



OFFICE OF JUSTICE SYSTEMS ANALYSIS

NEW YORK STATE
VIOLENT FELONY PROCESSING
SOURCEBOOK

1983 - 1987

119297

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NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICES

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July 1989

PREFACE

New York State

Violent Felony Processing Sourcebook

1983 - 1987

This report highlights trends in the criminal justice processing of violent felony arrests in New York State from 1983 to 1987. Focus is on several prominent stages in the processing of violent felony offenders including arrest, prosecution, conviction, and sentencing. Summary characteristics of violent felony arrestees in 1987 and prior criminal history of convicted offenders are presented. Information is provided for the State and three geographic regions: New York City (including Bronx, Kings, New York, Queens, and Richmond counties), Suburban New York City (consisting of Nassau, Rockland, Suffolk, and Westchester counties), and Upstate (consisting of all remaining counties).

As the eleventh report issued by the Division of Criminal Justice Services pursuant to Section 837-a of the Executive Law that describes trends in the criminal justice processing of violent felony offenses in New York State, it is the fourth prepared under the auspices of the Office of Justice Systems Analysis and its predecessor organization, the Office of Policy Analysis, Research and Statistical Services.

Readers wishing additional information regarding violent felony offense processing are invited to contact the Division of Criminal Justice Services, Bureau of Statistical Services at (518) 457-8381.

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EXECUTIVE SUMMARY

New York State

Violent Felony Processing Sourcebook

1983 - 1987

ARRESTS

- o Between 1983 and 1987, 40 percent of all felony arrests in the State were for violent felonies.
- o There were 67,034 violent felony arrests reported in 1987. This is a 15.1 percent *increase* from the 58,216 arrests reported in 1983, and a 1.9 percent increase from those reported in 1986.
- o *Three-quarters of the State's violent felony arrests were reported from New York City in 1987 while Suburban New York City reported 8 percent and Upstate accounted for 16 percent.*
- o Violent felony arrests *increased, on the average, 3.7 percent each year* during the period. The actual annual percent change fluctuated, ranging from a decrease in 1984 (-1.6%) to a sharp increase in 1986 (+9.3%).
- o Since 1983 there has been a striking *rise* in the number of reported *Assault* arrests (+37.1%) and *Sex Offense* arrests (+23.5%) while there has been an actual *decline* in the number of arrests reported for *Homicide* (-8.1%) and *Weapons* (-2.8%). By 1987 Assault arrests accounted for almost one-third of the violent felony arrests reported. *The large increase in Assault arrests has been in part attributed to the growing tendency to arrest in domestic violence complaints coupled with an increase in arrests for drug-related assaults.*

CHARACTERISTICS OF ARRESTEES

- o The median age for violent felony arrestees in 1987 was 25.5 years. Approximately 70 percent of the State's violent felony arrestees were under thirty years of age. Sex offenders had the highest median age (27.8 years) while Robbery offenders had the lowest (22.6 years).
- o Over one-half (56.1%) of all 1987 violent felony arrestees were black while Hispanics accounted for 21.6 percent and white arrestees comprised 20.7 percent. Approximately 90 percent of the 1987 violent felony arrestees were male.

PROSECUTIONS

- o One-third of the violent felony arrests disposed in 1987 were upper court prosecutions, a decrease from the 40.7 percent prosecuted in the upper courts in 1983. Homicide arrests were the most likely offense category in 1987 to be prosecuted in the upper courts (69.8%) with Assaults the least likely (11.0%). New York City processed the smallest proportion of violent felony offenses in the upper courts (30.9%) compared with Suburban New York City (41%) and Upstate (45.8%).

CONVICTIONS

- o Fifty-three percent (N=30,664) of the violent felony arrests disposed in 1987 resulted in a conviction for some offense, as compared with 60.6 percent (N=32,993) in 1983.
- o Of all regions, *Suburban New York City had the highest overall conviction rate* for violent felony arrests disposed in 1987 (72.9%) followed by Upstate (68.2%) and New York City (48.2%).
- o Burglary arrests were the most likely violent felony offense type in 1987 to result in a conviction to some charge (66% overall conviction rate). Assault was the least likely with a 44.5 percent overall conviction rate.
- o The proportion of the overall convictions that were convictions to a felony (felony conviction rate) was relatively stable throughout the period (53% in 1983 to 51% in 1987).
- o There were 12,447 violent felony convictions in New York State in 1987. Robbery accounted for 41% of these convictions; the largest proportion of any offense category.
- o The violent felony conviction rate decreased over the period from 45 percent of all violent felony arrests disposed in 1983 to 40 percent in 1987.
- o *Over three-quarters of the violent felony offenders convicted of a violent felony in 1987 had a prior arrest record. Approximately one-half had a prior conviction.*

SENTENCING

- o The *incarceration rate* for all convictions resulting from violent felony arrests *increased slightly* over the period from 56.2 percent in 1983 to 59.7 percent in 1987.
- o Of those violent felony arrests disposed as a conviction to some charge in 1987, 29 percent were sentenced to prison, 30 percent were sentenced to jail and 17 percent received probation.
- o The 1987 incarceration rate for violent felony convictions was 81.1 percent (60.6% prison and 20.5% jail). Approximately 18 percent of the convictees were sentenced to probation.
- o Violent felony Homicide convictees were the most likely offenders to receive a prison term (98.3%) followed by those in the combined category Kidnapping, Arson, and Intimidation (88.5%) and Robbery (70.2%).
- o Slightly more than 5.5 percent of the 1987 offenders convicted of a violent felony and sentenced to prison were sentenced to life-maximum terms (418 offenders).
- o The median-minimum and median-maximum sentences for a violent felony conviction remained stable throughout the five-year period and across all regions (30 months and 72 months).

TABLE 1

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ARRESTS DISPOSED

NEW YORK STATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	54470	53752	54772	57438	58120
NOT PROSECUTED	2375	2446	2259	2248	2347
PROSECUTED	52095	51306	52513	55190	55773
PROSECUTED, LOWER COURT	29901	30556	32672	34369	36321
DISMISSED	15309	15963	17621	19170	22166
ACQUITTED	231	192	264	243	188
CONVICTED	14247	14323	14686	14823	13865
PRISON	5	4	11	4	5
JAIL	3317	3359	3486	4000	3583
TIME SERVED	895	1056	1140	1077	1264
JAIL AND PROBATION	398	406	407	404	394
PROBATION	2302	2227	2227	1957	1698
PROBATION AND FINE	96	111	117	106	93
FINE	1868	2000	1989	1902	1402
FINE AND CONDITIONAL DISCHARGE	345	304	323	308	225
FINE AND LICENSE SUSPENDED	13	12	17	14	10
CONDITIONAL DISCHARGE	4658	4474	4668	4758	4820
UNCONDITIONAL DISCHARGE	238	190	159	113	121
OTHER/UNKNOWN	112	180	142	180	250
% YOUTHFUL OFFENDERS	8.6%	8.2%	7.3%	6.4%	5.9%
OTHER DISPOSITION	114	78	101	133	102
PROSECUTED, UPPER COURT	22170	20724	19806	20779	19411
DISMISSED	2412	2190	1697	1604	1654
ACQUITTED	811	880	803	876	809
CONVICTED	18746	17456	17057	18010	16799
PRISON	9536	8843	8511	9272	8930
JAIL	2416	2099	2137	2104	1975
TIME SERVED	142	143	135	133	158
JAIL AND PROBATION	1834	1788	1898	2283	1995
PROBATION	4072	3895	3755	3596	3209
PROBATION AND FINE	270	309	261	252	237
FINE	86	62	63	41	46
FINE AND CONDITIONAL DISCHARGE	91	81	61	73	47
FINE AND LICENSE SUSPENDED	2	3	1	1	0
CONDITIONAL DISCHARGE	235	182	171	204	175
UNCONDITIONAL DISCHARGE	41	30	44	31	19
OTHER/UNKNOWN	21	21	20	20	8
% YOUTHFUL OFFENDERS	13.9%	15.1%	13.7%	12.8%	11.8%
OTHER DISPOSITION	201	198	249	289	149
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	24	26	35	42	41
CONVICTION RATE (% OF ALL DISPOSED)	60.6%	59.1%	58.0%	57.2%	52.8%
% OF CONVICTION: TO FELONIES	53.1%	51.7%	50.3%	51.5%	51.4%
: TO MISDEMEANORS	31.1%	30.7%	31.0%	30.0%	30.1%
: TO LESSER OFFENSES	15.8%	17.6%	18.7%	18.5%	18.5%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 2

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ARRESTS DISPOSED

NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	41696	41828	42184	44594	45965
NOT PROSECUTED	2188	2309	2005	1898	1968
PROSECUTED	39508	39519	40179	42696	43997
PROSECUTED, LOWER COURT	22950	24079	25918	27434	29752
DISMISSED	12460	13404	14936	16356	19471
ACQUITTED	190	152	212	195	155
CONVICTED	10265	10493	10718	10795	10076
PRISON	2	1	6	3	3
JAIL	2413	2536	2635	3033	2598
TIME SERVED	719	815	896	790	959
JAIL AND PROBATION	134	136	114	126	132
PROBATION	1346	1329	1253	1022	893
PROBATION AND FINE	27	35	22	21	15
FINE	1259	1404	1371	1333	937
FINE AND CONDITIONAL DISCHARGE	153	124	128	117	83
FINE AND LICENSE SUSPENDED	4	1	3	3	2
CONDITIONAL DISCHARGE	3946	3826	4088	4155	4271
UNCONDITIONAL DISCHARGE	195	149	110	80	89
OTHER/UNKNOWN	67	137	92	112	94
% YOUTHFUL OFFENDERS	6.2%	5.7%	5.0%	3.7%	3.5%
OTHER DISPOSITION	35	30	52	88	50
PROSECUTED, UPPER COURT	16547	15431	14251	15237	14221
DISMISSED	1925	1768	1371	1277	1372
ACQUITTED	634	703	624	679	633
CONVICTED	13844	12832	12093	13095	12098
PRISON	7513	6885	6397	7143	6825
JAIL	1614	1435	1466	1432	1326
TIME SERVED	85	91	89	84	109
JAIL AND PROBATION	1031	957	997	1367	1130
PROBATION	3072	2921	2654	2614	2303
PROBATION AND FINE	233	271	219	206	196
FINE	64	39	44	29	38
FINE AND CONDITIONAL DISCHARGE	72	68	55	57	35
FINE AND LICENSE SUSPENDED	0	0	1	1	0
CONDITIONAL DISCHARGE	136	138	133	142	123
UNCONDITIONAL DISCHARGE	20	26	34	20	13
OTHER/UNKNOWN	4	1	4	0	0
% YOUTHFUL OFFENDERS	12.8%	13.6%	12.2%	11.8%	10.5%
OTHER DISPOSITION	144	128	163	186	118
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	11	9	10	25	24
CONVICTION RATE (% OF ALL DISPOSED)	57.8%	55.8%	54.1%	53.6%	48.2%
% OF CONVICTION: TO FELONIES	54.9%	52.7%	50.6%	52.6%	52.1%
: TO MISDEMEANORS	27.0%	26.9%	27.3%	26.0%	26.1%
: TO LESSER OFFENSES	18.1%	20.4%	22.1%	21.4%	21.8%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 3

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ARRESTS DISPOSED

SUBURBAN NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	4818	4395	4704	4581	4327
NOT PROSECUTED	82	80	90	148	148
PROSECUTED	4736	4315	4614	4433	4179
PROSECUTED, LOWER COURT	2312	2156	2252	2175	2184
DISMISSED	938	748	738	811	824
ACQUITTED	20	16	16	19	21
CONVICTED	1306	1374	1488	1329	1325
PRISON	1	0	0	0	2
JAIL	252	253	290	320	389
TIME SERVED	54	85	89	96	111
JAIL AND PROBATION	67	54	70	51	56
PROBATION	340	344	351	293	281
PROBATION AND FINE	23	28	29	28	24
FINE	219	268	316	198	164
FINE AND CONDITIONAL DISCHARGE	86	63	66	74	55
FINE AND LICENSE SUSPENDED	6	2	2	3	1
CONDITIONAL DISCHARGE	212	235	208	183	149
UNCONDITIONAL DISCHARGE	18	21	26	19	20
OTHER/UNKNOWN	28	21	41	64	73
% YOUTHFUL OFFENDERS	14.8%	16.5%	12.6%	13.2%	10.5%
OTHER DISPOSITION	48	18	10	16	14
PROSECUTED, UPPER COURT	2419	2148	2349	2245	1982
DISMISSED	186	120	67	85	83
ACQUITTED	47	77	65	70	59
CONVICTED	2157	1904	2157	2018	1828
PRISON	868	799	997	893	887
JAIL	309	234	207	241	217
TIME SERVED	28	17	32	27	33
JAIL AND PROBATION	409	394	407	392	321
PROBATION	455	421	471	410	332
PROBATION AND FINE	15	11	15	15	9
FINE	16	8	11	6	2
FINE AND CONDITIONAL DISCHARGE	10	4	2	6	8
FINE AND LICENSE SUSPENDED	0	2	0	0	0
CONDITIONAL DISCHARGE	38	7	6	15	15
UNCONDITIONAL DISCHARGE	4	1	3	6	0
OTHER/UNKNOWN	5	6	6	7	4
% YOUTHFUL OFFENDERS	17.0%	22.3%	19.1%	16.7%	15.6%
OTHER DISPOSITION	29	47	60	72	12
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	5	11	13	13	13
CONVICTION RATE (% OF ALL DISPOSED)	71.9%	74.6%	77.5%	73.1%	72.9%
% OF CONVICTION: TO FELONIES	54.3%	53.2%	53.9%	54.1%	52.1%
: TO MISDEMEANORS	34.4%	34.2%	35.1%	34.3%	36.3%
: TO LESSER OFFENSES	11.3%	12.6%	11.1%	11.6%	11.5%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 4

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ARRESTS DISPOSED

UPSTATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	7956	7529	7884	8263	7828
NOT PROSECUTED	105	57	164	202	231
PROSECUTED	7851	7472	7720	8061	7597
PROSECUTED, LOWER COURT	4639	4321	4502	4760	4385
DISMISSED	1911	1811	1947	2003	1871
ACQUITTED	21	24	36	29	12
CONVICTED	2676	2456	2480	2699	2464
PRISON	2	3	5	1	0
JAIL	652	570	561	647	596
TIME SERVED	122	156	155	191	194
JAIL AND PROBATION	197	216	223	227	206
PROBATION	616	554	623	642	524
PROBATION AND FINE	46	48	66	57	54
FINE	390	328	302	371	301
FINE AND CONDITIONAL DISCHARGE	106	117	129	117	87
FINE AND LICENSE SUSPENDED	3	9	12	8	7
CONDITIONAL DISCHARGE	500	413	372	420	400
UNCONDITIONAL DISCHARGE	25	20	23	14	12
OTHER/UNKNOWN	17	22	9	4	83
% YOUTHFUL OFFENDERS	14.8%	14.1%	14.0%	13.9%	13.1%
OTHER DISPOSITION	31	30	39	29	38
PROSECUTED, UPPER COURT	3204	3145	3206	3297	3208
DISMISSED	301	302	259	242	199
ACQUITTED	130	100	114	127	117
CONVICTED	2745	2720	2807	2897	2873
PRISON	1155	1159	1117	1236	1218
JAIL	493	430	464	431	432
TIME SERVED	29	35	14	22	16
JAIL AND PROBATION	394	437	494	524	544
PROBATION	545	553	630	572	574
PROBATION AND FINE	22	27	27	31	32
FINE	6	15	8	6	6
FINE AND CONDITIONAL DISCHARGE	9	9	4	10	4
FINE AND LICENSE SUSPENDED	2	1	0	0	0
CONDITIONAL DISCHARGE	61	37	32	47	37
UNCONDITIONAL DISCHARGE	17	3	7	5	6
OTHER/UNKNOWN	12	14	10	13	4
% YOUTHFUL OFFENDERS	17.1%	16.9%	16.1%	14.7%	14.5%
OTHER DISPOSITION	28	23	26	31	19
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	8	6	12	4	4
CONVICTION RATE (% OF ALL DISPOSED)	68.1%	68.7%	67.1%	67.7%	68.2%
% OF CONVICTION: TO FELONIES	44.2%	46.3%	46.8%	45.4%	47.7%
: TO MISDEMEANORS	47.1%	45.5%	44.2%	44.4%	43.2%
: TO LESSER OFFENSES	8.6%	8.2%	9.0%	10.2%	9.1%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

I. VIOLENT FELONY ARREST TRENDS IN NEW YORK STATE

1983 - 1987

ARREST HIGHLIGHTS

Number of Arrests and Percent Change:

- o Violent felony arrests *increased* 15.1 percent in New York State between 1983 (58,216) and 1987 (67,034). Among regions, New York City experienced the greatest increase in total number of violent felony arrests (+17.9%). Suburban New York City actually showed a decrease of -3.1 percent, while the Upstate region showed an increase of 12.6 percent. The fact that New York City accounts for almost three-quarters of the violent felony arrests in the State clearly indicates that any change in New York City arrest and prosecution patterns will greatly affect State figures.

Average Annual Increase:

- o The average annual increase in the number of violent felony arrests in the State was 3.7 percent during the period. However, there was *much fluctuation* in this rate from year to year. In 1985 there was actually a decrease in the number of arrests by -1.6 percent from 1984 figures, while in 1986 there was a sharp increase of 9.3 percent. In 1987 violent felony arrests increased only 1.9 percent over the previous year's total.

Violent Felony Arrests As a Proportion of Total Felony Arrests:

- o During the five-year period there were 792,923 felony arrests in the State, of which 40 percent were arrests for *violent* felonies. Gradually, violent felonies have been accounting for *less* of the total felony arrests. In 1983, 41.2 percent of all felony arrests were for violent felonies, while in 1987 that percent decreased to 37.5 percent. This proportional decline in violent felonies reflects the fact that from 1983 to 1987, *non-violent felony arrests increased 34.4 percent; more than twice the rate of violent felonies*. The increase in non-violent felony arrests was fueled by a *doubling (+118%) of felony drug arrests* during the same period.

Regional Comparison of Total Arrests with Total Population:

- o Although three-quarters of the State's violent felony arrests were reported from New York City in 1987, that region accounted for approximately 41 percent of the State's total population. Suburban New York City reported 8 percent of the arrests while comprising 21 percent of the population. Upstate accounted for 16 percent of the State's violent felony arrests and was estimated to contain 38 percent of the State's population. Similarly, New York City accounted for 67.5 percent of the State's non-violent felony arrests, Suburban New York City 10.8 percent, and the Upstate region 21.7 percent.

Two Largest Offense Categories:

- o *Statewide*, over the period, *Assaults made up the largest proportion of violent felony arrests (31.3%) followed by Robbery (29.7%)*. Regionally, these categories and proportions varied. For example, in 1987 in New York City, these two offense categories each made up 33.8 percent of the total violent felony arrests while in Suburban New York City, Assault made up 33.9 percent with Burglary accounting for 26.8 percent. In the Upstate region, the two largest categories were Burglary comprising 33.9 percent and Assault, 29.1 percent.

Offense Category Having the Greatest Increase:

- o Violent felony *Assault arrests experienced the largest growth in numbers of any category* between 1983 and 1987 (+37%). As a consequence, Assault has been accounting for an increasing proportion of the total number of violent felony arrests. By 1987 *Assaults made up almost one-third of the State's total violent felony arrests*. One factor that may explain some of the increase is the *growing tendency to arrest in domestic violence complaints*. Using New York City Police Department data as an example, the number of arrests for domestic violence increased 66.7 percent between 1985 and 1987 while the number of calls to police concerning family disputes increased less than 5 percent. Another possible factor is the *increase in arrests for drug-related assaults*. Reports of aggravated assault were up 48 percent in New York City during this period with the New York City Police Department estimating that up to one-half of these were drug-related.

TABLE 5

**Total Violent Felony and Non-Violent Felony Arrests*
With Percent Change
Year to Year and 1983-1987**

	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>% Change 1983/1987 Period</u>	<u>Average % Change From Year To Year</u>
New York State							
Violent Felony	58,216	61,159	60,161	65,766	67,034		
% Change		5.1%	-1.6%	9.3%	1.9%	15.1%	3.7%
Non-Viol. Fel.	83,087	88,188	91,126	106,501	111,685		
% Change		6.1%	3.3%	16.9%	4.8%	34.4%	7.8%
New York City							
Violent Felony	43,553	46,476	45,363	50,283	51,329		
% Change		6.7%	-2.4%	10.8%	2.1%	17.9%	4.3%
Non-Viol. Fel.	53,409	59,340	60,234	72,831	78,371		
% Change		11.1%	1.5%	20.9%	7.6%	46.7%	10.3%
Suburban NYC							
Violent Felony	5,139	5,180	5,026	4,951	4,980		
% Change		0.8%	-3.0%	-1.5%	0.6%	-3.1%	-0.8%
Non-Viol. Fel.	9,910	9,576	10,368	11,077	11,156		
% Change		-3.4%	8.3%	6.8%	0.7%	12.6%	3.1%
Upstate							
Violent Felony	9,524	9,503	9,772	10,532	10,725		
% Change		-2.2%	2.8%	7.8%	1.8%	12.6%	2.6%
Non-Viol. Fel.	19,768	19,272	20,525	22,593	22,158		
% Change		-2.5%	6.5%	10.1%	-1.9%	12.1%	3.1%

*Adding violent felony and non-violent felony figures together will not give the total number of arrest events. The violent felony data file includes some arrest events where a non-violent felony was the most serious charge, and the violent felony was an underlying charge. These rare events are also included in the non-violent felony arrest counts shown here, resulting in an inflated number of total felony arrests when the two categories are combined.

TABLE 6
Violent Felony Arrest Types
as a Proportion of Total Violent Felony Arrests
with Percent Change 1983 - 1987

NEW YORK STATE

OFFENSE TYPE	YEAR					Percent Change 83/87
	1983	1984	1985	1986	1987	
Assault	16,178 27.8%	18,582 30.4%	19,507 32.4%	21,413 32.6%	22,187 33.1%	37.1%
Homicide	3,008 5.2%	2,696 4.4%	2,526 4.2%	2,715 4.1%	2,764 4.1%	-8.1%
Sex Offns.	3,202 5.5%	3,737 6.1%	3,991 6.6%	3,928 6.0%	3,955 5.9%	23.5%
Burglary	10,808 18.6%	10,252 16.8%	9,799 16.3%	10,699 16.3%	10,916 16.3%	1.0%
Robbery	17,480 30.0%	17,993 29.4%	17,497 29.1%	19,967 30.4%	19,808 29.5%	13.3%
Weapons	6,796 11.7%	7,161 11.7%	6,074 10.1%	6,245 9.5%	6,607 9.9%	-2.8%
Other	744 1.3%	738 1.2%	767 1.3%	799 1.2%	797 1.2%	7.1%
TOTAL*	58,216 100.0%	61,159 100.0%	60,161 100.0%	65,766 100.0%	67,034 100.0%	15.1%

NEW YORK CITY

Assault	11,854 27.2%	14,011 30.1%	14,650 32.3%	16,372 32.6%	17,373 33.8%	46.6%
Homicide	2,580 5.9%	2,321 5.0%	2,148 4.7%	2,349 4.7%	2,369 4.6%	-8.2%
Sex Offns.	1,914 4.4%	2,131 4.6%	2,263 5.0%	2,091 4.2%	2,134 4.2%	11.5%
Burglary	5,841 13.4%	5,608 12.1%	5,159 11.4%	5,990 11.9%	5,952 11.6%	1.9%
Robbery	14,900 34.2%	15,481 33.3%	15,210 33.5%	17,534 34.9%	17,324 33.8%	16.3%
Weapons	5,950 13.7%	6,388 13.7%	5,383 11.9%	5,417 10.8%	5,634 11.0%	-5.3%
Other	514 1.2%	536 1.2%	550 1.2%	530 1.1%	543 1.1%	5.6%
TOTAL*	43,553 100.0%	46,476 100.0%	45,363 100.0%	50,283 100.0%	51,329 100.0%	17.9%

*Percents may not total to 100 due to rounding.

TABLE 7
Violent Felony Arrest Types
as a Proportion of Total Violent Felony Arrests
with Percent Change 1983 - 1987

SUBURBAN NEW YORK CITY

OFFENSE TYPE	YEAR					Percent Change 83/87
	1983	1984	1985	1986	1987	
Assault	1,555 30.3%	1,699 32.8%	1,785 35.5%	1,758 35.5%	1,689 33.9%	8.6%
Homicide	175 3.4%	148 2.9%	144 2.9%	116 2.3%	154 3.1%	-12.0%
Sex Offns.	314 6.1%	366 7.1%	376 7.5%	369 7.5%	372 7.5%	18.5%
Burglary	1,697 33.0%	1,555 30.0%	1,429 28.4%	1,399 28.3%	1,333 26.8%	-21.4%
Robbery	1,105 21.5%	1,141 22.0%	1,002 19.9%	1,027 20.7%	1,027 20.6%	-7.1%
Weapons	226 4.4%	213 4.1%	232 4.6%	214 4.3%	335 6.7%	48.2%
Other	67 1.3%	58 1.1%	58 1.2%	68 1.4%	70 1.4%	4.5%
TOTAL*	5,139 100.0%	5,180 100.0%	5,026 100.0%	4,951 100.0%	4,980 100.0%	-3.1%

UPSTATE

Assault	2,769 29.1%	2,872 30.2%	3,072 31.4%	3,283 31.2%	3,125 29.1%	12.9%
Homicide	253 2.7%	227 2.4%	234 2.4%	250 2.4%	241 2.2%	-4.7%
Sex Offns.	974 10.2%	1,240 13.0%	1,352 13.8%	1,468 13.9%	1,449 13.5%	48.8%
Burglary	3,270 34.3%	3,089 32.5%	3,211 32.9%	3,310 31.4%	3,631 33.9%	11.0%
Robbery	1,475 15.5%	1,371 14.4%	1,285 13.1%	1,406 13.3%	1,457 13.6%	-1.2%
Weapons	620 6.5%	560 5.9%	459 4.7%	614 5.8%	638 5.9%	2.9%
Other	163 1.7%	144 1.5%	159 1.6%	201 1.9%	184 1.7%	12.9%
TOTAL*	9,524 100.0%	9,503 100.0%	9,772 100.0%	10,532 100.0%	10,725 100.0%	12.6%

*Percents may not total to 100 due to rounding.

CHARACTERISTICS OF VIOLENT FELONY ARRESTEES

Age at Time of Arrest:

- o In New York State almost one-half of all adult violent felony arrestees were between sixteen and twenty-four years of age in both 1983 and 1987.
- o The median age of violent felony arrestees in New York State has been gradually increasing. In 1983 the State median age was 23.2 years, rising to 24.6 years by 1987. (Non-violent felony arrestees in 1987 were slightly older, with a median age of 25.5 years.) Regionally, the median age of violent felony arrestees was 24.9 years in New York City, 23.5 years in Suburban New York City and 23.8 years Upstate.
- o Statewide, violent felony *Robbery* offenders had the *lowest* median arrest age in 1987 (22.6 years), while *Sex offenders* had the *highest* median arrest age (27.8 years).
- o Among regions, the greatest rise in median age during the period occurred in Suburban New York City (21.6 years in 1983 to 23.5 years in 1987). The other regions experienced smaller increases.
- o *Upstate New York* had the *greatest range in median age* among violent felony categories for all regions. *Upstate Burglary* arrestees had the *lowest* median age in the State (20.7 years) while *Upstate Weapons* arrestees had the *highest* (28.5 years).

Race/Ethnicity of 1987 Arrestees:

- o During 1987 in New York State, 56.1 percent of all violent felony arrestees were black, 21.6 percent were Hispanic and 20.7 percent were white. Among non-violent felony arrestees 41.8 percent were black, 30.8 percent were Hispanic and 26.4 percent were white.
- o The Upstate region had the largest percentage of white offenders. This category accounted for 57.2 percent of the violent felony arrestees and 70.6 percent of non-violent felony arrestees. Hispanics made up 1.8 percent of the total violent felony arrestees Upstate.
- o In the New York City region, blacks made up the highest proportion of violent felony arrestees (60.1%), with Hispanics comprising 27.3 percent of the total. In comparison, of the New York City non-violent felony arrestees, blacks comprised 46.0 percent while Hispanics accounted for 42.2 percent. In Suburban New York City, 51.9 percent of violent felony arrestees were black, 41.5 percent were white, and 6.1 percent were Hispanic.

Sex of Arrestees:

- o The *overwhelming majority* of violent felony arrestees were *male* (89.8% in 1987). However, the number of female arrests rose at a much greater rate (+37.6%) over the five-year period than male arrests which rose +13.3 percent. As a result, the overall proportion of violent felony arrests represented by females statewide increased from 8.7 percent in 1983 to 10.2 percent in 1987.
- o *The increase in female arrests may be linked to the increase in Assault arrests. Assault had the highest ratio of female arrestees* of any single category (15.9%) and experienced the *largest increase in arrests* of any violent felony category.
- o *Female violent felony arrests rose at a much greater rate in New York City (+42.6%) than in Suburban New York City (+10.0%) and Upstate (+9.2%).*

TABLE 8**Median Age in Years of 1987 Violent Felony Arrestees
by Offense Type and Region**

<u>Offense Type</u>	<u>New York State</u>	<u>New York City</u>	<u>Suburban NYC</u>	<u>Upstate NY</u>
Assault	26.9	27.4	24.9	25.4
Homicide	24.4	24.2	26.1	27.4
Sex Offenses	27.8	27.7	26.4	28.2
Burglary	23.5	25.4	22.0	20.7
Robbery	22.6	22.6	22.3	22.8
Weapons	24.3	23.9	24.5	28.5
Other	27.0	27.1	27.2	26.7
All Violent Felony Offenders Arrested	24.6	24.9	23.5	23.8
All Non-Violent Felony Offenders Arrested	25.5	25.7	24.4	25.5

TABLE 9
Race of 1987 Violent and Non-Violent Felony Arrestees*
by State and Region

	<u>New York State</u>	<u>New York City</u>	<u>Suburban NYC</u>	<u>Upstate</u>
Black				
Violent Felony	37,608 56.1%	30,781 60.1%	2,584 51.9%	4,243 39.6%
Non-Violent Felony	47,788 41.8%	37,111 46.0%	4,777 42.4%	5,900 26.5%
Hispanic				
Violent Felony	14,496 21.6%	14,000 27.3%	304 6.1%	192 1.8%
Non-Violent Felony	35,239 30.8%	34,097 42.2%	753 6.7%	389 1.7%
White				
Violent Felony	13,859 20.7%	5,653 11.0%	2,067 41.5%	6,139 57.2%
Non-Violent Felony	30,200 26.4%	8,784 10.9%	5,673 50.3%	15,743 70.6%
Other				
Violent Felony	1,071 1.6%	889 1.7%	25 0.5%	151 1.4%
Non-Violent Felony	1,082 0.9%	747 0.9%	66 0.6%	269 1.2%

*Adding violent felony and non-violent felony figures together will not give the total number of arrest events. The violent felony data file includes some arrest events where a non-violent felony was the most serious charge, and the violent felony was an underlying charge. These rare events are also included in the non-violent felony arrest counts shown here, resulting in an inflated number of total felony arrests when the two categories are combined.

II. CRIMINAL JUSTICE PROCESSING

PROSECUTION HIGHLIGHTS

Trend in Upper Court Prosecution Rates: Violent Felony and Non-Violent Felony

- o There has been an overall *decline* in the proportion of violent felony arrests being processed through the upper courts. Approximately one-third of all violent felony arrests disposed in 1987 were upper court prosecutions, down from 40.7 percent in 1983. Much of this decrease can be attributed to a *rise in the proportion of violent felony arrests that are of a lower felony class* (most notably Assaults) *which decreases the likelihood of upper court prosecutions*.
- o In contrast, there has been an *increasing proportion of non-violent felonies* being processed through the upper courts, from 24.6 percent in 1983 to 33.8 percent in 1987. This increase is largely due to *changes in felony drug prosecutions* as the proportion of felony drug arrests prosecuted in the upper courts rose from 35 percent (1983) to 51 percent (1987). *By 1987 both violent and non-violent felonies were being processed at approximately the same rate through the upper courts (about one-third of all violent and non-violent felony arrests).*

Probability of Prosecution in the Upper Courts:

- o The probability that a violent felony arrest would be processed in the upper courts *varied by the relative seriousness of the offense* as determined by class. In 1987 Homicide arrest cases were the most likely to be processed in the upper courts in New York State (69.8% upper court prosecution rate) while Assaults (which consists primarily of class C and D felonies) were the least likely (11.0%).
- o The upper court prosecution rate for violent felonies *varied by region* throughout the five-year period. Suburban New York City had the highest percentage of violent felony cases processed in the upper courts in both 1983 (50.2%) and 1987 (45.8%). New York City continued to have the lowest with 39.7 percent in 1983 and 30.9 percent in 1987. Upstate New York was the only region to experience little change in the proportion of violent felony arrests being prosecuted in the upper courts; 40.3 percent in 1983 and 41.0 percent in 1987.
- o Assault was the offense category showing the greatest disparity among regions in upper court prosecution rates. By 1987, Assault arrests were almost three times more likely to be prosecuted in the upper courts in the non-New York City areas than in New York City.
- o *For all offense categories but Weapons, upper court prosecution rates were higher in the non-New York City areas.* Upstate Weapons offenses were much less likely to be prosecuted in the upper courts (28.8%) than Suburban New York City (58.9%) and New York City (50.4%).

TABLE 10

**Proportion of 1987 Violent Felony Arrests
Prosecuted and Convicted in the Lower and Upper Courts
by Region and Offense Type**

Offense Type	<u>New York State</u>		<u>New York City</u>		<u>Suburban NYC</u>		<u>Upstate NY</u>	
	<u>Lower Court</u>	<u>Upper Court</u>	<u>Lower Court</u>	<u>Upper Court</u>	<u>Lower Court</u>	<u>Upper Court</u>	<u>Lower Court</u>	<u>Upper Court</u>
Assault Prosec.	85.4%	11.0%	88.2%	8.1%	77.4%	19.3%	72.6%	24.5%
Conviction Rate	41.3%	84.2%	37.7%	82.3%	63.7%	91.7%	55.3%	85.1%
Overall Conv. Rate	44.5%		39.9%		66.8%		61.0%	
Homicide Prosec.	27.5%	69.8%	29.5%	67.7%	6.4%	89.6%	17.6%	81.8%
Conviction Rate	13.9%	80.6%	15.5%	79.7%	12.5%*	88.4%	24.2%	85.0%
Overall Conv. Rate	60.1%		57.8%		80.0%		73.8%	
Sex Offenses Pros.	52.3%	42.6%	62.0%	33.8%	40.4%	48.8%	39.1%	56.1%
Conviction Rate	31.1%	84.7%	21.7%	82.8%	53.6%	86.2%	49.8%	86.4%
Overall Conv. Rate	52.3%		41.4%		63.7%		67.9%	
Burglary Prosec.	59.5%	38.2%	65.4%	31.8%	42.7%	55.5%	55.1%	43.2%
Conviction Rate	50.8%	93.8%	45.7%	92.9%	64.0%	95.0%	58.7%	94.5%
Overall Conv. Rate	66.0%		59.4%		80.1%		73.2%	
Robbery Prosec.	52.3%	42.3%	54.0%	40.5%	35.9%	60.4%	41.2%	53.6%
Conviction Rate	31.1%	87.9%	29.4%	87.2%	50.3%	93.5%	49.7%	90.3%
Overall Conv. Rate	53.4%		51.2%		74.5%		68.9%	
Weapon Prosec.	46.3%	49.1%	44.9%	50.4%	35.5%	58.9%	68.5%	28.8%
Conviction Rate	29.9%	80.5%	23.0%	79.9%	56.8%	87.0%	73.4%	86.7%
Overall Conv. Rate	53.4%		50.6%		71.4%		75.2%	
Other Prosec.	53.1%	43.9%	57.5%	39.3%	24.7%	71.6%	54.0%	44.0%
Conviction Rate	36.2%	84.7%	29.9%	81.7%	65.0%	93.1%	51.9%	86.4%
Overall Conv. Rate	56.4%		49.3%		82.7%		66.0%	
Total Violent Felony Offenses	62.5%	33.4%	64.7%	30.9%	51.3%	45.8%	56.0%	41.0%
Conviction Rate	38.2%	86.5%	33.9%	85.1%	60.7%	92.2%	56.2%	89.5%
Overall Conv. Rate	52.8%		48.2%		72.9%		68.2%	
Total Non-violent Felony Offenses	64.0%	33.8%	65.6%	31.8%	55.1%	43.7%	61.9%	36.8%
Conviction Rate	59.1%	91.8%	56.0%	90.9%	72.8%	94.8%	66.3%	93.0%
Overall Conv. Rate	68.8%		65.7%		81.6%		75.3%	

Note: Percent of cases processed does not equal 100 percent. Decline to prosecute actions or failure to return a bill of indictment account for the difference.

*Less than 10 cases.

CONVICTION HIGHLIGHTS

Overall Conviction Rates:

- o *A smaller proportion of violent felony dispositions resulted in a conviction to some charge (overall conviction rate) in 1987 (52.8%) than in 1983 (60.6%).* In actual numbers there was a total of 30,664 convictions in 1987, down 7.1 percent from the 32,993 reported in 1983.
- o The decrease in the overall conviction rate is in part a function of *fewer cases reaching the upper court* for prosecution. The upper court conviction rate is very high and actually *increased* slightly during the five-year period, from 84.6 percent in 1983 to 86.5 percent in 1987. However, this increase in upper court conviction rate was not great enough to offset the decrease in the upper court prosecution rate which consequently affected the overall conviction rate.
- o In comparison, a higher proportion of non-violent felony dispositions resulted in a conviction to some charge in 1983 (72.7%) and in 1987 (68.8%) than violent felonies. Although the overall conviction rate for both violent felonies and non-violent felonies decreased between 1983 and 1987, the decrease in the overall conviction rate for violent felonies was more than double that of non-violent felonies. Again, the increase in convictions stemming from felony drug arrests has had the effect of moderating the decline in the non-violent felony overall conviction rate.
- o In 1987, *Suburban New York City had the highest overall conviction rate* for violent felony arrests (72.9%) followed by the Upstate (68.2%) and New York City (48.3%) areas. This conviction rate declined steadily over the five-year period only in New York City. In the Suburban New York City counties, the conviction rate rose from 71.9 percent in 1983 to 77.5 percent in 1985, and then declined to 72.9 percent in 1987. The conviction rate remained essentially unchanged Upstate (approximately 68%).
- o The overall conviction rate *varied* in accordance with the specific violent felony arrest charge. In 1987, violent felony *Burglary arrests had the highest overall conviction rate* of any offense (66.0%) followed by Homicide (60.1%). *Assault had the lowest* at 44.5 percent.

Rate of Conviction to a Felony:

- o The proportion of violent felony arrests that led to a felony conviction (felony conviction rate) remained relatively *stable* throughout the period (53% in 1983 and 51% in 1987).
- o While the felony conviction rate was greater when an offender was arrested for a violent felony, the non-violent felony rate exhibited a more dramatic increase over the five-year period (40.8% in 1987 up from 25.7% in 1983). Regionally, the felony conviction rate for violent felonies in 1987 was greater in both New York City and Suburban New York City (52%) than Upstate (48%), although this gap was larger in the earlier years (55% versus 44% respectively, in 1983).

Rate of Conviction to a Violent Felony:

- o Approximately 40 percent of all violent felony arrests disposed as a conviction in 1987 were convictions for violent felony offenses. This was a decline from the 1983 violent felony conviction rate of 45 percent.
- o *Statewide, Robbery offenses comprised the largest single category of violent felony convictions* (41% in 1987). In the non-New York City areas the largest category of violent felony convictions was for Burglary (39.6% in Suburban New York City and 33.9% Upstate).
- o Among regions, the *Upstate area had the lowest rate of conviction to a violent felony*. In 1987, 32.5 percent of the Upstate violent felony arrests that resulted in a conviction were convictions to violent felony offenses as compared with 44.9 percent in Suburban New York City and 41.9 percent in New York City.

Prior Criminal History of Convicted Violent Felony Offenders:

- o *The majority of offenders (approximately three-quarters) convicted of a violent felony in 1987 had a prior arrest record (76.3%) and approximately one-half had a prior conviction (52.8%). New York City convictees were much more likely to have had a prior felony arrest than those in any other region. Suburban New York City violent felony convictees were the least likely to have had a prior conviction to any crime.*

TABLE 11

**Prior Criminal History of 1987 Offenders
Convicted of Violent Felony Offenses by Region**

Prior Criminal History of Convicted Offenders	New York State		New York City		Suburban NYC		Upstate	
	N	%	N	%	N	%	N	%
Prior Arrests								
Prior Fel. Arrests	8,541	68.6%	6,677	71.8%	846	59.8%	1018	58.7%
Prior Misd. Arrests Only	962	7.7%	517	5.6%	191	13.5%	254	14.7%
No Prior Felony or Misdemeanor Arrests	2,944	23.7%	2,105	22.6%	378	26.7%	461	26.6%
Prior Convictions								
Prior Fel. Convic.	3,930	31.6%	2,989	32.1%	420	29.7%	521	30.1%
Prior Misd. Convic. Only	2,639	21.2%	1,949	21.0%	266	18.8%	424	24.5%
No Prior Felony or Misdemeanor Convic.	5,878	47.2%	4,361	46.9%	729	51.5%	788	45.5%
Total Violent Felony Convictions	12,447	100.0%	9,299	100.0%*	1,415	100.0%*	1,733	100.0%*

*Percents may not total to 100 due to rounding.

SENTENCING HIGHLIGHTS

Incarceration Rate:

For Violent Felony Arrests Leading to Any Conviction

- o Statewide, the incarceration rate for all convictions resulting from violent felony arrests *increased* between 1983 and 1987. Incarcerative sentences were imposed in 59.7 percent of the convictions in 1987. This was an increase from the 56.2 percent rate in 1983. Regionally, Suburban New York City maintained the highest incarceration rate (63.9% in 1987) followed by Upstate (60.1%) and New York City (59.0%).

For Non-Violent Felony Arrests Leading to Any Conviction

- o In contrast, the incarceration rate for non-violent felonies rose more dramatically, from 43.8 percent of all convictions in 1983 to 54.7 percent in 1987. Again, this is attributed to harsher drug offense sentencing where 70 percent of the convictions from felony drug arrests resulted in an incarcerative sentence in 1987 (up from 50% in 1983).

For Violent Felony Arrests Resulting in a Violent Felony Conviction

- o The incarceration rate varied by conviction charge. Homicide convictions had the highest incarceration rate of any violent felony conviction (99.0%) for all regions, followed by Robbery convictions at 86.7 percent. *The lowest incarceration rate statewide was for violent felony Weapons convictions at 56.6 percent in 1987.*

Incarcerative Sentences:

For Violent Felony Arrests Leading to Any Conviction

- o Throughout the five-year period, sentences of *prison and jail* for convictions from violent felony arrests made up *equal proportions* of the total incarcerative sentences statewide. However, in the non-New York City areas, jail sentences comprised a larger proportion of incarcerations (approximately 60%) than prison sentences.

For Violent Felony Arrests Resulting in a Violent Felony Conviction

- o If the violent felony arrest resulted in a violent felony conviction, the offender had an eight in ten chance of receiving an incarcerative sentence in 1987 which is approximately the same probability as in 1983 (78.3%). A slightly higher percentage of violent felony convictions in the Suburban New York City and Upstate region (84%) resulted in incarcerative sentences than in New York City (80.2%).

Non-Incarcerative Sentences:

- o Of those violent felony arrests disposed in 1987 that led to a conviction to any charge, 40.3 percent received a non-incarcerative sentence with probation accounting for 17.1 percent of all sentences.
- o Statewide, 18.9 percent of 1987 convicted violent felons were given non-incarcerative sentences with probation accounting for 18.2 percent of all sentences imposed. *Probation was utilized more frequently in New York City (19.8%) and Upstate (16.6%) than in the Suburban New York City area (15.7%).*

Median-Minimum/Median-Maximum Prison Terms for Violent Felony Convictions:

(Note: For the purposes of this study all "life" maximum sentences were eliminated in calculating the median-maximum prison terms, and the number is noted where appropriate. Exceptions to this were for Class A violent felony convictions and Homicide convictions where the large number receiving life-maximum sentences caused the median-maximum Class A and Homicide prison terms to be life.)

- o The median-minimum and median-maximum prison terms for violent felony convictions has stayed about the same from 1983 through 1987 (30 months and 72 months). This stability was true for all regions of the State, although the median-minimum was greater Upstate (35.5 months).
- o In contrast, non-violent felony prison sentences in New York State, although stable throughout the period, were shorter; with a median-minimum/median-maximum prison term in 1987 of 23.6 and 47.9 months (two and four years).
- o Homicide had the longest median-minimum/median-maximum prison sentence of any offense category in New York State in 1987 with a median-minimum of 100 months and a median-maximum of Life. (When excluding those maximums set at life the median-maximum sentence was 180 months.) *Weapons convictions had the shortest median-minimum (24 months) and median-maximum (48 months) prison sentences.*
- o By class of offense, the median-minimum/median-maximum prison sentences for violent felony convictions in New York State for 1987 were as follows:

Class	Median Minimum (months)	Median Maximum (months)	No. of Cases Receiving Life Maximum	Total Number of Cases
Class A	240.9	Life*	308	324
Class B	54.1	143.7	47	2217
Class C	35.6	72.2	25	2678
Class D	24.0	48.5	32	2155
Class E	19.0	36.9	6	172

TABLE 12
SENTENCING FOR 1987 VIOLENT FELONY CONVICTIONS

NEW YORK STATE

<u>SENTENCE TYPE</u>	<u>ASSAULT</u>	<u>HOMICIDE</u>	<u>SEX OFF.</u>	<u>BURGLARY</u>	<u>ROBBERY</u>	<u>WEAPONS</u>	<u>KIDNAP, ARSON, INTIM.</u>	<u>NON-TOP CHARGE**</u>	<u>TOTAL</u>
Prison	502 44.5%	812 98.3%	541 60.2%	1,350 58.2%	3,582 70.2%	594 30.5%	92 88.5%	73 63.5%	7,546 60.6%
Jail	386 34.2%	6 0.7%	203 22.6%	568 24.5%	842 16.5%	509 26.1%	3 2.9%	35 30.4%	2,552 20.5%
Probation	229 20.3%	8 1.0%	154 17.1%	397 17.1%	674 13.2%	785 40.3%	9 8.7%	6 5.2%	2,262 18.2%
Fine	1 0.1%	0 0.0%	0 0.0%	0 0.0%	1 0.0%	38 1.9%	0 0.0%	0 0.0%	40 0.3%
Other	11 1.0%	0 0.0%	0 0.0%	4 0.2%	7 0.1%	24 1.2%	0 0.0%	1 0.9%	47 0.4%
Total*	1,129 9.1%	826 6.6%	898 7.2%	2,319 18.6%	5,106 41.0%	1,950 15.7%	104 0.8%	115 0.9%	12,447 100.0%

NEW YORK CITY

Prison	327 45.0%	670 98.2%	269 67.4%	828 70.6%	3,073 70.0%	517 29.4%	62 89.9%	63 64.9%	5,809 62.5%
Jail	233 32.1%	4 0.6%	50 12.5%	194 16.6%	694 15.8%	447 25.4%	1 1.4%	27 27.8%	1,650 17.7%
Probation	157 21.6%	8 1.2%	80 20.1%	150 12.8%	620 14.1%	738 41.9%	6 8.7%	6 6.2%	1,765 19.0%
Fine	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	36 2.0%	0 0.0%	0 0.0%	36 0.4%
Other	9 1.2%	0 0.0%	0 0.0%	0 0.0%	6 0.1%	23 1.3%	0 0.0%	1 1.0%	39 0.4%
Total*	726 7.8%	682 7.3%	399 4.3%	1,172 12.6%	4,393 47.2%	1,761 18.9%	69 0.7%	97 1.0%	9,299 100.0%

*Percents may not add to 100 due to rounding.

**Includes those felony dispositions that contain multiple convictions of which a non-violent felony is the most serious and a violent felony is the secondary or less serious conviction. In these instances, the secondary conviction charge is only identified as a violent felony and not by specific offense type.

TABLE 13

SENTENCING FOR 1987 VIOLENT FELONY CONVICTIONS

SUBURBAN NEW YORK CITY REGION

<u>SENTENCE TYPE</u>	<u>ASSAULT</u>	<u>HOMICIDE</u>	<u>SEX OFF.</u>	<u>BURGLARY</u>	<u>ROBBERY</u>	<u>WEAPONS</u>	<u>KIDNAP, ARSON, INTIM.</u>	<u>NON-TOP CHARGE**</u>	<u>TOTAL</u>
Prison	66 44.0%	65 98.5%	69 65.1%	257 45.9%	291 71.7%	38 36.2%	9 90.0%	7 58.3%	802 56.7%
Jail	55 36.7%	1 1.5%	23 21.7%	182 32.5%	85 20.9%	40 38.1%	0 0.0%	5 41.7%	391 27.6%
Probation	29 19.3%	0 0.0%	14 13.2%	120 21.4%	29 7.1%	25 23.8%	1 10.0%	0 0.0%	218 15.4%
Fine	0 0.0%	0 0.0%	0 0.0%	0 0.0%	1 0.2%	2 1.9%	0 0.0%	0 0.0%	3 0.2%
Other	0 0.0%	0 0.0%	0 0.0%	1 0.2%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	1 0.1%
Total*	150 10.6%	66 4.7%	106 7.5%	560 39.6%	406 28.7%	105 7.4%	10 0.7%	12 0.8%	1,415 100.0%

UPSTATE NEW YORK REGION

Prison	109 43.1%	77 98.7%	203 51.7%	265 45.1%	218 71.0%	39 46.4%	21 84.0%	3 50.0%	935 54.0%
Jail	98 38.7%	1 1.3%	130 33.1%	192 32.7%	63 20.5%	22 26.2%	2 8.0%	3 50.0%	511 29.5%
Probation	43 17.0%	0 0.0%	60 15.3%	127 21.6%	25 8.1%	22 26.2%	2 8.0%	0 0.0%	279 16.1%
Fine	1 0.4%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	1 0.1%
Other	2 0.8%	0 0.0%	0 0.0%	3 0.5%	1 0.3%	1 1.2%	0 0.0%	0 0.0%	7 0.4%
Total*	253 14.6%	78 4.5%	393 22.7%	587 33.9%	307 17.7%	84 4.8%	25 1.4%	6 0.3%	1,733 100.0%

*Percents may not add to 100 due to rounding.

**Includes those felony dispositions that contain multiple convictions of which a non-violent felony is the most serious and a violent felony is the secondary or less serious conviction. In these instances, the secondary conviction charge is only identified as a violent felony and not by specific offense type.

TABLE 14

**Median Minimum-Maximum Prison Sentences in Months
for 1987 Violent Felony Convictions**

	<u>New York State</u>	<u>New York City</u>	<u>Suburban New York City</u>	<u>Upstate</u>
Assault				
Median Min.-Max.	24.3-60.2	24.4-60.9	24.0-54.9	24.7-59.8
Cases Life Max.	8	5	1	2
Homicide				
Median Min.-Max.	99.7-180.6	90.3-180.0	179.5-222.0	181.0-240.0
Cases Life Max.	295	219	35	41
Sex Offenses				
Median Min.-Max.	36.0-90.0	36.5-96.9	42.5-105.6	30.1-73.5
Cases Life Max.	9	4	2	2
Burglary				
Median Min.-Max.	29.8-71.3	29.9-71.1	29.8-71.5	29.6-70.5
Cases Life Max.	25	21	2	2
Robbery				
Median Min.-Max.	30.2-72.2	30.1-72.2	30.2-72.7	36.3-93.2
Cases Life Max.	50	41	2	7
Weapons				
Median Min.-Max.	23.8-48.3	23.8-48.3	19.0-49.3	23.7-50.3
Cases Life Max.	13	13	---	---
Kidnap, Arson, Intim.				
Median Min.-Max.	31.0-74.7	30.3-74.3	60.0-90.0	40.0-75.0
Cases Life Max.	6	4	1	1
Non-Top Charge*				
Median Min.-Max.	24.6-54.0	24.1-50.6	60.0-90.0	28.0-84.0
Cases Life Max.	12	10	2	---
Total Violent Felony				
Median Min.-Max.	30.3-72.1	30.2-72.1	30.4-72.3	35.5-72.3
Cases Life Max.	418	317	45	56

*Includes those felony dispositions that contain multiple convictions of which a non-violent felony is the most serious and a violent felony is the secondary or less serious conviction. In these instances, the secondary conviction charge is only identified as a violent felony and not by specific offense type.

III. SPECIFIC VIOLENT FELONY OFFENSE CATEGORIES

PL 120 - ASSAULT

Arrests:

- o There were 22,187 violent felony Assault arrests reported in 1987 accounting for approximately one-third of the State's total number of violent felony arrests and representing a 37 percent increase from the 16,178 violent felony Assault arrests reported in 1983. This was by far the *largest increase statewide of any offense category*.

Characteristics of Arrestees:

- o The median age of 1987 New York State Assault arrestees at time of arrest was 26.9 years. Suburban New York City had the lowest median age, 24.9 years.
- o Fifty-six percent of the violent felony Assault arrestees in New York State in 1987 were reported as black, 21.3 percent were reported as Hispanic, 20.7 percent as white and 1.6 percent were classified as other/unknown.
- o Of the major violent felony arrest categories, *Assault had the highest proportion of female arrestees* (15.9% in 1987). Only the *combined* category of Kidnapping, Arson and Intimidation had a higher proportion (17.4%).

Prosecutions:

- o Assault had the *lowest proportion of cases processed through the upper courts* of any offense category throughout the five-year period. Only 11 percent of the Assault arrests disposed in 1987 were processed in the upper courts. Over 84.2 percent of those upper court prosecutions resulted in a conviction.

Convictions:

- o The *Assault overall conviction rate was the lowest* of any violent felony offense category in the State (44.5% in 1987). This rate declined consistently from the 1983 rate of 52.5 percent despite an increase in the upper court conviction rate (from 78.2% in 1983 to 84.2% in 1987). Among regions in 1987, New York City had the lowest Assault overall conviction rate (39.9%) compared to Suburban New York City (66.8%) and Upstate (61.0%).
- o Of those violent felony Assault arrests disposed as convictions in 1987, only 16.9 percent were convictions to a felony. *Assault had the lowest felony conviction rate of any offense category*. Over 43 percent were convictions to a misdemeanor and 39.6 percent were convictions to a lesser offense. *There were 1,129 violent felony Assault convictions in New York State in 1987*.

Sentencing:

- o Forty-one percent of Assault arrestees convicted of some charge in 1987 were incarcerated. This rate was highest Upstate (49.8%), followed by Suburban New York City (43.9%), and New York City (38.3%).
- o In New York State in 1987, 78.7 percent of violent felony Assault convictees were incarcerated (44.5% prison and 34.2% jail).
- o The median-minimum/median-maximum prison sentence for a violent felony Assault conviction (excluding life-maximum sentences) in New York State in 1987 was 24.3 months and 60.2 months. There were 8 life-maximum prison terms for Assault.

TABLE 15

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ASSAULT ARRESTS DISPOSED

NEW YORK STATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	14763	15606	17515	18038	18843
NOT PROSECUTED	600	733	762	763	665
PROSECUTED	14163	14873	16753	17275	18178
PROSECUTED, LOWER COURT	12321	12989	14721	15119	16100
DISMISSED	5832	6252	7309	8003	9282
ACQUITTED	138	103	162	148	123
CONVICTED	6311	6604	7218	6907	6651
PRISON	3	3	3	0	2
JAIL	1209	1272	1516	1621	1420
TIME SERVED	433	532	593	536	652
JAIL AND PROBATION	142	170	166	137	134
PROBATION	801	774	820	688	672
PROBATION AND FINE	40	55	59	49	50
FINE	1033	1096	1188	1115	806
FINE AND CONDITIONAL DISCHARGE	180	149	181	177	138
FINE AND LICENSE SUSPENDED	7	8	10	13	6
CONDITIONAL DISCHARGE	2278	2336	2500	2403	2546
UNCONDITIONAL DISCHARGE	122	103	89	60	74
OTHER/UNKNOWN	63	106	93	108	151
% YOUTHFUL OFFENDERS	4.4%	4.1%	3.9%	3.3%	3.6%
OTHER DISPOSITION	40	30	32	61	44
PROSECUTED, UPPER COURT	1840	1879	2024	2146	2070
DISMISSED	278	255	195	194	200
ACQUITTED	108	112	107	135	117
CONVICTED	1439	1486	1692	1783	1742
PRISON	430	491	522	587	622
JAIL	283	255	312	300	272
TIME SERVED	26	23	26	25	16
JAIL AND PROBATION	261	265	325	361	314
PROBATION	328	368	418	406	411
PROBATION AND FINE	13	21	25	29	25
FINE	8	13	10	10	7
FINE AND CONDITIONAL DISCHARGE	17	9	8	15	9
FINE AND LICENSE SUSPENDED	1	2	1	0	0
CONDITIONAL DISCHARGE	52	36	33	38	55
UNCONDITIONAL DISCHARGE	19	2	11	7	7
OTHER/UNKNOWN	1	1	1	5	4
% YOUTHFUL OFFENDERS	9.1%	9.0%	9.2%	8.2%	8.7%
OTHER DISPOSITION	15	26	30	34	11
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	2	5	8	10	8
CONVICTION RATE (% OF ALL DISPOSED)	52.5%	51.8%	50.9%	48.2%	44.5%
% OF CONVICTION: TO FELONIES	14.2%	14.8%	15.2%	16.7%	16.9%
: TO MISDEMEANORS	47.9%	45.6%	45.3%	44.0%	43.5%
: TO LESSER OFFENSES	37.9%	39.7%	39.5%	39.3%	39.6%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 16

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ASSAULT ARRESTS DISPOSED

NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	10870	11922	13433	13991	15092
NOT PROSECUTED	558	694	676	654	554
PROSECUTED	10312	11228	12757	13337	14538
PROSECUTED, LOWER COURT	9375	10200	11636	12134	13309
DISMISSED	4696	5206	6165	6835	8176
ACQUITTED	108	75	124	119	94
CONVICTED	4552	4906	5328	5139	5017
PRISON	0	1	2	0	2
JAIL	826	926	1094	1171	1033
TIME SERVED	356	416	489	422	521
JAIL AND PROBATION	39	43	31	36	46
PROBATION	436	435	402	323	350
PROBATION AND FINE	9	11	11	11	7
FINE	749	817	874	850	599
FINE AND CONDITIONAL DISCHARGE	72	62	69	71	48
FINE AND LICENSE SUSPENDED	4	0	1	3	2
CONDITIONAL DISCHARGE	1919	2024	2228	2137	2285
UNCONDITIONAL DISCHARGE	103	88	63	45	60
OTHER/UNKNOWN	39	83	64	70	64
% YOUTHFUL OFFENDERS	2.8%	2.5%	2.3%	1.4%	2.1%
OTHER DISPOSITION	19	13	19	41	22
PROSECUTED, UPPER COURT	935	1025	1116	1199	1223
DISMISSED	142	157	108	113	137
ACQUITTED	57	74	65	77	73
CONVICTED	727	780	926	994	1006
PRISON	253	297	330	376	396
JAIL	117	116	143	135	129
TIME SERVED	11	11	14	10	12
JAIL AND PROBATION	124	119	167	192	169
PROBATION	183	197	223	230	247
PROBATION AND FINE	8	11	12	13	10
FINE	1	2	1	4	4
FINE AND CONDITIONAL DISCHARGE	5	3	5	8	6
FINE AND LICENSE SUSPENDED	0	0	1	0	0
CONDITIONAL DISCHARGE	18	23	23	23	30
UNCONDITIONAL DISCHARGE	7	1	7	3	3
OTHER/UNKNOWN	0	0	0	0	0
% YOUTHFUL OFFENDERS	8.1%	8.7%	8.9%	7.8%	9.1%
OTHER DISPOSITION	9	14	17	15	7
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	2	3	5	4	6
CONVICTION RATE (% OF ALL DISPOSED)	48.6%	47.7%	46.6%	43.8%	39.9%
% OF CONVICTION: TO FELONIES	12.0%	12.1%	12.9%	14.5%	14.6%
: TO MISDEMEANORS	41.8%	39.3%	38.6%	37.7%	38.0%
: TO LESSER OFFENSES	46.2%	48.6%	48.5%	47.8%	47.5%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 17

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ASSAULT ARRESTS DISPOSED

SUBURBAN NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	1406	1393	1546	1506	1398
NOT PROSECUTED	18	28	30	63	44
PROSECUTED	1388	1365	1516	1443	1354
PROSECUTED, LOWER COURT	1068	1054	1165	1098	1082
DISMISSED	359	312	347	368	368
ACQUITTED	14	15	12	12	18
CONVICTED	682	721	802	710	689
PRISON	1	0	0	0	0
JAIL	124	120	160	164	173
TIME SERVED	28	47	41	41	47
JAIL AND PROBATION	36	41	38	28	26
PROBATION	156	155	179	150	147
PROBATION AND FINE	12	18	18	20	20
FINE	120	141	164	116	89
FINE AND CONDITIONAL DISCHARGE	51	44	47	52	40
FINE AND LICENSE SUSPENDED	2	2	0	3	1
CONDITIONAL DISCHARGE	129	133	117	92	90
UNCONDITIONAL DISCHARGE	9	6	15	10	10
OTHER/UNKNOWN	14	14	23	34	46
% YOUTHFUL OFFENDERS	10.7%	10.7%	9.9%	8.7%	7.7%
OTHER DISPOSITION	13	6	4	8	7
PROSECUTED, UPPER COURT	320	310	349	340	270
DISMISSED	49	13	13	17	14
ACQUITTED	10	17	18	20	9
CONVICTED	259	272	309	290	245
PRISON	42	76	64	60	73
JAIL	59	41	62	54	38
TIME SERVED	7	2	9	9	4
JAIL AND PROBATION	48	64	77	70	49
PROBATION	68	74	84	77	67
PROBATION AND FINE	0	3	3	7	1
FINE	6	5	4	5	0
FINE AND CONDITIONAL DISCHARGE	7	3	1	2	2
FINE AND LICENSE SUSPENDED	0	1	0	0	0
CONDITIONAL DISCHARGE	18	2	3	4	9
UNCONDITIONAL DISCHARGE	4	0	1	0	0
OTHER/UNKNOWN	0	1	1	2	2
% YOUTHFUL OFFENDERS	11.2%	16.2%	11.0%	10.3%	9.8%
OTHER DISPOSITION	2	8	9	13	2
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	1	2	5	2
CONVICTION RATE (% OF ALL DISPOSED)	66.9%	71.3%	71.9%	66.4%	66.8%
% OF CONVICTION: TO FELONIES	14.9%	20.6%	19.6%	19.0%	18.7%
: TO MISDEMEANORS	59.8%	56.1%	60.0%	59.4%	57.7%
: TO LESSER OFFENSES	25.3%	23.3%	20.3%	21.6%	23.6%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 18

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ASSAULT ARRESTS DISPOSED

UPSTATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	2487	2291	2536	2541	2353
NOT PROSECUTED	24	11	56	46	67
PROSECUTED	2463	2280	2480	2495	2286
PROSECUTED, LOWER COURT	1878	1735	1920	1887	1709
DISMISSED	777	734	797	800	738
ACQUITTED	16	13	26	17	11
CONVICTED	1077	977	1088	1058	945
PRISON	2	2	1	0	0
JAIL	259	226	262	286	214
TIME SERVED	49	69	63	73	84
JAIL AND PROBATION	67	86	97	73	62
PROBATION	209	184	239	215	175
PROBATION AND FINE	19	26	30	18	23
FINE	164	138	150	149	118
FINE AND CONDITIONAL DISCHARGE	57	43	65	54	50
FINE AND LICENSE SUSPENDED	1	6	9	7	3
CONDITIONAL DISCHARGE	230	179	155	174	171
UNCONDITIONAL DISCHARGE	10	9	11	5	4
OTHER/UNKNOWN	10	9	6	4	41
% YOUTHFUL OFFENDERS	7.3%	7.1%	7.6%	8.6%	8.7%
OTHER DISPOSITION	8	11	9	12	15
PROSECUTED, UPPER COURT	585	544	559	607	577
DISMISSED	87	85	74	64	49
ACQUITTED	41	21	24	38	35
CONVICTED	453	434	457	499	491
PRISON	135	118	128	151	153
JAIL	107	98	107	111	105
TIME SERVED	8	10	3	6	0
JAIL AND PROBATION	89	82	81	99	96
PROBATION	77	97	111	99	97
PROBATION AND FINE	5	7	10	9	14
FINE	1	6	5	1	3
FINE AND CONDITIONAL DISCHARGE	5	3	2	5	1
FINE AND LICENSE SUSPENDED	1	1	0	0	0
CONDITIONAL DISCHARGE	16	11	7	11	16
UNCONDITIONAL DISCHARGE	8	1	3	4	4
OTHER/UNKNOWN	1	0	0	3	2
% YOUTHFUL OFFENDERS	9.5%	5.1%	8.5%	7.8%	7.3%
OTHER DISPOSITION	4	4	4	6	2
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	1	1	1	0
CONVICTION RATE (% OF ALL DISPOSED)	61.5%	61.6%	60.9%	61.3%	61.0%
% OF CONVICTION: TO FELONIES	21.4%	21.5%	21.6%	23.9%	25.2%
: TO MISDEMEANORS	61.3%	63.4%	61.6%	59.1%	57.5%
: TO LESSER OFFENSES	17.3%	15.1%	16.8%	17.0%	17.3%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

PL 125 - HOMICIDE

Arrests:

- o In 1987, 2,764 Homicide arrests were reported in New York State accounting for about 4 percent of the State's total violent felony arrests. Based on 1983 figures (3,008), Homicide arrests decreased 8 percent over the five-year period. This decrease actually occurred only in the early years of the period, with increases reported in 1986 (+7.5%) and again in 1987 (+1.8%).
- o Homicide arrests were particularly a New York City phenomenon; approximately 86 percent of the State's Homicide arrests occurred in New York City in 1987.

Characteristics of Arrestees:

- o New York State Homicide arrestees in 1987 had a median age of 24.4 years, while among regions, Upstate had the highest median age, 27.4 years. Approximately 15 percent of the Homicide arrestees statewide in 1987 were white, 55 percent black, and 28 percent were Hispanic. Ninety-four percent of all Homicide arrestees were reported as male.

Prosecutions:

- o Of the Homicide arrest cases disposed in 1987, almost 70 percent were prosecuted in the upper courts with approximately 80 percent of those upper court prosecutions leading to a conviction to some charge.

Convictions:

- o The overall conviction rate for Homicide fluctuated during the five-year period and averaged 65.4 percent. Statewide in 1987, this rate was 60.1 percent but there were large regional variations including Suburban New York City with the highest rate of 80 percent and New York City with the lowest at 57.8 percent.
- o Because of the severity of the offense, it is not surprising that Homicide is the violent felony arrest category having the highest felony conviction rate. In 1987, 91.5 percent of the convictions from the State's Homicide arrests were felony convictions. In Suburban New York City that rate was highest at 98 percent. *There were 826 violent felony Homicide convictions in New York State in 1987.*

Sentencing:

- o Of those Homicide arrests disposed in 1987 as a conviction to some charge, 87.9 percent were sentenced to incarceration. Of those resulting in a Homicide conviction in New York State that year, 99 percent were incarcerated (98.3% were sentenced to prison, 0.7% were sentenced to jail) and 1.0 percent (8 cases) received probation.
- o The median-minimum/median-maximum prison sentence for Homicide convictions (less those receiving a maximum of life) was 99.7 months and 180.6 months. There were 295 life-maximum sentences imposed for Homicide convictions in New York State in 1987.

TABLE 19

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY HOMICIDE ARRESTS DISPOSED

NEW YORK STATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	2891	2630	2551	2484	2513
NOT PROSECUTED	114	86	71	66	66
PROSECUTED	2777	2544	2480	2418	2447
PROSECUTED, LOWER COURT	617	558	544	556	691
DISMISSED	467	427	421	459	591
ACQUITTED	5	3	2	3	1
CONVICTED	144	125	119	92	96
PRISON	0	0	0	0	0
JAIL	36	26	29	19	21
TIME SERVED	11	8	6	9	11
JAIL AND PROBATION	0	0	3	4	4
PROBATION	29	32	14	18	13
PROBATION AND FINE	1	1	2	3	0
FINE	20	20	23	13	12
FINE AND CONDITIONAL DISCHARGE	8	4	3	2	0
FINE AND LICENSE SUSPENDED	0	1	1	0	0
CONDITIONAL DISCHARGE	38	29	37	22	33
UNCONDITIONAL DISCHARGE	1	3	0	1	2
OTHER/UNKNOWN	0	1	1	1	0
% YOUTHFUL OFFENDERS	3.5%	10.4%	0.8%	5.4%	5.2%
OTHER DISPOSITION	1	3	2	2	3
PROSECUTED, UPPER COURT	2159	1984	1934	1859	1754
DISMISSED	244	179	139	132	148
ACQUITTED	151	167	154	134	172
CONVICTED	1748	1620	1617	1576	1414
PRISON	1364	1318	1302	1272	1154
JAIL	87	76	87	53	67
TIME SERVED	9	5	9	6	13
JAIL AND PROBATION	90	82	74	81	58
PROBATION	167	120	126	140	107
PROBATION AND FINE	13	11	6	5	7
FINE	1	1	1	2	0
FINE AND CONDITIONAL DISCHARGE	3	0	6	2	3
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	10	7	3	13	5
UNCONDITIONAL DISCHARGE	3	0	2	1	0
OTHER/UNKNOWN	1	0	1	1	0
% YOUTHFUL OFFENDERS	3.8%	2.9%	2.7%	3.9%	3.3%
OTHER DISPOSITION	16	18	24	17	20
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	1	2	2	3	2
CONVICTION RATE (% OF ALL DISPOSED)	65.4%	66.3%	68.1%	67.1%	60.1%
% OF CONVICTION: TO FELONIES	89.9%	91.2%	90.6%	92.1%	91.5%
: TO MISDEMEANORS	7.7%	6.6%	6.9%	6.2%	6.6%
: TO LESSER OFFENSES	2.4%	2.2%	2.5%	1.7%	1.9%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 20

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY HOMICIDE ARRESTS DISPOSED

NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	2546	2310	2183	2132	2201
NOT PROSECUTED	109	84	64	60	60
PROSECUTED	2437	2226	2119	2072	2141
PROSECUTED, LOWER COURT	586	528	513	525	650
DISMISSED	440	408	395	442	560
ACQUITTED	5	2	2	3	1
CONVICTED	141	116	115	78	87
PRISON	0	0	0	0	0
JAIL	36	23	29	18	19
TIME SERVED	11	8	5	5	10
JAIL AND PROBATION	0	0	3	0	1
PROBATION	26	27	14	16	12
PROBATION AND FINE	1	1	2	1	0
FINE	20	20	21	13	10
FINE AND CONDITIONAL DISCHARGE	8	4	3	2	0
FINE AND LICENSE SUSPENDED	0	1	1	0	0
CONDITIONAL DISCHARGE	38	28	36	22	33
UNCONDITIONAL DISCHARGE	1	3	0	0	2
OTHER/UNKNOWN	0	1	1	1	0
% YOUTHFUL OFFENDERS	2.8%	7.8%	0.9%	5.1%	5.7%
OTHER DISPOSITION	0	2	1	2	2
PROSECUTED, UPPER COURT	1851	1697	1606	1544	1489
DISMISSED	230	166	124	118	134
ACQUITTED	133	147	135	121	153
CONVICTED	1475	1367	1325	1292	1185
PRISON	1139	1101	1041	1036	949
JAIL	74	66	79	45	52
TIME SERVED	9	5	9	4	12
JAIL AND PROBATION	78	67	66	67	51
PROBATION	147	109	113	117	106
PROBATION AND FINE	13	11	5	5	7
FINE	1	1	1	2	0
FINE AND CONDITIONAL DISCHARGE	3	0	6	2	3
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	8	7	3	13	5
UNCONDITIONAL DISCHARGE	3	0	1	1	0
OTHER/UNKNOWN	0	0	1	0	0
% YOUTHFUL OFFENDERS	3.8%	3.0%	2.9%	4.3%	3.6%
OTHER DISPOSITION	13	17	22	13	17
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	1	0	3	2
CONVICTION RATE (% OF ALL DISPOSED)	63.5%	64.2%	66.0%	64.3%	57.8%
% OF CONVICTION: TO FELONIES	88.8%	90.5%	89.4%	92.1%	91.2%
: TO MISDEMEANORS	8.4%	6.9%	7.6%	5.9%	6.5%
: TO LESSER OFFENSES	2.8%	2.6%	2.9%	2.0%	2.3%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 21

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY HOMICIDE ARRESTS DISPOSED

SUBURBAN NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	166	146	166	134	125
NOT PROSECUTED	4	2	4	2	5
PROSECUTED	162	144	162	132	120
PROSECUTED, LOWER COURT	17	17	9	7	8
DISMISSED	13	10	6	4	7
ACQUITTED	0	0	0	0	0
CONVICTED	3	6	2	3	1
PRISON	0	0	0	0	0
JAIL	0	1	0	0	1
TIME SERVED	0	0	0	1	0
JAIL AND PROBATION	0	0	0	0	0
PROBATION	3	4	0	1	0
PROBATION AND FINE	0	0	0	1	0
FINE	0	0	2	0	0
FINE AND CONDITIONAL DISCHARGE	0	0	0	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	0	1	0	0	0
UNCONDITIONAL DISCHARGE	0	0	0	0	0
OTHER/UNKNOWN	0	0	0	0	0
% YOUTHFUL OFFENDERS	33.3%	50.0%	0.0%	0.0%	0.0%
OTHER DISPOSITION	1	1	1	0	0
PROSECUTED, UPPER COURT	145	127	153	125	112
DISMISSED	6	5	3	4	5
ACQUITTED	3	7	7	2	7
CONVICTED	134	115	143	117	99
PRISON	111	96	125	91	89
JAIL	5	7	1	2	4
TIME SERVED	0	0	0	0	0
JAIL AND PROBATION	8	6	8	9	5
PROBATION	8	6	8	15	1
PROBATION AND FINE	0	0	1	0	0
FINE	0	0	0	0	0
FINE AND CONDITIONAL DISCHARGE	0	0	0	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	2	0	0	0	0
UNCONDITIONAL DISCHARGE	0	0	0	0	0
OTHER/UNKNOWN	0	0	0	0	0
% YOUTHFUL OFFENDERS	4.5%	4.3%	1.4%	4.3%	3.0%
OTHER DISPOSITION	2	0	0	2	1
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	0	0	0	0
CONVICTION RATE (% OF ALL DISPOSED)	82.5%	82.9%	87.3%	89.6%	80.0%
% OF CONVICTION: TO FELONIES	92.7%	92.6%	96.6%	95.8%	98.0%
: TO MISDEMEANORS	7.3%	6.6%	2.8%	3.3%	2.0%
: TO LESSER OFFENSES	0.0%	0.8%	0.7%	0.8%	0.0%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 22

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY HOMICIDE ARRESTS DISPOSED

UPSTATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	179	174	202	218	187
NOT PROSECUTED	1	0	3	4	1
PROSECUTED	178	174	199	214	186
PROSECUTED, LOWER COURT	14	13	22	24	33
DISMISSED	14	9	20	13	24
ACQUITTED	0	1	0	0	0
CONVICTED	0	3	2	11	8
PRISON	0	0	0	0	0
JAIL	0	2	0	1	1
TIME SERVED	0	0	1	3	1
JAIL AND PROBATION	0	0	0	4	3
PROBATION	0	1	0	1	1
PROBATION AND FINE	0	0	0	1	0
FINE	0	0	0	0	2
FINE AND CONDITIONAL DISCHARGE	0	0	0	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	0	0	1	0	0
UNCONDITIONAL DISCHARGE	0	0	0	1	0
OTHER/UNKNOWN	0	0	0	0	0
% YOUTHFUL OFFENDERS	0.0%	33.3%	0.0%	9.1%	0.0%
OTHER DISPOSITION	0	0	0	0	1
PROSECUTED, UPPER COURT	163	160	175	190	153
DISMISSED	8	8	12	10	9
ACQUITTED	15	13	12	11	12
CONVICTED	139	138	149	167	130
PRISON	114	121	136	145	116
JAIL	8	3	7	6	11
TIME SERVED	0	0	0	2	1
JAIL AND PROBATION	4	9	0	5	2
PROBATION	12	5	5	8	0
PROBATION AND FINE	0	0	0	0	0
FINE	0	0	0	0	0
FINE AND CONDITIONAL DISCHARGE	0	0	0	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	0	0	0	0	0
UNCONDITIONAL DISCHARGE	0	0	1	0	0
OTHER/UNKNOWN	1	0	0	1	0
% YOUTHFUL OFFENDERS	2.9%	0.7%	2.0%	0.6%	0.8%
OTHER DISPOSITION	1	1	2	2	2
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	1	1	2	0	0
CONVICTION RATE (% OF ALL DISPOSED)	77.7%	81.0%	74.8%	81.7%	73.8%
% OF CONVICTION: TO FELONIES	99.3%	97.2%	96.0%	89.9%	89.9%
: TO MISDEMEANORS	0.0%	2.8%	4.0%	10.1%	10.1%
: TO LESSER OFFENSES	0.7%	0.0%	0.0%	0.0%	0.0%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

PL 130 - SEX OFFENSES

Arrests:

- o In 1987, 3,955 violent felony Sex Offense arrests were made in New York State, representing an *increase* of 23.5 percent from the 3,202 arrests reported in 1983. Regionally, *Upstate New York had a dramatic increase* (almost +50% since 1983) while in New York City, the increase in such arrests was less than 12 percent.
- o Sex Offense arrests made up less than 6 percent of the total number of violent felony arrests reported in the State in 1987. However, while Upstate Sex Offense arrests accounted for approximately 14 percent of that region's violent felony arrests they accounted for 36.6 percent of the State's Sex Offense total. Suburban New York City accounted for 9.4 percent of the State's total Sex Offense arrests and New York City accounted for 54.0 percent.

Characteristics of Arrestees:

- o The median age of 1987 Sex Offense arrestees in New York State was 27.8 years. This was the *highest median age for any offense category*. The Upstate region median age was the highest among the regions; 28.3 years.
- o Whites made up 35.5 percent of the Sex Offense arrestees in 1987, blacks 46.3 percent, and Hispanics 16.6 percent. Almost 99 percent of the Sex Offense arrestees in the State were male. The Sex Offense category is noted as having the largest male proportion. (*The predominance of males in this arrest category is primarily due to the legal definitions of sex offenses in use during this period.*)

Prosecutions:

- o Of those arrests disposed in 1987, 1,447 (42.6%) were prosecuted in the upper courts and resulted in an 85 percent conviction rate. The upper court prosecution rate for Upstate was the highest of any region with 56 percent of the Sex Offense cases disposed being prosecuted in the upper courts. The Upstate upper court conviction rate was comparable to that of the State's (86.4%).

Convictions:

- o There has been little change in the overall conviction rate for Sex Offense arrests disposed (51.3% in 1983 and 52.3% in 1987). *Upstate showed a substantially higher overall conviction rate* in 1987 (67.9%) compared with Suburban New York City (63.7%) and New York City (41.4%).
- o *An increasing proportion of Sex Offense convictions has been to felony charges.* Fifty-four percent of the Sex Offense convictions in 1983 were to a felony, whereas 64.2 percent were to a felony in 1987. *There were 898 violent felony Sex Offense convictions in New York State in 1987.*

Sentencing:

- o Of the Sex Offense arrests disposed as a conviction to some charge, thirty-five percent were sentenced to prison, twenty-eight percent received jail terms and one-fourth were sentenced to probation. New York City was the least likely to incarcerate such an offender (55.7% of convictions) compared with Suburban New York City (67.5%) and Upstate (69.6%).
- o Of those arrests that led to a Sex Offense conviction, 82.8 percent received an incarcerative sentence and 17.1 percent were given probation. There was *little variation* among regions although Suburban New York City's sentencing was slightly harsher.
- o The median-minimum/median-maximum prison sentence for violent felony Sex Offense convictions (less those receiving a maximum of life) was 36 months and 90 months. There were 9 life-maximum sentences imposed for Sex Offense convictions in New York State in 1987.

TABLE 23

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY SEX OFFENSE ARRESTS DISPOSED

NEW YORK STATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	2906	2871	3479	3492	3398
NOT PROSECUTED	153	135	161	150	172
PROSECUTED	2753	2736	3318	3342	3226
PROSECUTED, LOWER COURT	1598	1522	1875	1785	1777
DISMISSED	960	983	1247	1158	1200
ACQUITTED	27	18	32	31	20
CONVICTED	605	517	587	589	552
PRISON	0	0	1	0	0
JAIL	125	132	125	121	101
TIME SERVED	29	19	23	24	33
JAIL AND PROBATION	42	49	36	47	48
PROBATION	189	160	219	198	161
PROBATION AND FINE	3	6	9	15	9
FINE	30	37	34	34	24
FINE AND CONDITIONAL DISCHARGE	8	9	13	16	8
FINE AND LICENSE SUSPENDED	0	0	0	1	0
CONDITIONAL DISCHARGE	163	90	116	121	154
UNCONDITIONAL DISCHARGE	10	5	7	4	1
OTHER/UNKNOWN	6	10	4	8	13
% YOUTHFUL OFFENDERS	9.6%	9.1%	11.4%	8.5%	7.8%
OTHER DISPOSITION	6	4	9	7	5
PROSECUTED, UPPER COURT	1155	1212	1442	1556	1447
DISMISSED	175	169	146	136	116
ACQUITTED	79	92	84	121	95
CONVICTED	896	939	1198	1275	1226
PRISON	527	542	607	655	622
JAIL	99	101	121	109	108
TIME SERVED	8	10	6	8	11
JAIL AND PROBATION	91	115	191	205	198
PROBATION	157	160	253	270	271
PROBATION AND FINE	0	3	5	9	7
FINE	1	0	2	1	1
FINE AND CONDITIONAL DISCHARGE	0	1	0	6	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	11	4	8	10	8
UNCONDITIONAL DISCHARGE	1	1	3	1	0
OTHER/UNKNOWN	1	2	2	1	0
% YOUTHFUL OFFENDERS	7.1%	8.1%	7.7%	8.3%	6.8%
OTHER DISPOSITION	5	12	14	24	10
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	2	1	1	2
CONVICTION RATE (% OF ALL DISPOSED)	51.7%	50.7%	51.3%	53.4%	52.3%
% OF CONVICTION: TO FELONIES	54.1%	59.5%	60.9%	62.9%	64.2%
: TO MISDEMEANORS	36.2%	34.4%	32.7%	30.3%	28.0%
: TO LESSER OFFENSES	9.7%	6.1%	6.4%	6.8%	7.9%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 24

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY SEX OFFENSE ARRESTS DISPOSED

NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	1842	1724	2038	1985	1945
NOT PROSECUTED	111	106	107	84	81
PROSECUTED	1731	1618	1931	1901	1864
PROSECUTED, LOWER COURT	1132	1020	1315	1177	1205
DISMISSED	710	723	962	867	923
ACQUITTED	22	14	27	25	20
CONVICTED	399	282	323	283	262
PRISON	0	0	1	0	0
JAIL	88	84	74	62	34
TIME SERVED	19	7	11	6	8
JAIL AND PROBATION	17	16	7	15	12
PROBATION	109	90	120	90	81
PROBATION AND FINE	0	1	1	2	2
FINE	10	14	10	11	6
FINE AND CONDITIONAL DISCHARGE	4	3	4	4	2
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	141	58	90	89	117
UNCONDITIONAL DISCHARGE	8	4	3	2	0
OTHER/UNKNOWN	3	5	2	2	0
% YOUTHFUL OFFENDERS	8.3%	7.1%	10.2%	6.4%	6.1%
OTHER DISPOSITION	1	1	3	2	0
PROSECUTED, UPPER COURT	599	597	616	723	657
DISMISSED	109	89	81	72	61
ACQUITTED	52	60	44	74	44
CONVICTED	434	440	485	560	544
PRISON	306	295	304	329	313
JAIL	32	33	35	30	22
TIME SERVED	2	7	1	5	6
JAIL AND PROBATION	23	24	31	56	54
PROBATION	65	77	108	126	144
PROBATION AND FINE	0	1	1	4	1
FINE	0	0	1	0	0
FINE AND CONDITIONAL DISCHARGE	0	0	0	1	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	6	1	2	8	4
UNCONDITIONAL DISCHARGE	0	1	2	1	0
OTHER/UNKNOWN	0	1	0	0	0
% YOUTHFUL OFFENDERS	5.8%	8.2%	7.6%	6.8%	6.3%
OTHER DISPOSITION	4	8	6	17	8
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	1	0	1	2
CONVICTION RATE (% OF ALL DISPOSED)	45.2%	41.9%	39.6%	42.5%	41.4%
% OF CONVICTION: TO FELONIES	48.5%	57.9%	57.5%	62.8%	64.5%
: TO MISDEMEANORS	38.2%	34.3%	32.3%	28.4%	24.7%
: TO LESSER OFFENSES	13.3%	7.8%	10.1%	8.9%	10.8%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 25

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY SEX OFFENSE ARRESTS DISPOSED

SUBURBAN NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	283	274	379	318	342
NOT PROSECUTED	19	12	22	17	37
PROSECUTED	264	262	357	301	305
PROSECUTED, LOWER COURT	104	107	137	111	138
DISMISSED	49	49	63	53	62
ACQUITTED	1	0	2	4	0
CONVICTED	51	58	72	53	74
PRISON	0	0	0	0	0
JAIL	6	11	8	6	18
TIME SERVED	1	1	6	1	7
JAIL AND PROBATION	4	4	6	3	6
PROBATION	23	18	24	19	14
PROBATION AND FINE	1	2	0	0	0
FINE	8	10	9	11	10
FINE AND CONDITIONAL DISCHARGE	1	0	5	3	1
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	4	8	10	3	10
UNCONDITIONAL DISCHARGE	1	1	2	1	1
OTHER/UNKNOWN	2	3	2	6	7
% YOUTHFUL OFFENDERS	15.7%	8.6%	11.1%	11.3%	6.8%
OTHER DISPOSITION	3	0	0	1	2
PROSECUTED, UPPER COURT	160	155	220	190	167
DISMISSED	16	22	10	11	12
ACQUITTED	10	14	14	13	11
CONVICTED	134	117	192	163	144
PRISON	64	62	90	84	76
JAIL	17	7	19	13	16
TIME SERVED	4	1	4	1	3
JAIL AND PROBATION	21	24	40	33	21
PROBATION	26	23	38	32	26
PROBATION AND FINE	0	0	0	0	1
FINE	0	0	1	0	0
FINE AND CONDITIONAL DISCHARGE	0	0	0	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	1	0	0	0	1
UNCONDITIONAL DISCHARGE	0	0	0	0	0
OTHER/UNKNOWN	1	0	0	0	0
% YOUTHFUL OFFENDERS	6.7%	5.1%	5.7%	8.6%	6.9%
OTHER DISPOSITION	0	2	4	3	0
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	0	0	0	0
CONVICTION RATE (% OF ALL DISPOSED)	65.4%	63.9%	69.7%	67.9%	63.7%
% OF CONVICTION: TO FELONIES	64.3%	60.6%	61.7%	69.0%	59.2%
: TO MISDEMEANORS	28.6%	30.9%	31.4%	20.8%	28.0%
: TO LESSER OFFENSES	7.0%	8.6%	6.8%	10.2%	12.8%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 26

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY SEX OFFENSE ARRESTS DISPOSED

UPSTATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	781	873	1062	1189	1111
NOT PROSECUTED	23	17	32	49	54
PROSECUTED	758	856	1030	1140	1057
PROSECUTED, LOWER COURT	362	395	423	497	434
DISMISSED	201	211	222	238	215
ACQUITTED	4	4	3	2	0
CONVICTED	155	177	192	253	216
PRISON	0	0	0	0	0
JAIL	31	37	43	53	49
TIME SERVED	9	11	6	17	18
JAIL AND PROBATION	21	29	23	29	30
PROBATION	57	52	75	89	66
PROBATION AND FINE	2	3	8	13	7
FINE	12	13	15	12	8
FINE AND CONDITIONAL DISCHARGE	3	6	4	9	5
FINE AND LICENSE SUSPENDED	0	0	0	1	0
CONDITIONAL DISCHARGE	18	24	16	29	27
UNCONDITIONAL DISCHARGE	1	0	2	1	0
OTHER/UNKNOWN	1	2	0	0	6
% YOUTHFUL OFFENDERS	11.0%	12.4%	13.5%	10.3%	10.2%
OTHER DISPOSITION	2	3	6	4	3
PROSECUTED, UPPER COURT	396	460	606	643	623
DISMISSED	50	58	55	53	43
ACQUITTED	17	18	26	34	40
CONVICTED	328	382	521	552	538
PRISON	157	185	213	242	233
JAIL	50	61	67	66	70
TIME SERVED	2	2	1	2	2
JAIL AND PROBATION	47	67	120	116	123
PROBATION	66	60	107	112	101
PROBATION AND FINE	0	2	4	5	5
FINE	1	0	0	1	1
FINE AND CONDITIONAL DISCHARGE	0	1	0	5	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	4	3	6	2	3
UNCONDITIONAL DISCHARGE	1	0	1	0	0
OTHER/UNKNOWN	0	1	2	1	0
% YOUTHFUL OFFENDERS	9.1%	8.9%	8.4%	9.8%	7.2%
OTHER DISPOSITION	1	2	4	4	2
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	1	1	0	0
CONVICTION RATE (% OF ALL DISPOSED)	61.8%	64.0%	67.1%	67.7%	67.9%
% OF CONVICTION: TO FELONIES	59.8%	61.2%	64.4%	61.5%	65.3%
: TO MISDEMEANORS	35.8%	35.6%	33.7%	34.9%	31.4%
: TO LESSER OFFENSES	4.3%	3.2%	2.0%	3.6%	3.3%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

PL 140 - BURGLARY

Arrests:

- o There were 10,916 violent felony Burglary arrests reported in 1987; a *slight increase* from the 10,808 arrests reported in 1983. Among regions, however, there was *substantial variation* in this trend. *Upstate experienced an increase of 11 percent while Suburban New York City showed a decrease of -21.4 percent. New York City's Burglary arrests increased only slightly (+1.9%).*
- o Burglary made up 16.3 percent of all violent felony arrests in New York State in 1987 and was the third largest category in the State. In the non-New York City regions Burglary arrests accounted for a much larger proportion than in New York City. In Suburban New York City 26.8 percent of the reported violent felony arrests were for Burglary while Upstate, Burglary accounted for one-third of that region's total.

Characteristics of Arrestees:

- o While the median age at time of arrest for State Burglary arrestees in 1987 was 23.5 years, Upstate Burglary arrestees were much younger with a median age of 20.7 years. This category, *Upstate Burglary, had the lowest median age of any violent felony category in any region.*
- o In 1987, Burglary was the one violent felony arrest category in New York State where *blacks and whites most closely accounted for similar proportions* (37.4% white and 43.8% black). Hispanics accounted for 17.6 percent of the violent felony Burglary arrestees. As demonstrated in all categories, males made up the highest proportion of Burglary arrests; 92.7 percent in 1987.

Prosecutions:

- o Of the 9,024 Burglary arrests disposed in 1987, 38.2 percent were prosecuted in the upper courts and resulted in an upper court conviction rate of 93.8 percent. *The Burglary upper court conviction rate is the highest of any category in the State.*

Convictions:

- o The overall conviction rate for Burglary was 66.0 percent in 1987 and was the *highest among violent felony offense categories*. Almost 51 percent of those Burglary arrests disposed as a conviction to some charge were felony convictions. Suburban New York City had the highest overall conviction rate, 80.1 percent, with 61.3 percent resulting in a conviction to a felony. *There were 2,319 violent felony Burglary convictions in New York State in 1987.*

Sentencing:

- o Approximately two-thirds of all violent felony Burglary arrests leading to a conviction to some charge received an incarcerative sentence (27% prison and 37% jail). This incarceration rate was similar to that of Sex Offenses and the combined category Kidnapping, Arson, and Intimidation although both had a higher percent receiving a prison term.
- o Of those convicted of violent felony Burglary, 82.6 percent were incarcerated while 17.1 percent were sentenced to probation. *The New York City region was much harsher in sentencing Burglary convictees than the non-New York City regions.* New York City sentenced 70 percent of the convictees to prison while Suburban New York City and Upstate sentenced approximately 45 percent of the convictees to prison.
- o The median-minimum/median-maximum prison sentence for Burglary convictions (less those receiving a maximum of life) was 29.8 months and 71.3 months. There were 25 life maximum sentences imposed for Burglary convictions in New York State in 1987.

TABLE 27

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY BURGLARY ARRESTS DISPOSED

NEW YORK STATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	9665	9097	8537	9239	9024
NOT PROSECUTED	260	274	195	213	203
PROSECUTED	9405	8823	8342	9026	8821
PROSECUTED, LOWER COURT	5469	5230	4918	5328	5366
DISMISSED	2272	2211	2129	2337	2615
ACQUITTED	16	19	15	18	8
CONVICTED	3142	2977	2745	2945	2725
PRISON	0	1	4	2	1
JAIL	903	809	717	884	837
TIME SERVED	196	229	246	244	273
JAIL AND PROBATION	123	111	101	111	113
PROBATION	579	536	482	464	375
PROBATION AND FINE	18	20	15	22	20
FINE	243	257	248	237	170
FINE AND CONDITIONAL DISCHARGE	64	58	61	54	33
FINE AND LICENSE SUSPENDED	3	0	2	0	1
CONDITIONAL DISCHARGE	962	891	820	883	840
UNCONDITIONAL DISCHARGE	32	36	24	15	25
OTHER/UNKNOWN	19	29	25	29	37
% YOUTHFUL OFFENDERS	13.1%	12.6%	11.8%	10.9%	10.0%
OTHER DISPOSITION	39	23	29	28	18
PROSECUTED, UPPER COURT	3931	3581	3412	3686	3443
DISMISSED	193	179	118	142	148
ACQUITTED	41	44	34	45	43
CONVICTED	3657	3318	3201	3422	3231
PRISON	1616	1496	1415	1638	1607
JAIL	534	436	440	447	427
TIME SERVED	36	33	24	21	28
JAIL AND PROBATION	448	478	479	526	503
PROBATION	933	789	772	706	620
PROBATION AND FINE	18	27	15	16	11
FINE	4	6	7	4	1
FINE AND CONDITIONAL DISCHARGE	2	0	1	2	9
FINE AND LICENSE SUSPENDED	1	1	0	0	0
CONDITIONAL DISCHARGE	50	31	32	43	22
UNCONDITIONAL DISCHARGE	6	6	8	10	1
OTHER/UNKNOWN	9	15	8	9	2
% YOUTHFUL OFFENDERS	21.2%	22.5%	21.7%	18.6%	18.1%
OTHER DISPOSITION	40	40	59	77	21
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	5	12	12	12	12
CONVICTION RATE (% OF ALL DISPOSED)	70.3%	69.2%	69.6%	68.9%	66.0%
% OF CONVICTION: TO FELONIES	49.8%	49.4%	50.5%	50.2%	50.9%
: TO MISDEMEANORS	36.8%	35.2%	34.3%	34.3%	34.4%
: TO LESSER OFFENSES	13.3%	15.4%	15.2%	15.5%	14.7%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 28

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY BURGLARY ARRESTS DISPOSED

NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	5464	5261	4734	5255	5305
NOT PROSECUTED	231	244	163	145	148
PROSECUTED	5233	5017	4571	5110	5157
PROSECUTED, LOWER COURT	3361	3363	3048	3331	3469
DISMISSED	1521	1572	1439	1601	1877
ACQUITTED	13	17	11	12	4
CONVICTED	1821	1771	1586	1702	1584
PRISON	0	0	0	1	0
JAIL	569	530	488	591	518
TIME SERVED	138	168	159	148	181
JAIL AND PROBATION	22	27	22	15	24
PROBATION	209	195	149	140	99
PROBATION AND FINE	1	4	0	1	2
FINE	121	120	102	116	68
FINE AND CONDITIONAL DISCHARGE	17	14	13	11	7
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	716	675	628	658	662
UNCONDITIONAL DISCHARGE	21	16	13	9	14
OTHER/UNKNOWN	7	22	12	12	9
% YOUTHFUL OFFENDERS	5.7%	4.8%	4.2%	2.7%	2.6%
OTHER DISPOSITION	6	3	12	16	4
PROSECUTED, UPPER COURT	1871	1651	1522	1774	1685
DISMISSED	94	87	63	73	85
ACQUITTED	18	23	21	24	23
CONVICTED	1743	1527	1413	1642	1566
PRISON	985	879	789	968	965
JAIL	231	172	182	212	195
TIME SERVED	13	7	14	8	11
JAIL AND PROBATION	110	134	133	172	155
PROBATION	383	310	265	268	225
PROBATION AND FINE	5	9	6	2	2
FINE	0	0	1	1	1
FINE AND CONDITIONAL DISCHARGE	1	0	0	0	5
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	14	12	18	8	7
UNCONDITIONAL DISCHARGE	1	4	5	3	0
OTHER/UNKNOWN	0	0	0	0	0
% YOUTHFUL OFFENDERS	15.0%	14.4%	13.4%	12.3%	9.6%
OTHER DISPOSITION	16	14	25	35	11
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	1	3	1	5	3
CONVICTION RATE (% OF ALL DISPOSED)	65.2%	62.7%	63.4%	63.6%	59.4%
% OF CONVICTION: TO FELONIES	46.4%	44.3%	44.5%	46.7%	47.3%
: TO MISDEMEANORS	34.2%	33.1%	32.7%	31.6%	30.9%
: TO LESSER OFFENSES	19.3%	22.6%	22.7%	21.7%	21.9%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 29

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY BURGLARY ARRESTS DISPOSED

SUBURBAN NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	1591	1360	1324	1369	1219
NOT PROSECUTED	9	21	9	21	15
PROSECUTED	1582	1339	1315	1348	1204
PROSECUTED, LOWER COURT	643	554	516	525	520
DISMISSED	264	188	157	182	182
ACQUITTED	2	0	0	1	3
CONVICTED	355	359	357	339	333
PRISON	0	0	0	0	1
JAIL	87	74	64	87	108
TIME SERVED	17	19	31	28	39
JAIL AND PROBATION	16	7	11	10	15
PROBATION	97	98	103	78	72
PROBATION AND FINE	6	6	0	6	1
FINE	49	67	74	43	40
FINE AND CONDITIONAL DISCHARGE	18	11	7	9	4
FINE AND LICENSE SUSPENDED	2	0	0	0	0
CONDITIONAL DISCHARGE	54	66	50	57	34
UNCONDITIONAL DISCHARGE	2	10	7	4	6
OTHER/UNKNOWN	7	1	10	17	13
% YOUTHFUL OFFENDERS	18.0%	25.1%	17.1%	21.5%	17.1%
OTHER DISPOSITION	22	7	2	3	2
PROSECUTED, UPPER COURT	938	777	794	819	677
DISMISSED	36	29	13	22	19
ACQUITTED	4	7	4	6	9
CONVICTED	887	723	748	757	643
PRISON	314	251	301	297	275
JAIL	117	96	67	81	69
TIME SERVED	7	8	5	7	11
JAIL AND PROBATION	180	160	154	162	139
PROBATION	248	196	209	189	139
PROBATION AND FINE	5	3	3	2	2
FINE	4	0	4	1	0
FINE AND CONDITIONAL DISCHARGE	1	0	0	2	3
FINE AND LICENSE SUSPENDED	0	1	0	0	0
CONDITIONAL DISCHARGE	10	3	1	8	3
UNCONDITIONAL DISCHARGE	0	1	1	6	0
OTHER/UNKNOWN	1	4	3	2	2
% YOUTHFUL OFFENDERS	24.8%	30.3%	28.6%	25.0%	26.0%
OTHER DISPOSITION	11	18	29	34	6
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	1	8	5	4	7
CONVICTION RATE (% OF ALL DISPOSED)	78.1%	79.6%	83.5%	80.1%	80.1%
% OF CONVICTION: TO FELONIES	66.0%	63.5%	65.2%	65.0%	61.7%
: TO MISDEMEANORS	27.0%	27.6%	26.4%	27.2%	31.0%
: TO LESSER OFFENSES	7.0%	8.9%	8.3%	7.8%	7.3%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 30

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY BURGLARY ARRESTS DISPOSED

UPSTATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	2610	2476	2479	2615	2500
NOT PROSECUTED	20	9	23	47	40
PROSECUTED	2590	2467	2456	2568	2460
PROSECUTED, LOWER COURT	1465	1313	1354	1472	1377
DISMISSED	487	451	533	554	556
ACQUITTED	1	2	4	5	1
CONVICTED	966	847	802	904	808
PRISON	0	1	4	1	0
JAIL	247	205	165	206	211
TIME SERVED	41	42	56	68	53
JAIL AND PROBATION	85	77	68	86	74
PROBATION	273	243	230	246	204
PROBATION AND FINE	11	10	15	15	17
FINE	73	70	72	78	62
FINE AND CONDITIONAL DISCHARGE	29	33	41	34	22
FINE AND LICENSE SUSPENDED	1	0	2	0	1
CONDITIONAL DISCHARGE	192	150	142	168	144
UNCONDITIONAL DISCHARGE	9	10	4	2	5
OTHER/UNKNOWN	5	6	3	0	15
% YOUTHFUL OFFENDERS	25.4%	23.7%	24.4%	22.5%	21.5%
OTHER DISPOSITION	11	13	15	9	12
PROSECUTED, UPPER COURT	1122	1153	1096	1093	1081
DISMISSED	63	63	42	47	44
ACQUITTED	19	14	9	15	11
CONVICTED	1027	1068	1040	1023	1022
PRISON	317	366	325	373	367
JAIL	186	168	191	154	163
TIME SERVED	16	18	5	6	6
JAIL AND PROBATION	158	184	192	192	209
PROBATION	302	283	298	249	256
PROBATION AND FINE	8	15	6	12	7
FINE	0	6	2	2	0
FINE AND CONDITIONAL DISCHARGE	0	0	1	0	1
FINE AND LICENSE SUSPENDED	1	0	0	0	0
CONDITIONAL DISCHARGE	26	16	13	27	12
UNCONDITIONAL DISCHARGE	5	1	2	1	1
OTHER/UNKNOWN	8	11	5	7	0
% YOUTHFUL OFFENDERS	28.7%	28.7%	27.9%	23.9%	26.0%
OTHER DISPOSITION	13	8	5	8	4
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	3	1	6	3	2
CONVICTION RATE (% OF ALL DISPOSED)	76.4%	77.3%	74.3%	73.7%	73.2%
% OF CONVICTION: TO FELONIES	45.9%	50.3%	51.4%	48.0%	51.5%
: TO MISDEMEANORS	47.6%	43.0%	41.4%	42.9%	42.3%
: TO LESSER OFFENSES	6.6%	6.7%	7.2%	9.1%	6.2%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

PL 160 - ROBBERY

Arrests:

- o The number of violent felony Robbery arrests reported in New York State in 1987 totaled 19,808; a 13.3 percent *increase* from the 17,480 reported in 1983. Robbery arrests *actually decreased in two regions*, Suburban New York City (-7.1%) and Upstate (-1.2%) while New York City Robbery arrests increased 16.3 percent.
- o Robbery is the second largest violent felony arrest category in the State. Almost 30 percent of the violent felony arrests reported in 1987 were for Robbery with 87 percent of those arrests occurring in New York City.

Characteristics of Arrestees:

- o Research into the characteristics of 1987 Robbery arrestees statewide has shown that this category has the *youngest median age* of any violent felony offense type (22.6 years) and that blacks make up the largest proportion (67.2%) followed by Hispanics (20.8%) and whites (11.1%). As with all violent felony offense categories, Robbery arrestees were overwhelmingly categorized as male (91%).

Prosecutions:

- o Forty-two percent of the 17,837 Robbery arrests disposed were prosecuted in the upper courts. Eighty-eight percent of those prosecuted resulted in a conviction.

Convictions:

- o The overall conviction rate for Robbery arrests (which includes both lower and upper court convictions) was 53.4 percent in 1987. This was a *decline from 1983's overall conviction rate* of 63.5 percent. Suburban New York City had the highest overall conviction rate with approximately three-quarters of the Robbery arrests prosecuted in 1987 resulting in a conviction.
- o Robbery had the third highest felony conviction rate. Almost 67 percent of the State's 1987 convictions from Robbery arrests were felony convictions. Only Homicide (91.5%) and Weapons offenses (70.0%) had a higher felony conviction rate than Robbery. *There were 5,106 violent felony Robbery convictions in New York State in 1987.*

Sentencing:

- o *Of those violent felony arrestees convicted of some charge in 1987, Robbery arrestees were second only to Homicide in the proportion receiving a prison sentence (43.3%).* There was little variation in the proportional breakdown of sentences among regions with the exception of Suburban New York City which imposed slightly more serious sentences.
- o Eighty-seven percent of those convicted of violent felony Robbery received an incarcerative sentence. *Only those convicted of Homicide or one of the offenses in the combined category of Kidnapping, Arson, and Intimidation had a greater chance of being sentenced to prison.* Seventy percent of those convicted of Robbery in New York State were sentenced to prison. (This rate was consistent across all regions.)
- o The median-minimum/median-maximum prison sentence for Robbery convictions (less those receiving a maximum of life) was 30.2 months and 72.2 months. There were 50 life-maximum sentences imposed for convictions to Robbery in New York State in 1987.

TABLE 31

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ROBBERY ARRESTS DISPOSED

NEW YORK STATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	17032	16416	15867	17881	17837
NOT PROSECUTED	873	826	758	814	958
PROSECUTED	16159	15590	15109	17067	16879
PROSECUTED, LOWER COURT	6991	7236	7563	8702	9325
DISMISSED	4058	4179	4578	5447	6376
ACQUITTED	37	37	44	33	26
CONVICTED	2877	3005	2919	3194	2902
PRISON	2	0	2	1	2
JAIL	876	971	925	1162	1049
TIME SERVED	182	208	196	183	232
JAIL AND PROBATION	74	60	81	79	71
PROBATION	543	561	540	442	339
PROBATION AND FINE	8	14	10	5	5
FINE	179	219	204	170	141
FINE AND CONDITIONAL DISCHARGE	36	31	27	23	16
FINE AND LICENSE SUSPENDED	1	0	0	0	0
CONDITIONAL DISCHARGE	912	890	897	1093	1000
UNCONDITIONAL DISCHARGE	47	28	21	18	13
OTHER/UNKNOWN	17	23	16	18	34
% YOUTHFUL OFFENDERS	15.0%	14.1%	12.5%	9.8%	7.8%
OTHER DISPOSITION	19	15	22	28	21
PROSECUTED, UPPER COURT	9155	8350	7536	8353	7540
DISMISSED	808	747	574	593	562
ACQUITTED	317	347	301	357	285
CONVICTED	7942	7181	6576	7298	6630
PRISON	4798	4242	3884	4369	4124
JAIL	877	800	740	805	729
TIME SERVED	41	47	53	51	62
JAIL AND PROBATION	664	587	583	773	612
PROBATION	1476	1429	1247	1235	1037
PROBATION AND FINE	22	22	12	9	11
FINE	7	3	4	2	5
FINE AND CONDITIONAL DISCHARGE	2	3	1	5	2
FINE AND LICENSE SUSPENDED	0	0	0	1	0
CONDITIONAL DISCHARGE	41	37	41	40	41
UNCONDITIONAL DISCHARGE	9	8	8	6	6
OTHER/UNKNOWN	5	3	3	2	1
% YOUTHFUL OFFENDERS	16.7%	19.3%	17.4%	15.3%	12.7%
OTHER DISPOSITION	88	75	85	105	63
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	13	4	10	12	14
CONVICTION RATE (% OF ALL DISPOSED)	63.5%	62.0%	59.8%	58.7%	53.4%
% OF CONVICTION: TO FELONIES	71.3%	68.3%	67.0%	67.3%	66.8%
: TO MISDEMEANORS	20.8%	22.5%	23.0%	22.1%	22.9%
: TO LESSER OFFENSES	7.9%	9.2%	10.1%	10.7%	10.3%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 32

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ROBBERY ARRESTS DISPOSED

NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	14687	14278	13790	15761	15840
NOT PROSECUTED	827	798	698	742	874
PROSECUTED	13860	13480	13092	15019	14966
PROSECUTED, LOWER COURT	6091	6400	6769	7851	8550
DISMISSED	3524	3715	4177	4982	5996
ACQUITTED	34	34	42	27	26
CONVICTED	2527	2643	2540	2820	2515
PRISON	2	0	2	1	1
JAIL	770	867	809	1052	893
TIME SERVED	157	174	167	141	188
JAIL AND PROBATION	46	45	47	53	44
PROBATION	458	466	458	357	279
PROBATION AND FINE	3	9	3	1	2
FINE	144	180	160	133	108
FINE AND CONDITIONAL DISCHARGE	25	19	20	13	13
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	866	842	843	1040	965
UNCONDITIONAL DISCHARGE	42	25	20	15	10
OTHER/UNKNOWN	14	16	11	14	12
% YOUTHFUL OFFENDERS	13.7%	12.8%	11.5%	8.6%	6.8%
OTHER DISPOSITION	6	8	10	22	13
PROSECUTED, UPPER COURT	7763	7079	6321	7160	6408
DISMISSED	679	645	502	522	510
ACQUITTED	272	295	256	305	256
CONVICTED	6739	6085	5500	6252	5590
PRISON	4111	3650	3258	3783	3520
JAIL	695	661	641	677	608
TIME SERVED	36	40	40	39	46
JAIL AND PROBATION	469	411	406	598	451
PROBATION	1365	1262	1094	1100	911
PROBATION AND FINE	17	19	11	6	7
FINE	4	3	3	2	3
FINE AND CONDITIONAL DISCHARGE	2	2	1	5	1
FINE AND LICENSE SUSPENDED	0	0	0	1	0
CONDITIONAL DISCHARGE	32	29	38	35	37
UNCONDITIONAL DISCHARGE	7	8	8	6	6
OTHER/UNKNOWN	1	0	0	0	0
% YOUTHFUL OFFENDERS	17.2%	19.0%	17.1%	15.3%	12.9%
OTHER DISPOSITION	73	54	63	81	52
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	6	1	2	8	8
CONVICTION RATE (% OF ALL DISPOSED)	63.1%	61.1%	58.3%	57.6%	51.2%
% OF CONVICTION: TO FELONIES	70.9%	67.8%	66.3%	67.0%	66.6%
: TO MISDEMEANORS	20.5%	22.5%	22.9%	21.7%	22.2%
: TO LESSER OFFENSES	8.6%	9.7%	10.9%	11.3%	11.2%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 33

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ROBBERY ARRESTS DISPOSED

SUBURBAN NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	1078	986	1002	1022	914
NOT PROSECUTED	20	16	20	34	30
PROSECUTED	1058	970	982	988	884
PROSECUTED, LOWER COURT	383	329	319	357	328
DISMISSED	218	155	140	182	160
ACQUITTED	3	1	1	1	0
CONVICTED	156	169	175	172	165
PRISON	0	0	0	0	1
JAIL	31	38	45	53	81
TIME SERVED	8	15	10	23	15
JAIL AND PROBATION	11	2	12	8	7
PROBATION	43	55	37	37	26
PROBATION AND FINE	1	2	3	0	2
FINE	26	31	34	16	13
FINE AND CONDITIONAL DISCHARGE	10	2	1	5	2
FINE AND LICENSE SUSPENDED	1	0	0	0	0
CONDITIONAL DISCHARGE	17	18	27	25	9
UNCONDITIONAL DISCHARGE	5	3	1	1	2
OTHER/UNKNOWN	3	3	5	4	7
% YOUTHFUL OFFENDERS	27.6%	27.8%	21.7%	19.2%	12.1%
OTHER DISPOSITION	6	4	3	2	3
PROSECUTED, UPPER COURT	671	639	657	627	552
DISMISSED	62	39	21	21	15
ACQUITTED	18	28	15	27	19
CONVICTED	583	556	607	564	516
PRISON	303	284	369	323	318
JAIL	86	63	37	63	59
TIME SERVED	5	4	9	7	11
JAIL AND PROBATION	120	109	99	97	72
PROBATION	59	91	88	69	54
PROBATION AND FINE	0	2	0	1	0
FINE	3	0	1	0	1
FINE AND CONDITIONAL DISCHARGE	0	0	0	0	1
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	5	2	2	2	0
UNCONDITIONAL DISCHARGE	0	0	0	0	0
OTHER/UNKNOWN	2	1	2	2	0
% YOUTHFUL OFFENDERS	14.9%	25.4%	22.6%	15.8%	11.4%
OTHER DISPOSITION	8	16	14	15	2
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	4	2	6	4	4
CONVICTION RATE (% OF ALL DISPOSED)	68.6%	73.5%	78.0%	72.0%	74.5%
% OF CONVICTION: TO FELONIES	75.1%	73.5%	75.1%	72.4%	72.1%
: TO MISDEMEANORS	19.4%	19.4%	18.8%	21.1%	23.3%
: TO LESSER OFFENSES	5.5%	7.0%	6.1%	6.5%	4.6%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 34

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY ROBBERY ARRESTS DISPOSED

UPSTATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	1267	1152	1075	1098	1083
NOT PROSECUTED	26	12	40	38	54
PROSECUTED	1241	1140	1035	1060	1029
PROSECUTED, LOWER COURT	517	507	475	494	447
DISMISSED	316	309	261	283	220
ACQUITTED	0	2	1	5	0
CONVICTED	194	193	204	202	222
PRISON	0	0	0	0	0
JAIL	75	66	71	57	75
TIME SERVED	17	19	19	19	29
JAIL AND PROBATION	17	13	22	18	20
PROBATION	42	40	45	48	34
PROBATION AND FINE	4	3	4	4	1
FINE	9	8	10	21	20
FINE AND CONDITIONAL DISCHARGE	1	10	6	5	1
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	29	30	27	28	26
UNCONDITIONAL DISCHARGE	0	0	0	2	1
OTHER/UNKNOWN	0	4	0	0	15
% YOUTHFUL OFFENDERS	22.7%	20.2%	17.2%	18.8%	15.8%
OTHER DISPOSITION	7	3	9	4	5
PROSECUTED, UPPER COURT	721	632	558	566	580
DISMISSED	67	63	51	50	37
ACQUITTED	27	24	30	25	10
CONVICTED	620	540	469	482	524
PRISON	384	308	257	263	286
JAIL	96	76	62	65	62
TIME SERVED	0	3	4	5	5
JAIL AND PROBATION	75	67	78	78	89
PROBATION	52	76	65	66	72
PROBATION AND FINE	5	1	1	2	4
FINE	0	0	0	0	1
FINE AND CONDITIONAL DISCHARGE	0	1	0	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	4	6	1	3	4
UNCONDITIONAL DISCHARGE	2	0	0	0	0
OTHER/UNKNOWN	2	2	1	0	1
% YOUTHFUL OFFENDERS	13.2%	16.3%	14.1%	14.1%	11.6%
OTHER DISPOSITION	7	5	8	9	9
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	3	1	2	0	2
CONVICTION RATE (% OF ALL DISPOSED)	64.2%	63.6%	62.6%	62.3%	68.9%
% OF CONVICTION: TO FELONIES	72.4%	69.3%	65.7%	65.4%	64.6%
: TO MISDEMEANORS	25.3%	25.9%	29.1%	28.7%	29.5%
: TO LESSER OFFENSES	2.3%	4.8%	5.2%	6.0%	5.9%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

PL 265 - WEAPONS

Arrests:

- o There were 6,607 violent felony Weapons arrests reported in New York State in 1987 which accounted for 9.9 percent of the total number of violent felony arrests. Weapons arrests made up 11 percent of the New York City region violent felony arrests, 6.7 percent of Suburban New York City's total, and 5.9 percent of the Upstate region's violent felony arrests.

Characteristics of Arrestees:

- o The median age of New York State Weapons offenders in 1987 was 24.3 years. *Upstate Weapons arrestees had the highest median age of any category for any region with a median age of 28.5 years.*
- o More than half the 1987 Weapons arrestees in the State were classified as black (51.1%), almost one-third were Hispanic, and less than 15 percent were white. Slightly more than 93 percent of the violent felony Weapons arrestees were male.

Prosecutions:

- o Of those 5,773 cases disposed in 1987, 49.1 percent were prosecuted in the upper courts resulting in an 80.5 percent upper court conviction rate. Upstate New York had a dramatically smaller proportion processed through the upper courts, only 28.8 percent, with an upper court conviction rate higher than the State's (86.7%). *The diminished proportion of Upstate Weapons arrests reaching prosecution in the upper courts directly affects subsequent processing measures for that region including, in this instance, a lower felony conviction rate and less severe sentencing.*

Convictions:

- o The overall conviction rate for violent felony Weapons arrests disposed in 1987 was 53.4 percent (down from the 1983 rate of 58.6%). Suburban New York City and Upstate New York had much higher overall conviction rates (71.4% and 75.2% respectively) than New York City (50.6%). Note: Suburban NYC tends to have a higher conviction rate for all violent felony offenses than the other regions (exception, slightly lower conviction rate than Upstate for Sex Offenses). Upstate's high overall conviction rate for weapons arrests is impacted by an unusually high lower court conviction rate (73.4%) and as already mentioned, the large proportion of Weapons arrests prosecuted in the lower courts. The State's lower court conviction rate for this arrest type was 29.9% in 1987.
- o Statewide, felony convictions accounted for 70 percent of all Weapons arrests disposed as convictions in 1987 whereas in 1983, felony convictions made up 66 percent. (Upstate's 1987 felony conviction rate for Weapons arrests disposed was 27.2%). *There were 1,950 violent felony Weapons Convictions in New York State in 1987.*

Sentencing:

- o Weapons arrestees convicted of some offense in 1987 were the *most likely violent felony type to receive a probationary sentence (31.7%)*. Almost 49 percent were sentenced to some form of incarceration (21.5% prison and 27.4% jail). *Upstate, less severe sentencing occurred with only 10.5 percent receiving prison terms. Also, fines were imposed at a greater rate Upstate than in any other region (30.2% fined Upstate versus 8% in New York City and 11.9% in Suburban New York City).* *The differential sentencing among regions for Weapons offenses is actually a consequence of the smaller percentage of cases being prosecuted in the upper courts Upstate with fewer felony convictions being the result.*

- o Of the violent felony Weapons convictions in New York State in 1987, 56.6 percent received an incarcerative sentence. The Upstate incarceration rate for this type of conviction was comparable to Suburban New York City's (72.6% and 74.3% respectively). New York City's incarceration rate (54.8%) directly influenced the State's rate as *over 90 percent of the Weapons convictions were accounted for by New York City.*
- o Convicted Weapons offenders in 1987 were the *least likely violent felony offenders to be sentenced to prison* in the State (30.5% received prison) and the *most likely to be sentenced to probation* (40.3%). Prison accounted for a much larger proportion of sentencing Upstate than in the other regions. (Upstate, 46.4 percent were sentenced to prison while in New York City 29.4% were so sentenced. In Suburban New York City 36.2 percent of those convicted of a violent felony Weapons charge were sentenced to prison.)
- o The median-minimum/median-maximum prison sentence for Weapons convictions (less those receiving a maximum of life) was 23.8 months and 48.3 months. There were 13 life-maximum sentences imposed for Weapons convictions in New York State in 1987.

TABLE 35

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY WEAPONS ARRESTS DISPOSED

NEW YORK STATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	6469	6466	6158	5588	5773
NOT PROSECUTED	337	365	293	214	262
PROSECUTED	6132	6101	5865	5374	5511
PROSECUTED, LOWER COURT	2573	2708	2704	2524	2673
DISMISSED	1525	1741	1730	1564	1857
ACQUITTED	8	8	8	7	7
CONVICTED	1032	956	961	947	798
PRISON	0	0	1	1	0
JAIL	138	117	138	151	124
TIME SERVED	37	48	67	71	54
JAIL AND PROBATION	13	12	11	19	14
PROBATION	125	125	125	117	100
PROBATION AND FINE	25	15	22	11	7
FINE	355	357	281	323	241
FINE AND CONDITIONAL DISCHARGE	48	52	36	29	27
FINE AND LICENSE SUSPENDED	2	3	4	0	3
CONDITIONAL DISCHARGE	258	203	256	196	207
UNCONDITIONAL DISCHARGE	24	15	17	14	6
OTHER/UNKNOWN	7	9	3	15	15
% YOUTHFUL OFFENDERS	3.7%	3.6%	3.1%	2.7%	3.3%
OTHER DISPOSITION	8	3	5	6	11
PROSECUTED, UPPER COURT	3556	3393	3160	2846	2836
DISMISSED	671	624	495	367	450
ACQUITTED	91	101	104	68	78
CONVICTED	2759	2647	2528	2382	2284
PRISON	657	632	664	629	662
JAIL	491	401	421	365	350
TIME SERVED	16	20	16	14	26
JAIL AND PROBATION	253	229	213	286	275
PROBATION	946	955	871	775	696
PROBATION AND FINE	201	225	197	183	173
FINE	64	39	38	22	32
FINE AND CONDITIONAL DISCHARGE	66	68	43	43	24
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	60	65	51	57	40
UNCONDITIONAL DISCHARGE	3	13	11	6	5
OTHER/UNKNOWN	2	0	3	2	1
% YOUTHFUL OFFENDERS	7.6%	8.4%	7.6%	9.0%	10.8%
OTHER DISPOSITION	35	21	33	29	24
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	3	0	1	4	2
CONVICTION RATE (% OF ALL DISPOSED)	58.6%	55.7%	56.7%	59.6%	53.4%
% OF CONVICTION: TO FELONIES	66.1%	68.2%	67.9%	67.3%	70.0%
: TO MISDEMEANORS	25.8%	23.0%	22.2%	21.9%	20.6%
: TO LESSER OFFENSES	8.1%	8.8%	9.9%	10.8%	9.4%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 36

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY WEAPONS ARRESTS DISPOSED

NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	5749	5863	5526	4957	5081
NOT PROSECUTED	325	360	281	195	236
PROSECUTED	5424	5503	5245	4762	4845
PROSECUTED, LOWER COURT	2148	2337	2365	2143	2281
DISMISSED	1405	1646	1635	1464	1740
ACQUITTED	8	6	6	6	7
CONVICTED	732	682	719	669	525
PRISON	0	0	1	1	0
JAIL	106	85	111	109	82
TIME SERVED	32	35	56	61	44
JAIL AND PROBATION	7	2	2	6	3
PROBATION	88	91	90	75	52
PROBATION AND FINE	13	9	5	5	2
FINE	209	244	199	205	143
FINE AND CONDITIONAL DISCHARGE	27	22	18	13	12
FINE AND LICENSE SUSPENDED	0	0	1	0	0
CONDITIONAL DISCHARGE	227	173	224	173	175
UNCONDITIONAL DISCHARGE	19	13	10	8	3
OTHER/UNKNOWN	4	8	2	13	9
% YOUTHFUL OFFENDERS	3.7%	3.5%	3.1%	2.7%	3.0%
OTHER DISPOSITION	3	3	5	4	9
PROSECUTED, UPPER COURT	3274	3166	2879	2615	2562
DISMISSED	639	596	468	348	422
ACQUITTED	88	93	93	64	71
CONVICTED	2519	2459	2290	2180	2046
PRISON	610	580	604	576	594
JAIL	441	367	376	319	309
TIME SERVED	12	18	10	12	20
JAIL AND PROBATION	213	192	177	250	231
PROBATION	883	910	802	729	635
PROBATION AND FINE	188	220	183	175	166
FINE	58	33	36	20	30
FINE AND CONDITIONAL DISCHARGE	60	63	42	41	20
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	51	64	47	52	37
UNCONDITIONAL DISCHARGE	2	12	10	6	4
OTHER/UNKNOWN	1	0	3	0	0
% YOUTHFUL OFFENDERS	7.5%	8.6%	7.8%	9.4%	11.0%
OTHER DISPOSITION	28	18	28	23	23
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	2	0	1	4	2
CONVICTION RATE (% OF ALL DISPOSED)	56.5%	53.6%	54.5%	57.5%	50.6%
% OF CONVICTION: TO FELONIES	71.8%	73.1%	72.2%	72.9%	76.3%
: TO MISDEMEANORS	19.9%	18.2%	17.9%	16.7%	14.7%
: TO LESSER OFFENSES	8.3%	8.8%	9.9%	10.4%	9.0%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 37

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY WEAPONS ARRESTS DISPOSED

SUBURBAN NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	230	167	229	185	248
NOT PROSECUTED	7	1	5	7	14
PROSECUTED	223	166	224	178	234
PROSECUTED, LOWER COURT	77	64	86	61	88
DISMISSED	31	22	17	14	38
ACQUITTED	0	0	1	1	0
CONVICTED	44	42	68	44	50
PRISON	0	0	0	0	0
JAIL	2	5	8	8	7
TIME SERVED	0	1	1	1	3
JAIL AND PROBATION	0	0	2	2	2
PROBATION	9	8	7	8	13
PROBATION AND FINE	3	0	8	1	1
FINE	14	16	30	11	12
FINE AND CONDITIONAL DISCHARGE	6	5	6	3	6
FINE AND LICENSE SUSPENDED	1	0	2	0	0
CONDITIONAL DISCHARGE	6	6	2	5	5
UNCONDITIONAL DISCHARGE	1	1	1	3	1
OTHER/UNKNOWN	2	0	1	2	0
% YOUTHFUL OFFENDERS	6.8%	2.4%	2.9%	2.3%	4.0%
OTHER DISPOSITION	2	0	0	2	0
PROSECUTED, UPPER COURT	146	102	138	117	146
DISMISSED	15	11	7	8	15
ACQUITTED	1	2	5	2	3
CONVICTED	125	87	124	102	127
PRISON	24	20	32	28	33
JAIL	16	17	19	26	22
TIME SERVED	3	1	5	2	4
JAIL AND PROBATION	27	21	23	18	31
PROBATION	38	21	35	19	28
PROBATION AND FINE	10	3	8	5	5
FINE	2	3	1	0	1
FINE AND CONDITIONAL DISCHARGE	2	1	0	2	2
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	2	0	0	1	1
UNCONDITIONAL DISCHARGE	0	0	1	0	0
OTHER/UNKNOWN	1	0	0	1	0
% YOUTHFUL OFFENDERS	8.8%	4.6%	5.6%	3.9%	10.2%
OTHER DISPOSITION	5	2	2	5	1
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	0	0	0	0
CONVICTION RATE (% OF ALL DISPOSED)	73.5%	77.2%	83.8%	78.9%	71.4%
% OF CONVICTION: TO FELONIES	52.1%	55.8%	52.6%	61.0%	59.3%
: TO MISDEMEANORS	42.6%	32.6%	38.5%	30.8%	34.5%
: TO LESSER OFFENSES	5.3%	11.6%	8.9%	8.2%	6.2%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 38

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

VIOLENT FELONY WEAPONS ARRESTS DISPOSED

UPSTATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	490	436	403	446	444
NOT PROSECUTED	5	4	7	12	12
PROSECUTED	485	432	396	434	432
PROSECUTED, LOWER COURT	348	307	253	320	304
DISMISSED	89	73	78	86	79
ACQUITTED	0	2	1	0	0
CONVICTED	256	232	174	234	223
PRISON	0	0	0	0	0
JAIL	30	27	19	34	35
TIME SERVED	5	12	10	9	7
JAIL AND PROBATION	6	10	7	11	9
PROBATION	28	26	28	34	35
PROBATION AND FINE	9	6	9	5	4
FINE	132	97	52	107	86
FINE AND CONDITIONAL DISCHARGE	15	25	12	13	9
FINE AND LICENSE SUSPENDED	1	3	1	0	3
CONDITIONAL DISCHARGE	25	24	30	18	27
UNCONDITIONAL DISCHARGE	4	1	6	3	2
OTHER/UNKNOWN	1	1	0	0	6
% YOUTHFUL OFFENDERS	3.1%	3.9%	3.4%	3.0%	3.6%
OTHER DISPOSITION	3	0	0	0	2
PROSECUTED, UPPER COURT	136	125	143	114	128
DISMISSED	17	17	20	11	13
ACQUITTED	2	6	6	2	4
CONVICTED	115	101	114	100	111
PRISON	23	32	28	25	35
JAIL	34	17	26	20	19
TIME SERVED	1	1	1	0	2
JAIL AND PROBATION	13	16	13	18	13
PROBATION	25	24	34	27	33
PROBATION AND FINE	3	2	6	3	2
FINE	4	3	1	2	1
FINE AND CONDITIONAL DISCHARGE	4	4	1	0	2
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	7	1	4	4	2
UNCONDITIONAL DISCHARGE	1	1	0	0	1
OTHER/UNKNOWN	0	0	0	1	1
% YOUTHFUL OFFENDERS	7.8%	5.9%	5.3%	6.0%	6.3%
OTHER DISPOSITION	2	1	3	1	0
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	1	0	0	0	0
CONVICTION RATE (% OF ALL DISPOSED)	75.7%	76.4%	71.5%	74.9%	75.2%
% OF CONVICTION: TO FELONIES	22.9%	27.3%	33.0%	22.2%	27.2%
: TO MISDEMEANORS	69.5%	64.9%	56.3%	62.6%	58.7%
: TO LESSER OFFENSES	7.5%	7.8%	10.8%	15.3%	14.1%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

PL 135, 150, 215 - KIDNAPPING, ARSON, INTIMIDATION

Arrests:

- o Collectively, there were 797 combined Kidnapping, Arson, and Intimidation arrests reported in New York State in 1987 representing slightly more than one percent of all violent felony arrests. Sixty-eight percent of these arrests were reported from New York City.

Characteristics of Arrestees:

- o Arrestees in this group had one of the *highest median ages* in 1987 in the State for any offense category (27.0 years) surpassed only by Sex Offenders (27.8 years) and followed closely by Assault arrestees (26.9 years).
- o Greater than one-half of the 1987 Kidnapping, Arson, and Intimidation arrestees were black (52.9%), while 26.9 percent were white, and 19.1 percent were classified as Hispanic.
- o Of all categories, this combined category had the *largest proportion of females*; 17.4 percent in 1987.

Prosecutions:

- o Of the 732 arrests for Kidnapping, Arson, and Intimidation that were disposed in New York State in 1987, 43.9 percent were prosecuted in the upper courts and resulted in an 84.7 percent upper court conviction rate.

Convictions:

- o The overall conviction rate (upper and lower court convictions to any charge) for this category was 56.4 percent.
- o There were 104 violent felony Kidnapping, Arson and Intimidation convictions in New York State in 1987.

Sentencing:

- o The incarceration rate for convictions to any charge stemming from the combined category of Kidnapping, Arson, and Intimidation was over 60 percent in 1987. Probation was given to 26.6 percent.
- o *Because of the high felony class level of these offenses, the severity of sentencing for Kidnapping, Arson, and Intimidation convictions was second only to Homicide.* Over 91 percent were incarcerated (88.5% prison and 2.9% jail). Similar incarceration rates occurred across regions.
- o The median-minimum/median-maximum prison sentence for Kidnapping, Arson, and Intimidation convictions (less those receiving a maximum of life) was 31 months and 72 months. There were 6 life-maximum sentences imposed for this category in the State in 1987.

TABLE 39

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICES

OTHER VIOLENT FELONY ARRESTS DISPOSED
(KIDNAPPING, ARSON, INTIMIDATION)

NEW YORK STATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	744	666	665	716	732
NOT PROSECUTED	38	27	19	28	21
PROSECUTED	706	639	646	688	711
PROSECUTED, LOWER COURT	332	313	347	355	389
DISMISSED	195	170	207	202	245
ACQUITTED	0	4	1	3	3
CONVICTED	136	139	137	149	141
PRISON	0	0	0	0	0
JAIL	30	32	36	42	31
TIME SERVED	7	12	9	10	9
JAIL AND PROBATION	4	4	9	7	10
PROBATION	36	39	27	30	38
PROBATION AND FINE	1	0	0	1	2
FINE	8	14	11	10	8
FINE AND CONDITIONAL DISCHARGE	1	1	2	7	3
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	47	35	42	40	40
UNCONDITIONAL DISCHARGE	2	0	1	1	0
OTHER/UNKNOWN	0	2	0	1	0
% YOUTHFUL OFFENDERS	4.4%	7.9%	2.9%	8.1%	6.4%
OTHER DISPOSITION	1	0	2	1	0
PROSECUTED, UPPER COURT	374	325	298	333	321
DISMISSED	43	37	30	40	30
ACQUITTED	24	17	19	16	19
CONVICTED	305	265	245	274	272
PRISON	144	122	117	122	139
JAIL	45	30	16	25	22
TIME SERVED	6	5	1	8	2
JAIL AND PROBATION	27	32	33	51	35
PROBATION	65	74	68	64	67
PROBATION AND FINE	3	0	1	1	3
FINE	1	0	1	0	0
FINE AND CONDITIONAL DISCHARGE	1	0	2	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	11	2	3	3	4
UNCONDITIONAL DISCHARGE	0	0	1	0	0
OTHER/UNKNOWN	2	0	2	0	0
% YOUTHFUL OFFENDERS	9.5%	7.5%	9.4%	11.3%	8.8%
OTHER DISPOSITION	2	6	4	3	0
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	1	1	0	1
CONVICTION RATE (% OF ALL DISPOSED)	59.3%	60.7%	57.4%	59.1%	56.4%
% OF CONVICTION: TO FELONIES	64.6%	61.9%	60.5%	60.0%	61.5%
: TO MISDEMEANORS	29.0%	29.2%	29.1%	28.8%	29.1%
: TO LESSER OFFENSES	6.3%	8.9%	10.5%	11.1%	9.4%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 40

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICESOTHER VIOLENT FELONY ARRESTS DISPOSED
(KIDNAPPING, ARSON, INTIMIDATION)

NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	538	470	480	513	501
NOT PROSECUTED	27	23	16	18	15
PROSECUTED	511	447	464	495	486
PROSECUTED, LOWER COURT	257	231	272	273	288
DISMISSED	164	134	163	165	199
ACQUITTED	0	4	0	3	3
CONVICTED	93	93	107	104	86
PRISON	0	0	0	0	0
JAIL	18	21	30	30	19
TIME SERVED	6	7	9	7	7
JAIL AND PROBATION	3	3	2	1	2
PROBATION	20	25	20	21	20
PROBATION AND FINE	0	0	0	0	0
FINE	6	9	5	5	3
FINE AND CONDITIONAL DISCHARGE	0	0	1	3	1
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	39	26	39	36	34
UNCONDITIONAL DISCHARGE	1	0	1	1	0
OTHER/UNKNOWN	0	2	0	0	0
% YOUTHFUL OFFENDERS	2.2%	2.2%	3.7%	1.9%	4.7%
OTHER DISPOSITION	0	0	2	1	0
PROSECUTED, UPPER COURT	254	216	191	222	197
DISMISSED	32	28	25	31	23
ACQUITTED	14	11	10	14	13
CONVICTED	207	174	154	175	161
PRISON	109	83	71	75	88
JAIL	24	20	10	14	11
TIME SERVED	2	3	1	6	2
JAIL AND PROBATION	14	10	17	32	19
PROBATION	46	56	49	44	35
PROBATION AND FINE	2	0	1	1	3
FINE	0	0	1	0	0
FINE AND CONDITIONAL DISCHARGE	1	0	1	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	7	2	2	3	3
UNCONDITIONAL DISCHARGE	0	0	1	0	0
OTHER/UNKNOWN	2	0	0	0	0
% YOUTHFUL OFFENDERS	8.7%	6.9%	7.8%	6.9%	5.0%
OTHER DISPOSITION	1	3	2	2	0
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	0	1	0	1
CONVICTION RATE (% OF ALL DISPOSED)	55.8%	56.8%	54.4%	54.4%	49.3%
% OF CONVICTION: TO FELONIES	66.3%	62.2%	55.9%	58.1%	62.8%
: TO MISDEMEANORS	26.0%	26.6%	31.0%	28.7%	25.1%
: TO LESSER OFFENSES	7.7%	11.2%	13.0%	13.3%	12.1%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 41.

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICESOTHER VIOLENT FELONY ARRESTS DISPOSED
(KIDNAPPING, ARSON, INTIMIDATION)

SUBURBAN NEW YORK CITY

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	64	69	58	47	81
NOT PROSECUTED	5	0	0	4	3
PROSECUTED	59	69	58	43	78
PROSECUTED, LOWER COURT	20	31	20	16	20
DISMISSED	4	12	8	8	7
ACQUITTED	0	0	0	0	0
CONVICTED	15	19	12	8	13
PRISON	0	0	0	0	0
JAIL	2	4	5	2	1
TIME SERVED	0	2	0	1	0
JAIL AND PROBATION	0	0	1	0	0
PROBATION	9	6	1	0	9
PROBATION AND FINE	0	0	0	0	0
FINE	2	3	3	1	0
FINE AND CONDITIONAL DISCHARGE	0	1	0	2	2
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	2	3	2	1	1
UNCONDITIONAL DISCHARGE	0	0	0	0	0
OTHER/UNKNOWN	0	0	0	1	0
% YOUTHFUL OFFENDERS	6.7%	21.1%	0.0%	12.5%	15.4%
OTHER DISPOSITION	1	0	0	0	0
PROSECUTED, UPPER COURT	39	38	38	27	58
DISMISSED	2	1	0	2	3
ACQUITTED	1	2	2	0	1
CONVICTED	35	34	34	25	54
PRISON	10	10	16	10	23
JAIL	9	3	2	2	9
TIME SERVED	2	1	0	1	0
JAIL AND PROBATION	5	10	6	3	4
PROBATION	8	10	9	9	17
PROBATION AND FINE	0	0	0	0	0
FINE	1	0	0	0	0
FINE AND CONDITIONAL DISCHARGE	0	0	1	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	0	0	0	0	1
UNCONDITIONAL DISCHARGE	0	0	0	0	0
OTHER/UNKNOWN	0	0	0	0	0
% YOUTHFUL OFFENDERS	14.3%	14.7%	17.6%	24.0%	16.7%
OTHER DISPOSITION	1	1	2	0	0
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	0	0	0	0
CONVICTION RATE (% OF ALL DISPOSED)	78.1%	76.8%	79.3%	70.2%	82.7%
% OF CONVICTION: TO FELONIES	62.0%	54.7%	71.7%	69.7%	65.7%
: TO MISDEMEANORS	34.0%	39.6%	26.1%	21.2%	29.9%
: TO LESSER OFFENSES	4.0%	5.7%	2.2%	9.1%	4.5%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

TABLE 42

STATE OF NEW YORK - DIVISION OF CRIMINAL JUSTICE SERVICES
OJSA - BUREAU OF CRIMINAL JUSTICE STATISTICAL SERVICESOTHER VIOLENT FELONY ARRESTS DISPOSED
(KIDNAPPING, ARSON, INTIMIDATION)

UPSTATE

DISPOSITIONS	1983	1984	1985	1986	1987
TOTAL DISPOSED	142	127	127	156	150
NOT PROSECUTED	6	4	3	6	3
PROSECUTED	136	123	124	150	147
PROSECUTED, LOWER COURT	55	51	55	66	81
DISMISSED	27	24	36	29	39
ACQUITTED	0	0	1	0	0
CONVICTED	28	27	18	37	42
PRISON	0	0	0	0	0
JAIL	10	7	1	10	11
TIME SERVED	1	3	0	2	2
JAIL AND PROBATION	1	1	6	6	8
PROBATION	7	8	6	9	9
PROBATION AND FINE	1	0	0	1	2
FINE	0	2	3	4	5
FINE AND CONDITIONAL DISCHARGE	1	0	1	2	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	6	6	1	3	5
UNCONDITIONAL DISCHARGE	1	0	0	0	0
OTHER/UNKNOWN	0	0	0	0	0
% YOUTHFUL OFFENDERS	10.7%	18.5%	0.0%	24.3%	7.1%
OTHER DISPOSITION	0	0	0	0	0
PROSECUTED, UPPER COURT	81	71	69	84	66
DISMISSED	9	8	5	7	4
ACQUITTED	9	4	7	2	5
CONVICTED	63	57	57	74	57
PRISON	25	29	30	37	28
JAIL	12	7	4	9	2
TIME SERVED	2	1	0	1	0
JAIL AND PROBATION	8	12	10	16	12
PROBATION	11	8	10	11	15
PROBATION AND FINE	1	0	0	0	0
FINE	0	0	0	0	0
FINE AND CONDITIONAL DISCHARGE	0	0	0	0	0
FINE AND LICENSE SUSPENDED	0	0	0	0	0
CONDITIONAL DISCHARGE	4	0	1	0	0
UNCONDITIONAL DISCHARGE	0	0	0	0	0
OTHER/UNKNOWN	0	0	2	0	0
% YOUTHFUL OFFENDERS	9.5%	5.3%	8.8%	17.6%	12.3%
OTHER DISPOSITION	0	2	0	1	0
PROSECUTED, UNKNOWN COURT	0	0	0	0	0
RESENTENCE (MISSING CONVICTION)	0	1	0	0	0
CONVICTION RATE (% OF ALL DISPOSED)	64.1%	66.1%	59.1%	71.2%	66.0%
% OF CONVICTION: TO FELONIES	60.4%	65.5%	69.3%	62.2%	55.6%
: TO MISDEMEANORS	36.3%	31.0%	24.0%	31.5%	38.4%
: TO LESSER OFFENSES	3.3%	3.6%	6.7%	6.3%	6.1%

SOURCE: COMPUTERIZED CRIMINAL HISTORY/OFFENDER-BASED TRANSACTION STATISTICS 08/02/88

APPENDIX A: VIOLENT FELONY LEGISLATION

Chapter 481 of the 1978 Laws of New York created Penal Law Section 70.02 to designate specific Class B, Class C, and Class D felonies as violent felony offenses. Subsequent amendments to Penal Law section 70.02 defined additional offenses and attempted offenses as violent felonies. (A listing of the specific offenses is provided in Appendix B).

Chapter 481, Section 837 of the Executive Law requires the Division of Criminal Justice Services to report on the criminal justice "processing and disposition" of designated violent felony offenses. This report is published in compliance with that mandate.

Section 70.02 further specifies the sentences to be imposed for convictions to violent felonies. It provides for minimum mandatory indeterminate state prison sentences for convictions to many of the crimes designated as violent felonies. Discretionary provisions in the law permit the court to impose alternative sentences for youthful offender adjudications and for selected violent felony convictions if the court determines that mitigating circumstances exist. Alternative sentences are permitted where it is determined that the mandated sentence would be unduly harsh.

Chapter 481 (Criminal Procedure Law Section 1.20, sub. 41) created an armed felony category. An "armed felony" is defined as any violent felony that includes as a statutory element either (a) possession, being armed with or causing serious injury by means of a loaded deadly weapon; or (b) displaying what appears to be a firearm. Special sentencing provisions were created for cases disposed by plea to a Class D felony entered in satisfaction of an armed felony indictment charge.

Subsequent amendments to the original violent felony statutes include changes in the firearm laws which became effective August 12, 1980 (Chapter 233 of the Laws of 1980). This created new violent felony offenses, such as Criminal Use of a Firearm, and designated Criminal Possession of a Weapon 3rd and its attempt as an armed violent felony subject to plea restrictions and enhanced sentencing. Chapter 233 restricted plea bargaining and enhanced sentencing options for Class B armed felony convictions.

A change in the Penal Law governing Burglary offenses became effective September 1, 1981 (Chapter 361 of the Laws of 1981). This change made all burglaries of a dwelling a violent felony offense by repealing that element of Burglary in the first or second degree which required that such burglaries be committed at night. This, in effect, elevated many third degree burglaries to violent felonies.

The most recent legislative change became effective November 1, 1986 and resulted in the inclusion of "intimidation of a victim or witness" in the first degree (PL 215.17) as a Class B violent felony, attempt of PL 215.17 as a Class C violent felony, and in the second degree (PL 215.16) as a Class D violent felony (Ch. 124, Laws of 1986).

APPENDIX B: VIOLENT FELONY OFFENSE ARTICLE CLASSIFICATIONS

- A. Violent Felony Assault Offenses:
 - 1. PL 120.11 - Aggravated Assault on a Peace Officer
 - 2. PL 120.10 - Assault 1°
 - 3. PL 120.05 - Assault 2°
- B. Violent Felony Homicide Offenses
 - 1. PL 125.20 - Manslaughter 1°
 - 2. PL 125.27 - Murder 1°**
 - 3. PL 125.25 - Murder 2°**
- C. Violent Felony Robbery Offenses:
 - 1. PL 160.15 - Robbery 1°
 - 2. PL 160.10 - Robbery 2°
- D. Violent Felony Burglary Offenses:
 - 1. PL 140.30 - Burglary 1°
 - 2. PL 140.25 - Burglary 2°
- E. Violent Felony Weapon Offenses:
 - 1. PL 265.04 - Crim. Possession of a Dangerous Weapon 1°
 - 2. PL 265.09 - Crim. Possession of a Firearm 1°
 - 3. PL 265.03 - Crim. Possession of a Weapon 2°
 - 4. PL 265.08 - Criminal Use of a Firearm 2°
 - 5. PL 265.02 - Criminal Possession of a Weapon 3°
 - 6. PL 265.12 - Criminal Sale of a Firearm 1°
- F. Violent Felony Sex Offenses:
 - 1. PL 130.35 - Rape 1°
 - 2. PL 130.50 - Sodomy 1°
 - 3. PL 130.70 - Aggravated Sexual Abuse
 - 4. PL 130.65 - Sexual Abuse 1°
- G. Other Violent Felony Offenses
 - 1. PL 135.25 - Kidnapping 1°**
 - 2. PL 135.20 - Kidnapping 2°
 - 3. PL 150.20 - Arson 1°**
 - 4. PL 150.15 - Arson 2°
 - 5. PL 215.16 - Intimidating a Victim or Witness 2°
 - 6. PL 215.17 - Intimidating a Victim or Witness 1°

Note: The above offenses include both attempts and completed unless designated by * which indicates completed offenses only.

** Indicates not designated legislatively as a violent felony, but included in this analysis because these offenses are governed by similar sentencing provisions.

APPENDIX C: DATA SOURCE AND DEFINITIONS

Data Base

Data for this analysis were obtained from the Computerized Criminal History/Offender-Based Transaction Statistics data system (CCH/OBTS) maintained by the Division of Criminal Justice Services (DCJS). This system is a compilation of information on individuals that have been arrested and charged with committing a "fingerprintable" offense as specified in Section 160.10 of the New York State Criminal Procedure Law. The data are collected from police, prosecutors, courts, and correctional agencies in order to track individual offenders through the criminal justice system. (See Attachments A, B, and C for arrest and disposition reporting forms used by DCJS to code and computerize criminal justice processing data).

Unit of Count

The "arrest event" is the unit of count utilized in this report. An arrest event consists of all charges placed against an offender for a given arrest. For this analysis, only those arrest events involving an adult that contains at least one violent felony charge are counted. In those events where two or more violent felonies were charged at arrest, only the most serious offense, based on class and/or Penal Law Article, is counted. For example, an event containing Robbery 1° (Class B felony) and Criminal Use of a Firearm 2° (Class C felony) was classified as a Robbery event. In the analysis of system processing and sentencing, the most serious disposition occurring in a calendar year is the unit of count. (See Appendix D for an explanation of the method used to determine the selection of arrest charges and dispositions for analysis).

Violent Felony Definition

The specific offenses designated as violent felonies are listed in Appendix B. The Class A-I felonies of Murder 1°, Murder 2°, Arson 1°, and Kidnapping 1° have been included in this analysis because they are governed by similar sentencing provisions.

When summarized by Penal Law Article, the violent felony data include only those offenses within that article that are designated as violent felony offenses by legislation. For the analytic purposes of this report and because of the relatively small number of offenses in each separate category, the violent felonies of Kidnapping, Arson, and Intimidation were collapsed into one "Other" offense category.

The specific articles examined include:

Penal Law Article

120	Assault
125	Homicide
130	Sex Offenses
135	Kidnapping
140	Burglary
150	Arson
160	Robbery
215	Intimidation
265	Weapons

Geographic Regions

Arrest and processing data are presented statewide and for three major geographic areas of the State which have been determined by specific county designations. The geographic regions consist of:

New York City which includes Bronx, Kings, New York, Queens, and Richmond counties (accounting for an estimated 41 percent of the State population in 1987'),

Suburban New York City which includes Nassau, Rockland, Suffolk, and Westchester counties (accounting for 21 percent of the State population in 1987'), and

Upstate which includes those remaining fifty-three counties of the State not included in the New York City region or the Suburban New York City region and a small number of cases absent a specific county designation (accounting for 38 percent of the State population in 1987').

Population proportions are compiled from county estimates as projected by the United States Department of Commerce, Bureau of the Census and are based on the 1980 census. It has been determined that these figures represent not more than a .4 percent change in population proportions over the five-year period.

Race/Ethnicity

In this report, the term race/ethnicity includes the categories black, Hispanic, white and other. Because of a data transmission problem, proper coding and reporting of Hispanics in the New York City region after 1982 and through 1984 did not occur. It appears that Hispanic offenders were most often reported as white. As a result, only 1987 highlights are presented.

Courts

The New York State courts have been divided into two groups: lower courts and upper courts. Lower courts include all District, City, Town, and Village courts, and the New York City Criminal Court. Upper courts include the Supreme Court (New York City) and any County Court (outside New York City).

Cases prosecuted in the upper courts can be assumed to have retained at least one felony charge through the indictment or Superior Court Information stage of processing. Dispositions in the lower courts, that is, courts which have only preliminary jurisdiction over felony cases, indicate that the felony charge was dropped or reduced to a non-felony during the early stages of processing.

Overall Conviction Rate

As used in this report this term refers to the proportion of all arrests disposed that resulted in a conviction to any charge, not necessarily the violent felony offense charged at arrest.

Violent Felony Conviction Rate

A more restrictive term than the general overall conviction rate, the violent felony conviction rate refers to the percent of violent felony arrests disposed that resulted in a conviction to a violent felony offense. (There are some instances where there are multiple conviction charges and a conviction to a violent felony was not the most serious conviction. These few cases are referred to as secondary violent felony charges and, where appropriate, are reported separately and noted.)

Overall Incarceration Rate

An incarcerative sentence in this report refers to the sentence categories prison, jail, time served, and jail and probation. The overall incarceration rate is the proportion of convictions resulting in an incarcerative sentence.

Incarceration Rate for Violent Felony Convictions

This rate is based on the proportion of violent felony convictions resulting in an incarcerative sentence. There are some instances where there are multiple conviction charges and a conviction to a violent felony was not the most serious conviction (top-charge). Those few cases are referred to as secondary violent felony charges and when included in the incarceration rate are appropriately noted.

Median-Minimum/Median-Maximum Prison Sentence

The median is defined as the midpoint of a ranked distribution of values. When used in this report in reference to prison sentences, the median figure denotes that one-half of the sentences studied were ranked above the median sentence cited and one-half were ranked below.

The median-minimum and median-maximum prison terms were calculated independently of each other and should not be interpreted as a range similar to the term to which an individual offender would be sentenced. Medians are presented for class of offense for the State and for each specific offense for both the State and regions. Medians for specific offenses will be greatly affected by the number of prison sentences in each class for that offense as the class of the conviction largely defines the range of minimum and maximum prison terms to which the offender can be sentenced. For example, the greater the number of convictions to a class A or B felony the greater the median-minimum/median-maximum prison term will be for that category. Offenses have not been broken down by class for each region but represent the total number of sentences for all classes.

APPENDIX D: SELECTION OF CHARGE AND DISPOSITION FOR ANALYSIS

The following rules apply to the selection of arrest charge and disposition for this analysis:

- At arrest, if there was more than one charge, the most serious violent felony charge was selected.
- If the charges in the arrest event resulted in more than one disposition, the most serious disposition type was selected. (Disposition types were ranked as follows: Conviction, Acquittal, Dismissal, Other, No True Bill, Prosecution Declined.)
- If the charges in the arrest event resulted in dispositions in more than one disposition year, an attempt is made to select only the most serious disposition types across all years that the event was disposed. For example, if the event had a dismissal in 1984 and a conviction in 1985, the event would only be selected for the 1985 disposition cohort. There is no attempt to rank charges within disposition types across years, so an event with a 1983 dismissal and a 1984 dismissal, for example, would be selected for both the 1983 and 1984 disposition cohorts.
- Charge seriousness was determined by the class of offense. Within classes, specific offenses were ranked with personal crimes considered most serious followed by property crimes.

ATTACHMENTS

1. **ARREST/FINGERPRINT CARD (DCJS-2)**
N.Y.S. Division of Criminal Justice Services
2. **LOCAL COURT CRIMINAL DISPOSITION REPORTING FORM**
N.Y.S. Office of Court Administration
3. **SUPERIOR COURT CRIMINAL DISPOSITION REPORTING FORM**
N.Y.S. Office of Court Administration

ATTACHMENT 1: ARREST/FINGERPRINT CARD (DCJS-2) - Side A

1. NYSID No.		2. Name (Last, First, Middle)				3. OBTS/Court Control No. 12878370J		4. Classification (Leave Blank)															
5. Street No.		6. Street Name		7. City/State Address/Zip			8.																
9. Alias or Maiden Name				10. Place of Birth (State or Country)		11.		12. Facsimile Control No.															
13. Date of Birth (M/D/Y)		14. Age	15. Sex	16. Race	17. Skin	18. Hair	19. Eye	20. Height Ft. In.	21. Weight														
22. Arrest Officer ID No.		23. Arresting Agency Name				24.		25. Arrest No.															
27. Date of Arrest		28. Place of Arrest (City, County & State)				29.		30. Time of Arrest															
31. Date of Crime		32. Place of Crime (City, County & State)				33.		34. Type of Arrest															
36 CHARGE(S)	Law	Section No.	Sub-Dir.	Cts	Off. Cat.	Alt. Cd.	Deg.	Name of Offense	Cts	NCIC Code	Victim's 37 Age 38 Sex		39. Type of Weapon	40.									
44. Arrest Agency Case No.				45. No. of Offenders		46. No. of Victims		43. Signature of Arrestee		X		41. Social Security No.		42. FBI Number									
1. Right Thumb		2. Right Index		3. Right Middle		4. Right Ring		5. Right Little															
6. Left Thumb		7. Left Index		8. Left Middle		9. Left Ring		10. Left Little															
Left Four Fingers Taken Simultaneously				Left Thumb		Right Thumb		Right Four Fingers Taken Simultaneously															
INITIAL COURT REPORT OF CRIMINAL CASES Arresting Officer: (NYC) Submit to ADA (outside NYC) Submit to Initial Court of Arraignment										▲ Tear off on dotted line ▲ See back for full instructions - Please print or type Always complete items in Section 1					OCA - 501 (REV. 4/83) Court Case Number(s) (For Court Use)								
Defendant (Last Name, First Name)						Court Control No. 12878370 J				Pct. & Arrest No.													
1	Date of Birth (M/D/Y)		County & Name of Court								Date of Arrest												
	Facsimile Control No.										Date of Arraignment												
(outside NYC) Arresting Officer: Please enter the top 2 charges. <table style="width:100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 20%;">Law</td> <td style="border-bottom: 1px solid black; width: 20%;">Section No.</td> <td style="border-bottom: 1px solid black; width: 40%;">Name of Offense</td> <td style="border-bottom: 1px solid black; width: 20%;">Cts</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>														Law	Section No.	Name of Offense	Cts						
Law	Section No.	Name of Offense	Cts																				
For ADA Use — Dismissals Prior To Arraignment 2 <input type="checkbox"/> All charges against this defendant on this arrest dismissed by ADA prior to arraignment.												Date of Dismissal		Initials									

ATTACHMENT 1: ARREST/FINGERPRINT CARD (DCJS-2) - Side B

DCJS-2 (4/83)
ARREST

STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
IDENTIFICATION & DATA SYSTEMS
ALBANY, NEW YORK 12203

36A. C H A R G E S:	Law	Section No.	Sub Div.	Cl.	Off. Cat.	Alt. Cd.	Deg.	Name of Offense	Cl.	NCIC Code	Victim's 37A Age 38A Sex		12A Facsimile Control Number
47. Date Fingerprinted			48. Signature of Person Taking Fingerprints					49. Physical Marks and Oddities					
50. Description of Crime													51. Additional Information
52. Arresting Officer's Name								53. Command					

INSTRUCTIONS — Letter shaded areas only. Enter all dates as M/D/Y. e.g. 07/26/48

- 1. NYSID NUMBER** - Formerly NYSIS Number. Enter if known.
- 9. ALIAS AND/OR MAIDEN NAME** - An alias is a complete name in which the given and/or surname is different than those entered in Item 2.
- 10. PLACE OF BIRTH** - Enter either state or country only. If U.S.A., enter state. If not U.S.A., enter country.
- 12. FACSIMILE CONTROL NO.** - Enter on front and back when facsimile transmission is used.
- 15. SEX** - Enter "M" for Male, "F" for Female, and "U" for Unknown.
- 16. RACE/ETHNICITY** - Enter the racial appearance code which best describes the person's appearance.

B - Black	A - Asian: Includes Asian Indians, Chinese, Japanese, Koreans, Filipinos, Indonesians, Polynesians, and other Non-Whites.
BH - Black Hispanic	U - Unknown
WH - White Hispanic	
W - White	
I - American Indian and Alaskan Natives	
- 17. SKIN** - Enter the skin tone code for the category which best describes the person's appearance in relation to his racial appearance, e.g. dark skinned white person, light skinned Negro.

L - Light	M - Medium	D - Dark
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- 18. HAIR** - Enter hair color code which best describes the person's hair color.

BAL - *Bald	RED - Red or Auburn
BLK - Black	SOY - Sandy
BLN - Blonde or Strawberry	XXX - Unknown
BRO - Brown	WHI - White
GRY - Gray or Partially Gray	OTH - Other

*Bald (BAL) is to be used when subject has lost most of the hair on his head or is hairless.
- 19. EYES** - Enter the eye color codes which best describes the person's eye color.

BLK - Black	HAZ - Hazel
BLU - Blue	MAR - Maroon
BRO - Brown	PNK - Pink
GRY - Gray	XXX - Unknown
GRN - Green	OTH - Other
- 22. ARRESTING OFFICER ID. #** - Unique permanent number used by your agency to identify the arresting officer.
- 25. ARREST NO. OR AGENCY ID.** - Number assigned to identify the individual arrested by the arresting agency.
- 30. TIME OF ARREST** - Use military time such as 0300 for 3 A.M., 1330 for 1:30 P.M. and 2320 for 11:20 P.M., etc.

- 34. TYPE OF ARREST** - Includes WAR - Warrant, NWR - No Warrant Used, SUM - Summons, CIP - Crime in Progress, COM - Complaint, OTH - Other or UNK - Unknown, AT - Appearance Ticket, TOF - Turned Over To, FOA - Fugitive for Other Authority, etc.
- 35. COURT OF ARRAIGNMENT** - Enter court name and geographical jurisdiction, e.g. Buffalo City Court. If a Town or Village Justice Court, enter the name and jurisdiction, including Town or Village and County of the Judge, e.g. Hon. Henry Learned, T. J. Berne, Albany Co.
- 36. CHARGE(S)** - Enter all charges with the most serious first, as set forth in the DCJS Charge Code Manual. At least one of the charges must be a fingerprintable offense as defined in CPL Section 160.10. If more space is needed, enter in Item 36A.
LAW - Enter law abbreviation. For example:

PL - Penal Law	CPL - Criminal Procedure Law
VTL - Vehicle & Traffic Law	
- SECTION NUMBER** - Enter Section Number of Law.
- SUBDIVISION NUMBER** - Enter subdivision, if any; if none, enter "00".
- CLASS** - Enter class of crime - A, B, C, D, E, or U - Unclassified. In the case of an "attempted" crime, enter the class as though the crime had been committed and enter "A" in the Attempt Code field.
- OFFENSE CATEGORY** - Enter letter as follows:

F - Felony	V - Violation
M - Misdemeanor	I - Infraction
- ATTEMPT CODE** - Enter "A" for attempted crimes, "O" for all other crimes.
- DEGREE** - Enter degree of crime, if applicable.
- NAME OF OFFENSE** - Enter name of offense for which individual is charged using standard abbreviations when applicable, e.g., CR POSS CONTROLLED SUBST, ASSAULT - 2nd.
- COUNTS** - Enter the number of counts for each offense.
- NCIC CODE** - Enter the appropriate 4 digit NCIC Uniform Offense Classification Code whose literal best describes the offense committed.
- 37/38. VICTIM'S AGE AND SEX** - Enter the age and sex of the oldest victim on the line used to record charges involving this oldest victim. Leave the victim age and sex boxes blank on any line where the charge entered does not involve the oldest victim or where the charge involves a law enforcement officer. When eldest victims are the same age but different sex, enter the letter "D".
- 39. TYPE OF WEAPON** - Required for PL 265 Arrests - Pistol, Rifle, Knife, etc.
- 44. CASE NUMBER** - Enter the number assigned by your agency to the file folder used to hold the information about all victims and offenders involved in this case.
- 46. NUMBER OF VICTIMS** - Enter the total number of persons victimized by the offenders in this case.
- 49. PHYSICAL MARKS & ODDITIES** - Enter any amputations, deformities, visible scars, marks or tattoos.
- 51. ADDITIONAL INFORMATION** - Enter any miscellaneous information which may be helpful. If used for additional space for another item, please indicate the item number to which you are referring.

OCA-501, Reverse (Rev. 4/83)

▲ Tear off on dotted line ▲

INSTRUCTIONS FOR INITIAL COURT REPORT OF CRIMINAL CASES

- 1. Arresting Officer** (outside NYC) Complete Section 1 including the top 2 arrest charges. The OCA-501 should be immediately attached to and remain with the accusatory instrument.
- 2. Assistant District Attorney** (NYC arrest) Hand over the card to the Criminal Court in your borough. (outside NYC arrest) Mail the Card to:

Criminal Disposition Reporting Unit
NYS UNIFIED COURT SYSTEM
(Office of Court Administration)
270 Broadway
New York, New York 10007

- 3. Courts Using the OCA-540 or 540-A:** The number on the card must be entered onto the CDR form, after which it is stapled onto the CDR form.

Courts Using On-Line System (OBTs): Use the number on this card to identify arrest file in initialization or arraignment entry routine.

ATTACHMENT 2

LOCAL COURT CRIMINAL DISPOSITION REPORTING FORM

LOCAL COURT CRIMINAL DISPOSITION REPORT

UCS 540.3/85

(1) DATA	SERIAL #		COURT CODE, NAME OF COURT (NAME OF T/J, V/J)				DOCKET/CASE #		
	DEFENDANT'S NAME (LAST, FIRST, M.I.)				COURT CONTROL # (501 CARD)		NYSID #		
	ALIAS (AKA)		ARREST DATE		ARRGN. DATE		COUNSEL TYPE		
						DISP. JUDGE (IF DIFF.)			
(2) INTERIM DISPOSITION								TRANS-CASE TRANSFERRED (SPECIFY COURT)	
DISP. DATE		DISP. CODE		TRANSFER TO COURT		DISP. DATE			
						DISP. CODE			
(3) CHARGES AND DISPOSITIONS									
CHARGE #1				CHARGE #2					
LAW CODE	SECTION #	ATTEMPT (PL ART. 110)	# OF COUNTS	LAW CODE	SECTION #	ATTEMPT (PL ART. 110)	# OF COUNTS		
DESCRIPTION			REMAINING COUNTS ARE: DISM COVERED <input type="checkbox"/> ACQUITTED <input type="checkbox"/>	DESCRIPTION			REMAINING COUNTS ARE: DISM COVERED <input type="checkbox"/> ACQUITTED <input type="checkbox"/>		
DISP. DATE		DISP. CODE		DISP. DATE		DISP. CODE			
ACD DEEMED DISM. DATE		COVERED BY CASE #		ACD DEEMED DISM. DATE		COVERED BY CASE #			
SENTENCE ON CHARGE #1				SENTENCE ON CHARGE #2					
DATE SENTENCED		SENTENCE CODE		DATE SENTENCED		SENTENCE CODE			
FINE AMOUNT \$		FINE PAID <input type="checkbox"/> Y <input type="checkbox"/> N	PROBATION TIME <input type="checkbox"/> 1 YEAR <input type="checkbox"/> 3 YEARS	FINE AMOUNT \$		FINE PAID <input type="checkbox"/> Y <input type="checkbox"/> N	PROBATION TIME <input type="checkbox"/> 1 YEAR <input type="checkbox"/> 3 YEARS		
CUSTODY TIME		CONCURRENT <input type="checkbox"/>	CONSECUTIVE <input type="checkbox"/>	INTERMITTENT <input type="checkbox"/>	CUSTODY TIME		CONCURRENT <input type="checkbox"/>		
		CONSECUTIVE <input type="checkbox"/>		INTERMITTENT <input type="checkbox"/>					
ADJUDICATED Y.O. (CPL 720) <input type="checkbox"/>		DRIVER'S LICENSE SUSPENDED <input type="checkbox"/>		DRIVER'S LICENSE REVOKED <input type="checkbox"/>		ADJUDICATED Y.O. (CPL 720) <input type="checkbox"/>			
		DRIVER'S LICENSE SUSPENDED <input type="checkbox"/>		DRIVER'S LICENSE REVOKED <input type="checkbox"/>					
CHARGE #3				CHARGE #4					
LAW CODE	SECTION #	ATTEMPT (PL ART. 110)	# OF COUNTS	LAW CODE	SECTION #	ATTEMPT (PL ART. 110)	# OF COUNTS		
DESCRIPTION			REMAINING COUNTS ARE: DISM COVERED <input type="checkbox"/> ACQUITTED <input type="checkbox"/>	DESCRIPTION			REMAINING COUNTS ARE: DISM COVERED <input type="checkbox"/> ACQUITTED <input type="checkbox"/>		
DISP. DATE		DISP. CODE		DISP. DATE		DISP. CODE			
ACD DEEMED DISM. DATE		COVERED BY CASE #		ACD DEEMED DISM. DATE		COVERED BY CASE #			
SENTENCE ON CHARGE #3				SENTENCE ON CHARGE #4					
DATE SENTENCED		SENTENCE CODE		DATE SENTENCED		SENTENCE CODE			
FINE AMOUNT \$		FINE PAID <input type="checkbox"/> Y <input type="checkbox"/> N	PROBATION TIME <input type="checkbox"/> 1 YEAR <input type="checkbox"/> 3 YEARS	FINE AMOUNT \$		FINE PAID <input type="checkbox"/> Y <input type="checkbox"/> N	PROBATION TIME <input type="checkbox"/> 1 YEAR <input type="checkbox"/> 3 YEARS		
CUSTODY TIME		CONCURRENT <input type="checkbox"/>	CONSECUTIVE <input type="checkbox"/>	INTERMITTENT <input type="checkbox"/>	CUSTODY TIME		CONCURRENT <input type="checkbox"/>		
		CONSECUTIVE <input type="checkbox"/>		INTERMITTENT <input type="checkbox"/>					
ADJUDICATED Y.O. (CPL 720) <input type="checkbox"/>		DRIVER'S LICENSE SUSPENDED <input type="checkbox"/>		DRIVER'S LICENSE REVOKED <input type="checkbox"/>		ADJUDICATED Y.O. (CPL 720) <input type="checkbox"/>			
		DRIVER'S LICENSE SUSPENDED <input type="checkbox"/>		DRIVER'S LICENSE REVOKED <input type="checkbox"/>					
(4) COMPLETED BY		(5) SEAL ORDER (PLEASE PRINT)			(6) REMARKS				
COPY 1		RETURN PRINTS AND PHOTOS TO: NAME							
COPY 2									
COPY 3		ADDRESS							
COPY 4		CITY, STATE, ZIP							
COURT FILE COPY		<input type="checkbox"/> CPL 160.50 <input type="checkbox"/> CPL 160.55							
MAIL TO:		SEALING ORDERED BY:							
CDR UNIT (O.C.A.) UNIFIED COURT SYSTEM 270 BROADWAY NEW YORK, NY 10007		HONORABLE: DATE OF ORDER: AUTHORIZED SIGNATURE							

ATTACHMENT 3

SUPERIOR COURT CRIMINAL DISPOSITION REPORTING FORM

SUPERIOR COURT CRIMINAL DISPOSITION REPORT

UCS-540A (9/84)

(1) C A S E D A T A	SERIAL #		DEFENDANT'S NAME (LAST, FIRST, M.I.)				IND/SCI #		
			ALIAS (AKA)				COUNSEL TYPE	D.O.B.	
	NYSID #		ARREST DATE		ARRAIGNMENT DATE		DISPOSITION JUDGE		
	COURT CONTROL # (SOT CARD)		ARRAIGNMENT COURT CODE AND NAME						
	<p style="text-align: center;">GRAND JURY ACTION -- ENTER DATE AND CHECK ONE BOX. ENTER ALL CHARGES BELOW.</p> <div style="display: flex; justify-content: space-between;"> <div>DATE OF ACTION</div> <div> <input type="checkbox"/> TRUE BILL (IND.) <input type="checkbox"/> SUP. CT. INFO. <input type="checkbox"/> NO BILL (DISM.) <input type="checkbox"/> REMOVED TO FAM. CT. <input type="checkbox"/> REFERRED TO LOCAL CRIM. CT. </div> </div>								
<p>2) INTERIM DISPOSITION BW - BENCH WARRANT ISSUED TRANS - CHANGE OF VENUE (SPECIFY COURT) ROW - RETURNED ON WARRANT</p>									
DISP. DATE		DISP. CODE		TRANSFER TO COURT		DISP. DATE		DISP. CODE	
(3) CHARGES AND DISPOSITIONS									
CHARGE #1					CHARGE #2				
LAW CODE	SECTION #		ATTEMPT (PL ART. 110) <input type="checkbox"/>	# OF COUNTS		LAW CODE	SECTION #		ATTEMPT (PL ART. 110) <input type="checkbox"/>
DESCRIPTION					DESCRIPTION				
DISP. DATE		DISP. CODE		REMAINING COUNTS ARE:		DISP. DATE		DISP. CODE	
ACD DEEMED DISM. DATE		COVERED BY CASE #		DISM. COVERED ACQUITTED <input type="checkbox"/>		ACD DEEMED DISM. DATE		COVERED BY CASE #	
SENTENCE ON CHARGE #1					SENTENCE ON CHARGE #2				
DATE SENTENCED		SENTENCE CODE			DATE SENTENCED		SENTENCE CODE		
FINE AMOUNT \$	FINE PAID <input type="checkbox"/> Y <input type="checkbox"/> N	PROBATION TIME <input type="checkbox"/> 1YR. <input type="checkbox"/> 3YRS. <input type="checkbox"/> 5YRS. <input type="checkbox"/> LIFE			FINE AMOUNT \$	FINE PAID <input type="checkbox"/> Y <input type="checkbox"/> N	PROBATION TIME <input type="checkbox"/> 1YR. <input type="checkbox"/> 3YRS. <input type="checkbox"/> 5YRS. <input type="checkbox"/> LIFE		
CUSTODY TIME		CONCURRENT <input type="checkbox"/>	CONSECUTIVE <input type="checkbox"/>	INTERMITTENT <input type="checkbox"/>	CUSTODY TIME		CONCURRENT <input type="checkbox"/>	CONSECUTIVE <input type="checkbox"/>	INTERMITTENT <input type="checkbox"/>
ADJUDICATED Y.O. (CPL 720) <input type="checkbox"/>		DRIVER'S LICENSE SUSPENDED <input type="checkbox"/>		DRIVER'S LICENSE REVOKED <input type="checkbox"/>	ADJUDICATED Y.O. (CPL 720) <input type="checkbox"/>		DRIVER'S LICENSE SUSPENDED <input type="checkbox"/>		DRIVER'S LICENSE REVOKED <input type="checkbox"/>
(4) COMPLETED BY		(5) SEAL ORDER (PLEASE PRINT)				(6) REMARKS			
COPY 1		RETURN PRINTS AND PHOTOS TO: NAME							
COPY 2									
COPY 3		ADDRESS							
COPY 4		CITY, STATE, ZIP							
COURT FILE COPY		<input type="checkbox"/> CPL 160.50 <input type="checkbox"/> CPL 160.55							
MAIL TO: CDR UNIT (O.C.A) UNIFIED COURT SYSTEM 270 BROADWAY NEW YORK, N.Y. 10007		SEALING ORDERED BY: HONORABLE: DATE OF ORDER AUTHORIZED SIGNATURE							

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