,466	1,664
	Other	21,477	3,562	5,137	9,800	2,561	417
1996	**Total**	357,938	73,606	95,824	120,485	55,431	12,592
	Felony	92,786	24,490	22,084	28,010	15,428	2,774
	Misdemeanor	229,832	44,890	63,796	79,344	34,408	7,394
	Infraction/Violation	14,279	834	4,479	3,961	2,987	2,018
	Other	21,041	3,392	5,465	9,170	2,608	406



Most Frequently Charged Offenses At Arraignments

Top 10 Arraignment Charges Citywide

Comparison by most frequently arraigned			2006	2001	1996
PL	220.03	Crim poss CS 7°	1	2	1
PL	120.00	Assault 3°	2	3	3
PL	221.10	Crim poss marihuana 5°	3	1	8
PL	155.25	Petit larceny	4	6	5
VTL	511.1A	Agg unlicensed op MV 3°	5	—	—
PL	165.15	Theft of services	6	4	2
PL	140.15	Criminal trespass 2°	7	8	6
PL	220.39	Crim sale CS 3°	8	7	4
PL	265.01	Crim poss weapon 4°	9	—	—
PL	220.16	Crim poss CS 3°	10	—	—
VTL	511.1	Agg unlicensed op MV 3°	—	5	7
PL	140.10	Criminal trespass 3°	—	9	—
PL	120.14	Menacing 2°	—	10	—
PL	120.05	Assault 2°	—	—	9
PL	160.15	Robbery 1°	—	—	10

Top 10 DAT Arraignment Charges Citywide

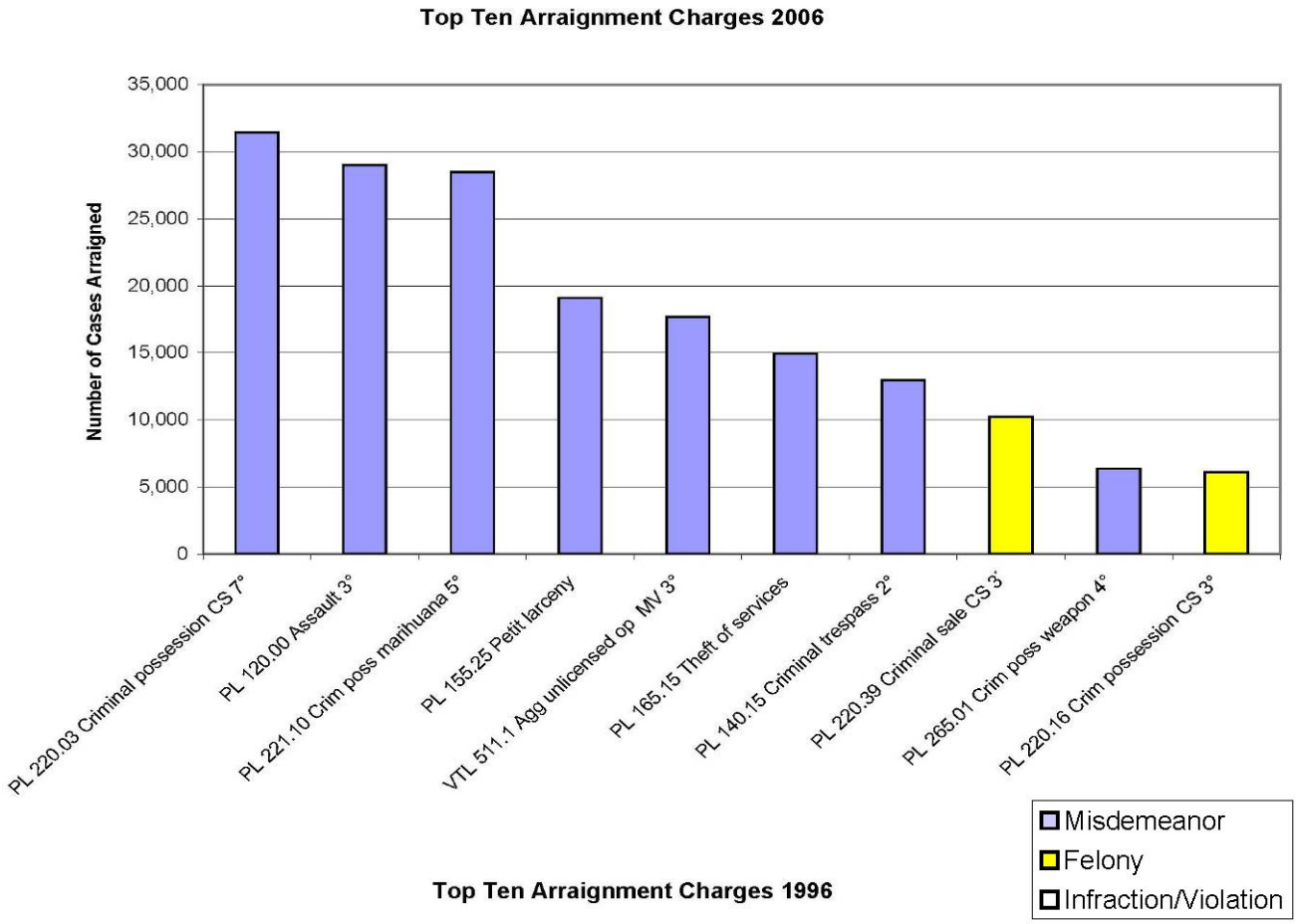
Comparison by most frequently arraigned			2006	2001	1996
PL	155.25	Petit larceny	1	5	3
PL	221.10	Crim poss marihuana 5°	2	4	6
VTL	511.1A	Agg unlicensed op MV 3°	3	—	—
PL	120.00	Assault 3°	4	2	7
AC	20-453	Unlicensed vendor	5	8	8
PL	220.03	Crim poss CS 7°	6	6	2
PL	165.15	Theft of services	7	1	1
PL	240.30	Agg harassment 2°	8	7	—
PL	140.15	Criminal trespass 2°	9	9	5
VTL	511.1	Agg unlicensed op MV 3°	10	3	4
PL	145.00	Criminal mischief 4°	—	10	—
PL	140.10	Criminal trespass 3°	—	—	9
PL	230.03	Patron Prostitute 4°	—	—	10

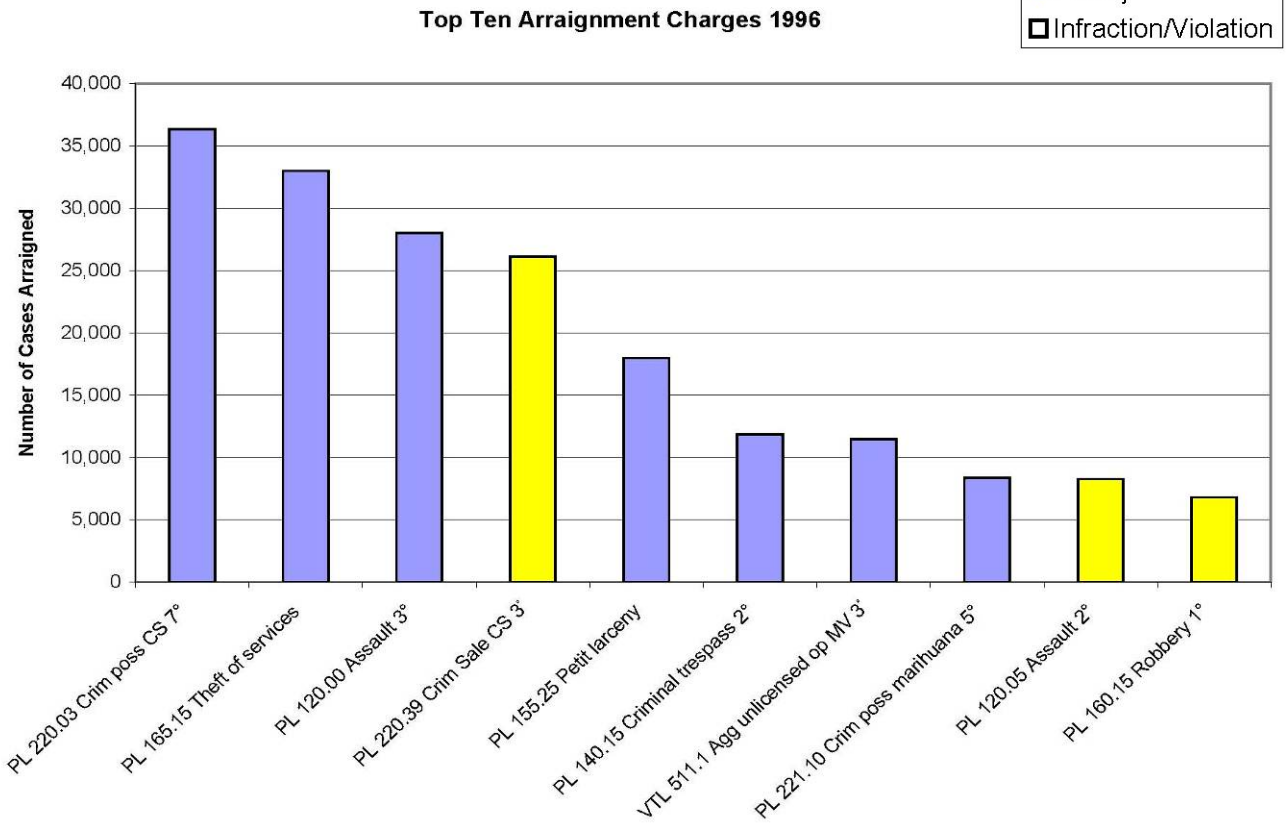
Top 10 Misdemeanor Arraignment Charges Citywide

Comparison by most frequently arraigned			2006	2001	1996
PL	220.03	Crim poss CS 7°	1	2	1
PL	120.00	Assault 3°	2	3	3
PL	221.10	Crim poss marihuana 5°	3	1	7
PL	155.25	Petit larceny	4	6	4
VTL	511.1A	Agg unlicensed op MV	5	—	—
PL	165.15	Theft of services	6	4	2
PL	140.15	Criminal trespass 2°	7	7	5
PL	265.01	Crim poss weapon 4°	8	—	—
PL	205.30	Resisting arrest	9	—	—
AC	10-125	Pub. consumption alc	10	—	—
VTL	511.1	Agg unlicensed op MV 3°	—	5	6
PL	140.10	Criminal trespass 3°	—	8	8
PL	120.14	Menacing 2°	—	9	—
AC	20-453	Unlicensed Gen Vendor	—	10	—
PL	221.40	Crim sale marihuana 4°	—	—	9
VTL	511.2	Agg unlicensed op MV 2°	—	—	10

Top 10 Felony Arraignment Charges Citywide

Comparison by most frequently arraigned			2006	2001	1996
PL	220.39	Crim sale CS 3°	1	1	1
PL	220.16	Crim poss CS 3°	2	3	4
PL	120.05	Assault 2°	3	2	2
PL	160.10	Robbery 2°	4	5	5
PL	160.15	Robbery 1°	5	4	3
PL	155.30	Grand larceny 4°	6	8	8
PL	265.02	Crim poss weapon 3°	7	7	6
PL	170.25	Crim poss forged In 2°	8	—	9
PL	155.35	Grand larceny 3°	9	6	—
PL	140.25	Burglary 2°	10	9	7
PL	140.20	Burglary 3°	—	10	10


Top Ten Arraignment Charges 2006
Number of Cases Arraigned
35,000
30,000
25,000
20,000
15,000
10,000
5,000
0
PL 220.03 Criminal possession CS 7°
PL 120.00 Assault 3°
PL 221.10 Crim poss marihuana 5°
PL 155.25 Petit larceny
VTL 511.1 Agg unlicensed op MV 3°
PL 165.15 Theft of services
PL 140.15 Criminal trespass 2°
PL 220.39 Criminal sale CS 3°
PL 265.01 Crim poss weapon 4°
PL 220.16 Crim possession CS 3°
Misdemeanor
Felony
Infraction/Violation


Top Ten Arraignment Charges 1996
Number of Cases Arraigned
40,000
35,000
30,000
25,000
20,000
15,000
10,000
5,000
0
PL 220.03 Crim poss CS 7°
PL 165.15 Theft of services
PL 120.00 Assault 3°
PL 220.39 Crim Sale CS 3°
PL 155.25 Petit larceny
PL 140.15 Criminal trespass 2°
VTL 511.1 Agg unlicensed op MV 3°
PL 221.10 Crim poss marihuana 5°
PL 120.05 Assault 2°
PL 160.15 Robbery 1°

Arraignment Dispositions

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

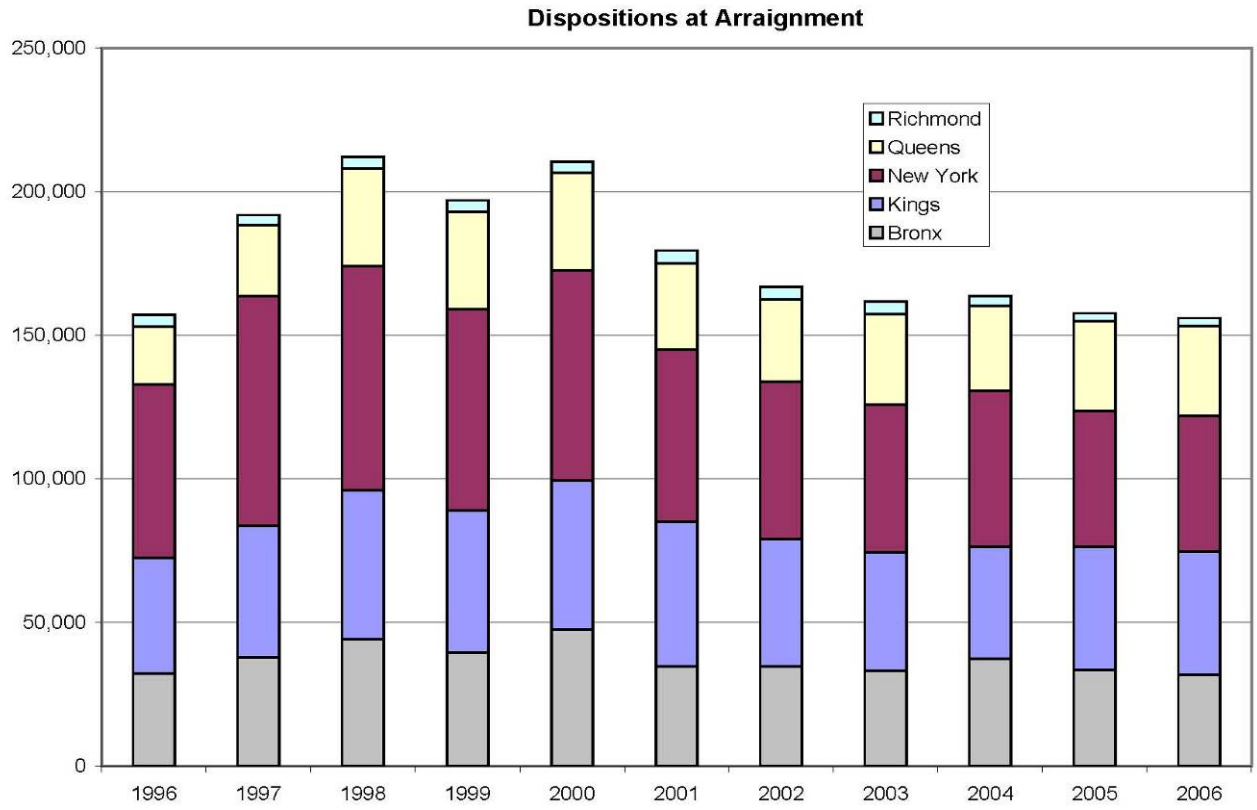
88-94 Visitation Place Facade

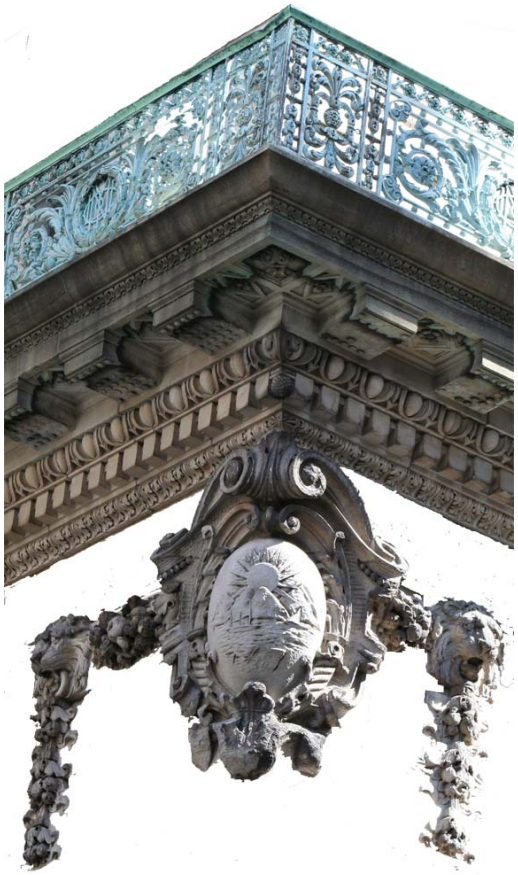
Honorable William McGuire
Kings County

Dispositions at Arraignment

	Citywide		Bronx		Kings		New York		Queens		Richmond	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2006	164,491	49.5	31,793	46.9	46,127	50.7	48,831	50.4	34,427	52.0	3,313	32.3
2005	157,728	49.7	33,524	50.2	42,885	50.3	47,233	49.1	31,249	51.2	2,837	31.3
2004	163,664	49.5	37,391	47.9	39,018	48.7	54,350	52.1	29,506	50.5	3,399	35.7
2003	161,759	51.0	33,187	49.2	41,165	50.5	51,365	51.8	31,684	54.1	4,358	41.2
2002	166,782	51.3	34,695	49.2	44,276	51.7	54,847	53.7	28,536	51.0	4,428	40.4
2001	179,567	52.0	34,607	49.0	50,502	51.1	59,882	55.8	30,060	53.2	4,516	37.8
2000	210,513	54.3	47,417	56.4	51,898	49.4	73,361	59.3	33,942	54.1	3,895	31.5
1999	197,022	53.5	39,408	51.9	49,621	51.9	69,875	56.9	34,020	54.8	4,098	34.5
1998	212,119	52.6	44,111	53.2	51,927	48.9	78,105	58.2	33,794	50.5	4,182	32.7
1997	191,877	49.3	37,908	48.9	45,822	45.3	79,832	57.5	24,725	42.0	3,590	28.5
1996	157,087	44.5	32,295	44.8	40,263	42.8	60,192	50.9	20,204	36.6	4,133	31.0

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





346 Broadway Facade

Honorable Suzanne Melendez
Queens County

Citywide Summons Operation

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

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

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

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

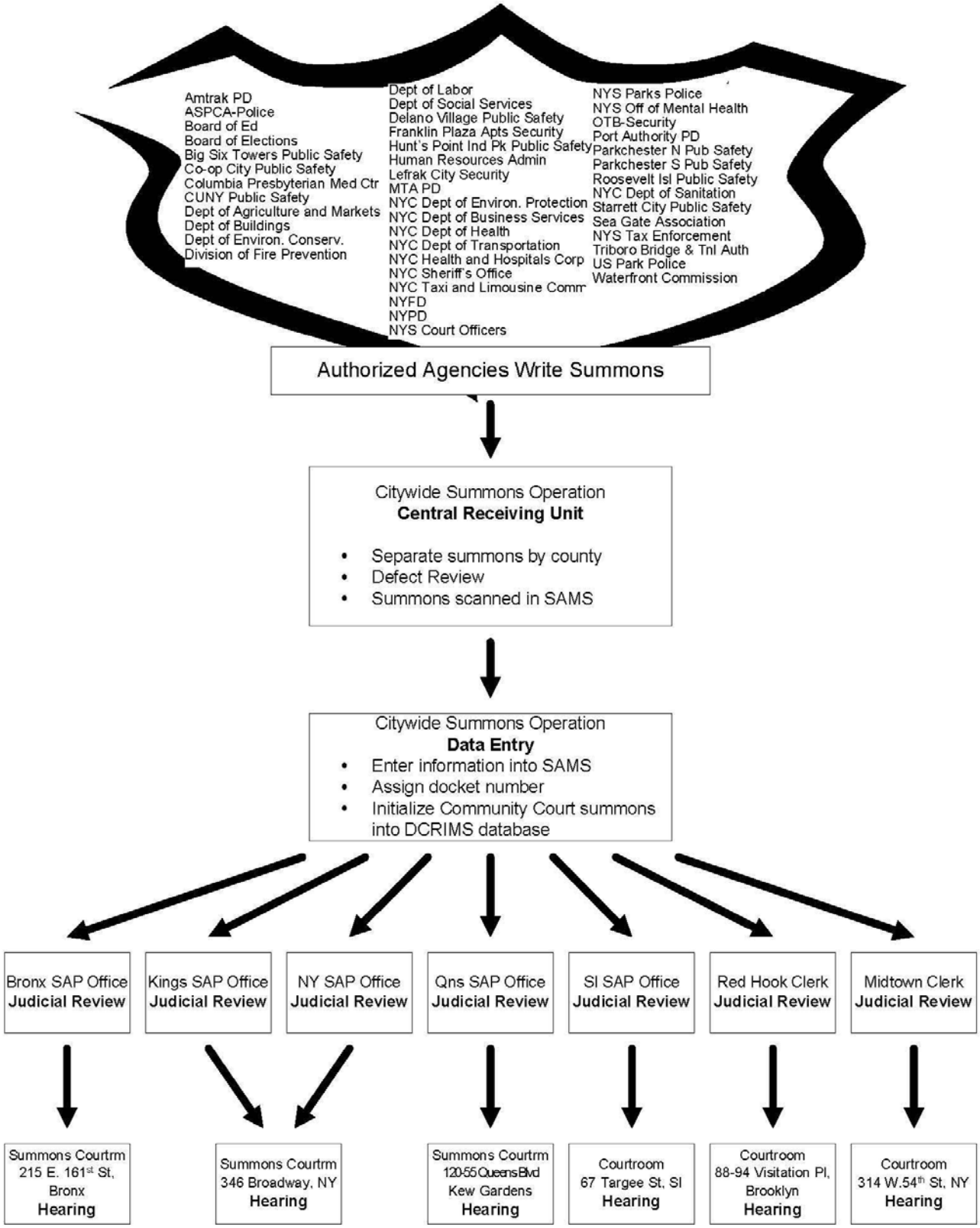
Once the summonses are scanned into the Summons Automated Management System (SAMS), data entry personnel enter all the pertinent information into the SAMS database and assign each summons a docket number.

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 office to ensure that a timely review for legal sufficiency takes place prior to the scheduled arraignment date. Summonses that survive judicial review are then calendared for arraignment.

Honorable Rita Mella
New York County

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

Summonses — From Ticket to Hearing

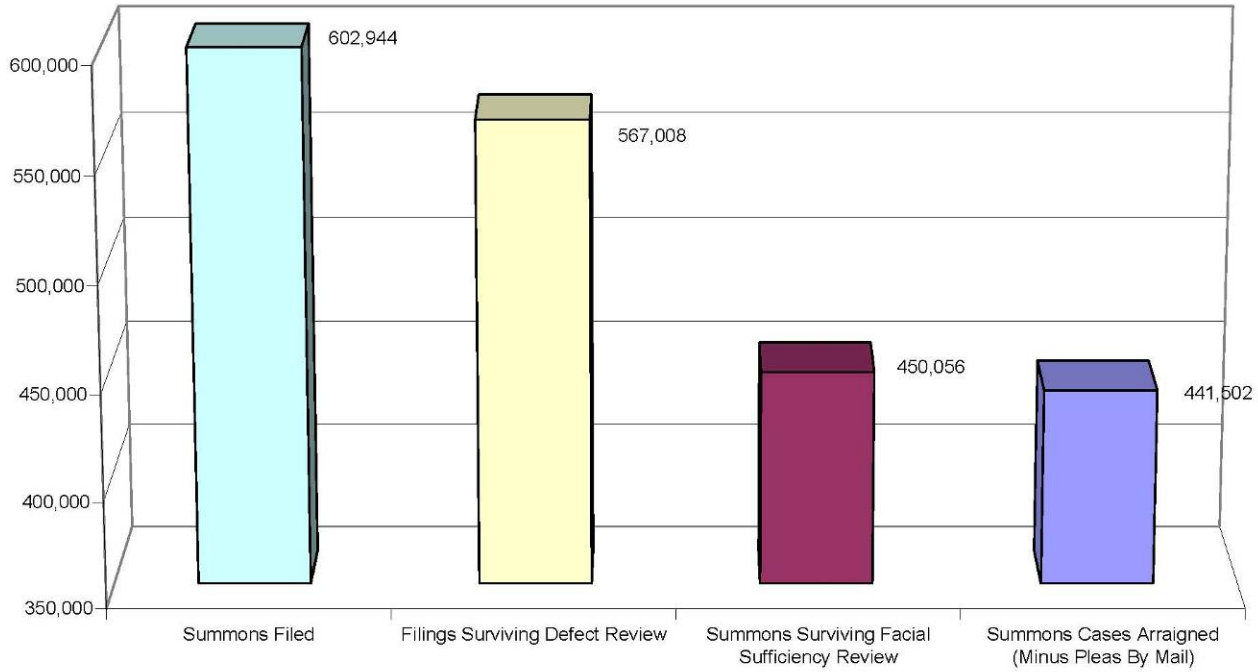


Summonses — Filings, Docketing and Arraignments

Summary of Summons Filings* - 2006

	Citywide	Bronx	Kings	Midtown	New York	Queens	Red Hook	Richmond
Filings	**602,944**	128,551	158,444	15,884	157,356	113,018	11,924	17,767
Defects (-)	**(35,936)**	(9,713)	(10,834)	—	(9,068)	(5,589)	—	(732)
Docketed Filings	**567,008**	118,838	147,610	15,884	148,288	107,429	11,924	17,035
Dism Insuff (-)	**(116,952)**	(24,516)	(39,577)	(2,944)	(41,628)	(8,287)	—	—
Plea By Mail (-)	**(8,554)**	(659)	(1,803)	—	(2,497)	(3,575)	—	(20)
Arraigned	**441,502**	**93,663**	**106,230**	**12,940**	**104,163**	**95,567**	**11,924**	**17,015**

Summons Surviving Defect and Facial Sufficiency Review (Citywide) - 2006



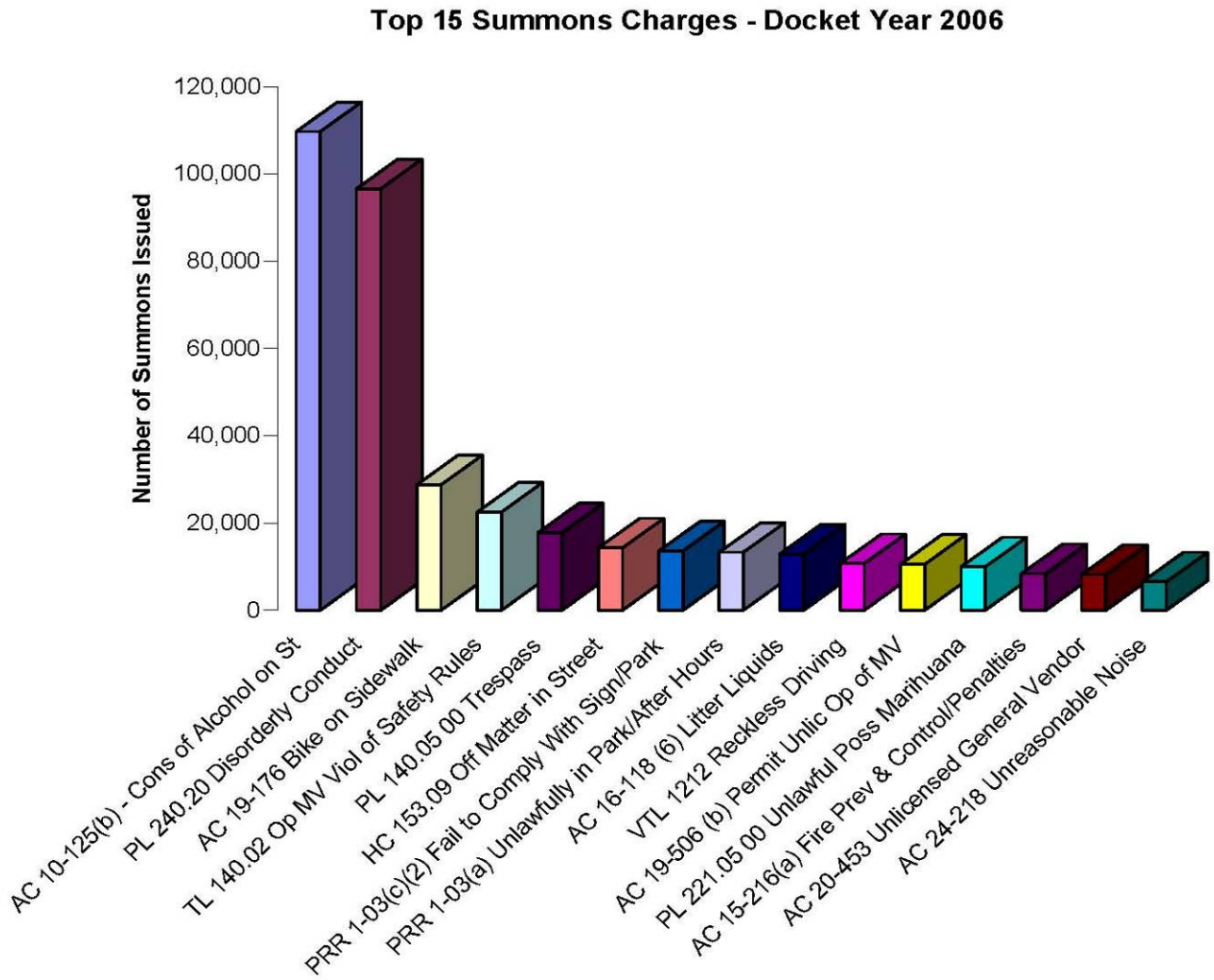
Summons Filings (Surviving Defect Review and Docketed)*

	Citywide	Bronx	Kings	Midtown	New York	Queens	Red Hook	Richmond
2005	**608,188**	137,624	160,267	13,170	158,310	108,191	13,467	17,159
2004	**548,134**	127,151	126,011	16,455	143,468	106,076	10,811	18,162
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
1996	**326,708**	60,367	108,189	—	86,278	59,191	—	12,683

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

** Includes Bronx information*

Most Frequently Charged Summons Offenses* 2006



Summonses — Revenue

Summons Revenue* - 2006

	Citywide	Bronx	Kings**	New York**	Queens	Richmond
Fine City	**$5,388,534**	$977,191	$549,517	$2,360,646	$1,372,270	$128,910
Fine State	**$1,442,208**	$107,802	$176,892	$741,631	$340,390	$75,493
Surcharge CVAF	**$282,120**	$16,735	$40,425	$107,700	$105,840	$11,420
Surcharge Misd	**$12,320**	$645	$635	$8,285	$1,930	$825
Surcharge Violation	**$1,032,555**	$60,845	$150,860	$391,065	$389,740	$40,045
Surcharge VTL	**$52,647**	$5,150	$3,035	$18,275	$21,550	$4,637
Total	**$8,210,384**	**$1,168,368**	**$921,364**	**$3,627,602**	**$2,231,720**	**$261,330**

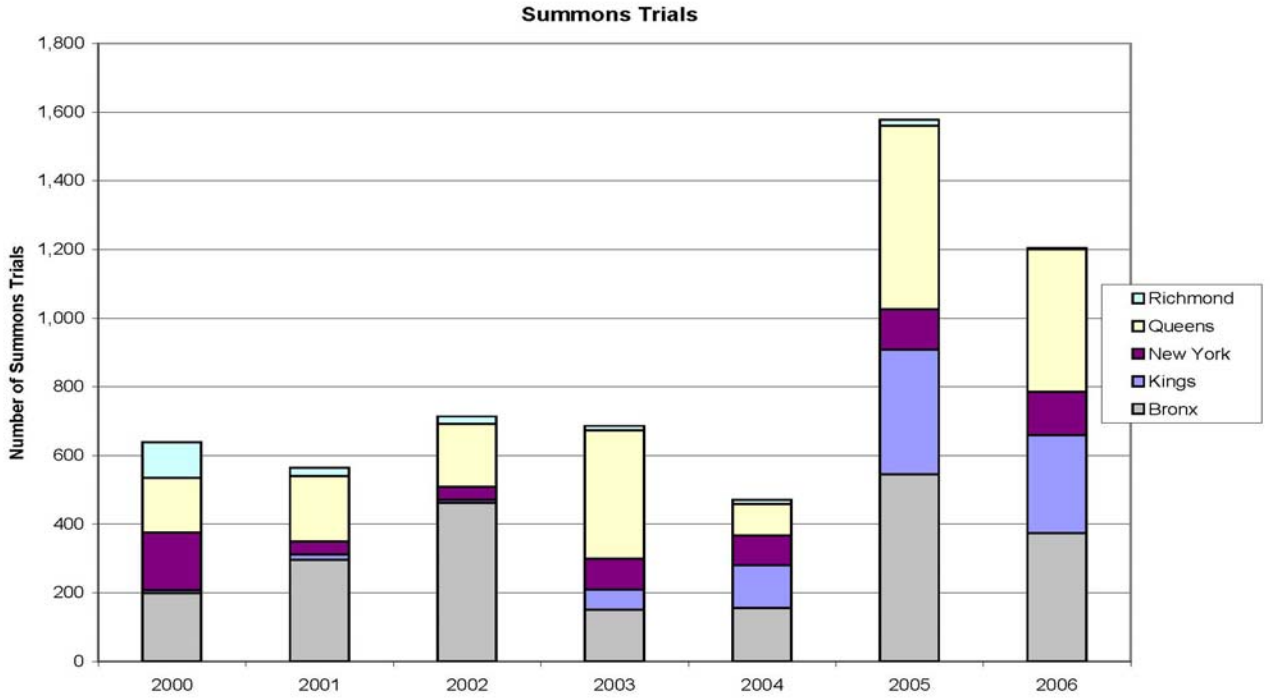
** Includes Bronx information*

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

Summonses — Trials

Summons Trials*

	Citywide	Bronx	Kings	New York	Queens	Richmond
2006	1,613	373	286	126	824	4
2005	1,578	544	364	118	535	17
2004	471	155	126	85	92	13
2003	686	151	58	90	374	13
2002	714	461	9	39	183	22
2001	564	295	17	38	190	24
2000	639	199	9	167	159	105



** Includes Bronx information*

125-01 Queens Boulevard Lobby

Plea By Mail

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

In 2006, 8,554 people chose to plead guilty by mail and send a check or money order to the court. These individuals did not appear in court. This program is another example of the new initiatives that Criminal Court has instituted to more efficiently manage limited staffing resources.

Pleas By Mail*

	City	Bronx	Kings	New York	Queens	SI
2006	**8,554**	659	1,803	2,497	3,575	20
2005	**9,724**	895	1,840	3,055	3,907	27

** Includes Bronx information*

INSTRUCTIONS FOR PLEADING GUILTY TO SUMMONS BY MAIL
PD 260-111 (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:

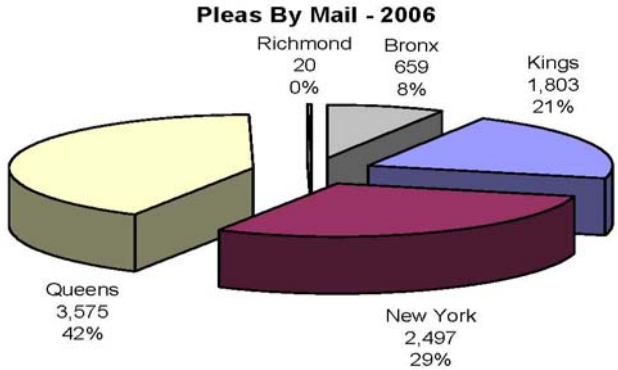
Summons Number _____ Issued On _____
(As it appears on the top of the Summons) (Date)

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



Honorable Alan J. Meyer
Deputy Supervising Judge, Kings & Richmond County

COURT OPERATIONS — PRE-TRIAL ALL-PURPOSE PARTS

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

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

AP parts throughout the city dispose of tens of thousands of cases each year as a result of negotiations between defense counsel and prosecutor. In the four counties, there were 116,441 cases disposed of in AP parts, accounting for 44% of all dispositions throughout the year.

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

However, the AP part truly lives up to its name. These parts also hear bail applications; act as the return parts for defendants brought back on bench warrants; hear violation of probation matters; and, to a limited degree, conduct pre-trial hearings and bench trials. Over the years, some of the AP parts have become specialized. Included in this section are problem-solving courts designed to focus on various societal problems, including Domestic Violence Courts, 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 discharge, probation or release, taking some of the burden off the busy AP parts.

Honorable Shari Michels
Kings County

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

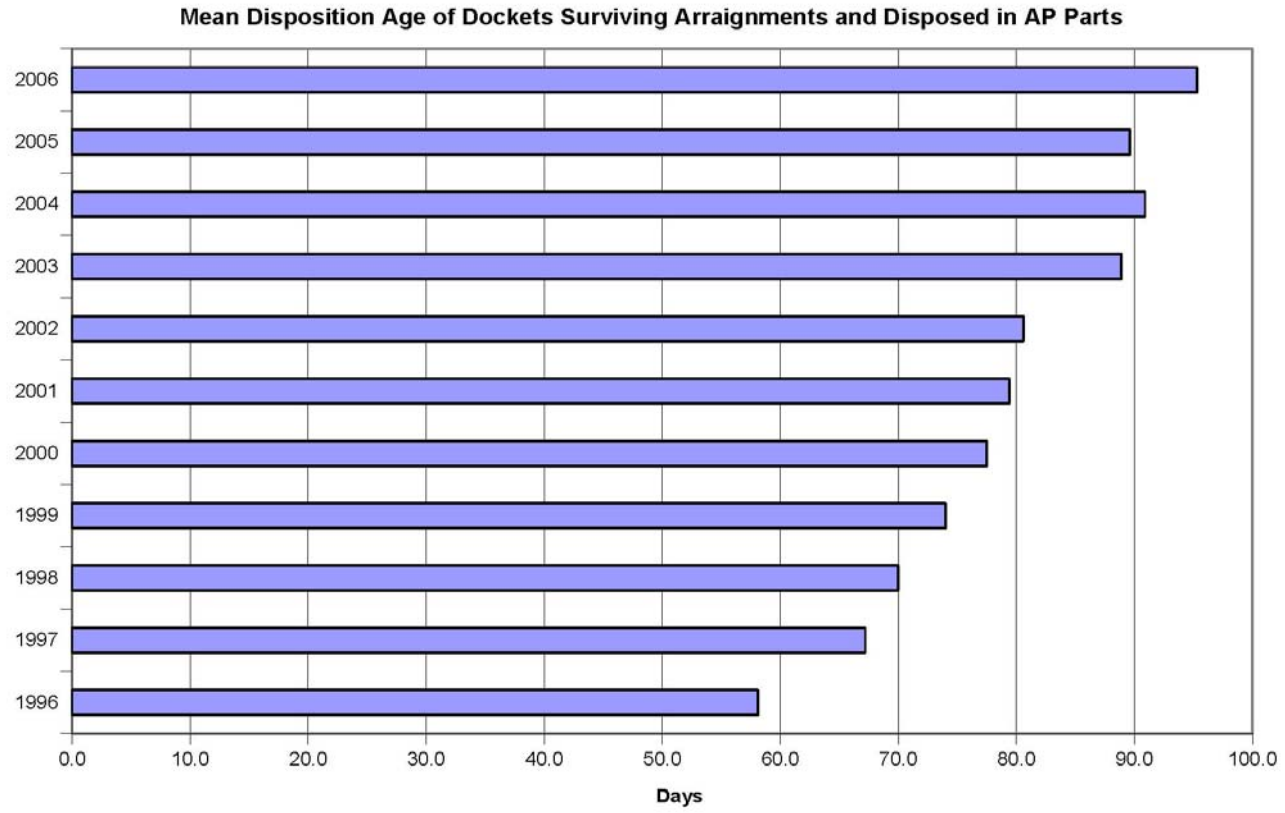
	Citywide	Kings	New York	Queens	Richmond
Number of AP Parts—2006	25.90	10.5	7	6.8	1.60
Average # AP Parts Open Daily 2006	22.6	8.6	6.6	6.2	1.3

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

	Citywide	Kings	New York	Queens	Richmond
2006	95.3	82.1	108.7	93.1	88.3
2005	89.6	73.5	104.0	86.5	88.0
2004	90.9	74.0	104.9	87.6	84.6
2003	88.9	68.5	105.3	83.7	88.9
2002	80.6	65.5	92.1	79.4	83.9
2001	79.4	67.2	88.1	82.5	82.5
2000	77.5	68.5	86.6	74.3	84.7
1999	74.0	64.6	88.0	63.2	72.2
1998	70.0	61.9	82.8	63.2	65.1
1997	67.2	57.8	78.9	62.7	62.7
1996	58.1	45.9	69.4	54.9	63.8

Mean Number of Appearances of Dockets Surviving Arraignments and Disposed in AP Parts Citywide

2006	4.5	4.5	4.1	4.9	4.8



COURT OPERATIONS — PRE-TRIAL ALL-PURPOSE PARTS

Number of Calendared Cases in AP Parts

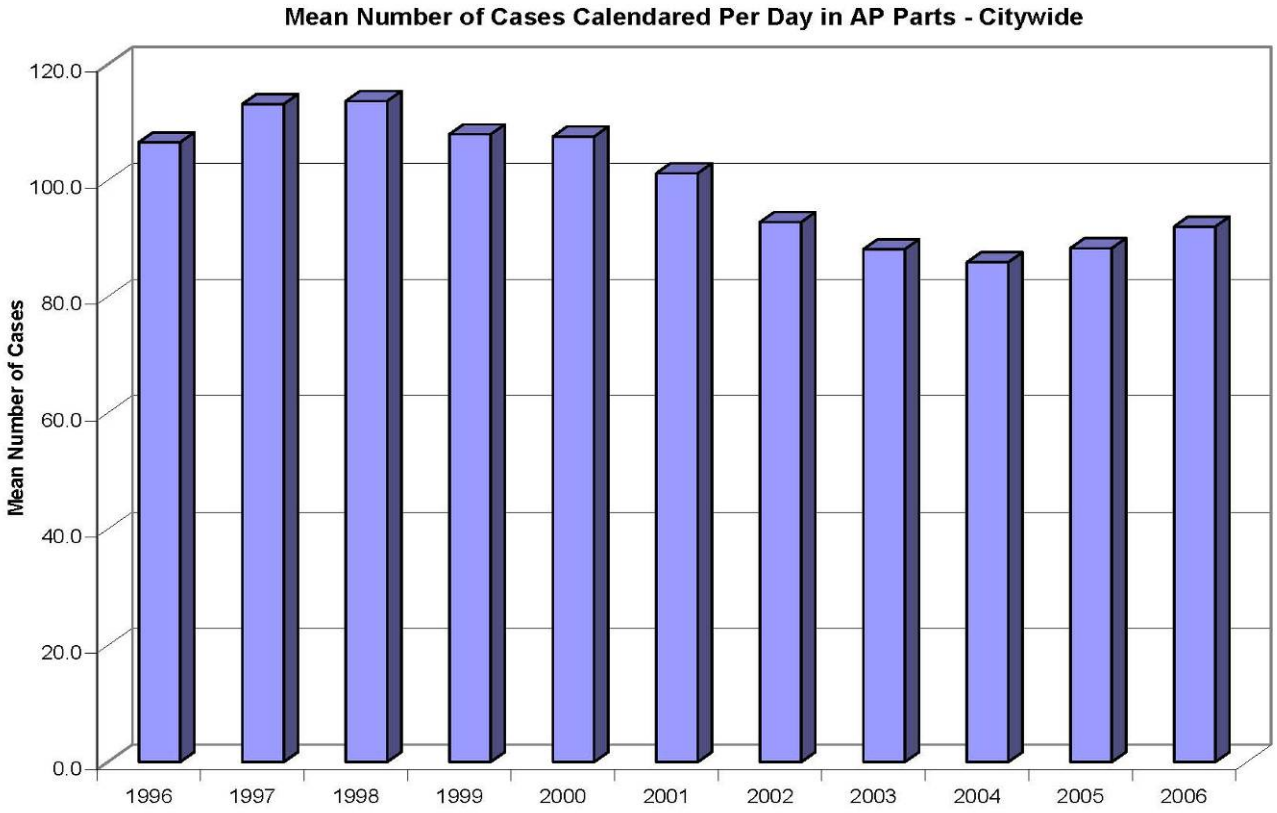
	Citywide	Kings	New York	Queens	Richmond
2006	519,260	199,014	142,900	140,704	36,642
2005	500,705	175,467	151,792	140,548	32,898
2004	487,132	161,863	155,117	139,946	30,206
2003	501,038	163,743	163,209	143,074	31,012
2002	506,027	172,468	156,363	144,423	32,773
2001	540,984	208,200	150,605	145,934	36,245
2000	586,958	229,488	169,300	147,534	40,636
1999	621,566	231,295	196,289	154,060	39,922
1998	671,296	252,856	214,710	161,388	42,342
1997	663,430	247,688	202,003	174,065	39,674
1996	613,179	229,833	195,080	148,529	39,851

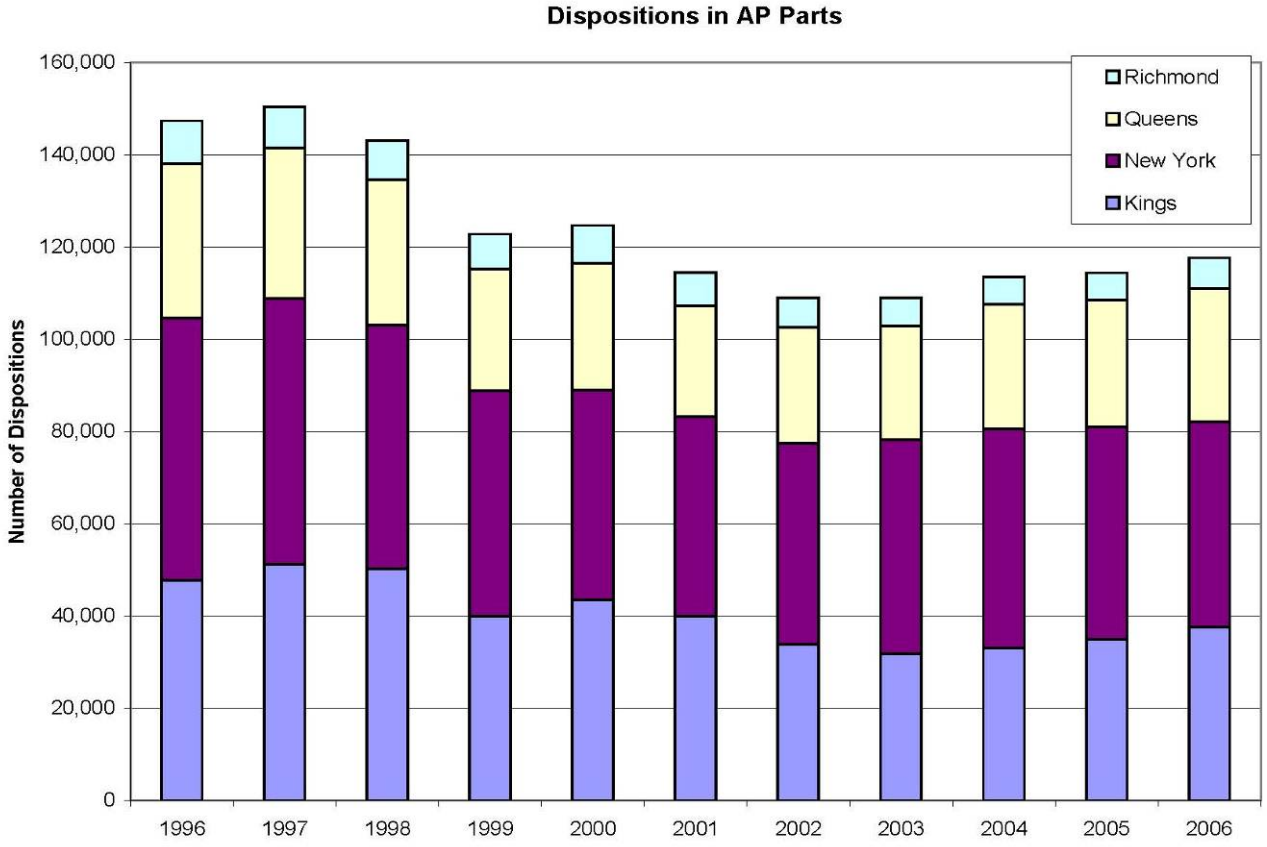
Mean Number of Cases Calendared Per Day in AP Parts

2006	92.1	93.3	87.2	91.5	112.0
2005	88.4	82.7	90.1	91.4	103.5
2004	86.0	76.6	94.3	88.1	94.6
2003	88.2	75.4	95.8	95.2	101.7
2002	92.9	86.8	94.9	96.5	104.1
2001	101.3	103.3	93.4	104.1	117.5
2000	107.6	112.8	98.1	107.8	124.8
1999	108.0	106.4	104.3	111.2	128.0
1998	113.7	112.5	116.2	107.3	139.4
1997	113.2	117.4	108.8	108.0	139.5
1996	106.6	119.5	102.8	89.7	145.0

Total Dispositions in AP Parts

2006	117,679	37,506	44,551	28,906	6,716
2005	114,389	34,914	46,016	27,567	5,892
2004	113,496	32,973	47,611	26,998	5,914
2003	108,965	31,783	46,318	24,785	6,079
2002	109,016	33,747	43,643	25,214	6,412
2001	114,424	39,910	43,256	24,062	7,196
2000	124,663	43,453	45,577	27,386	8,247
1999	122,811	39,973	48,760	26,484	7,594
1998	143,096	50,268	52,675	31,682	8,471
1997	150,424	51,215	57,619	32,680	8,910
1996	147,322	47,759	56,750	33,489	9,324


Mean Number of Cases Calendared Per Day in AP Parts - Citywide
Mean Number of Cases
120.0
100.0
80.0
60.0
40.0
20.0
0.0
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006


Dispositions in AP Parts
Number of Dispositions
160,000
140,000
120,000
100,000
80,000
60,000
40,000
20,000
0
Richmond
Queens
New York
Kings
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006

Felony Waiver Parts

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

Felony waiver parts are staffed by Criminal Court judges designated as Acting Supreme Court justices. District 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 to a felony in these parts must waive their right to be prosecuted by indictment and agree to prosecution by a Superior Court Information or "SCI," an accusation drafted by the district attorney rather than the grand jury. Over 25,000 dispositions were taken in felony waiver parts in the four counties in 2006.

Felony waiver parts also hear motions, bail applications and extradition matters among other things. They are among some of the most productive courtrooms in the city. Over 106,000 appearances on cases were calendared in Criminal Court's felony waiver parts throughout the city of which over 26,000 were disposed. Compare this with the approximately 20,000 dispositions combined in the corresponding four Supreme Courts.

Honorable Suzanne Mondo
Kings County

While every county disposes of a large amount of drug cases in their felony waiver parts, the practice differs with other cases.

Top Ten Arraignment Charges of Dockets Disposed in Felony Waiver Parts 2006

Number of dispositions for each charge		Citywide	Kings	New York	Queens	Richmond
1	PL 220.39 Crim sale CS 3°	4,418	1,887	1,540	792	199
2	PL 220.16 Crim poss CS 3°	2,645	843	792	827	183
3	PL 160.10 Robbery 2°	1,812	813	1	903	95
4	PL 160.15 Robbery 1°	1,642	958	3	604	77
5	PL 120.05 Assault 2°	1,561	681	3	727	150
6	PL 265.02 Crim poss weapon 3°	785	630	5	65	85
7	PL 140.25 Burglary 2°	750	325	0	363	62
8	PL 155.35 Grand larceny 3°	646	186	2	375	83
9	PL 155.30 Grand larceny 4°	644	244	1	322	77
10	PL 170.25 Crim poss forged In 2°	608	35	1	512	60

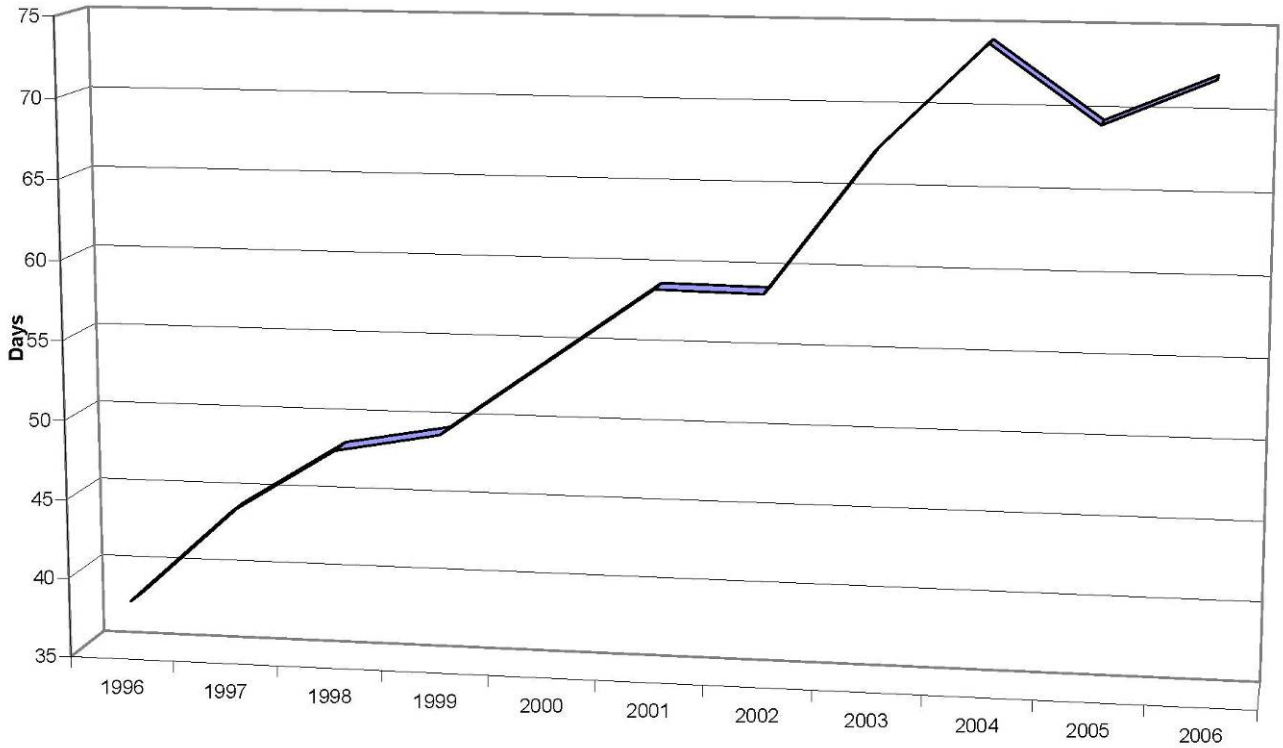
Number of Felony Waiver Parts

	Citywide	Kings	New York	Queens	Richmond
2006	5.7	2.0	1.0	2.2	.5

Mean Disposition Age of Dockets Surviving Arraignments and Disposed in Felony Waiver Parts (in days)

	Citywide	Kings	New York	Queens	Richmond
2006	72.2	42.1	53.4	110.9	71.0
2005	69.4	43.2	49.4	103	72.1
2004	74.1	58.9	52.5	100.6	69.8
2003	67.6	39.9	54.6	95.8	70.2
2002	58.8	29.3	48.6	91.2	69.6
2001	58.9	30.1	47.3	92.5	74.2
2000	54.2	26.0	38.0	85.4	73.1
1999	49.5	29.3	35.1	77.7	61.7
1998	48.3	32.1	36.8	74.5	56.8
1997	44.2	29.3	35.1	64.8	58.0
1996	38.2	26.0	35.9	47.9	55.3

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



Felony Waiver Parts

Number of Calendared Cases Heard in Felony Waiver Parts

	Citywide	Kings	New York	Queens	Richmond
2006	113,317	34,778	7,176	48,914	22,449
2005	106,306	31,058	8,501	46,118	20,629
2004	97,556	24,690	9,055	43,747	20,064
2003	95,734	24,594	9,047	40,574	21,519
2002	97,875	22,613	10,924	41,691	22,647
2001	100,610	25,835	10,538	39,173	25,064
2000	110,958	30,592	10,440	41,490	28,436
1999	115,682	31,529	10,854	44,469	28,830
1998	130,499	38,225	14,119	46,213	31,942
1997	124,306	35,476	15,186	43,226	30,418
1996	129,505	42,049	17,012	39,436	31,008

Honorable Eileen Nadelson
Kings County

Honorable Patricia Nunez
New York County

Total Dispositions in Felony Waiver Parts

		Citywide	Kings	New York	Queens	Richmond
2006	Total Dispositions	25,613	9,748	3,207	9,239	3,419
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	50	—	—	—	—
2005	Total Dispositions	26,195	9,524	3,939	9,500	3,232
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	53.3	—	—	—	—
2004	Total Dispositions	25,008	8,784	3,995	8,840	3,389
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	54.0	—	—	—	—
2003	Total Dispositions	22,708	7,042	3,818	8,326	3,522
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	47.9	—	—	—	—
2002	Total Dispositions	24,929	8,638	4,425	8,024	3,842
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	50.6	—	—	—	—
2001	Total Dispositions	25,315	9,302	4,213	7,446	4,354
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	50.3	—	—	—	—
2000	Total Dispositions	28,763	10,249	4,730	8,664	5,120
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	49.6	—	—	—	—
1999	Total Dispositions	28,992	10,464	5,500	8,299	4,729
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	46.8	—	—	—	—
1998	Total Dispositions	35,548	13,185	7,246	9,648	5,469
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	50	—	—	—	—
1997	Total Dispositions	36,649	13,174	8,157	9,314	6,004
	% of Felony Cases Arraigned Disposed of in Felony Waiver Pts	50	—	—	—	—
1996	Total Dispositions	41,174	15,513	8,629	10,428	6,604
	% of Arraigned Felony Cases Disposed of in Felony Waiver Pts	52.3	—	—	—	—

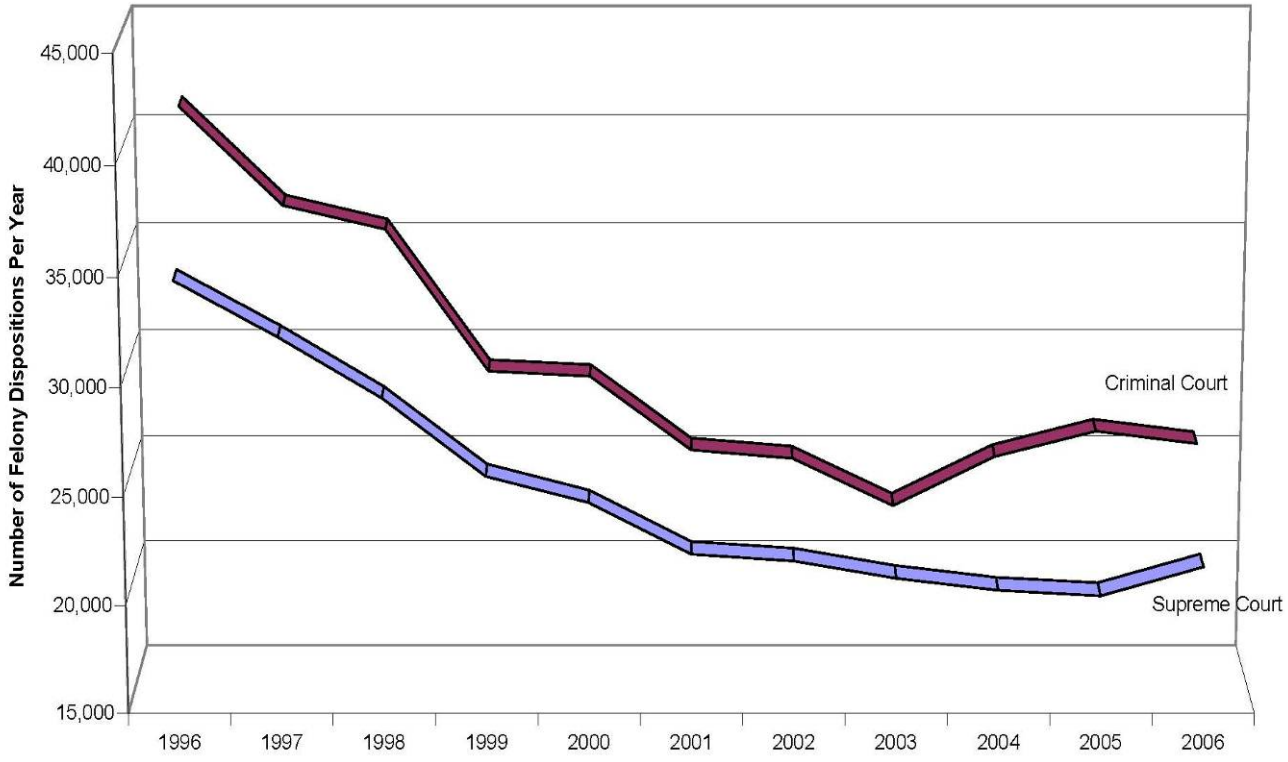
Felony Waiver Parts

Supreme Court Dispositions

	Citywide	Kings/	New York	Queens
2006	21,334	8,321	8,183	4,830
2005	19,987	6,370	8,534	5,083
2004	20,245	6,614	8,596	5,035
2003	20,804	6,521	9,590	4,693
2002	21,607	6,483	10,242	4,882
2001	21,919	6,945	10,039	4,935
2000	24,311	7,249	11,647	5,415
1999	25,521	7,544	12,929	5,048
1998	29,110	9,276	13,394	6,440
1997	31,903	11,156	14,120	6,627
1996	34,469	11,413	15,284	7,772

Honorable Mary O'Donoghue
Queens County

Supreme Court Dispositions Compared to Criminal Court Felony Waiver Part Dispositions

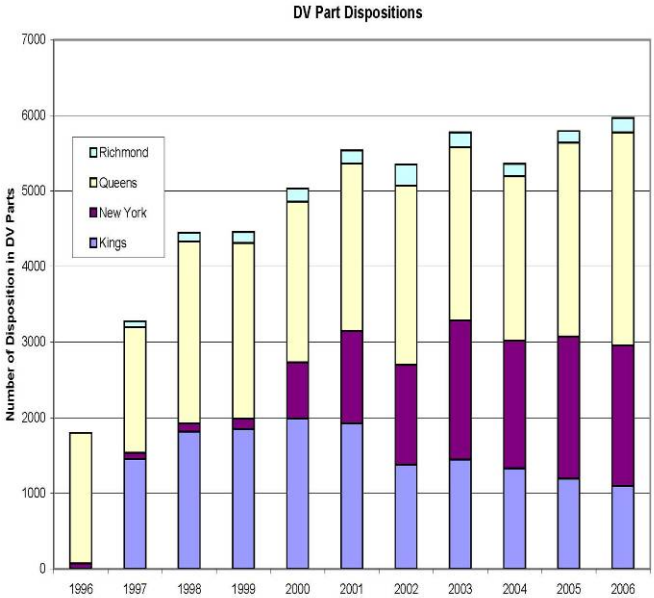


Domestic Violence Courts

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

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

Honorable Steven Paynter
Queens County



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

Number of Domestic Violence Court Parts in Criminal Court *

	Citywide	Kings	New York	Queens	Richmond
2006	5.95	2.4	2.2	1.15	.20
Total Number of Plea Dispositions in DV Parts					
2006	5,965	1,100	1,857	2,815	193
2005	5,793	1,197	1,874	2,568	154
2004	5,357	1,328	1,689	2,176	164
2003	5,775	1,446	1,840	2,288	201
2002	5,352	1,379	1,322	2,372	279
2001	5,537	1,925	1,225	2,214	173
2000	5,029	1,990	744	2,121	174
1999	4,458	1,847	139	2,323	149
1998	4,451	1,813	112	2,404	122
1997	3,277	1,456	80	1,662	79
1996	1,799	4	66	1,729	—

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. Parts were designated in all five boroughs to hear these cases. The initiative has expedited processing of narcotics laboratory reports, fast-tracked probation and parole revocations, increased trial capacity and links to services for addicted and mentally ill defendants.

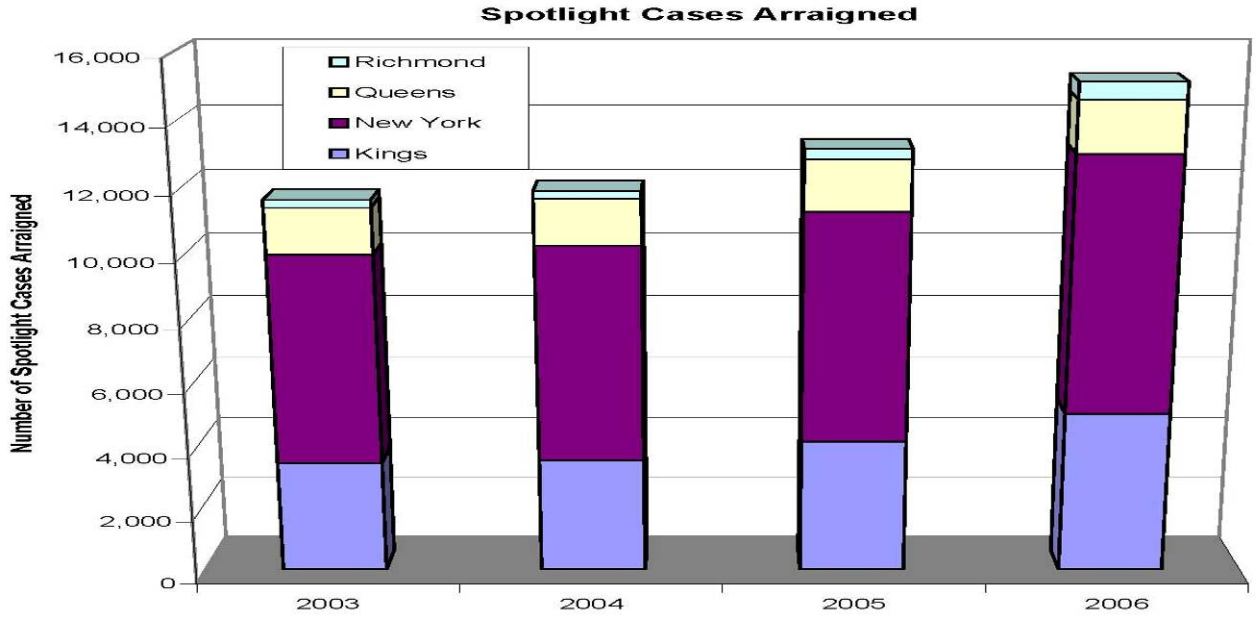
The Mayor's office defines an "Operation Spotlight" defendant as someone whose criminal record shows:

1. 3 or more arrests within the last 12 months, at least 2 of which must be for non-felony offenses; and
2. 2 or more misdemeanor convictions, at least 1 occurring within the last 12 months.

Honorable Geraldine Pickett
Kings County

Number of Spotlight Cases Arraigned

	Citywide	Kings	New York	Queens	Richmond
2006	15,153	5,030	7,985	1,600	538
2005	13,171	4,146	7,130	1,583	312
2004	11,904	3,536	6,718	1,419	231
2003	11,636	3,458	6,516	1,426	236



Drug Treatment Court Initiative

Criminal Court's six 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 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 a 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, the Bronx started the program before court merger was finalized in 2004, Queens started its pilot in 2006 and Manhattan will begin operating in 2007.

Honorable Robert Raciti
Queens County

Number of Drug Court Parts in Criminal Court

	Citywide	Kings	New York	Queens	Richmond
2006	6	2	2	1	1

Number of Plea Dispositions taken in Drug Courts

2006	638	341	151	118	28

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.

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

Honorable Neil Ross
New York County

Number of Cases Calendared in DV Compliance Parts

	Citywide	Kings	New York	Queens
2006	4,226	986	864	2,376
2005	5,763	1,516	1,444	2,803
2004	6,658	2,218	1,094	3,346
2003	5,409	2,359	1,514	1,536
2002	9,777	3,843	1,733	4,201
2001	12,714	6,199	1,824	4,691
2000	13,258	5,668	2,821	4,769

120 Schermerhorn Street Entrance

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 tenants, 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.

Honorable Matthew Sciarrino
Richmond County

CDRC Referrals*

	Citywide	Bronx	Kings	New York	Queens
2006	16,145	5,038	5,222	3,267	2,618
2005	16,778	4,979	5,411	3,451	2,937
2004	18,891	5,330	6,511	3,975	3,075
2003	18,984	5,887	6,063	3,277	3,757
2002	19,538	6,391	5,748	2,681	4,538
2001	21,869	6,377	7,093	3,097	5,302
2000	23,816	7,178	7,710	3,523	5,405
1999	24,812	7,472	7,852	3,781	5,707
1998	23,890	7,565	6,921	3,947	5,457
1997	24,221	7,759	6,874	4,219	5,369
1996	25,824	7,762	7,537	4,628	5,897

** Includes Bronx information*

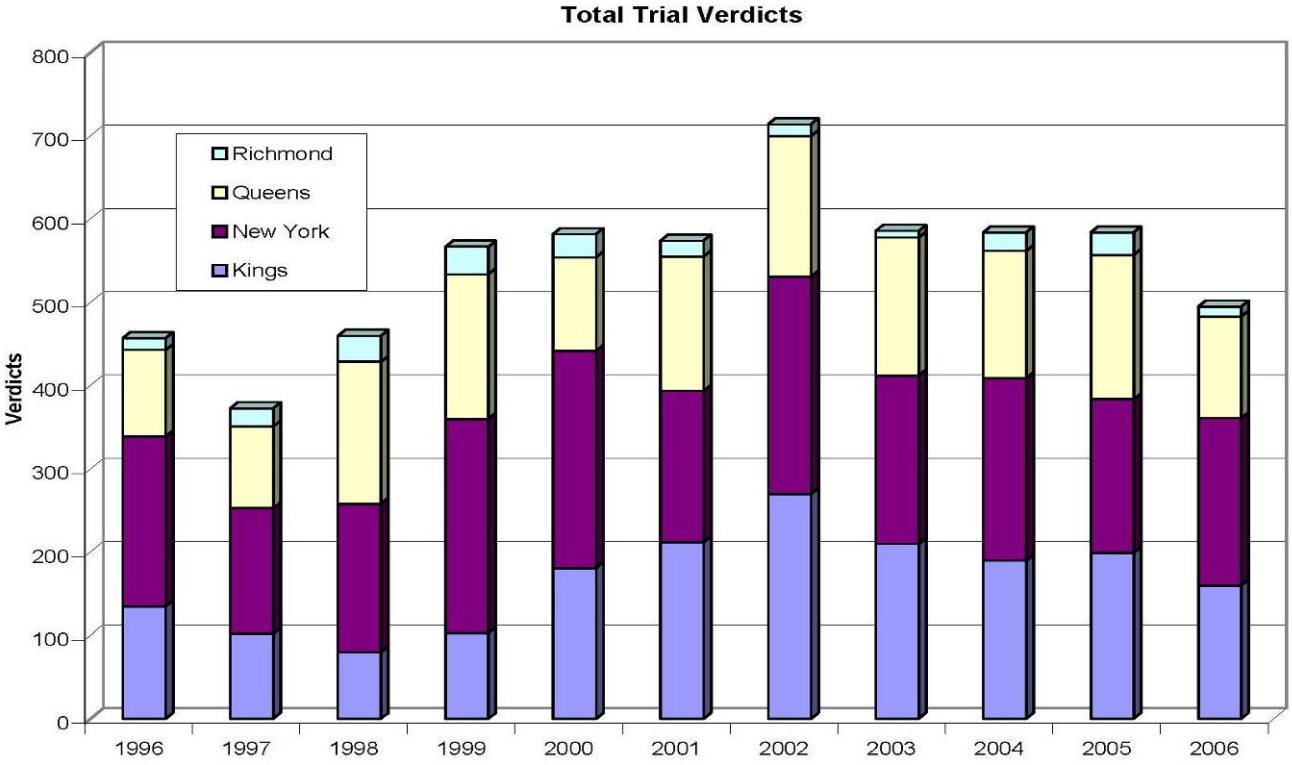
COURT OPERATIONS — TRIAL PARTS

Honorable Toko Serita
Kings County

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

Trial Parts also handle many of the pre-trial hearings that must be conducted before the trial begins. These include suppression, *Sandoval*, *Molineux* and other evidentiary hearings.

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



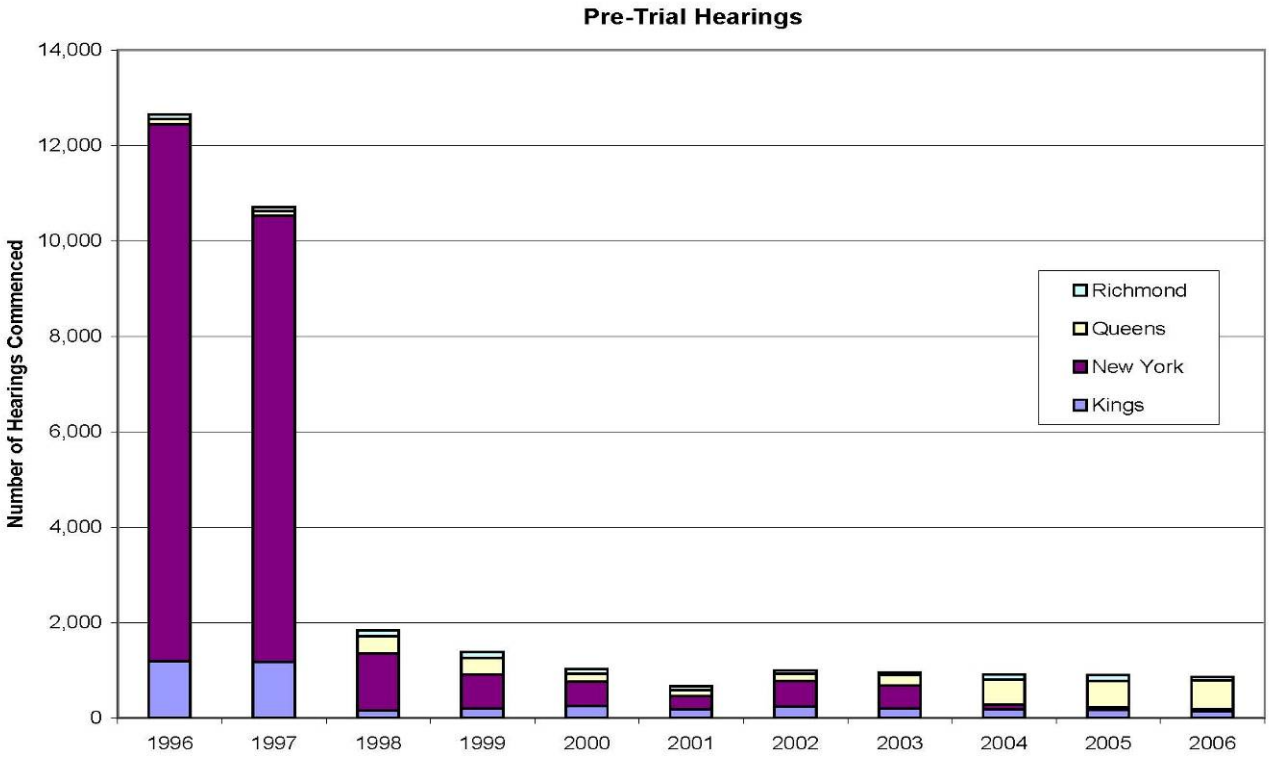
Pre-Trial Hearings

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

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

A breakdown of hearings done since 1996 is offered on the following page.

Honorable ShawnDya Simpson
New York County



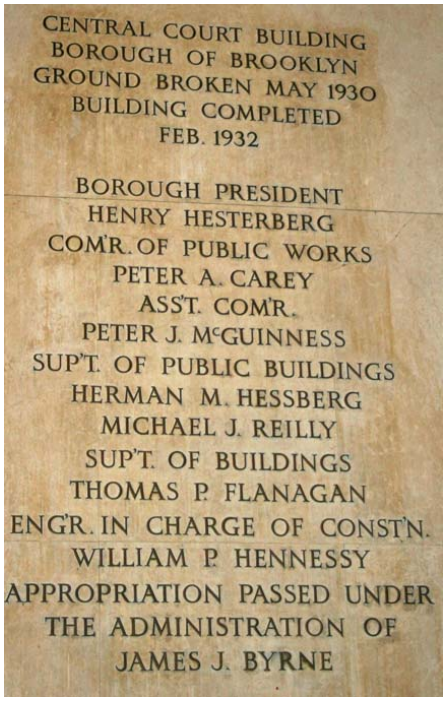
Trials

Trial Verdicts

		Citywide			Kings			New York			Queens			Richmond		
		Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot	Conv	Acq	Tot
2006	Jury	124	80	204	25	21	46	74	28	102	22	27	49	3	4	7
	Bench	159	136	295	63	51	114	52	47	99	39	37	76	5	1	6
	Total	**283**	**216**	**499**	**88**	**72**	**160**	**126**	**75**	**201**	**61**	**64**	**125**	**8**	**5**	**13**
2005	Jury	127	101	228	33	32	65	57	30	87	27	31	58	10	8	18
	Bench	205	151	356	87	47	134	59	39	98	55	60	115	4	5	9
	Total	**332**	**252**	**584**	**120**	**79**	**199**	**116**	**69**	**185**	**82**	**91**	**173**	**14**	**13**	**27**
2004	Jury	140	107	247	28	28	56	77	42	119	30	33	63	5	4	9
	Bench	186	151	337	83	51	134	52	48	100	47	43	90	4	9	13
	Total	**326**	**258**	**584**	**111**	**79**	**190**	**129**	**90**	**219**	**77**	**76**	**153**	**9**	**13**	**22**
2003	Jury	115	123	238	33	36	69	63	60	123	17	26	43	2	1	3
	Bench	210	138	348	94	47	141	53	26	79	63	60	123	0	5	5
	Total	**325**	**261**	**586**	**127**	**83**	**210**	**116**	**86**	**202**	**80**	**86**	**166**	**2**	**6**	**8**
2002	Jury	145	104	249	37	29	66	81	48	129	24	27	51	3	0	3
	Bench	274	191	465	132	72	204	81	51	132	55	63	118	6	5	11
	Total	**419**	**295**	**714**	**169**	**101**	**270**	**162**	**99**	**261**	**79**	**90**	**169**	**9**	**5**	**14**
2001	Jury	114	82	196	45	19	64	45	33	78	23	24	47	1	6	7
	Bench	215	163	378	103	45	148	64	40	104	44	70	114	4	8	12
	Total	**329**	**245**	**574**	**148**	**64**	**212**	**109**	**73**	**182**	**67**	**94**	**161**	**5**	**14**	**19**
2000	Jury	107	92	199	37	20	57	60	53	113	7	12	19	3	7	10
	Bench	228	155	383	71	53	124	101	47	148	43	50	93	13	5	18
	Total	**335**	**247**	**582**	**108**	**73**	**181**	**161**	**100**	**261**	**50**	**62**	**112**	**16**	**12**	**28**
1999	Jury	121	103	224	30	20	50	74	66	140	12	13	25	5	4	9
	Bench	206	138	344	36	17	53	80	38	118	73	76	149	17	7	24
	Total	**327**	**241**	**568**	**66**	**37**	**103**	**154**	**104**	**258**	**85**	**89**	**174**	**22**	**11**	**33**
1998	Jury	91	78	169	14	13	27	55	44	99	16	15	31	6	6	12
	Bench	171	136	307	36	17	53	58	37	95	67	73	140	10	9	19
	Total	**262**	**214**	**476**	**50**	**30**	**80**	**113**	**81**	**194**	**83**	**88**	**171**	**16**	**15**	**31**
1997	Jury	82	63	145	18	10	28	42	40	82	14	6	20	8	7	15
	Bench	120	107	227	48	26	74	33	35	68	36	42	78	3	4	7
	Total	**202**	**170**	**372**	**66**	**36**	**102**	**75**	**75**	**150**	**50**	**48**	**98**	**11**	**11**	**22**
1996	Jury	89	63	152	12	8	20	55	33	88	17	19	36	5	3	8
	Bench	208	100	308	82	33	115	87	32	119	37	31	68	2	4	6
	Total	**297**	**163**	**460**	**94**	**41**	**135**	**142**	**65**	**207**	**54**	**50**	**104**	**7**	**7**	**14**

	Citywide	Kings	New York	Queens	Richmond
Bench Trial Verdicts Mean Age at Disposition (days)					
2006	298.7	314.8	251.2	337.2	240.5
2005	257.3	265.3	218.0	274.6	337.1
2004	244.2	214.6	206.9	341.8	305.8
2003	246.9	229.6	245.4	265.2	311.2
2002	246.7	208.0	269.4	288.8	256.5
2001	228.5	184.0	235.4	265.2	378.9
2000	223.9	170.5	254.4	223.3	346.4
1999	233.3	191.7	307.4	186.7	248.3
1998	216.4	157.2	303.1	190.3	170.8
1997	245.5	206.1	358.4	203.8	130.9
1996	201.0	179.5	273.3	136.8	197.7
Jury Trial Verdicts Mean Age at Disposition (days)					
2006	334.2	356.2	308.9	364.8	351.3
2005	262.1	242.7	287.5	259.7	221.0
2004	293.6	217.4	296.3	362.4	265.0
2003	276.7	235.0	300.5	268.0	401.3
2002	264.5	211.1	285.8	277.4	343.3
2001	274.4	202.8	312.4	305.3	302.7
2000	285.2	167.8	336.5	326.3	284.3
1999	326.7	149.0	408.0	237.6	312.7
1998	311.6	176.9	373.0	268.2	220.0
1997	326.6	233.5	385.8	233	297.1
1996	258.1	176.3	303.7	200.3	220.3

Honorable Ruth Smith
Kings County



120 Schermerhorn Street Lobby

Pre Trial Hearings

Pre Trial Hearings Commenced

		Citywide	Kings	New York	Queens	Richmond
2006	**Total Hearings**	856	132	48	610	66
	Felony Hearings	16	2	6	0	8
	Other Hearings	840	130	42	610	58
2005	**Total Hearings**	900	169	54	544	133
	Felony Hearings	28	1	18	0	9
	Other Hearings	872	168	36	544	124
2004	**Total Hearings**	912	181	100	521	110
	Felony Hearings	26	0	15	0	11
	Other Hearings	886	181	85	521	99
2003	**Total Hearings**	952	190	484	221	57
	Felony Hearings	54	6	36	0	12
	Other Hearings	898	184	448	221	45
2002	**Total Hearings**	999	232	547	147	73
	Felony Hearings	49	1	32	0	16
	Other Hearings	950	231	515	147	57
2001	**Total Hearings**	664	179	283	116	86
	Felony Hearings	38	0	27	2	9
	Other Hearings	626	179	256	114	77
2000	**Total Hearings**	1,027	248	514	168	97
	Felony Hearings	33	3	13	0	17
	Other Hearings	994	245	501	168	80
1999	**Total Hearings**	1,378	189	727	341	121
	Felony Hearings	49	2	21	9	17
	Other Hearings	1,329	187	706	332	104
1998	**Total Hearings**	1,841	155	1,191	361	134
	Felony Hearings	61	7	37	0	17
	Other Hearings	1,780	148	1,154	361	117
1997	**Total Hearings**	10,706	1,168	9,359	91	88
	Felony Hearings	129	31	64	1	33
	Other Hearings	10,577	1,137	9,295	90	55
1996	**Total Hearings**	12,648	1,180	11,266	106	96
	Felony Hearings	212	56	81	4	71
	Other Hearings	12,436	1,124	11,185	102	25

Honorable Larry Stephen
New York County

67 Targee Street Lobby

125-01 Queens Boulevard Lobby

Honorable Richard Weinberg
Midtown Community Court

COURT OPERATIONS — COMMUNITY COURTS

Red Hook Community Justice

Red Hook Community Justice Center (RHCJC), 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.

RHCJC seeks to address the needs of the community as a whole, and is structured to address them by incorporating a multi-jurisdictional court and housing programs to improve the quality of life for the Red Hook community. The Justice Center provides on-site social services addressing drug abuse, poverty, family violence, unemployment and education. It also houses community mediation and job training programs. All of these services are available to defendants and victims as well as to members of the Red Hook community.

RHCJC also offers innovative programs designed to address the needs of a particularly vulnerable population, young adults. The Youth Court tries to mediate problems between kids before they flare into something that must involve the criminal justice system.

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

While standard statistics show only a small amount of the work actually done to change lives at courts like Red Hook, the next three pages give a snapshot of the volume and kind of cases that are seen at both Red Hook and Midtown Community Courts.

Honorable Betty Williams
Kings County

Top 10 Arraignment Charges - Red Hook

Comparison by most frequently arraigned			2006	2001
PL	220.03	Crim poss CS 7°	1	1
PL	221.10	Crim poss marihuana 5°	2	2
PL	120.00	Assault 3°	3	3
VTL	511.1	Agg unlicensed op MV 3°	4	6
AC	10-125	Pub. consumption alcohol	5	—
PL	155.25	Petit larceny	6	7
PL	230.03	Patron prostitute 4°	7	—
PL	140.10	Criminal trespass 3°	8	5
PL	165.15	Theft of services	9	4
VTL	511.1A	Agg unlicensed op MV 3°	10	—
PL	230.00	Prostitution	—	9
PL	240.30	Agg harassment 2°	—	8
PL	240.37	Loitering/prostitution	—	10

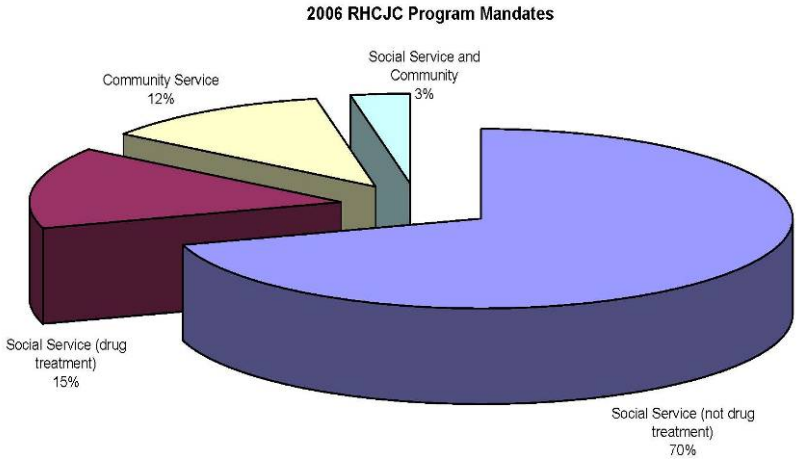
Red Hook Community Justice Center

	2006	2005	2004	2003	2002	2001	2000
Arraignments	4,072	3,670	3,168	3,803	4,052	4,199	2,995
Dispositions at Arraignment	2,253	2,048	1,912	2,136	2,631	2,581	1,643
Dockets Surviving Arraignment	1,819	1,622	1,256	1,667	1,421	1,618	1,352
% Total Surviving Arraignment	44.7	44.2	39.6	43.8	35.1	38.5	45.1
Mean Age at Disposition (days)*	88.0	90.1	98.9	85.2	101.8	83.1	59.5
Summons Trials Commenced	25	54	19	1	3	3	0
Online/DAT Trials Commenced	11	0	1	1	2	3	0

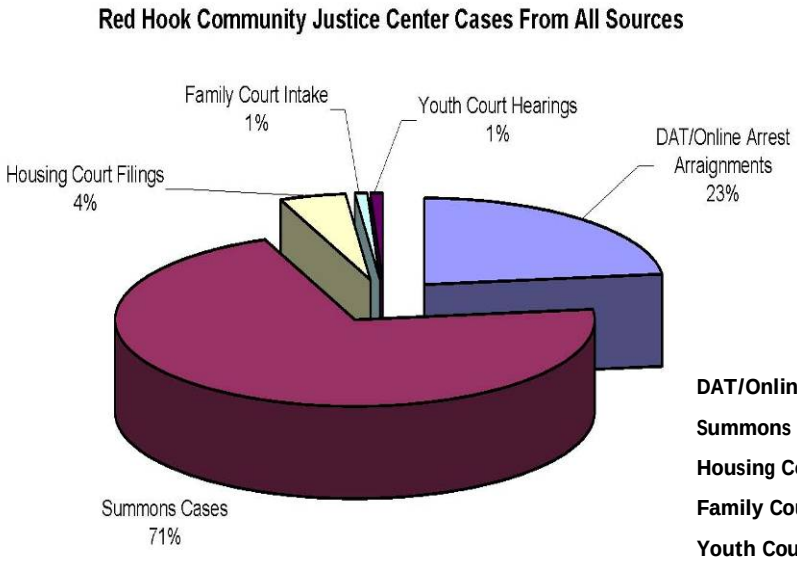
* Dockets surviving arraignments

RHCJC Program Mandates

	Number	% Mandated
Total Program Mandates	1,390	100%
Social Service (not drug treatment)	976	70%
Social Service (drug treatment)	206	15%
Community Service	165	12%
Social Service and Community Service	43	3%



88-94 Visitation Place Facade



RHCJC Cases From All Sources

	Number	% Intake
DAT/Online Arrest Arraignments	3,997	23%
Summons Cases	12,251	71%
Housing Court Filings	760	4%
Family Court Intake	162	1%
Youth Court Hearings	128	1%

COURT OPERATIONS — COMMUNITY COURTS

Midtown Community Court

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

Honorable Jacqueline Williams
Kings County

314 West 54th Street Facade

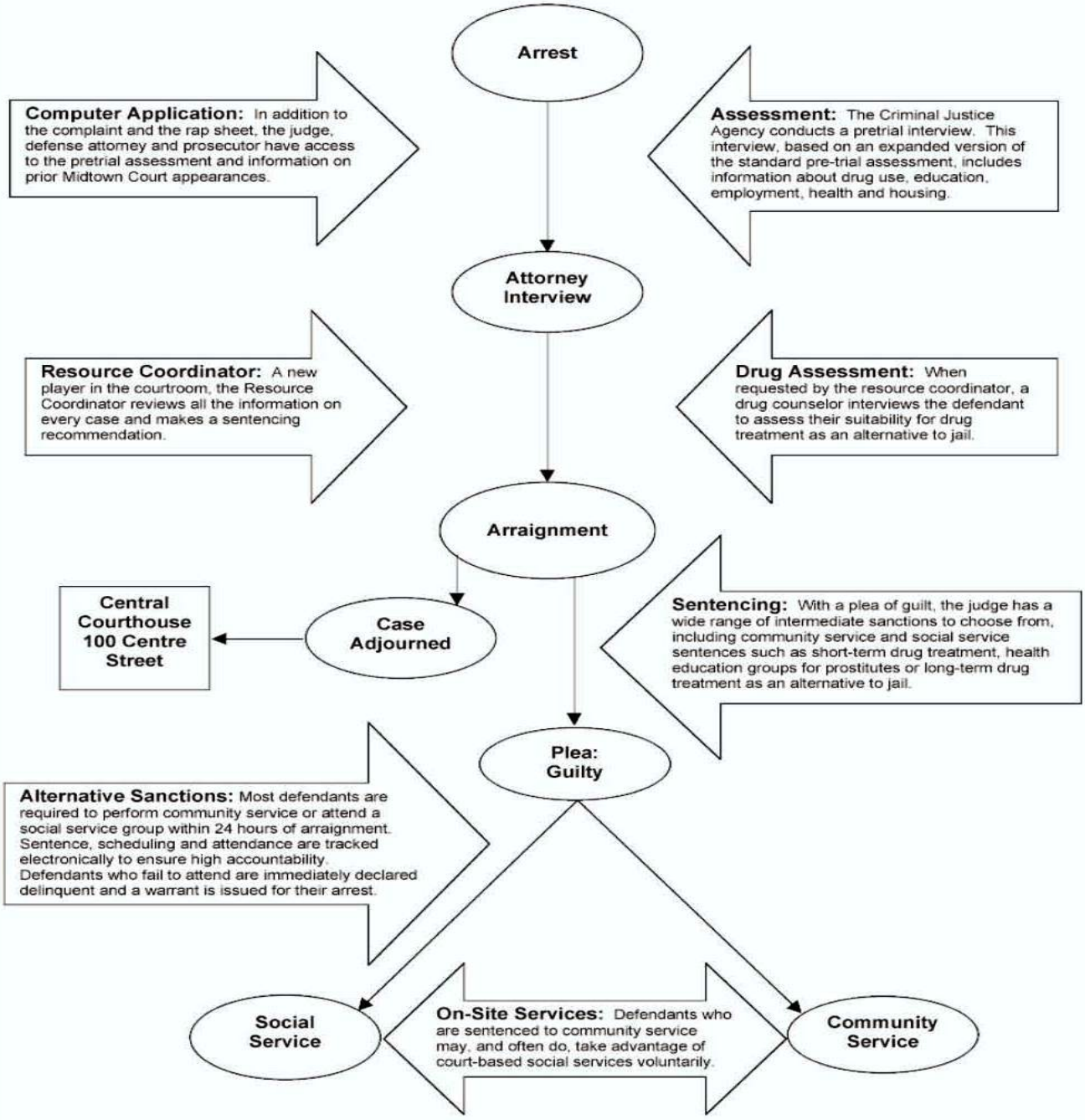
Top 10 Arraignment Charges - Midtown

Comparison by most frequently arraigned			2006	2001	1996
PL	155.25	Petit larceny	1	1	2
AC	20-453	Unlicensed vendor	2	2	3
PL	165.15	Theft of services	3	3	1
PL	221.10	Crim poss marihuana 5°	4	4	9
PL	230.00	Prostitution	5	6	7
PL	240.37	Loitering/prostitution	6	7	5
AC	10-125	Pub. consumption alcohol	7	5	6
PL	165.71	Trademark counter 3°	8	10	—
PL	220.03	Crim poss CS 7°	9	8	4
PL	240.20	Disorderly conduct	10	—	10
VTL	511.1	Agg unlicensed op MV	—	9	—
PL	230.03	Patron prostitute 4°	—	—	8

	Midtown										
	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996
Arraignments	8,884	9,067	10,593	11,023	11,230	10,742	10,080	10,340	14,584	17,799	16,007
Dispositions at Arraign't	6,771	6,243	7,076	7,209	7,539	8,177	7,849	8,369	12,092	14,879	12,569
Dkts Surviving Arraign't	2,113	2,824	3,517	3,814	3,691	2,565	2,231	1,971	2,492	2,920	3,438
% Surviving Arraignment	23.8	31.1	33.2	34.6	32.9	23.9	22.1	19.1	17.1	16.4	21.5
Mean Age at Dispo (days)*	101.5	75.5	91.9	72.6	66.7	57.9	65.2	57.6	61.6	53.4	47.8

* Dockets surviving arraignments

Midtown Community CourtCase Flow Summary



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 to 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 and day-to-day operations of these specialized courts.

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.

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. The Chief Court Attorney also assists the Administrative Judge with training initiatives for both judges and non-judicial employees. Lastly, this office is the primary liaison with the Office of Court Administration Counsel's Office in monitoring any lawsuits involving Criminal Court.

120 Schermerhorn Street Facade

Office of the Chief Clerk
Chief Clerk William Etheridge, Personnel Director Ada Molina and First Deputy Chief Clerk Vincent Modica

Office of the Chief Court Attorney
Assistant Court Analyst Georgeanna McDonald, Chief Court Attorney Michael Yavinsky and Associate Court Attorney Judi Caragine. Not Shown: Law Steno Nora Johnson.

Office of the Administrative Judge
Seated: Citywide Domestic Violence Court Coordinator Lisa Lindsay, Administrative Judge Juanita Bing Newton and Counsel Beverly Russell. Standing: Sgt. Terrence Gatling, Citywide Drug Court Coordinator Justin Barry, Administrative Aide Nancy Tulino, Principal Secretary to Judge Theresa Daniel, Secretary to Judge Suzy Jernigan-Clark and CO Steven Ingenito. Not shown: Secretary to Judge Robert West

COURT OPERATIONS - CENTRAL ADMINISTRATION

Criminal Court Revenue* 2006

	Citywide	Bronx	Kings**	New York**	Queens	Richmond
Bail	$11,206,201	$2,810,247	$2,908,013	$1,776,444	$2,720,641	$990,856
DNA Fee	$8,125	$225	$850	$2,800	$2,725	$1,525
DNA Fee Supreme	$9,585	$9,585	$0	$0	$0	$0
DWI SUPP Surcharge	$144,000	$4,925	$38,525	$23,350	$63,925	$13,275
DWI Surcharge Supreme	$16,925	$16,925	$0	$0	$0	$0
Fine City Arrest	$2,336,917	$664,388	$258,871	$308,532	$989,296	$115,830
Fine City Summons	$5,388,534	$977,191	$549,517	$2,360,646	$1,372,270	$128,910
Fine DWI	$3,010,600	$441,713	$703,453	$458,635	$1,161,924	$244,875
Felony City Arrest	$51,660	$51,660	$0	$0	$0	$0
Felony DWI	$8,395	$8,395	$0	$0	$0	$0
Felony State Arrest	$1,000	$1,000	$0	$0	$0	$0
Fine State Arrest	$2,674,678	$382,160	$611,378	$664,365	$883,975	$132,800
Fine State Summons	$1,442,208	$107,802	$176,892	$741,631	$340,390	$75,493
Misc Court Costs Supreme	$100	$100	$0	$0	$0	$0
Misc Interest	$1,710	$0	$1,710	$0	$0	$0
Misc Other	$1,295	$0	$0	$10	$1,285	$0
Misc Overage	$947	$407	$380	$160	$0	$0
Misc Overage Supreme	$396	$396	$0	$0	$0	$0
Misc Returned Check	$980	$60	$40	$660	$220	$0
SORA	$2,250	$0	$250	$1,350	$600	$50
SORA Supreme	$4,840	$4,840	$0	$0	$0	$0
Subpoena Fee	$105	$0	$0	$105	$0	$0
Subpoena Fees Supreme	$264	$264	$0	$0	$0	$0
SUPP SORA	$14,105	$0	$2,300	$2,445	$7,360	$2,000
SUPP SORA Supreme	$5,620	$5,620	$0	$0	$0	$0
Summons CVAF	$282,120	$16,735	$40,425	$107,700	$105,840	$11,420
Arrest CVAF	$913,094	$179,100	$177,273	$218,224	$286,552	$51,945
Felony CVAF	$5,882	$5,882	$0	$0	$0	$0
Felony Surcharge	$79,858	$79,858	$0	$0	$0	$0
Misdemeanor Surcharge Summons	$12,320	$645	$635	$8,285	$1,930	$825
Misdemeanor Surcharge Arrest	$860,931	$213,471	$136,685	$186,645	$277,880	$46,250
Violation Surcharge Summons	$1,032,555	$60,845	$150,860	$391,065	$389,740	$40,045
Violation Surcharge Arrest	$2,294,679	$467,787	$425,654	$580,134	$696,365	$124,740
VTL Surcharge Summons	$52,647	$5,150	$3,035	$18,275	$21,550	$4,637
VTL Surcharge Arrest	$1,450,794	$196,345	$365,261	$315,978	$483,470	$89,740
Transcript	$540,550	$103,770	$53,460	$105,510	$242,970	$34,840
Transcript Supreme	$52,510	$52,510	$0	$0	$0	$0
Total	$33,909,379	$6,870,001	$6,605,467	$8,272,948	$10,050,907	$2,110,056

** Includes Bronx information*

*** See note on top of page 47 concerning allocation of Kings and Manhattan summons fines and surcharges.*

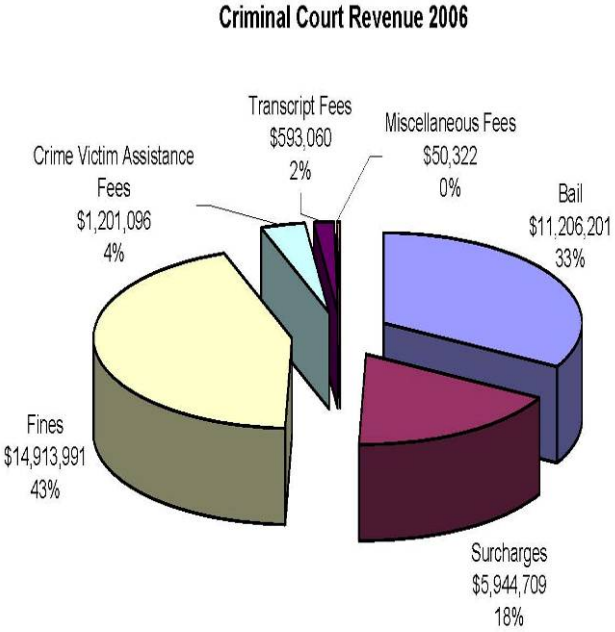
120 Schermerhorn Street Facade

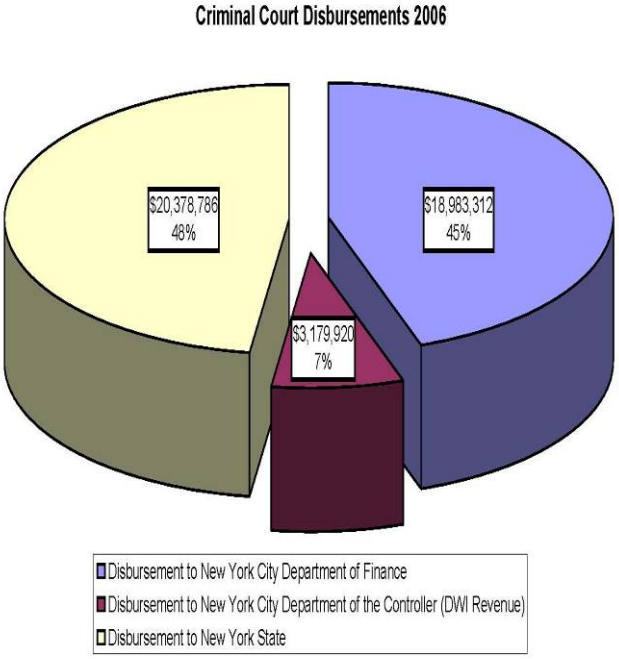
Honorable John Wilson
Kings County

Criminal Court Disbursements*

Disbursement to NYC Department of Finance	$18,938,312
Disbursement to NYC Department of the Controller (DWI revenue disbursed to Controller)	$3,179,920
Total disbursements to city (subtotal)	$22,163,231
Total disbursement to state	$20,378,786
Total disbursements	$42,542,018

** Includes Bronx information*





COURT OPERATIONS — SUMMARY INFORMATION

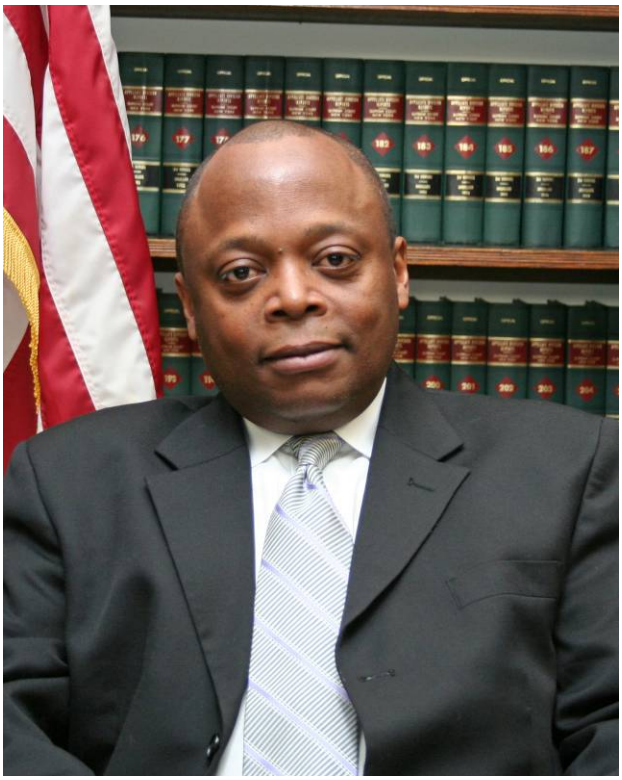
The charts on pages 80 through 85 give a good summary of some of the work that is accomplished in the Criminal Court over the course of the year.

Caseloads

The charts below and on the facing page show the caseload, or number of cases in Criminal Court citywide, pending as of the last day of the year. These pending caseload numbers are a 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.

Dispositions

The chart on page 80 and 81 indicates the numbers and types of dispositions reported every year since 1996.



Honorable Alvin Yearwood
Kings County

Dockets Pending on December 31 (Snapshot of Pending Cases)

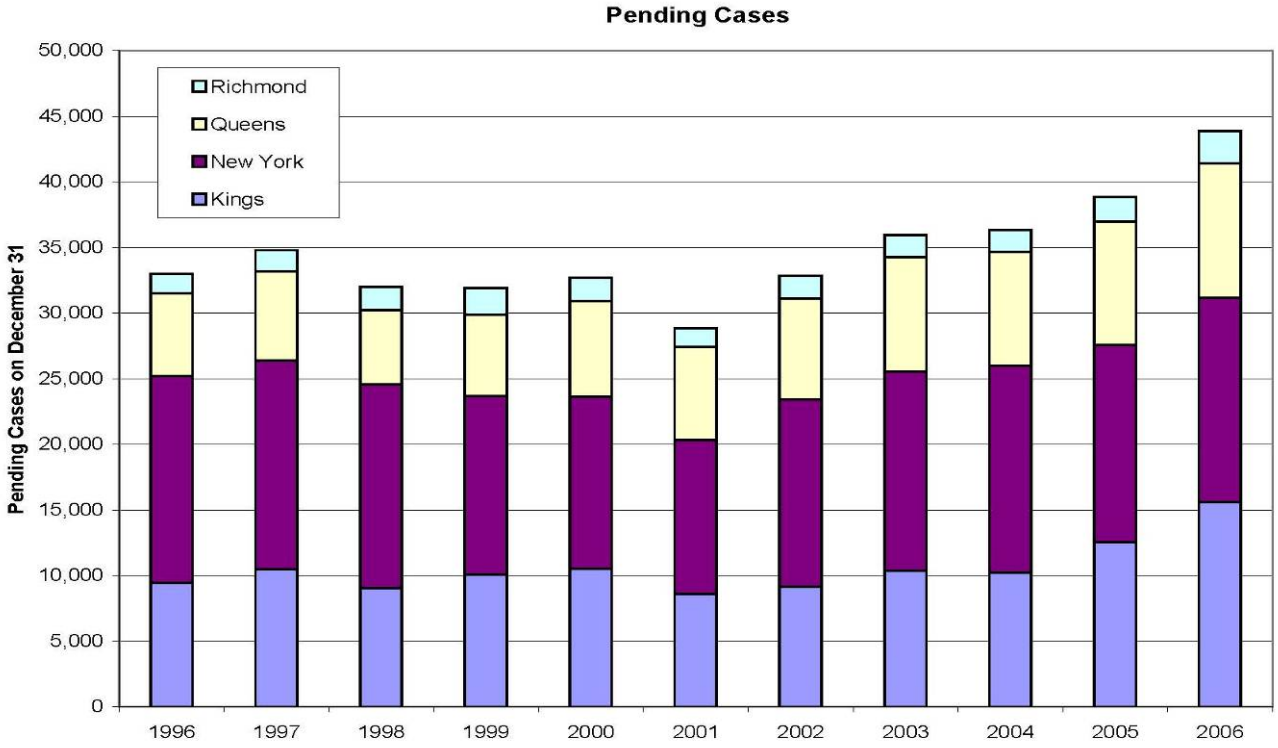
		Citywide	Kings	New York	Queens	Richmond
2006	**Total**	**43,858**	**15,594**	**15,538**	**10,271**	**2,455**
	Total Pending Disposition	41,360	14,684	15,133	9,338	2,205
	Felony	9,865	2,639	3,602	3,192	432
	Misd/Inf/Viol/Oth	31,495	12,045	11,531	6,146	1,773
	Total Pending Sentence	2,498	910	405	933	250
2005	**Total**	**38,830**	**12,530**	**15,020**	**9,397**	**1,883**
	Total Pending Disposition	36,071	11,475	14,534	8,407	1,655
	Felony	8,913	1,856	3,808	2,905	344
	Misd/Inf/Viol/Oth	27,158	9,619	10,726	5,502	1,311
	Total Pending Sentence	2,759	1,055	486	990	228
2004	**Total**	**36,325**	**10,209**	**15,787**	**8,671**	**1,658**
	Total Pending Disposition	33,849	9,330	15,206	7,817	1,496
	Felony	8,225	1,248	3,729	2,935	313
	Misd/Inf/Viol/Oth	25,624	8,082	11,477	4,882	1,183
	Total Pending Sentence	2,476	879	581	854	162
2003	**Total**	**35,936**	**10,355**	**15,194**	**8,721**	**1,666**
	Total Pending Disposition	33,720	9,540	14,665	7,951	1,564
	Felony	8,539	1,927	3,659	2,641	312
	Misd/Inf/Viol/Oth	25,181	7,613	11,006	5,310	1,252
	Total Pending Sentence	2,216	815	529	770	102

COURT OPERATIONS — SUMMARY INFORMATION

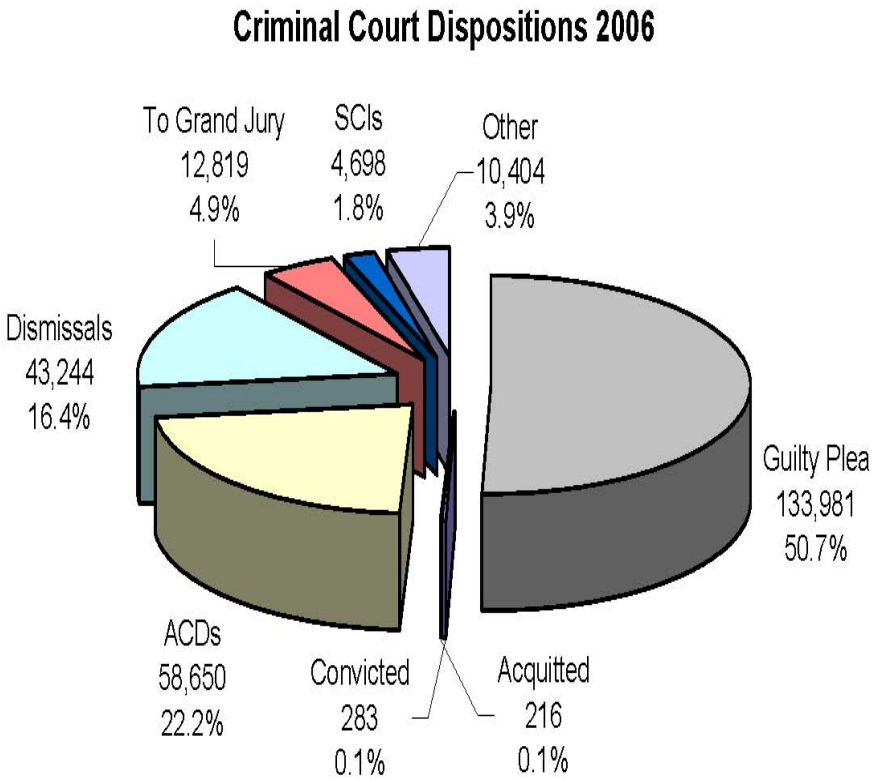
Dockets Pending on December 31 (Snapshot of Pending Cases)

		Citywide	Kings	New York	Queens	Richmond
2002	**Total**	**32,845**	**9,137**	**14,297**	**7,657**	**1,754**
	Total Pending Disposition	30,896	8,474	13,740	7,035	1,647
	Felony	8,446	897	4,620	2,540	389
	Misd/Inf/Viol/Oth	22,450	7,577	9,120	4,495	1,258
	Total Pending Sentence	1,949	663	557	622	107
2001	**Total**	**28,832**	**8,590**	**11,709**	**7,093**	**1,440**
	Total Pending Disposition	27,230	8,021	11,252	6,605	1,352
	Felony	8,091	907	4,455	2,371	358
	Misd/Inf/Viol/Oth	19,139	7,114	6,797	4,234	994
	Total Pending Sentence	1,602	569	457	488	88
2000	**Total**	**32,688**	**10,501**	**13,103**	**7,276**	**1,808**
	Total Pending Disposition	30,999	9,821	12,593	6,904	1,681
	Felony	8,077	1,143	4,361	2,105	468
	Misd/Inf/Viol/Oth	22,922	8,678	8,232	4,799	1,213
	Total Pending Sentence	1,689	680	510	372	127
1999	**Total**	**31,908**	**10,047**	**13,596**	**6,241**	**2,024**
	Total Pending Disposition	30,472	9,589	13,118	5,878	1,887
	Felony	9,274	2,102	4,338	2,318	516
	Misd/Inf/Viol/Oth	21,198	7,487	8,780	3,560	1,371
	Total Pending Sentence	1,436	458	478	363	137
1998	**Total**	**31,991**	**9,016**	**15,524**	**5,696**	**1,755**
	Total Pending Disposition	30,406	8,507	15,056	5,283	1,560
	Felony	9,499	2,144	4,977	1,984	394
	Misd/Inf/Viol/Oth	20,907	6,363	10,079	3,299	1,166
	Total Pending Sentence	1,585	509	468	413	195
1997	**Total**	**34,782**	**10,475**	**15,876**	**6,837**	**1,594**
	Total Pending Disposition	33,233	9,992	15,329	6,454	1,458
	Felony	9,778	2,133	5,085	2,270	290
	Misd/Inf/Viol/Oth	23,455	7,859	10,244	4,184	1,168
	Total Pending Sentence	1,549	483	547	383	136
1996	**Total**	**32,978**	**9,431**	**15,781**	**6,297**	**1,469**
	Total Pending Disposition	31,526	8,975	15,243	5,930	1,378
	Felony	9,021	1,720	4,864	2,103	334
	Misd/Inf/Viol/Oth	22,505	7,255	10,379	3,827	1,044
	Total Pending Sentence	1,452	456	538	367	91

COURT OPERATIONS — SUMMARY INFORMATION



346 Broadway Lobby



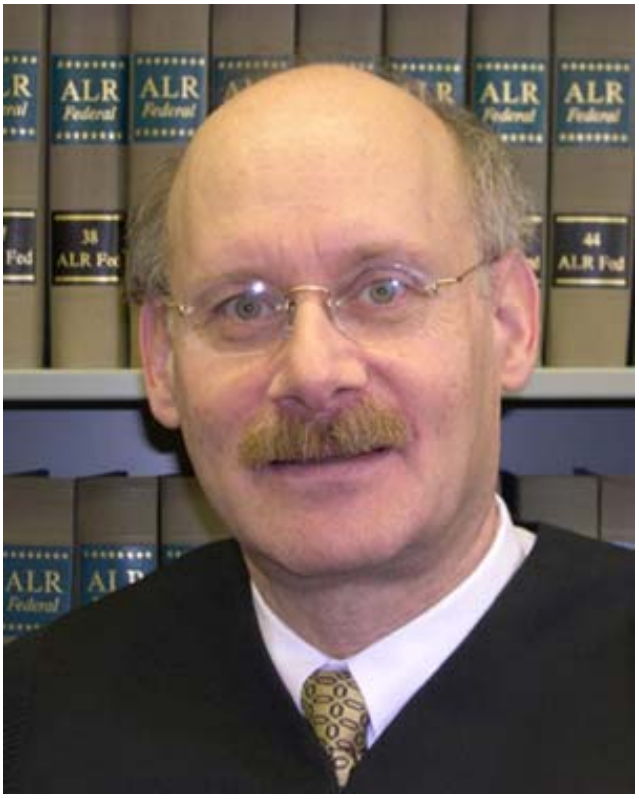
COURT OPERATIONS — SUMMARY INFORMATION

Citywide Dispositions

	Total	Guilty Plea	Convicted	Acquitted	ACD	Dismissal	To Grand Jury	SCI	Other*
2006	**264,295**	133,981	283	216	58,650	43,244	12,819	4,698	10,404
2005	**251,684**	125,139	330	252	59,161	41,130	12,296	4,457	8,919
2004	**252,494**	124,438	305	253	57,348	40,607	12,194	4,582	12,767
2003	**249,824**	121,485	325	261	60,311	35,729	12,614	4,462	14,637
2002	**254,743**	122,920	419	295	60,468	38,644	13,580	4,839	13,578
2001	**274,545**	132,233	329	245	66,595	41,813	13,394	4,794	15,142
2000	**303,981**	146,642	335	247	71,176	45,265	14,859	5,231	20,226
1999	**292,454**	136,540	327	241	74,331	42,291	16,280	4,700	17,744
1998	**320,155**	151,830	263	215	77,552	47,119	19,276	6,094	17,806
1997	**311,335**	153,734	202	171	64,894	47,838	20,235	5,283	18,978
1996	**280,809**	132,533	299	163	52,794	47,302	24,462	5,190	18,066

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

Honorable Joseph Zayas
Queens County

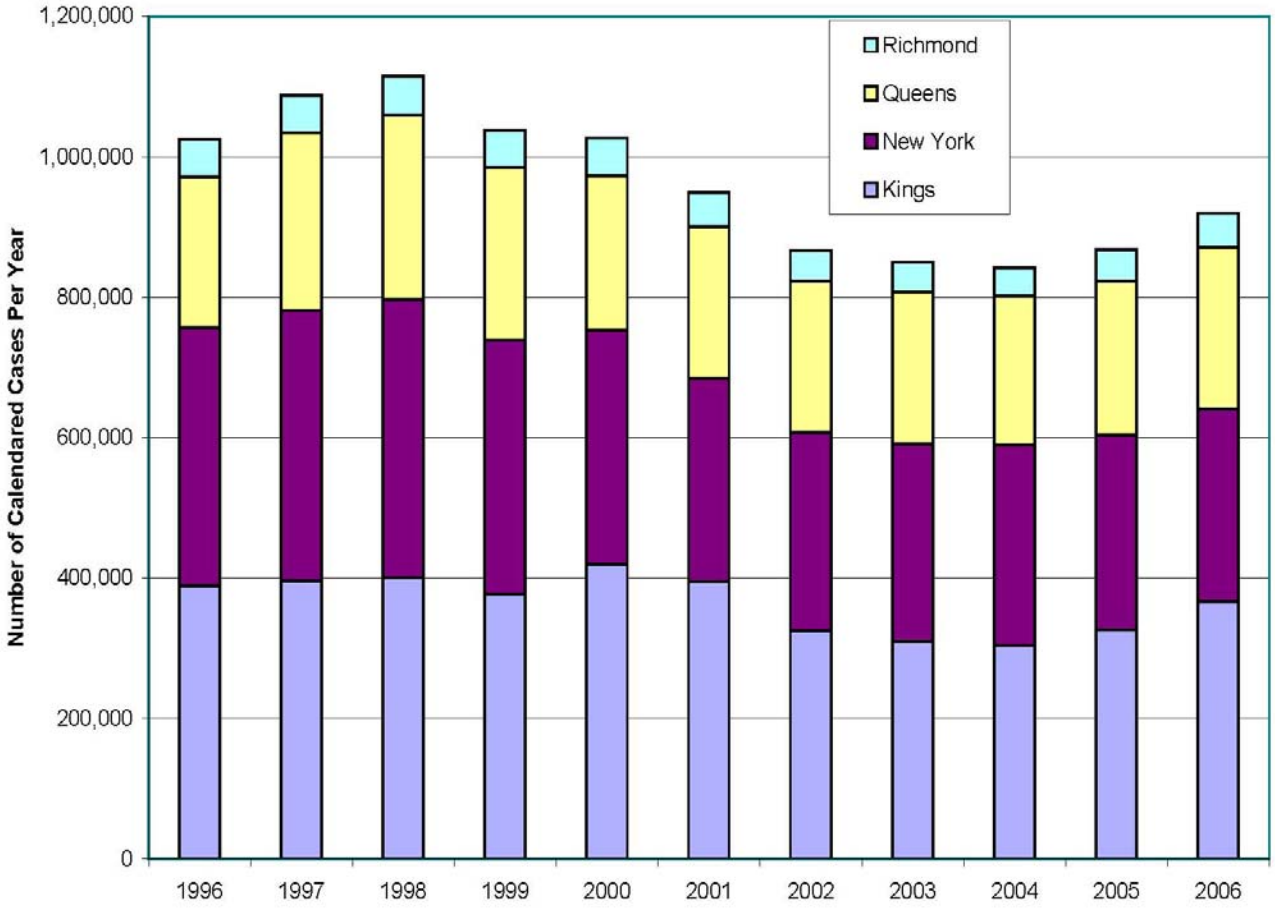


Honorable Alex Zigman
Queens County

COURT OPERATIONS — SUMMARY INFORMATION

	Number of Calendared Cases				
	Citywide	Kings	New York	Queens	Richmond
2006	**919,415**	366,072	274,166	230,191	48,986
2005	**867,854**	325,857	278,246	218,928	44,823
2004	**841,894**	303,784	285,290	212,554	40,266
2003	**849,238**	308,943	282,329	215,626	42,340
2002	**866,741**	324,795	282,887	214,488	44,571
2001	**949,347**	394,457	290,179	215,756	48,955
2000	**1,026,461**	419,609	332,850	219,934	54,068
1999	**1,038,085**	377,172	361,385	246,048	53,480
1998	**1,114,940**	400,751	395,730	262,143	56,316
1997	**1,087,846**	395,108	386,456	252,738	53,544
1996	**1,024,953**	388,284	367,576	215,840	53,253

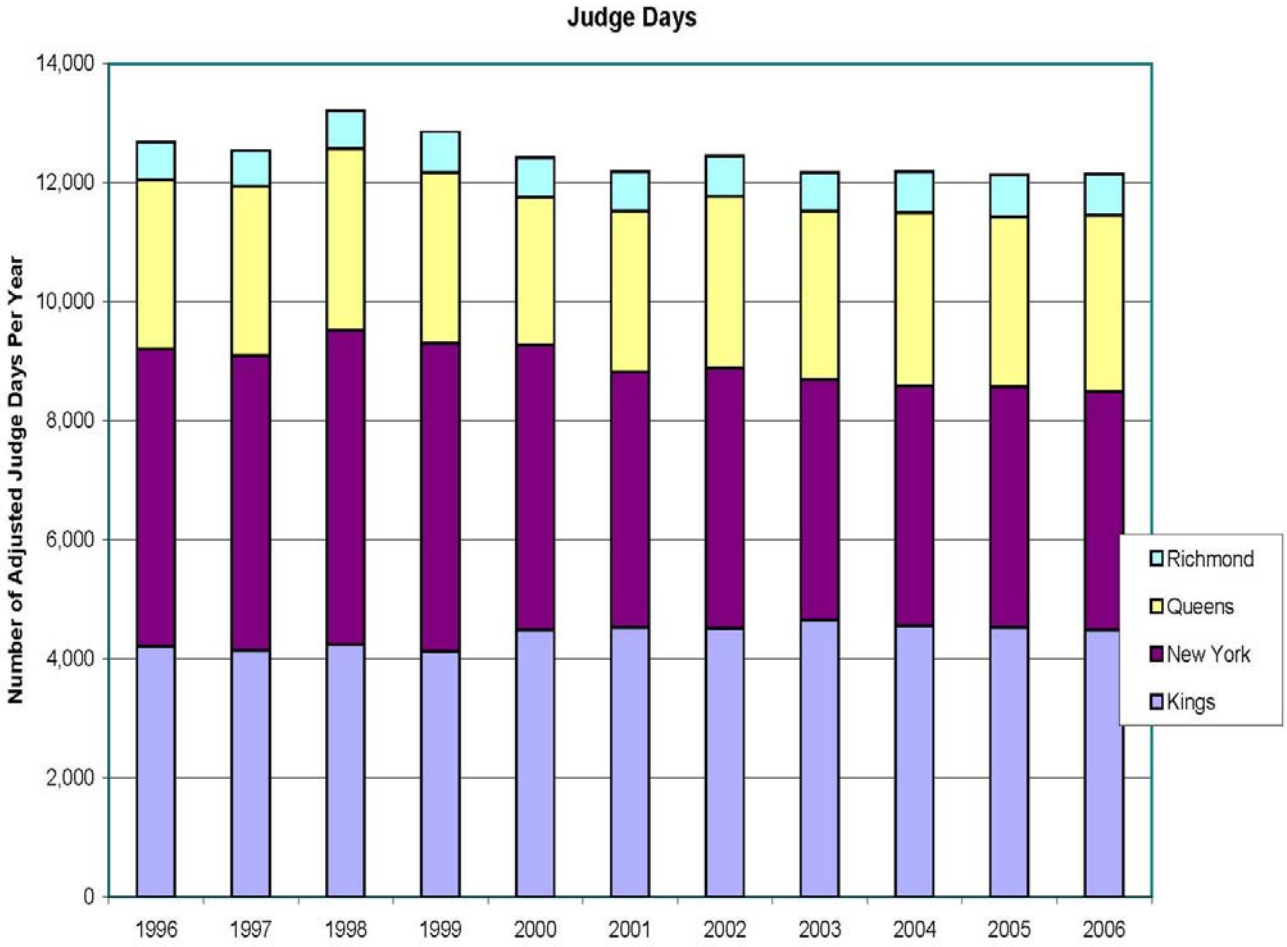
Total Calendared Cases



Number of Adjusted Judge Days

	Citywide	Kings	New York	Queens	Richmond
2006	**12,149**	4,492	3,997	2,969	691
2005	**12,130**	4,528	4,038	2,856	708
2004	**12,184**	4,558	4,031	2,903	692
2003	**12,168**	4,654	4,043	2,820	651
2002	**12,457**	4,516	4,374	2,884	683
2001	**12,189**	4,533	4,280	2,704	672
2000	**12,427**	4,490	4,790	2,470	677
1999	**12,860**	4,125	5,179	2,865	691
1998	**13,210**	4,235	5,293	3,050	632
1997	**12,542**	4,148	4,950	2,841	603
1996	**12,686**	4,212	4,990	2,844	640

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



Court News - Non-Judicial Staff - New Employees and Promotions

NEW HIRES

Administrative Secretary	County
Nora Johnson	New York

Assistant Court Analyst	
Jennifer Celestin	Queens
Daisy Oliveras	Queens
William T. Smith	Kings
Donna Teekasingh	New York

Associate Court Attorney	County
Jeffrey Gershuny	New York
Barbara Grcevic	Kings
Sharen Hudson	Red Hook
Elky Ogorek	Kings

Court Aide	
Antonio Moore	New York
Surojini Rampersaud	Kings

Court Attorney	
Niya Bryant	New York
Michael Hughes	Kings
Sheridan Jack-Browne	Kings

Court Interpreter	
Maria Castro	Richmond
Roxanna Tirado	Kings

Court Office Assistant	
Cheryl Livingston	New York
Davy Louie	New York
Alanna Moody	New York
Parmanand Pearayllal	Queens
Christina Rodriguez-Olivo	Queens
Carlos Sanchez	New York
Corenita Smothers	Queens

Court Officer Trainee

C.O. Edward Claderone
C.O. Laura Cannon
C.O. Kimika Cooke
C.O. Matthew Cotugno
C.O. Michael Fenlon
C.O. Brian Fuller
C.O. Eric Kosinski
C.O. Thomas Hickey
C.O. Christopher Melfi
C.O. Carlos Pabon
C.O. Bruno Papalia
C.O. Seline Polanco
C.O. Scott Rosenfeld
C.O. Rosemary Servello
C.O. John Sexton
C.O. Elizabeth Watts
C.O. Roberto Alesci
C.O. Tara Bradley
C.O. Verlinda Deane
C.O. Jonas Ekkens
C.O. Michael Farrell
C.O. Karen Gaeta
C.O. Scott Martini
C.O. Arlene Moschello
C.O. Angelina Perez
C.O. Stacey Ann Rey
C.O. Vincent Sinclair
C.O. Douglas Walsh

Court Reporter	
Timothy Bannon	New York
Carolyn Barna	New York
Christina Bellach	Kings
Barbara Davis	Kings
Danielle Diamond	Kings
Vanessa Harris	New York
Shanasia Ilgner	New York
Stephanie Johnson	Kings
Maria Rivera	New York
Catherine Vaccaro	Kings

Data Recording Assistant	
Shawn Stallworth	New York
Aisha Taylor	Richmond

Judge's Attendant	
Sebastian Ramos-Rocchio	New York

Junior Court Analyst	
Deryck Barker	Kings
Shatia Eaddy	Kings
Monique Emerson	Richmond
Darryl Kittel	New York

Court News - Non-Judicial Staff - New Employees and Promotions

Principal Secretary to Judge

Theresa Daniel	New York

Senior Court Clerk

Christopher Califf	Kings
Sherrie Cox	New York
Cheryl Johnson	Kings

Senior Court Office Assistant

Cristina Grant	Queens
Maureen Lawton	Queens
Stacey Rodriguez	New York

Senior Data Recording Assistant

Valerie Johnson	Richmond
Janet Randolph	New York

Senior PC Analyst

Gregory Gonsowski	Richmond

TRANSFERS

Associate Court Attorney (TP)

Eric Fieldman	Kings

Court Attorney

Eileen Baron	New York
Robin Ditto	Queens
Paul Gamble	Queens
Cristina Garcia	Kings
Thomas King	Queens
Keith Schmidt	New York

Senior Court Attorney (TP)

Myriam Jaidi	Kings

Senior Court Clerk

Sherrie Cox	New York
Gwendolyn Fuller	Red Hook
Milagros Canales-Jacobs	Red Hook

PROMOTIONS

Assistant Court Analyst

Patrick Clayton	Kings

Associate Court Clerk

Deborah Ferrara-Florio	Kings
Virginia Murray-Delaney	New York
Raymond Smith	Kings

Associate LAN Administrator

Corneliu Ioan	New York

Court Analyst

Christina Ruffino	Kings

NYS Court Officer Lieutenant

Salvatore Martucci	Kings

NYS Court Officer Sergeant

Michael Connolly	Kings
John Marsh	Kings

Senior Court Analyst

Miriam Navarro-Blackwood	Queens
Michael Torres	Kings

Senior Court Clerk

Anthony Calise	Red Hook
Janet Curley	New York
Patrick Darcy	New York
Scott Ecock	Kings
Anthony Gardella	New York
Lynn Rasmussen	Kings
Rosa Leo	Kings

Senior Court Interpreter

Giovanna Rodriguez	Queens

Senior PC Analyst

Francisco Castro	New York
Dennis Hemingway	New York
Gregory Gonsowski	Kings
Luke Li	New York

Supervising Data Recording Assistant

Jamillah Hamilton	Queens

Court News - 2006 Employees of the Year

Each year Criminal Court recognizes some of its outstanding personnel - employees from each borough and central administration who demonstrate extraordinary professionalism and dedication to the mission of the Court.

After receiving nominations from Court staff, a committee of employees with representatives from each borough and central administration proposed 5 employees for the 2006 Employee of the Year. After consulting with the Supervising Judges, Administrative Judge Juanita Bing Newton announced the 5 winners - Monica Benning, citywide supervising data recording assistant, working out of Queens county; Lori Ernst, court reporter, Richmond county; Cristian Hanganu, associate LAN administrator, central administration; CO Ralph Monte, Kings county; and Carol Thompson, senior court clerk, New York county.

Each one of these individuals exemplifies the spirit and mission of NYC Criminal Court in providing justice to the city of New York while treating all court users with dignity and respect. They all go above and beyond the call of duty - always taking the extra step to ensure that their work is done right. These 5 employees were honored at a ceremony in February and plaques commemorating their achievements were placed in the local courthouses.

Monica Benning

"My job is to make sure that every entry in CRIMS is entered and updated correctly," explained Monica Benning during a recent interview with the *Second Call*. She added, "in Queens I supervise 10 data entry personnel and I have to make sure every thing is entered with speed and accuracy. Sometimes it gets tough."

According to Queens Borough Chief Clerk Brian Wynne, "Monica is hard-working and extraordinarily dedicated to her job. She has come to work so ill, I actually had to send her home." Brian continues, "Monica is a great asset for us in Queens. The Domestic Violence Registry was piloted here because we knew that she could spot any flaws in the new system and make recommendations on how to trouble-shoot problems. She always gets the full commitment of data entry staff."

Recognizing her leadership skills and expertise in data entry. Monica was promoted to a new post - citywide supervising data recording assistant floater - in which she is charged with going to every county and training supervisory and senior staff and covering for supervisory staff on leave.

Asked about the favorite part of her job, Monica said, "I enjoy working with the staff. We work as a team."

Lori Ernst

Starting as a per diem reporter in family and surrogates courts 24 years ago, Lori Ernst made it to Staten Island Criminal Court in 1995. "I love working in Staten Island… It's different everyday and always interesting," says Lori. She adds, "you get to see people at unguarded moments."

Lori's supervisor Barbara Veneziano says, "Lori is one of the best court reporters I have. I know she will do anything I ask and I can always count on her to come in on a moments notice to cover even when she is taking vacation." Barbara continues, "She is also my dearest friend and gets along with everyone in our building. She is our 'queen' party planner and guiding social butterfly. She's been responsible for some great Christmas parties."

In "small town" Staten Island, sometimes work spills over into your private life. Lori explains, "I see defendants outside the courthouse all the time. Not too long ago I was at the mall with my kids and a friend, some "latin kings" came up to me and said hello. They recognized me from Court. It's crazy … but never dull."

Lori's favorite part about the work though is her Staten Island coworkers. "I have a lot of great friends here, they are like family."

Cristian Hanganu

Cris Hanganu started working at Criminal Court eight years ago as a PC analyst at the age of nineteen and at the ripe old age of twenty-four was promoted to Associate LAN Administrator. In a relatively short period of time, Cris has developed quite a portfolio of labor-saving computer applications used by court personnel. He has been the prime mover behind the CRIS database, the Calendar Retrieval System and the development of bar code scanning to track arrest to arraignment times.

Technology department head Alice Hegarty says, "Cris is a great asset to the Court. He is creative and ingenious in thinking through problems. He has an incredible work ethic and is dedicated to make the process work better."

Cris' family came to America from Romania to escape religious persecution when he was seven. His father gave him his first computer when he was ten and he learned a lot on his own. He is currently studying computer science at Queens college at night and is just a few credits short of his bachelors of science.

"What I love about this job," Cris says, "is the ability to put something out there that makes the lives of court employees easier."

CO Ralph Monte

"I can't stand around," CO Ralph Monte recently told the *Second Call.* "I like the fast pace of AP1 [Brooklyn's felony waiver part], but I really love the folks who work there. They are like family."

Ralph has worked in Brooklyn Criminal Court for the past five years, most of them in AP1. "Sergeants come and go and when we need someone to train a new one for AP1, we ask Ralph," explained Brooklyn Captain Patricia Coyne. "Ralph really takes his job seriously," Captain Coyne continued. "He gets here early to work out so he can be ready in case anything goes wrong. He is by nature helpful and even keeled when he deals with the public. Ralph is an excellent worker."

A Brooklyn native, having grown up in Red Hook and currently living in Dyker Heights, Ralph worked construction before taking the court officer exam, and he is happy now that he is at Criminal Court. "Even when I am working until seven … eight o'clock at night, I enjoy my day," Ralph said.

Ralph was originally nominated for the award by AP1 Presiding Judge William Garnett. Judge Garnett wrote that he had come to rely on Ralph's calm and steady influence and the fact that he never misses a beat. Ralph, after all, is always there.

Carol Thompson

Senior Court Clerk Carol Thompson came to the court system only after working a full twenty years in private industry. She worked for numerous banking, brokerage and manufacturing firms, but Carol says, "my favorite was always the Court." Retired at the beginning of the year after twenty years with Criminal Court, Carol worked for seven Manhattan Supervising Judges from Richard Andrias to present Supervising Judge Eileen Koretz. Each change in administration brought new challenges and new duties but Carol always rose to the occasion.

Carol started as a law steno in 1987 taking the job even after Judge Andrias asked why she would want to take a job that paid no money. Her answer was "security." Things have changed in the two decades she worked for the Court. Carol took the senior court clerk exam and passed, but other things remained the same.

"Criminal Court was the one job I always enjoyed coming to. I loved using my abilities to assist judges and attorneys. It was a fantastic job," Carol said during a recent interview. "It is hard to believe that I don't work there anymore." A Riverdale resident, Carol will keep busy. She is an active volunteer at her church, St. Margaret's and says she will always keep in touch.

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