2012 Disposition Outcomes for Felony and Misdemeanor Arrests of Penal Law Charges

How to Read These Tables

These tables are a supplemental reference for applicants responding to the 2013 Alternatives to Incarceration Request for Proposals from the New York State Division of Criminal Justice Services (DCJS). DCJS expects that applicants will propose programs in geographic areas with a demonstrated need for services. These data provide information about each county to help applicants understand arrest volume and how different arrest charges were disposed within each county during 2012. Data tables are also provided for New York State, New York City, and all non-NYC counties.

The data are from the Computerized Criminal History (CCH) system maintained by DCJS. CCH includes adult arrests for fingerprintable offenses (ages 16 and older; and juvenile offenders prosecuted in the adult courts) and the dispositions of those arrests. Please note that these tables reflect Penal Law arrests only; Vehicle and Traffic Law related arrests are not shown. These tables provide details on the felony and misdemeanor arrest charges of cases disposed within the county, presented in order of the most common charge to the least common in each region (NYS, NYC, and ROS) and for each county. The 30 most common arrest charges are shown for each county, with an "others" category representing the other less frequent charges. Vehicle and Traffic Law related arrests and violation level arrests are excluded from this table.

The data is presented in two categories in each table. The block on the left shows those who had never been convicted of a crime at the time of the arrest; the block on the right shows those who had one or more criminal convictions at the time of arrest (prior convictions are an important indicator of future recidivism risk so those with prior convictions tend to have higher risk). Within each block, the outcomes are presented in the format of **six** subcategories for the felony table that show how the cases were ultimately disposed: prison, jail, time served, jail with probation, probation, and other. The "other" category includes fine, conditional discharge, unconditional discharge, dismissals, and acquittals. For the misdemeanor table, the outcomes are presented in the format of **four** subcategories: jail, time served, probation, and other. The "other" category includes fine, conditional discharge, unconditional discharge, dismissals, and acquittals.

It is important to note that (1) The charge indicated is the arrest charge. For those who are convicted, the conviction charge is often a reduced charge resulting from a plea. (2) DCJS does not maintain information on who is detained in jail. However, information on the proportion of offenders who received jail or a time served sentence is shown and the individuals who receive these sentences are often the same individuals who were detained in jail after arrest.

Sample of Felony Charges Statewide:

Arrest Charge	Total Disposed	No Prior Convictions							Prior Felony or Misdemeanor Convictions						
		N	Prison	Jail	Time Served	Jail +Prob.	Prob.	Others	N	Prison	Jail	Time Served	Jail +Prob.	Prob.	Others
PL 120.05 ASSAULT-2ND DEGREE	13,743	8,854	2%	5%	3%	3%	6%	82%	4,889	9%	19%	5%	3%	5%	59%
PL 220.39 CRIM SALE CONTR SUBST-3RD	10,823	3,226	9%	9%	7%	4%	12%	59%	7,597	17%	19%	11%	2%	4%	47%
PL 220.16 CRIM POSS CONTR SUBST-3RD	10,026	4,434	5%	7%	7%	3%	10%	69%	5,592	16%	18%	11%	2%	6%	47%
PL 155.30 GRAND LARCENY-4TH	9,973	5,955	1%	7%	4%	3%	13%	71%	4,018	10%	28%	4%	3%	8%	47%

Above is the table excerpt of disposition outcomes for felony arrests statewide. The top four felony arrests are shown. There were 13,743 cases disposed in 2012 with the charge of assault 2nd degree (PL120.05). The first block labeled "No Prior Convictions" shows 8,854 assault 2nd degree cases involving defendants with no prior convictions. For defendants from these 8,854 cases, 2% were sentenced to prison; 5% were sentenced to jail; 3% were sentenced to time served; and, 82% had "other" outcomes. The "Any Prior Felony or Misd. Convictions" category follows the same logic. You will note that a much higher proportion of those arrested for assault 2nd degree who had prior convictions receive an incarcerative sentence, such as prison, jail, or time served. The second, third, and fourth most common felony arrest charges are criminal sale of controlled substance 3rd degree (PL220.39), criminal possession of controlled substance 3rd degree (PL220.16), and grand larceny 4th degree (PL155.30), respectively.

Sample of Misdemeanor Charges Statewide:

Arrest Charge	Total Disposed	No Prior Convictions					Prior Felony or Misd. Convictions				
		N	Jail	Time Served	Prob.	Others	N	Jail	Time Served	Prob.	Others
PL 155.25 PETIT LARCENY	55,586	34,010	3%	3%	2%	91%	21,576	38%	9%	3%	49%
PL 221.10 CRIM POSS MARIJUANA-5TH	47,070	34,319	1%	4%	0%	95%	12,751	8%	26%	0%	66%
PL 220.03 CRIM POSS CONTR SUBST-7TH	38,211	14,559	5%	8%	3%	84%	23,652	29%	21%	2%	48%
PL 120.00 ASSAULT-3RD	35,121	24,403	2%	2%	2%	94%	10,718	13%	4%	2%	80%

Above is the table excerpt of disposition outcomes for misdemeanor arrests statewide. The top four misdemeanor arrests are shown. There were 55,586 cases disposed in 2012 with the charge of petit larceny (PL155.25). The first block labeled "No Prior Convictions" shows 34,010 petit larceny cases involve defendants with no prior convictions. For defendants from these 34,010 cases, 3% were sentenced to jail; 3% were sentenced to time served; 2% were sentenced to probation; and, 91% had "other" outcomes. The "Any Prior Felony or Misd. Convictions" category follows the same logic. You will note that a much higher proportion of those arrested for petit larceny who had prior convictions receive an incarcerative sentence, such as jail or time served. The second, third, and fourth most common misdemeanor arrest charges are criminal possession of marijuana 5th degree (PL155.25), criminal possession of controlled substance 7th degree (PL220.03), and assault 3rd degree (PL120.00), respectively.