

NYPD

SUMMONSES



Learning Outcomes

NYPD

- 1. Explain the general procedures, preparation, issuance, and conditions of service for various summonses issued by the Department.**
- 2. List the types of summonses issued by the Department.**
- 3. Identify the return dates for the various summonses issued by the Department.**
- 4. Properly prepare a “parking,” “moving,” “criminal,” or “OATH,” summons.**

Definition

NYPD

- **Summons: a written accusatory instrument issued by a public servant, which charges a person with committing a specific offense.**
- **A summons will also instruct the violator when and where to appear in court.**
- **Issued in lieu of arrest.**

Signing Out Summonses

NYPD

- **Electronic Summons Tracking System (ESTS) used to maintain a record of all summons requisitioned, distributed, served and/or processed.**
- **All UMOS below the rank of captain assigned to enforcement duties must carry a sufficient amount of summonses**

Signing Out Summonses

NYPD

- **UMOS will request summonses from Desk Officer**
- **Examine summonses to ensure the packet contains 20 or 25 summonses depending on the packet received**
- **After summonses have been served, sign and return each respective certificate and give, with appropriate copies, to clerical staff**

Impression Management

NYPD

- **In order to gain the utmost compliance when issuing a summons, police officers need to maintain a professional demeanor.**
- **Professional presence is a component of impression management**
- **An immaculate appearance, coupled with respectful deflective statements leads to a goal of voluntary compliance**

Issuing Summonses

NYPD

- **Conditions of service:**
 - **In general a violator should be 16 years of age or older**
 - **except if violator is unable to care for self due to illness, injury, intoxication**
 - **Issued in lieu of arrest**
 - **Signed under oath**

Issuing Summonses

NYPD

- **Individuals who are 16 or 17 years of age may receive summonses for all violations, traffic infractions and Vehicle Traffic Law Misdemeanors**
- **Attempt to notify parent/guardian of 16 and 17 year olds**

Issuing Summonses

NYPD

- **Issued for Misdemeanors or Violations listed in:**
 - **NYC AC**
 - **NYC HC**
 - **NYC TR**
 - **NY Code of Regs. (Transit)**
 - **NYS VTL**
 - **NYS PL**
 - **Complete list provided in P.G. 209-01**

Issuing Summonses

NYPD

- **Issued for all PL violations, except:**
 - **Criminal solicitation**
 - **Failure to respond to an appearance ticket**
 - **Appearance in public under the influence of narcotics or a drug other than alcohol**

Preparation and Issuance

NYPD

- **Prepare in numerical order**
- **Use black or blue ink ballpoint pen**
- **Do not cross out**
- **Do not pre-sign**
- **One violation per summons**
- **Obtained from the desk officer**
- **If prepared in error, bring all parts to the C.O.**
- **Do not write on side margins**

Preparation and Issuance

NYPD

- **Make Digital Activity Log entries describing details for each summons served**
- **Hand deliver all summonses served to desk officer at end of tour for scanning into the ESTS**
- **Do not put served summonses into summons receptacle boxes**

Required Activity Log Entries

NYPD

- **Date and Time of offense observed**
- **Description of offense**
- **Summons #**
- **Violator's name & date of birth**
- **Type of ID presented, include Serial #**
- **License plate # and state of registration**
- **Make and model of vehicle**
- **Number of passengers in vehicle**
- **I/CAD event #**
- **Any other pertinent info that will aid you at court**

Traffic Enforcement

NYPD

Three goals:

- 1. Maintain safe and expeditious traffic flow**
- 2. Ensure compliance with state and local traffic regulations.**
- 3. Prevent collisions, protect life, and property**

Parking Summons (“A”)

NYPD

- **Highway:**
 - **any public roadway, street, or avenue.**
- **Unattended abandoned vehicle:**
 - **With no license plates affixed, for more than 6 hours, on any highway/public place,**
 - **On a public street in excess of 7 consecutive days,**
 - **More than 96 hours on the property of another without permission.**

Parking Summons (“A”)

NYPD

- **Derelict vehicle:**
 - **Motor vehicle so dilapidated, burned out, stripped, vandalized, etc., as to be of no apparent value other than scrap**
- **Note: A summons will never be issued to a vehicle if it is deemed to be abandoned or derelict**

Parking Summons (“A”)

NYPD

- **No more than 3 summonses may be issued to any parked vehicle at the same location on the same day**
- **Do not issue additional summonses to a vehicle displaying three or more summonses**
- **Ascertain if vehicle is abandoned, derelict or stolen**
- **During inclement weather fold summons before placing on vehicle**

Parking Summons (“A”)

NYPD

- When indicating the location of the vehicle, the description must be specific:
- Incorrect
 - “Across from McDonald’s on E. 23rd St.”
- Correct
 - “N/S E. 23rd St., 50’ W. of 2nd Ave.”

Parking Summons (“A”)

NYPD

- Any omission or missed description of any of the following elements will result in dismissal of the summons:
 - License plate number
 - License plate type
 - Expiration date
 - Make of vehicle
 - Model of vehicle
 - Operators name, if present
- Use registration sticker on vehicle for
- Above information

Parking Summons (“A”)

NYPD

- **Make Digital Activity Log entries and complete captions on the certification of summons served card**
 - **Attach pink copy of summons**
- **For out of state vehicles, information is based on visual observation of vehicle**
 - **“N/A” is used in captions when info is not available**

Diplomatic Vehicles

NYPD

- **Plates issued by the U.S. Dept. of state**
- **3 types: Diplomat, Consul, or Staff**
- **Unoccupied diplomat & consul vehicles summonsed for violations creating safety hazards**
 - **Double parking**
 - **Fire zone/hydrant**
 - **No standing/stopping**
 - **Bus stop**
 - **Parking in crosswalk/on sidewalk**

NYC Special Parking Permit

NYPD

- **Issued to people with certain disabilities**
- **Allowed to park at:**
 - **All no parking areas**
 - **No standing, except trucks loading and unloading areas**
 - **All meters without payment**

NYC Special Parking Permit

NYPD

- **May not double park or obstruct traffic lanes**
- **May not park at:**
 - **No standing / stopping signs**
 - **Fire hydrants, bus stops, taxi stands**
 - **Crosswalks, driveways, sidewalks**
 - **Garment district cross-town streets**

Double Parking of Passenger Vehicle

NYPD

- **Illegal at all times, regardless of**
 - **Location,**
 - **Purpose, or**
 - **Duration**

Five-Minute Grace Period

NYPD

- **Applies for 5 minutes at start of displayed time restriction on posted parking restriction signage**
- **“A” summons written after 6 minutes**
- **Doesn’t apply to signs bearing no time period, such as “No Parking Anytime”**

Certain Parking Violations Excluded

NYPD

- **Does not apply where there are signs bearing no time period, such as**
 - **“No Parking Anytime”**
 - **“No Standing Anytime”**
 - **“No Stopping Anytime”**

Moving Summons (“B”)

NYPD

- **Issue a “B” when you personally serve a summons returnable to TVB**
- **The following forms of government photo identification are considered valid forms of identification:**
 - **Valid photo driver’s license**
 - **Valid passport**
 - **Citizen/naturalization papers**
 - **NYS non-driver identification**
 - **NYS driver’s permit**
 - **Municipal Identification Card (ID NYC)**
 - **Other government photo ID**

Moving Summons (“B”)

NYPD

- **The following items are contained on NYS registration sticker on windshield:**
 - **Vehicle identification number (VIN)**
 - **Vehicle plate check-digit number**
 - **Body type**
 - **Plate number**
 - **Expiration date**
 - **Vehicle make and year**

Moving Summons (“B”)

NYPD

- **NYS law requires that motorists show proof of insurance by presenting a valid insurance card**
- **The following vehicles are exempt from carrying insurance cards:**
 - **Taxis, buses, and rental vehicles**
 - **Government owned vehicles**
 - **Interstate commerce, or public service commission vehicles**
 - **Farm vehicles (certain ones)**

Moving Summons (“B”)

NYPD

- **The Mayor’s Vision Zero initiative is to reduce vehicular, bicycle and pedestrian collision injuries and deaths.**

Hazardous Traffic Violations

NYPD

- Over the maximum speed limit
- Failed to yield right of way to pedestrian
- Disobey traffic-control device
- Driving while using a portable electronic device
- Use of mobile telephone
- Failure to wear seatbelt or use child safety seat
- Reckless driving
- Unlicensed operator
- Failed to yield right of way to vehicle
- Improper turn
- Unsafe lane change
- Failure to signal
- Overtaking and passing school bus
- Following too closely
- Improper passing
- Backing unsafely
- Tinted windows
- Disobey steady red signal

General Traffic Provisions

NYPD

- **Failure to stop for a school bus**
- **Driver of vehicle must stop before meeting or overtaking, from either direction:**
 - **School bus that stopped for purpose of receiving / discharging school children**
 - **Has in operation a flashing red signal and/or stop sign**
 - **Driver shall not proceed until the bus resumes motion or until signaled by the bus driver or police officer**

General Traffic Provisions

NYPD

- **Rules regarding seatbelts:**
 - **All children under 4 must be restrained by a safety seat**
 - **Passengers under 4 but over 40 pounds must be in a booster seat**
 - **All children 4 to 7 must be in a booster seat with a lap shoulder belt system**
 - **All passengers age 8-15 must be restrained by a safety belt (backseat)**

General Traffic Provisions

NYPD

- **Rules regarding seatbelts:**
 - **All front seat or back seat passengers 16 years old or older are required to wear seatbelts, this includes taxis and livery vehicles**
 - **Each adult violator gets a summons**
 - **If a juvenile violator (less than 16) the operator is issued the summons**

Safety Restraints

NYPD

AGE:	REAR SEAT:	FRONT SEAT:
Driver	N/A	SEATBELT
16 or Over	SEATBELT	SEATBELT
8 - 15	SEAT BELT	SEATBELT
4 - 7	BOOSTER SEAT	BOOSTER SEAT
Under 4 and Over 40 lbs.	BOOSTER SEAT	BOOSTER SEAT
Under 4	SAFETY SEAT	SAFETY SEAT

General Traffic Provisions

NYPD

- **Exemption from safety belt rules:**
 - **School bus passengers 4 or older (under 4 – need car seat)**
 - **Authorized emergency vehicles**
 - **Buses, other than school buses**
 - **1964 or older model vehicles**

General Traffic Provisions

NYPD

- **Regarding plate covers, members of the service shall not ordinarily issue summonses for license plate covers violations to vehicles bearing out-of-state license plates**

General Traffic Provisions

NYPD

- **Persons riding bicycles on public streets subject to many of same laws as drivers**
- **The word “bicycle” will be entered on portion of summons designated for year & make of vehicle**

Local Law 45 of 2021

NYPD

- **Vehicle Report must be completed after all traffic stops**
- **Including traffic stops involving non-motor vehicles**
- **One report for each motorist**
- **Report is accessible via FORMS**

Criminal Summons (“C”)

NYPD

- **Issue a “C” when you personally serve a summons returnable to Criminal Court**
- **Defendant’s cell phone and home numbers will be placed in the appropriate spaces.**
- **Defendant’s race and the correct court location are to be filled into corresponding bubble provided.**

Criminal Summons (“C”)

NYPD

- **A summons with a properly completed “factual allegations” section will eliminate the need for the issuing officer to appear in court on the return date**
- **When preparing this section, you must indicate the specific actions of the offender. Example:**
 - **Incorrect: “the defendant committed the violation of disorderly conduct”**
 - **Correct: the defendant sat in the roadway, thereby obstructing vehicular traffic. When asked to leave, the defendant refused**

Criminal Summons (“C”)

NYPD

- **Sign and date both the front and reverse side of the original copy (white sheet) when utilizing the expedited affidavits for “drinking in public” and “disorderly conduct”.**
- **Acceptable to draw a line through the factual allegations field on front of summons or write “See Reverse.”**

Criminal Summons (“C”)

NYPD

- **When issuing a Criminal Court summons, a warrant check must be conducted to determine if the individual is eligible for the summons**
- **If warrant check positive (10-18), the officer will arrest the individual and remove to command for processing**
- **If warrant check negative (10-19), the officer will issue a summons and release the individual**

Criminal Summons (“C”)

NYPD

- **When a “C” summons is issued to a person under 18, the UMOS will:**
 - **Attempt to notify parent/guardian**
 - **Make photocopy of summons and write name, address, phone number of parent/guardian on photocopy**
 - **Do not write on the actual summons**
 - **Give photocopy to precinct youth officer**

Criminal Summons (“C”)

NYPD


- **Pedestrians shall be subject to traffic control signals and directions of any law enforcement officer.**
- **All pedestrian offenses and traffic misdemeanors shall be issued a criminal court summons and processed through NYC Criminal Court**

NYPD

There will be an NYPD code box on the C-Summons for the officer to indicate one of four options (check only one box)

Issuance of a “C” in Lieu of Civil Summons

NYPD

	Factual Allegations (describe how the offense was committed, OR complete reverse):		
NYPD CODE			
<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4			
Defendant stated in my presence (<i>in substance</i>):			
I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.			
Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (mm/dd/yy)	
Tax Registry #	Agency	Command Code	
ORIGINAL			

[] 1 = indicates OATH Recidivist

[] 2 = indicates returned on warrant and directed to issue C-Summons by Supervisor

[] 3 = Other legitimate law enforcement reason that has been verified by Supervisor

[] 4 = Not a CJRA violation or no civil option

Officer will record all appropriate details of summons in an Digital Activity Log entry

Transit Rules will be written on a TAB or C-Summons, *not an OATH Civil Summons*

Oath Summons (“OATH”)

NYPD

- **Office of Addministrative Trials and Hearings**
- **OATH adjudicates violations under: (partial list)**
 - **Health Code**
 - **Parks Department Rules**
 - **General and Food Vending Codes and Rules**
 - **Canine Waste Law**
 - **Noise Code and Rules**
 - **Sanitation Code**
 - **Sewer Code and Rules**
 - **Water Code and Rules**

Oath Summons (“OATH”)

NYPD

- **OATH summonses are returnable to OATH only**
- **OATH summonses are considered a civil matter**
- **If an OATH and a ‘C’ violation occur, make all returnable to Criminal Court**
- **In the event a violator cannot be properly identified, remove to command**

Failure to Yield Right of Way

NYPD

- **OATH summonses are issued for A.C. 19-190 when a vehicle operator fails to yield right of way to pedestrian/bicyclist and the responding officer did not personally observe the incident.**
- ***You should be guided by P.G. 217-18, “Vehicle Collisions - Pedestrian/Bicyclists Right of Way Law,” when issuing OATH summonses for violation of the right-of-way law.**

Failure to Yield Right of Way

NYPD

- **A.C. 190 (a) – used when no contact between vehicle and pedestrian/bicycle occurred or contact made but no injury occurred**
- **A.C. 190 (b) – used when vehicle makes contact and causes a physical injury due to vehicle operator failure to exercise due care**

Oath Civil Summons (TOP)

OATH 603S 12/16



**SUMMONS TO APPEAR
FOR CIVIL PENALTIES ONLY**

SUMMONS NUMBER: **43527770P**
ENFORCEMENT AGENCY: Police Department

Respondent: Last Name Smith		First John	M.I. A.
Phone No. 347-555-1111	<input checked="" type="checkbox"/> Cell <input type="checkbox"/> Home	D.O.B. 01/01/89	Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
Mailing Address 1 Police Plaza, New York, NY 10038			
ID Number 123456789	ID Type NYS Driver License		
Race: <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Hisp. White <input type="checkbox"/> Hisp. Black <input type="checkbox"/> Am. Ind./Alaskan Native <input type="checkbox"/> Asian/Pacific Is.			
Date of Occurrence MM/DD/YY		Time of Occurrence HH:MM	<input type="checkbox"/> AM <input type="checkbox"/> PM
Place of Occurrence (<input type="checkbox"/> At <input type="checkbox"/> In Front Of <input type="checkbox"/> Opposite)			Precinct

Include the summons number above on all communications

HEARING DATE: MM / DD / YY **AT:** HH : MM ☐ AM ☐ PM

**You must respond by the above date.
See the BACK OF THIS SUMMONS to learn about your options.**

WARNING: If you do not respond, you may be found automatically responsible and you may owe larger penalties. If you do not pay any imposed penalties, you may lose your ability to keep or get a City license, permit or registration. The City might also take further legal action against you. See the back for more information.

Hearing Location: Office of Administrative Trials and Hearings (OATH)

Borough: _____ (See back for address) (844) 628-4692
www.nyc.gov/oath

Officers are reminded to specifically request the respondent's cell phone number (if possible) so OATH can send the respondent text reminders about their upcoming court date

Starting on line 2, Officers will fill out respondent pedigree information including DOB, Sex, Address, ID Number and ID Type, and Race

Oath Civil Summons (TOP)

OATH 603S 12/16

**SUMMONS TO APPEAR
FOR CIVIL PENALTIES ONLY**
SUMMONS NUMBER: **43527770P**
ENFORCEMENT AGENCY: Police Department

Respondent: Last Name		First		M.I.	
Phone No.		<input type="checkbox"/> Cell <input type="checkbox"/> Home	D.O.B. MM/DD/YY	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	
Mailing Address					
ID Number			ID Type		
Race: <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Hisp. White <input type="checkbox"/> Hisp. Black <input type="checkbox"/> Am. Ind./Alaskan Native <input type="checkbox"/> Asian/Pacific Is.					
Date of Occurrence MM/DD/YY			Time of Occurrence HH : MM <input type="checkbox"/> AM <input type="checkbox"/> PM		
Place of Occurrence (<input type="checkbox"/> At <input type="checkbox"/> In Front Of <input type="checkbox"/> Opposite)				Precinct	

Include the summons number above on all communications

HEARING DATE: MM / DD / YY **AT: 09 :00** ☒ AM ☐ PM

You must respond by the above date.
See the **BACK OF THIS SUMMONS** to learn about your options.

WARNING: If you do not respond, you may be found automatically responsible and you may owe larger penalties. If you do not pay any imposed penalties, you may lose your ability to keep or get a City license, permit or registration. The City might also take further legal action against you. See the back for more information.

Hearing Location: Office of Administrative Trials and Hearings (OATH)

Borough: _____ (See back for address) (844) 628-4692
www.nyc.gov/oath

NYPD

**Hearing time is 09:00AM
and Hearing dates will be
assigned by borough
(Manhattan, Brooklyn, Bronx,
Staten Island, Queens)
at roll call similar to the
C-Summons return date*
(via FINEST Message each
tour)**

**This does not apply to Traffic Agents*

**Officers will fill in the
borough of occurrence**

Oath Civil Summons (BOTTOM)

NYPD

Include the summons number above on all communications

HEARING DATE: MM / DD / YY AT: HH : MM ☐ AM ☐ PM

You must respond by the above date.
See the BACK OF THIS SUMMONS to learn about your options.

WARNING: If you do not respond, you may be found automatically responsible and you may owe larger penalties. If you do not pay any imposed penalties, you may lose your ability to keep or get a City license, permit or registration. The City might also take further legal action against you. See the back for more information.

Hearing Location: Office of Administrative Trials and Hearings (OATH)

Borough: _____ (See back for address) (844) 628-4692
www.nyc.gov/oath

☒ Admin. Code ☐ Parks Rules: 56 RCNY
☐ Rules of City of NY ☐ Traffic Rules: 34 RCNY ☐ Other

Section/Rule **10-125(b)**

Mail-In Penalty Max. Penalty

OATH Code
Property Removed ☐ Yes ☐ No

Details of Charge(s):

FACTUAL ALLEGATIONS

NYC Charter Sections 104b and 104b-e and the Rules of the City of New York authorize the NYC Office of Administrative Trials and Hearings (OATH) to hold hearings.

I, an employee of the agency named above, affirm under penalty of perjury that: 1) I personally observed the commission of the violation charged; 2) I verified the existence of the violation through a review of Departmental records; or 3) I was informed of the commission of the violation by a reliable witness that is known to the Department. False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law.

I/O Signature

Command

Rank/Title

Name

Tax No.



Check the source of the violation or write in the blank under “Other.”
On the line below, write in the Section or Rule Number

Example: Check “[X] Admin. Code” and write on the Section/Rule line “10-125(b)”

Oath Civil Summons (BOTTOM)

Include the summons number above on all communications

HEARING DATE: MM / DD / YY AT: HH : MM ☐ AM ☐ PM

You must respond by the above date.
See the BACK OF THIS SUMMONS to learn about your options.

WARNING: If you do not respond, you may be found automatically responsible and you may owe larger penalties. If you do not pay any imposed penalties, you may lose your ability to keep or get a City license, permit or registration. The City might also take further legal action against you. See the back for more information.

Hearing Location: Office of Administrative Trials and Hearings (OATH)
Borough: _____ (See back for address) (844) 628-4692
www.nyc.gov/oath

☐ Admin. Code ☐ Parks Rules: 56 RCNY
☐ Rules of City of NY ☐ Traffic Rules: 34 RCNY ☐ Other _____

Section/Rule _____

Mail-In Penalty _____ Max. Penalty _____

Details of Charge(s): _____

OATH Code
S | 9 | H

Property Removed ☐ Yes ☒ No

FACTUAL ALLEGATIONS

NYC Charter Sections 104b and 104b-e and the Rules of the City of New York authorize the NYC Office of Administrative Trials and Hearings (OATH) to hold hearings. I, an employee of the agency named above, affirm under penalty of perjury that: 1) I personally observed the commission of the violation charged; 2) I verified the existence of the violation through a review of Departmental records; or 3) I was informed of the commission of the violation by a reliable witness that is known to the Department. False

I/O Signature _____ Command _____

Rank/Title _____ Name _____ Tax No. _____

Use the Notice of Violation Offenses reference on Smart phone for applicable OATH Code to complete this caption

Indicate whether or not property was removed from the respondent due to the violation

The new Jurat covers:

- **Violations personally observed**
- **Violations verified by a review of Dept. records**
- **I/O informed of violation by a reliable witness**

Affidavit – Back of Court Copy (TOP)

NYPD

AFFIDAVIT (CERTIFICATE*) OF SERVICE

State of New York, County of _____ SS: The undersigned being duly sworn deposes and says: That deponent is not a party to the action, is over 18 years of age, and;

- ☐ At the time and place of occurrence did personally serve a true copy of this summons on the respondent named therein.
- ☐ On _____, 20____ at _____ ☐ AM ☐ PM at _____ did personally serve a true copy of this summons on the respondent named therein by delivering said copy [two copies] to: _____
 - ☐ the respondent.
 - ☐ a person of suitable age and discretion at respondent's place of business/abode.
 - ☐ an officer/director/managing agent/(other): _____ of respondent corporation.
 - ☐ designated agent in the Office of the Secretary of State, Albany, New York, as per Business Corporation Law §306(b).

Deponent herein describes the person served as follows:

- | | | | | |
|---------------------------------------|-------------------------------------|--|--------------------------------------|---|
| <input type="checkbox"/> Male | <input type="checkbox"/> Black Hair | <input type="checkbox"/> Fair Complexion | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs. |
| <input type="checkbox"/> Female | <input type="checkbox"/> Brown Hair | <input type="checkbox"/> Medium Complexion | <input type="checkbox"/> 5'0" - 5'3" | <input type="checkbox"/> 100 - 150 Lbs. |
| <input type="checkbox"/> 14-20 Yrs. | <input type="checkbox"/> Blond Hair | <input type="checkbox"/> Dark Complexion | <input type="checkbox"/> 5'4" - 5'8" | <input type="checkbox"/> 150 - 200 Lbs. |
| <input type="checkbox"/> 21-35 Yrs. | <input type="checkbox"/> Gray Hair | | <input type="checkbox"/> 5'9" - 6'0" | <input type="checkbox"/> 200 - 250 Lbs. |
| <input type="checkbox"/> 36-50 Yrs. | <input type="checkbox"/> Red Hair | | <input type="checkbox"/> Over 6' | <input type="checkbox"/> 250 Lbs + |
| <input type="checkbox"/> 51-65 Yrs. | <input type="checkbox"/> White Hair | | | |
| <input type="checkbox"/> Over 65 Yrs. | <input type="checkbox"/> Balding | Other Identifying Features: _____ | | |

Alternative Service per NYC Charter §1049-a(d)(2)

- ☐ At the time indicated on the front of this summons.
- ☐ At _____ ☐ AM ☐ PM on _____, 20____ at _____ I attempted to personally serve this summons on the respondent named herein but was unable to do so because:
 - ☐ having attempted entry to the premises, I found the premises locked and no one responded to any bells, knocks or calls;
 - ☐ having entered the premises and having identified myself, I was;
 - ☐ advised by _____ that the respondent was not then present.
 - ☐ advised by _____ that no officer, director, managing agent or general agent of respondent was present.
 - ☐ unable to secure identification of the person present
- ☐ Service could not be made because _____

Therefore, I delivered a copy of this summons to _____, described above, whom I believe to be an employee of respondent at the premises, because _____

Officers **MUST** fill in the caption for County and check the first box "At the time and place of occurrence..."

Areas with an **X** are not used by the NYPD

Officers should check the boxes that fit the description of the respondent

Affidavit – Back of Court Copy (Bottom)

NYPD

Therefore, I delivered a copy of this summons to _____,
described above, whom I believe to be an employee of respondent at the premises, because
employee:

- ☐ So identified him/herself.
- ☐ Was performing work consistent with such employment.
- ☐ Other _____

Date _____ Signature _____

Print Name _____

Sworn before me on: _____

Signature of Certifying Officer Administering Oath: _____

Alternative Service Mailing Dates: _____

Statement of Witness. Issuing Officer MUST complete the Details of Charge Section on the
front of this civil summons.

I, _____, have read the facts stated herein as provided
by me. I personally observed these facts and affirm that they are true.

False statements made herein are punishable as a Class A misdemeanor pursuant to Section
210.45 of the Penal Law. Affirmed under Penalty of Law:

Full Signature of Witness: _____ Date Affirmed: _____

**If not sworn, this statement shall constitute a certificate of service.*

Officer will record
all appropriate
details of
summons in an
Digital Activity Log
entry

If applicable,
Officers will fill in
the name of the
C/W and request
they sign on the
line below

This is a **NEW** section of the affidavit –
Officers can be informed of the violation by a **RELIABLE** witness

Respondent's Copy – Options for Responding

NYPD

HOW TO RESPOND TO THIS CIVIL SUMMONS

The New York Police Department has charged you with the violation written on the other side of this summons. You must respond. You may choose someone else to speak for you. Free English language help will be provided if needed.

If you or the person you have chosen to speak for you do not respond, you may be found automatically responsible and you may owe larger penalties. This is a civil summons and it will not show up on any criminal record. However, if you admit to this charge or are found responsible and violate the same law in the future, you may receive a criminal summons and/or larger financial penalties for the future charge.

Option 1: DENY the Charge

If you deny the charge you can give an explanation for why you think you are not responsible to a hearing officer, who will make a decision. If you deny online, by phone, or by mail, you will be told of the decision by mail. See front for your Hearing Date.

There are four ways to deny the charge:

- **IN PERSON:** Go to the OATH Hearing Center in the borough written on the front of this summons at the date and time listed. See below for the address. Bring this summons and any evidence that shows you are not responsible for the charge. Call 1-844-628-4692 for disability accommodation.
- **ONLINE:** Visit www.nyc.gov/oath before your Hearing Date.
- **BY PHONE:** Call (212) 436-0817 before your Hearing Date.
- **BY MAIL:** Ten days before your Hearing Date, mail a written explanation of why you deny the charge. Include the words, "My signature in this statement certifies that all facts in it are true" and sign the document. Mail the document, a copy of this summons, and any other evidence to:

OATH Mail Unit, 66 John Street, 10th floor, New York, NY 10038

Option 2: ADMIT to the Charge

If you admit the charge, you must satisfy the penalty. The charge will not go on any criminal record, but if you violate the same law again, you may face larger penalties or criminal charges. See front for your Hearing Date.

There are four ways to admit the charge and satisfy the penalty:

- **COMMUNITY SERVICE:** For certain charges you may be able to complete community service instead of paying a penalty. Call (844) 628-4692 to check.
- **IN PERSON:** Pay the penalty at any OATH Hearing Center listed below, on or before your Hearing Date. You can pay between 8:00 AM and 3:30 PM, Monday through Friday (except holidays). Bring this summons and your payment. Checks, money orders, and credit cards are accepted.
- **ONLINE:** Pay at [new website to be inserted] before your Hearing Date.
- **BY MAIL:** Ten days before your Hearing Date, mail in a check or money order. Make it payable to "Finance Commissioner" for the amount written on the Mail-in Penalty line on the other side of this summons. Write the Summons Number on the memo line of the check or money order. Mail the check or money order and a copy of this summons to:

*Finance Commissioner, City of New York
PO Box 2307, Peck Slip Station, New York, NY 10272*

Officers should be aware that there are new ways for respondents to respond to the OATH Civil Summons:

1. Online
2. By Phone
3. By Mail

Respondent's Copy – Website & Court Location

Option 2: ADMIT to the Charge

If you admit the charge, you must satisfy the penalty. The charge will not go on any criminal record, but if you violate the same law again, you may face larger penalties or criminal charges. See front for your Hearing Date.

There are four ways to admit the charge and satisfy the penalty:

- **COMMUNITY SERVICE:** For certain charges you may be able to complete community service instead of paying a penalty. Call (844) 628-4892 to check.
- **IN PERSON:** Pay the penalty at any OATH Hearing Center listed below, on or before your Hearing Date. You can pay between 8:00 AM and 3:30 PM, Monday through Friday (except holidays). Bring this summons and your payment. Checks, money orders, and credit cards are accepted.
- **ONLINE:** Pay at [new website to be inserted] before your Hearing Date.
- **BY MAIL:** Ten days before your Hearing Date, mail in a check or money order. Make it payable to "Finance Commissioner" for the amount written on the Mail-in Penalty line on the other side of this summons. Write the Summons Number on the memo line of the check or money order. Mail the check or money order and a copy of this summons to:

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Questions?

أسئلة؟ 任何疑问
Вопросы? ¿Preguntas?
질문 있으세요? Kesyon?
কোনো প্রশ্ন আছে কি?
www.nyc.gov/oath
844-OATH-NYC (844-628-4892)

OATH Hearing Center Locations

Manhattan: 66 John St., 10th fl., New York, NY 10038
Bronx: 3030 Third Ave., Rm 250, Bronx, NY 10455
Brooklyn: 9 Bond St., 7th fl., Brooklyn, NY 11201
Queens: 31-00 47th Ave., 3rd fl., Long Island City, NY 11101
Staten Island: 350 St Mark's Pl., Staten Island, NY 10301

You have the right to be informed of the maximum penalty of the charge.

If you received this summons for a vendor (commercial) offense, check the schedule below. For all other offenses, the maximum penalty is written on the front of this summons. If the maximum penalty is missing, call OATH or visit a Hearing Center (see above). If the Environmental Control Board or the Office of Administrative Trials and Hearings orders you to pay a civil penalty, failure to pay that penalty in a timely manner could lead to the denial of an application for a license, permit or registration, or to the suspension, termination or revocation of a license, permit or registration issued to you by a City agency.

NYPD

Officers should be aware that they can refer respondents to the OATH website

Officers should be aware of the OATH Hearing Locations in each borough

Considerations in Officer use of Discretion

NYPD

Does the violation:

- **Cause feelings of being unsafe?**
- **Have the potential to cause people to feel unsafe?**

Is the violation:

- **A chronic condition?**

Has the violator been previously warned?

Returnable Agencies & Return Dates

NYPD

Type of Summons:	Returnable to & Return Date:
Parking ("A")	NYC DOF, PVO <i>R/D: printed on summons</i>
Traffic ("B")	NYS DMV, TVB <i>R/D: instructions printed on summons</i>
Criminal Court ("C")	NYC Criminal Court <i>R/D: as per FINEST message</i>
OATH ("OATH")	Office of Administrative Trials & Hearings <i>R/D: as per FINEST message</i>

Classroom Discussion - Summons Appendix

Summary

NYPD

- 1. Explain the general procedures, preparation, issuance, and conditions of service for various summonses issued by the Department.**
- 2. List the types of summonses issued by the Department.**
- 3. Identify the return dates for the various summonses issued by the Department.**
- 4. Properly prepare a “parking,” “moving,” “criminal,” or “OATH,” summons.**

JULY 2022 RECRUIT CLASS TUTORING IS HELD:

TUESDAY & THURSDAY

(1330 x 1530 AND 1500 x 1700)

- **RECRUIT OFFICERS ARE REMINDED THAT ALTHOUGH TUTORING IS VOLUNTARY, IT IS HIGHLY RECOMMENDED THAT RECRUITS ATTEND ALL AVAILABLE TUTORING SESSIONS TO ENSURE THE BEST POSSIBLE PERFORMANCE ON THE ACADEMIC EXAMINATION.**