

## 209-36 Electronic Summons Tracking System –ESTS

### Signing out new summonses

#### UMOS

- Get summons pack & Certification Card from D.O./Distributing Supv & **sign** the Distribution Card.
- Ensure you've got the correct # of summonses in pack, consecutively numbered.
  - Parkers (A) have their own Card, there should be 20 to a pack.
  - TABs have their own Card, there should be 25 to a pack.
  - Movers (B) & "C"s have 20 to a pack, OATH has 25 but all 3 go on the Mover/"C" Card
- When pack finished, sign Certification Card (yes, again) & give to clerical staff (**Key Note: not to D.O.**), with appropriate copy of served summons.
- When a summons is damaged, notify C.O. without delay.

- TABs & OATHs = 25
- A, B, C = 20

#### Desk Officer/Distributing Supervisor

- Before issuing new ones, check ESTS to see if cop has unused ones & determine need of giving more.
  - Scan unserved summonses back into ESTS. NO ONE scans other than D.O./Distributing Supv.
  - If MOS cannot produce those unused summonses, notify IAB & get a Log #
- Scan each summons being distributed with Bar Code Reader into ESTS –if inoperable, do manually.
  - Call Patrol or Transit Borough to replace reader & put call in Telephone Record.
- Distribute in numerical order, ensure "Don't Enforce Loitering 1,3,&7" sticker is on each "C" pack
- Have cop acknowledge receipt on Distribution Card.

What, no Housing?  
...see next page.

### Unused Summonses Returned

#### UMOS

- If temporarily assigned to enforcement, get "sufficient #" at enforcement cmd & return there at EOT.
- If transferred/separated from Dept, give them back to D.O./Distributing Supv at cmd where gotten.

#### Desk Officer/Distributing Supervisor

Use barcode reader, if inoperable, call Boro, put in TR.

- Scan unused returned summons same as above & forward with Certification Card to **C.O./Designee**
- For missing summons, notify IAB, get Log# **AND** immediately notify **ICO** or if n/a, **CO/XO**

#### **Key Note**

Cop comes for more summonses (Step 8) & D.O. finds cop has unused ones and cop can't produce them (missing)

- D.O. call IAB

Cop is transferred or separated from the Department (Steps 15-16) and a summonses is missing then;

- D.O. call IAB **and** notify the ICO (CO/XO)

**Summons served**

UMOS

- Deliver remaining copies, intact, to D.O. at EOT on **date of issuance** (NEVER directly in receptacle)

Desk Officer

- Examine entries on summons for accuracy, completeness *and legibility*.
- Scan summons served during tour *prior* to EOT –if scanner inoperable, do manually (this is Step 21)

**We pause here to make a special announcement** (...hate when this happens)

FIVE times they give instructions on what to do if the Bar Code Reader/Scanner is inoperable –FIVE!

- The steps are absolutely identical every time. Here they are;
  - Input summonses manually, Notify the borough, Put that call in the Telephone Record.

**Here’s the issue;**

- When they say borough, they specify “Patrol or Transit Borough” –Housing is not mentioned.
- In March, 2020 an I.O. changed 1 of these 5 steps & added Housing –neglecting to add it to the other 4 steps

**Here’s the breakdown;**

Notify Patrol or Transit Borough

- Step 9, Scanning upon initial distribution; Step 16, Scanning when returned from transferee; Step 27, Scanning when resubmitted after corrections; Step 39, Scanning while being packaged up on 1<sup>st</sup> Platoon.

Notify appropriate borough; Patrol, Transit, or **Housing**

- Step 21, Scanning when a served summons is turned in at EOT

Which Scan	Inoperable; Call which Boro
Step 9, Initial Scan	Patrol & Transit
Step 16, Return from Xferee	Patrol & Transit
Step 21, Served-returned at EOT	Patrol, Transit & <b>Housing</b>
Step 27, Return after corrected	Patrol & Transit
Step 39, 1 <sup>st</sup> Platoon packing up	Patrol & Transit

Desk Officer (cont’d)

- Once scanned, put summons (including Court Copy) in the summons receptacle.
- Steps 24-27 in 209-36 list the ‘improperly prepared’ steps covered in 209-06, no need to cover again.

They are absolutely identical.

### First Platoon D.O./Supervisor

- Separate by date of service for each adjudicating agency and count the number returnable to each.
- For “B”’s put Complaint/Information in pre-printed envelope and send up to TSO to enter in FORMS
- Separate out Complaint/Information (Pt 1) from remainder of summons.
  - Ensure Marijuana summons has Supporting Deposition/Field Test **paper clipped** to it
  - Photocopy the Supporting Dep/Field Test & file at command.
- Scan served summonses into ESTS with bar code reader and package in groups of 100 or less.
  - If bar code reader inoperable, do manually, notify Boro, put in TR (*see chart, above*)
- Print a PRECINCT COVER SHEET from ‘Summons Menu’ in OMNIFORM for each type (A, B, C, etc)
- Scan each PCT COVER SHEET for each group along with the Court Copy into network scanner at desk.
  - It can take up to 50 summonses at a time so scan **no more than 50** simultaneously.
- After you scan, batch & process, query ESTS in “Exception Report (Served but Not Batched)” function.
- If a summons remains on the above Exception Report it is considered MISSING.
  - Notify IAB & get a LOG # **AND** immediately notify ICO or, if ICO n/a, notify C.O./XO
  - Account for missing summons in ESTS “Terminate/Void” function, put IAB log # in notes
  - Comply with summons voiding procedure; 209-18 “Summons Served/Prepared in Error.”
  - This purges missing summons from Exception Report but summons #& history remain in ESTS
- Put the scanned Complaint/Information copies in pre-printed envelopes and SEAL them.
- Print a Transmittal Report from ESTS and attach to envelopes, fill out the captions & SIGN on flap.
- Put ESTS Tracking # below flap & send to boro/designated cmd in AM mail, DAILY, no matter how few
  - Housing: a messenger takes envelopes from PSA straight to ct (PVB, OATH, Crim, etc)
  - Summons by outside agency go in separate envelope –forward as above **BUT don’t scan.**
  - Remember, “B” summonses envelope not sealed by D.O, they go up to the TSO.
- Put remaining parts of summonses in separate Dept envelope, mark “File” and leave **UNSEALED.**

### Clerical Member

- File envelopes with command copies of summonses by date of service in record room for 6 months
  - After 6 months, remove and retain in storage cartons in command record room.

### Traffic Safety Officer

- Daily, enter info of each “B” summons served in “B Summons” app in FORMS using “Paper” option
  - Enter serial # from top left of summons and complete all appropriate captions in FORMS.
  - Store Complaint/Information (Pt.1) copies in a secure location at command.

### Integrity Control Officer

- Ensure warrant checks were conducted.
- For missing summonses, confirm notification was made to IAB & Log # was gotten.
  - Ensure 1<sup>st</sup> platoon D.O. made entries to ESTS with IAB Log #, Notify C.O./X.O.

### **ICO Weekly**

- Generate and review ESTS EXCEPTION REPORT - if discrepancies found, notify IAB & get a Log #.
- Monitor the SCANNED SUMMONS ANALYSIS report in Omniform under “Supervisor” function of Summons Menu to ensure summonses are being scanned into network scanner, including cover sheet.

### **ICO Monthly**

- Monitor ICO AGEING REPORT which shows summonses distributed but not served for 90 days.
  - Conduct IMMEDIATE investigation if any UMOS listed on ICO AGEING REPORT.
- Self-inspection of ESTS to ensure all summonses are accounted for.
- Self-inspection of “B Summons” app in FORMS to ensure all “B”s are properly entered into system.

### Operations Coordinator

- Supervise “B” summonses entry into FORMS app and maintenance of copies kept at command.

### Missing Summonses subsequently found (after IAB was notified and purged from ESTS ‘exception rpt’)

- Desk Officer call IAB Command Center IMMEDIATELY to see if you can reenter to ESTS
- Put name of IAB person notified in “Add Summons Follow-Up Note” in ESTS.

### **For reference**

### **209-06 Quality Control for “C” Summonses**

#### Desk Officer/Counterpart

- Don’t forward if improperly prepared. VOID it if it has the wrong return date OR;
  - Put in envelope marked “Training Sergeant” & forward direct to Training Sergeant (INFO SECTION on rear left blank or unsigned or Marijuana C w/o Supporting Dep attached)
  - Put in a envelope marked “Operations Coordinator” & forward direct to Ops Coordinator (If written for one of the repealed subdivisions of Loitering –*see next page*)

Operations Coordinator (when you get the envelope described above –C summons for Loitering 1, 3, or 7)

- VOID summons,
- Phone perp if possible, if not do a UF50 (Official Letterhead) by registered or certified mail, return receipt requested.
- Put above notification on SUMMONS VOIDANCE FORM & make reasonable effort to retrieve summons.

US Ct of Appeals, 2<sup>nd</sup> Circuit ruled that these 3 subs of Loitering are unconstitutional and unenforceable;

- Sub 1 Loiters, remains or *wanders about* in public place for purpose of begging
- Sub 3 Loiters or remains in public place for purpose of engaging or soliciting for *deviate sex*
- Sub 7 Loiters or remains in any public transportation facility or found sleeping therein, and unable to give satisfactory explanation of their presence.

D.O. sent the improperly prepared summons to either the Ops Lt or the Trng Sgt, the procedure has steps for Ops but not for Trng Sgt! No worries, they appear in 209-36 so, here they are;

Training Sergeant (when you get the envelope)

- Retrain issuer and instruct to either fill out & sign the “Information Section” on rear or fill out and attach “Supporting Deposition/Field Test Report” if summons for Marihuana, & then re-submit.

All MOS

- Make no other modifications to summons other than correcting the errors listed above.
- Under no circumstances will a change result in Court or agency copy differing from the perp’s copy.
- Corrections must be made by the following business day.

Bureau and Borough people have Steps 6 thru 14 in the procedure, what we need to know is:

- We made the above corrections and sent the summons down to court. Sometimes the ct. catches more mistakes & sends ‘em back through the bureau. They end up back at the cmd & Ops Lt is the actor;

Operations Coordinator

- Review & ensure returned summonses got delivered to the right command (cmd of issuing member)
- VOID if cop no longer assigned to cmd OR it’s now less than 22 days from return date or it has an improper return date (weekend, holiday, etc.) OR if for Loitering 1, 3 or 7 and proceed as above.
- If “Information Section” left blank or unsigned, direct issuing member to correct.

UMOS

- Correct summons as instructions and return to Operations Coordinator

Operations Coordinator

- Review corrections and note on Transmittal Sheet & send with Transmittal back to Bureau in a 13” x 10” interoffice envelope (Form No. NYC 36) marked; “Returned Criminal Court Summonses”

So if the D.O. catches this, the Training Sgt deals with it but if the court catches it, the Ops Coor does.