



**Division of Criminal
Justice Services**

Criminal Justice Statistical Report

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Violent Felony Offense Processing Report Series

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New York State Violent Felony Offense Processing 2015 Annual Report

INTRODUCTION

Chapter 481 of the Laws of 1978 substantially revised New York State's penal, criminal procedure and executive laws. The law created Penal Law §70.02, which specified certain Class B through Class E felonies as "violent felony offenses" (VFO). As a result of the legislation, persons convicted of VFOs were sentenced based on laws that were different from the laws that controlled the sentencing of persons who were convicted of other (non-VFO) felonies. This law also required the Division of Criminal Justice Services to report on the processing and disposition of persons charged with VFOs.

Since 1978, additional offenses were designated as VFOs and the sentencing laws related to VFOs were changed on several occasions, most notably by legislation in 1995 and 1998 which required that persons convicted of VFOs and sentenced to prison receive determinate rather than indeterminate sentences.

This report complies with the original reporting requirement by providing information regarding arrests for VFOs, prosecutions in superior court for persons charged with a violent felony offense in an indictment or superior court information (SCI), and for the disposition of superior court cases for 2011 to 2015. While Class A felonies were not designated as violent felonies by legislation (Penal Law 70.02), they are included here because they are governed by similar sentencing provisions. Attempts at these offenses (Class B felonies) are specified as VFOs.

In addition to presenting statewide data, the report includes summary information for three regional categories: New York City, Large Counties and Small Counties. New York City includes the five boroughs: Bronx, Kings, Queens, New York and Richmond. The Large Counties category includes the counties that collectively report 85 percent of the violent crime in the state outside of New York City: Albany, Broome, Chautauqua, Dutchess, Erie, Monroe, Nassau, Niagara, Oneida, Onondaga, Orange, Rensselaer, Rockland, Schenectady, Suffolk, Ulster and Westchester. The state's remaining counties make up the Small Counties category.

The report contains a findings section that provides an overview of changes that took place during the five-year period; a data notes section that describes the sources of the data used in the report and other explanatory information about the data; and a data section that contains tables with additional information about the processing of persons charged with violent felony offenses. See Appendix A for a list of VFO offenses.

SELECTED FINDINGS

The following table shows the number of VFO arrests, VFO indictments and SCIs, VFO convictions and prison sentences for VFO convictions based on the year in which each of those events occurred. This means, for example, that a person sentenced to prison in 2015 may have been arrested, indicted, or convicted in an earlier year or years.

VIOLENT CRIME AND VIOLENT FELONY OFFENDERS IN NEW YORK STATE 2011 TO 2015

		2011	2012	2013	2014	2015	% Change '14-'15	% Change '11-'15
Violent Felony Offense Arrests	New York State	44,666	43,977	42,875	41,462	40,884	-1.4%	-8.5%
	New York City	27,790	27,510	27,205	26,804	26,820	0.1%	-3.5%
	Large Counties	13,606	13,135	12,538	11,861	11,494	-3.1%	-15.5%
	Small Counties	3,270	3,332	3,132	2,797	2,570	-8.1%	-21.4%
Violent Felony Offense Superior Court Actions	New York State	15,307	15,055	14,693	12,840	12,093	-5.8%	-21.0%
	New York City	8,356	8,338	8,089	6,967	6,564	-5.8%	-21.4%
	Large Counties	5,432	5,059	5,081	4,393	4,289	-2.4%	-21.0%
	Small Counties	1,519	1,658	1,523	1,480	1,240	-16.2%	-18.4%
Violent Felony Offense Convictions/YO Adjudications	New York State	9,529	9,399	9,349	8,160	7,479	-8.3%	-21.5%
	New York City	4,916	4,772	4,913	4,085	3,735	-8.6%	-24.0%
	Large Counties	3,779	3,767	3,607	3,230	3,032	-6.1%	-19.8%
	Small Counties	834	860	829	845	712	-15.7%	-14.6%
Violent Felony Offense Prison Sentences	New York State	6,203	6,183	6,303	5,588	5,299	-5.2%	-14.6%
	New York City	3,190	3,103	3,283	2,746	2,660	-3.1%	-16.6%
	Large Counties	2,453	2,478	2,435	2,247	2,127	-5.3%	-13.3%
	Small Counties	560	602	585	595	512	-13.9%	-8.6%

Sources: DCJS, Computerized Criminal History System, Felony Processing File (as of 6/21/16).

Includes Juvenile Offenders (JOs) and Youthful Offenders (YOs):

Juvenile Offenders (JO) are youth age 13 to 15 at the time of crime who are arrested for certain violent felony offenses and processed in adult court (see PL 70.05).

Offenders age 16 to 18 at time of crime may be adjudicated as Youthful Offenders (see CPL 720.10), which result in a sealed criminal record. Table 7 on page 12 includes information on the number of VFO cases disposed as YO adjudications 2011-2015

Over the five-year period covered by this report, the number of VFO arrests, indictments/SCIs, convictions, and sentences have decreased statewide. VFO arrests decreased statewide (-8.5%) with larger decreases seen in Large Counties (-15.5%) and Small Counties (-21.4%). VFO arrests in New York City decreased slightly (-3.5%).

Between 2014 and 2015, all statewide VFO processing points showed decreases: statewide arrests (-1.4%), statewide indictments/SCIs (-5.8%), convictions/YO adjudications (-8.3%), and prison sentences (-5.2%).

**PRISON SENTENCES
FOR VIOLENT FELONY CONVICTIONS AND YOUTHFUL OFFENDER ADJUDICATIONS**

		2011	2012	2013	2014	2015	% Change '14-'15	% Change '11-'15
NEW YORK STATE	ALL VIOLENT FELONY OFFENSES	6,203	6,183	6,303	5,588	5,299	-5.2%	-14.6%
	ASSAULT	940	913	905	870	900	3.4%	-4.3%
	STRANGULATION	13	26	19	26	25	*	*
	HOMICIDE	454	494	505	471	470	-0.2%	3.5%
	SEX OFFENSES	606	581	614	520	479	-7.9%	-21.0%
	BURGLARY	1,238	1,286	1,329	1,158	981	-15.3%	-20.8%
	ROBBERY	1,762	1,637	1,629	1,421	1,327	-6.6%	-24.7%
	WEAPON OFFENSES	1,113	1,184	1,234	1,051	1,045	-0.6%	-6.1%
	OTHER VFOS	77	62	68	71	72	1.4%	-6.5%
NEW YORK CITY	ALL VIOLENT FELONY OFFENSES	3,190	3,103	3,283	2,746	2,660	-3.1%	-16.6%
	ASSAULT	517	483	534	446	502	12.6%	-2.9%
	STRANGULATION	5	9	5	4	7	*	*
	HOMICIDE	273	310	341	275	290	5.5%	6.2%
	SEX OFFENSES	207	190	244	193	175	-9.3%	-15.5%
	BURGLARY	466	418	493	434	387	-10.8%	-17.0%
	ROBBERY	1,126	1,062	1,012	861	771	-10.5%	-31.5%
	WEAPON OFFENSES	566	599	627	494	501	1.4%	-11.5%
	OTHER VFOS	30	32	27	39	27	-30.8%	-10.0%
LARGE COUNTIES	ALL VIOLENT FELONY OFFENSES	2,453	2,478	2,435	2,247	2,127	-5.3%	-13.3%
	ASSAULT	313	321	283	321	302	-5.9%	-3.5%
	STRANGULATION	7	9	9	16	12	*	*
	HOMICIDE	150	157	137	171	164	-4.1%	9.3%
	SEX OFFENSES	247	245	223	184	180	-2.2%	-27.1%
	BURGLARY	599	663	627	539	441	-18.2%	-26.4%
	ROBBERY	585	512	553	495	496	0.2%	-15.2%
	WEAPON OFFENSES	516	548	571	504	498	-1.2%	-3.5%
	OTHER VFOS	36	23	32	17	34	100.0%	-5.6%
SMALL COUNTIES	ALL VIOLENT FELONY OFFENSES	560	602	585	595	512	-13.9%	-8.6%
	ASSAULT	110	109	88	103	96	-6.8%	-12.7%
	STRANGULATION	1	8	5	6	6	*	*
	HOMICIDE	31	27	27	25	16	-36.0%	-48.4%
	SEX OFFENSES	152	146	147	143	124	-13.3%	-18.4%
	BURGLARY	173	205	209	185	153	-17.3%	-11.6%
	ROBBERY	51	63	64	65	60	-7.7%	17.6%
	WEAPON OFFENSES	31	37	36	53	46	-13.2%	48.4%
	OTHER VFOS	11	7	9	15	11	-26.7%	0.0%

Sources: DCJS, Felony Processing File (as of 6/21/16).

Includes Juvenile Offenders (JOs) and Youthful Offenders (YOs).

*Percent change not calculated due to small number of cases.

The table above shows the trends in the number of prison sentences for VFO crimes over the five year period covered in this report as well as changes between 2014 and 2015. Between 2011 and 2015, prison sentences decreased significantly (-14.6%). Prison sentences also decreased between 2014 and 2015 (-5.2%). The largest decreases over the past year were seen in prison sentences for burglary (-15.3%), sex offenses (-7.9%) and robbery (-6.6%).

In New York City, prison sentences decreased by 3.1% from 2014 to 2015, and in Large Counties sentences decreased by 5.3% over the same period. Prison sentences in Small Counties decreased between 2014 and 2015 to its lowest total in the past five years (-13.9%).

DATA NOTES

The data source for the violent felony offense statistics in this report is the DCJS Computerized Criminal History (CCH) system. The counts of arrests are derived from finger-printable adult arrest information transmitted from law enforcement agencies to CCH. The counts for felony actions (indictments and superior court information) and for the dispositions of these cases are derived from superior court case information transmitted to CCH from the New York State Office of Court Administration.

Cases in this report are characterized by the most serious charge in the event (arrest, indictment/SCI, or conviction). If the top charge in the event is not a VFO, that event is not included in the statistical tables included in this report. In addition to the offenses specified as VFOs in Penal Law §70.02, certain Class A felonies are included in the statistical tables in this report if attempts to these offenses (Class B felonies) are specified as VFOs or if the offense meets the definition of a “predicate violent felony conviction” found in Penal Law §70.04 - sentence of imprisonment for second violent felony offender. In essence, this includes all Class A felonies other than Penal Law Article 220 (controlled substances) felonies.

The unit of count for arrests is the “arrest event” characterized by the most serious arrest charge in the event (i.e. one arrest event that contains more than one VFO charge is counted as one arrest). The unit of count for indictments and superior court indictments is the “defendant-indictment.” When more than one defendant is charged in one indictment or SCI, each defendant is counted separately. If one defendant is charged in multiple indictments or SCIs, each indictment or SCI is counted separately. More than one indictment or SCI can be linked to a single arrest event and multiple arrests can be combined into one indictment or SCI. As with arrests, if an indictment or SCI contains more than one VFO charge it is counted once.

The unit of count for prison sentences is each superior court case in which a prison sentence is imposed. Because a person can be sentenced to prison in more than one superior court case in a given year, DCJS sentence counts are generally higher than DOCCS admission counts.

ADDITIONAL DATA TABLES

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**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 1 - VIOLENT FELONY OFFENSE ADULT ARRESTS
CHARGE TYPE OF TOP ARREST CHARGE**

		2011	2012	2013	2014	2015	% Change '14-'15	% Change '11-'15
NEW YORK STATE	TOTAL VFO ARRESTS	44,666	43,977	42,875	41,462	40,884	-1.4%	-8.5%
	ASSAULT	16,525	16,617	16,540	16,670	16,183	-2.9%	-2.1%
	STRANGULATION	1,535	1,861	2,149	2,134	2,026	-5.1%	32.0%
	HOMICIDE	861	816	760	891	856	-3.9%	-0.6%
	SEX OFFENSES	2,426	2,409	2,220	2,164	2,147	-0.8%	-11.5%
	BURGLARY	6,994	6,974	6,741	6,007	5,279	-12.1%	-24.5%
	ROBBERY	10,508	9,723	9,347	8,308	8,878	6.9%	-15.5%
	WEAPON OFFENSES	5,285	5,005	4,558	4,644	4,924	6.0%	-6.8%
OTHER	532	572	560	644	591	-8.2%	11.1%	
NEW YORK CITY	TOTAL VFO ARRESTS	27,790	27,510	27,205	26,804	26,820	0.1%	-3.5%
	ASSAULT	11,176	11,551	11,740	12,218	11,835	-3.1%	5.9%
	STRANGULATION	1,116	1,399	1,717	1,703	1,634	-4.1%	46.4%
	HOMICIDE	613	585	470	632	554	-12.3%	-9.6%
	SEX OFFENSES	1,151	1,096	1,038	995	1,023	2.8%	-11.1%
	BURGLARY	1,861	1,851	1,892	1,777	1,559	-12.3%	-16.2%
	ROBBERY	7,792	7,150	6,814	5,884	6,481	10.1%	-16.8%
	WEAPON OFFENSES	3,850	3,621	3,274	3,280	3,471	5.8%	-9.8%
OTHER	231	257	260	315	263	-16.5%	13.9%	
LARGE COUNTIES	TOTAL VFO ARRESTS	13,606	13,135	12,538	11,861	11,494	-3.1%	-15.5%
	ASSAULT	4,398	4,207	3,994	3,703	3,608	-2.6%	-18.0%
	STRANGULATION	309	336	334	336	293	-12.8%	-5.2%
	HOMICIDE	217	195	258	227	269	18.5%	24.0%
	SEX OFFENSES	822	803	758	759	697	-8.2%	-15.2%
	BURGLARY	3,817	3,763	3,525	3,128	2,830	-9.5%	-25.9%
	ROBBERY	2,517	2,372	2,341	2,238	2,219	-0.8%	-11.8%
	WEAPON OFFENSES	1,296	1,229	1,109	1,219	1,325	8.7%	2.2%
OTHER	230	230	219	251	253	0.8%	10.0%	
SMALL COUNTIES	TOTAL VFO ARRESTS	3,270	3,332	3,132	2,797	2,570	-8.1%	-21.4%
	ASSAULT	951	859	806	749	740	-1.2%	-22.2%
	STRANGULATION	110	126	98	95	99	4.2%	-10.0%
	HOMICIDE	31	36	32	32	33	3.1%	6.5%
	SEX OFFENSES	453	510	424	410	427	4.1%	-5.7%
	BURGLARY	1,316	1,360	1,324	1,102	890	-19.2%	-32.4%
	ROBBERY	199	201	192	186	178	-4.3%	-10.6%
	WEAPON OFFENSES	139	155	175	145	128	-11.7%	-7.9%
OTHER	71	85	81	78	75	-3.8%	5.6%	

Source: DCJS, Computerized Criminal History System (as of 6/21/16).

Between 2011 and 2015, the number of arrests decreased statewide for all VFO offenses except Strangulation and other VFO offenses. Arrests for “Strangulation” reflect the creation in late 2010 of two new violent felony offenses – strangulation in the first degree (PL 121.13) and strangulation in the second degree (PL 121.12). The increase in Strangulation arrests is due to a 46.4 percent increase in New York City. While VFO arrests decreased slightly in New York City (-3.5%), Large Counties experienced a larger decrease (-15.5%) as did Small Counties (-21.4%).

The largest decrease in VFO arrests between 2011 and 2015 was for Burglary (-24.5%). Over the five years, arrests for VFO weapon offenses decreased statewide (-6.8%) including decreases in New York City (-9.8%) and Small Counties (-7.9%). Arrests for VFO weapon offenses increased in Large Counties (+2.2%), from 1,296 in 2011 to 1,325 in 2015. Both Large Counties (+24.0%) and Small Counties (+6.5%) experienced increases in homicide arrests.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 2 - VIOLENT FELONY ADULT ARRESTS
FELONY CLASS OF TOP ARREST CHARGE**

		2011	2012	2013	2014	2015	% Change '14-'15	% Change '11-'15
NEW YORK STATE	TOTAL VFO ARRESTS	44,666	43,977	42,875	41,462	40,884	-1.4%	-8.5%
	CLASS A	674	666	595	666	579	-13.1%	-14.1%
	CLASS B	7,628	7,062	6,804	6,328	6,400	1.1%	-16.1%
	CLASS C	18,191	17,762	16,843	15,900	15,716	-1.2%	-13.6%
	CLASS D	18,014	18,313	18,491	18,405	18,060	-1.9%	0.3%
	CLASS E	159	174	142	163	129	-20.9%	-18.9%
NEW YORK CITY	TOTAL VFO ARRESTS	27,790	27,510	27,205	26,804	26,820	0.1%	-3.5%
	CLASS A	429	421	290	418	320	-23.4%	-25.4%
	CLASS B	4,719	4,303	4,096	3,767	3,798	0.8%	-19.5%
	CLASS C	10,776	10,499	9,936	9,581	9,843	2.7%	-8.7%
	CLASS D	11,794	12,223	12,825	12,969	12,812	-1.2%	8.6%
	CLASS E	72	64	58	69	47	-31.9%	-34.7%
LARGE COUNTIES	TOTAL VFO ARRESTS	13,606	13,135	12,538	11,861	11,494	-3.1%	-15.5%
	CLASS A	198	197	245	203	214	5.4%	8.1%
	CLASS B	2,455	2,305	2,270	2,185	2,230	2.1%	-9.2%
	CLASS C	5,945	5,758	5,462	5,103	4,845	-5.1%	-18.5%
	CLASS D	4,954	4,809	4,497	4,301	4,139	-3.8%	-16.5%
	CLASS E	54	66	64	69	66	-4.3%	22.2%
SMALL COUNTIES	TOTAL VFO ARRESTS	3,270	3,332	3,132	2,797	2,570	-8.1%	-21.4%
	CLASS A	47	48	60	45	45	0.0%	-4.3%
	CLASS B	454	454	438	376	372	-1.1%	-18.1%
	CLASS C	1,470	1,505	1,445	1,216	1,028	-15.5%	-30.1%
	CLASS D	1,266	1,281	1,169	1,135	1,109	-2.3%	-12.4%
	CLASS E	33	44	20	25	16	-36.0%	-51.5%

Source: DCJS, Computerized Criminal History System (as of 6/21/16).

The number of arrests for Class A (-14.1%), Class B (-16.1%), Class C (-13.6%), and Class E (-18.9%) VFOs decreased over the five year period. The large decrease in Class A VFOs is driven by New York City where arrests for these felonies decreased by 25.4%. In Large Counties, Class A Felonies increased 8.1% during the same period. The large decrease in Class B VFOs is driven by both New York City and Small Counties, decreasing by 19.5% and 18.1% respectively.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 3 - VIOLENT FELONY ADULT ARRESTS
PRIOR FELONY CONVICTIONS**

		2011	2012	2013	2014	2015	Total Arrests	
							#	%
NEW YORK STATE	TOTAL VFO ARRESTS	44,666	43,977	42,875	41,462	40,884	213,864	100.0%
	NO PRIOR FELONY CONVICTIONS	34,553	33,833	32,950	31,664	30,993	163,993	76.7%
	ONE PRIOR FELONY CONVICTION	5,174	5,119	5,044	5,086	5,074	25,497	11.9%
	TWO OR MORE PRIOR FELONY CONVICTIONS	4,939	5,025	4,881	4,712	4,817	24,374	11.4%
NEW YORK CITY	TOTAL VFO ARRESTS	27,790	27,510	27,205	26,804	26,820	136,129	100.0%
	NO PRIOR FELONY CONVICTIONS	21,698	21,287	21,198	20,690	20,517	105,390	77.4%
	ONE PRIOR FELONY CONVICTION	2,979	3,032	2,929	3,041	3,092	15,073	11.1%
	TWO OR MORE PRIOR FELONY CONVICTIONS	3,113	3,191	3,078	3,073	3,211	15,666	11.5%
LARGE COUNTIES	TOTAL VFO ARRESTS	13,606	13,135	12,538	11,861	11,494	62,634	100.0%
	NO PRIOR FELONY CONVICTIONS	10,317	9,974	9,351	8,916	8,564	47,122	75.2%
	ONE PRIOR FELONY CONVICTION	1,765	1,658	1,680	1,617	1,604	8,324	13.3%
	TWO OR MORE PRIOR FELONY CONVICTIONS	1,524	1,503	1,507	1,328	1,326	7,188	11.5%
SMALL COUNTIES	TOTAL VFO ARRESTS	3,270	3,332	3,132	2,797	2,570	15,101	100.0%
	NO PRIOR FELONY CONVICTIONS	2,538	2,572	2,401	2,058	1,912	11,481	76.0%
	ONE PRIOR FELONY CONVICTION	430	429	435	428	378	2,100	13.9%
	TWO OR MORE PRIOR FELONY CONVICTIONS	302	331	296	311	280	1,520	10.1%

Source: DCJS, Computerized Criminal History System (as of 6/21/16).
Youthful Offender (YO) adjudications are not counted as prior convictions.

Over three-quarters (76.7%) of persons arrested for a VFO between 2011 and 2015 had no record of a prior felony conviction in New York State.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 4 - VIOLENT FELONY OFFENSE SUPERIOR COURT ACTIONS
CHARGE TYPE OF TOP ACTION CHARGE**

		2011	2012	2013	2014	2015	% Change '14-'15	% Change '11-'15
NEW YORK STATE	TOTAL ARRESTS	15,307	15,055	14,693	12,840	12,093	-5.8%	-21.0%
	ASSAULT	3,298	3,095	3,231	3,047	2,773	-9.0%	-15.9%
	STRANGULATION	176	160	151	164	134	-18.3%	-23.9%
	HOMICIDE	796	736	721	719	712	-1.0%	-10.6%
	SEX OFFENSES	1,329	1,306	1,263	1,187	1,102	-7.2%	-17.1%
	BURGLARY	2,850	3,170	3,038	2,368	2,064	-12.8%	-27.6%
	ROBBERY	4,535	4,266	3,965	3,107	2,959	-4.8%	-34.8%
	WEAPON OFFENSES	2,087	2,078	2,100	2,009	2,134	6.2%	2.3%
	OTHER	236	244	224	239	215	-10.0%	-8.9%
NEW YORK CITY	TOTAL ARRESTS	8,356	8,338	8,089	6,967	6,564	-5.8%	-21.4%
	ASSAULT	1,821	1,868	1,964	1,885	1,681	-10.8%	-7.7%
	STRANGULATION	84	74	61	76	56	-26.3%	-33.3%
	HOMICIDE	542	501	428	454	435	-4.2%	-19.7%
	SEX OFFENSES	479	480	496	441	438	-0.7%	-8.6%
	BURGLARY	934	1,084	1,070	836	761	-9.0%	-18.5%
	ROBBERY	3,182	2,969	2,711	1,998	1,862	-6.8%	-41.5%
	WEAPON OFFENSES	1,199	1,232	1,235	1,157	1,238	7.0%	3.3%
	OTHER	115	130	124	120	93	-22.5%	-19.1%
LARGE COUNTIES	TOTAL ARRESTS	5,432	5,059	5,081	4,393	4,289	-2.4%	-21.0%
	ASSAULT	1,124	911	956	858	794	-7.5%	-29.4%
	STRANGULATION	59	48	58	59	43	-27.1%	-27.1%
	HOMICIDE	218	202	263	219	250	14.2%	14.7%
	SEX OFFENSES	504	478	460	421	391	-7.1%	-22.4%
	BURGLARY	1,388	1,415	1,400	1,004	896	-10.8%	-35.4%
	ROBBERY	1,249	1,159	1,127	983	1,000	1.7%	-19.9%
	WEAPON OFFENSES	801	753	750	764	819	7.2%	2.2%
	OTHER	89	93	67	85	96	12.9%	7.9%
SMALL COUNTIES	TOTAL ARRESTS	1,519	1,658	1,523	1,480	1,240	-16.2%	-18.4%
	ASSAULT	353	316	311	304	298	-2.0%	-15.6%
	STRANGULATION	33	38	32	29	35	20.7%	6.1%
	HOMICIDE	36	33	30	46	27	-41.3%	-25.0%
	SEX OFFENSES	346	348	307	325	273	-16.0%	-21.1%
	BURGLARY	528	671	568	528	407	-22.9%	-22.9%
	ROBBERY	104	138	127	126	97	-23.0%	-6.7%
	WEAPON OFFENSES	87	93	115	88	77	-12.5%	-11.5%
	OTHER	32	21	33	34	26	-23.5%	-18.8%

Source: DCJS, Felony Processing File (as of 6/21/16).

The term action in this table refers to indictments and superior court informations.

The decrease in the total number of VFO cases between 2011 and 2015 is consistent across all regions of the state: New York City (-21.4%), Large Counties (-21.0%), and Small Counties (-18.4%). Decreases are seen in all charge types, except weapon offenses (+2.3%). Strangulation, Burglary, and Other VFOs have seen the largest decreases in indictments/SCIs for crimes that occurred between 2014 and 2015.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 5 - VIOLENT FELONY OFFENSE SUPERIOR COURT ACTIONS
FELONY CLASS OF TOP ACTION CHARGE**

		2011	2012	2013	2014	2015	% Change '14 -'15	% Change '11 -'15
NEW YORK STATE	TOTAL ACTIONS	15,307	15,055	14,693	12,840	12,093	-5.8%	-21.0%
	CLASS A	689	690	602	606	583	-3.8%	-15.4%
	CLASS B	4,337	4,037	3,955	3,419	3,239	-5.3%	-25.3%
	CLASS C	6,617	6,578	6,343	5,481	5,170	-5.7%	-21.9%
	CLASS D	3,644	3,725	3,762	3,300	3,079	-6.7%	-15.5%
	CLASS E	20	25	31	34	22	*	*
NEW YORK CITY	TOTAL ACTIONS	8,356	8,338	8,089	6,967	6,564	-5.8%	-21.4%
	CLASS A	389	391	269	327	298	-8.9%	-23.4%
	CLASS B	2,654	2,567	2,536	2,109	1,939	-8.1%	-26.9%
	CLASS C	3,625	3,576	3,499	2,935	2,838	-3.3%	-21.7%
	CLASS D	1,680	1,788	1,769	1,582	1,475	-6.8%	-12.2%
	CLASS E	8	16	16	14	14	*	*
LARGE COUNTIES	TOTAL ACTIONS	5,432	5,059	5,081	4,393	4,289	-2.4%	-21.0%
	CLASS A	242	242	271	220	241	9.5%	-0.4%
	CLASS B	1,377	1,156	1,118	1,031	1,060	2.8%	-23.0%
	CLASS C	2,396	2,284	2,220	1,942	1,846	-4.9%	-23.0%
	CLASS D	1,410	1,369	1,462	1,186	1,136	-4.2%	-19.4%
	CLASS E	7	8	10	14	6	*	*
SMALL COUNTIES	TOTAL ACTIONS	1,519	1,658	1,523	1,480	1,240	-16.2%	-18.4%
	CLASS A	58	57	62	59	44	-25.4%	-24.1%
	CLASS B	306	314	301	279	240	-14.0%	-21.6%
	CLASS C	596	718	624	604	486	-19.5%	-18.5%
	CLASS D	554	568	531	532	468	-12.0%	-15.5%
	CLASS E	5	1	5	6	2	*	*

Source: DCJS, Felony Processing File (as of 6/21/16).

The term actions in this table refers to indictments and superior court informations.

*Percent change not calculated due to the small number of cases.

From 2011 to 2015, superior court actions for VFOs declined statewide by 21.0%. Regionally, superior court actions decreased by 21.4% in New York City, 21.0% in Large Counties, and 18.4% in Small Counties. Between 2014 and 2015, Small Counties saw significant declines in Class A (-25.4%), Class B (-14.0%), Class C (-19.5%), and Class D (-12.0%) VFOs. New York City reported a decrease in Class A (-8.9%), Class B (-8.1%), Class C (-3.3%), and Class D (-6.8%) VFOs. Large counties reported an increase of 9.5% in Class A VFOs and a 2.8% increase in Class B VFOs.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 6 - VIOLENT FELONY OFFENSE SUPERIOR COURT ACTIONS
PRIOR FELONY CONVICTIONS**

		2011	2012	2013	2014	2015	Total Actions	
							#	%
NEW YORK STATE	TOTAL ACTIONS	15,307	15,055	14,693	12,840	12,093	69,988	100.0%
	NO PRIOR FELONY CONVICTIONS	11,120	10,975	10,502	9,103	8,298	49,998	71.4%
	ONE PRIOR FELONY CONVICTION	2,068	2,045	2,060	1,923	1,875	9,971	14.2%
	TWO OR MORE PRIOR FELONY CONVICTIONS	2,119	2,035	2,131	1,814	1,920	10,019	14.3%
NEW YORK CITY	TOTAL ACTIONS	8,356	8,338	8,089	6,967	6,564	38,314	100.0%
	NO PRIOR FELONY CONVICTIONS	6,063	6,059	5,755	4,945	4,508	27,330	71.3%
	ONE PRIOR FELONY CONVICTION	1,085	1,102	1,100	955	970	5,212	13.6%
	TWO OR MORE PRIOR FELONY CONVICTIONS	1,208	1,177	1,234	1,067	1,086	5,772	15.1%
LARGE COUNTIES	TOTAL ACTIONS	5,432	5,059	5,081	4,393	4,289	24,254	100.0%
	NO PRIOR FELONY CONVICTIONS	3,965	3,702	3,646	3,104	2,950	17,367	71.6%
	ONE PRIOR FELONY CONVICTION	743	698	751	710	683	3,585	14.8%
	TWO OR MORE PRIOR FELONY CONVICTIONS	724	659	684	579	656	3,302	13.6%
SMALL COUNTIES	TOTAL ACTIONS	1,519	1,658	1,523	1,480	1,240	7,420	100.0%
	NO PRIOR FELONY CONVICTIONS	1,092	1,214	1,101	1,054	840	5,301	71.4%
	ONE PRIOR FELONY CONVICTION	240	245	209	258	222	1,174	15.8%
	TWO OR MORE PRIOR FELONY CONVICTIONS	187	199	213	168	178	945	12.7%

Source: DCJS, Felony Processing File (as of 6/21/16).

The term actions in this table refers to indictments and superior court informations.

Youthful Offender (YO) adjudications are not counted as prior convictions.

Statewide, 71.4% of persons charged with a VFO in a superior court case had no prior felony convictions.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 7 - DISPOSITIONS OF VIOLENT FELONY ACTIONS**

		2011	2012	2013	2014	2015	Total Disposed	
							#	%
Total	Total Disposed	15,462	15,133	15,374	13,498	12,296	71,763	100.0%
	Convicted Felony/Misdemeanor- Plea	9,793	9,656	9,905	8,823	8,156	46,333	64.6%
	Convicted Felony/Misdemeanor- Verdict	890	884	904	834	746	4,258	5.9%
	Convicted- Non-Crim Violation/Infraction	179	230	253	234	159	1,055	1.4%
	Adjudicated - Youthful Offender	2,411	2,263	2,261	1,778	1,546	10,259	14.7%
	Covered by, Consolidated, Superseded	580	596	657	494	542	2,869	4.0%
	Diverted and Dismissed	20	19	17	25	20	101	0.1%
	Dismissed	1,080	1,026	968	914	748	4,736	6.6%
	Acquitted	438	394	357	320	312	1,821	2.5%
	Other	71	65	52	76	67	331	0.5%
NYC	Total Disposed	8,440	8,293	8,850	7,464	6,682	39,729	100.0%
	Convicted Felony/Misdemeanor- Plea	5,170	5,004	5,335	4,541	4,216	24,266	61.1%
	Convicted Felony/Misdemeanor- Verdict	446	462	531	454	399	2,292	5.8%
	Convicted- Non-Crim Violation/Infraction	147	187	229	197	132	892	2.1%
	Adjudicated - Youthful Offender	1,446	1,420	1,470	1,138	939	6,413	16.5%
	Covered by, Consolidated, Superseded	208	216	278	179	207	1,088	2.7%
	Diverted and Dismissed	20	19	17	25	20	101	0.3%
	Dismissed	690	714	739	685	542	3,370	8.5%
	Acquitted	270	231	223	189	191	1,104	2.8%
	Other	43	40	28	56	36	203	0.5%
Large Counties	Total Disposed	5,520	5,276	4,948	4,562	4,275	24,581	100.0%
	Convicted Felony/Misdemeanor- Plea	3,592	3,548	3,455	3,229	2,977	16,801	68.3%
	Convicted Felony/Misdemeanor- Verdict	329	306	273	283	257	1,448	5.9%
	Convicted- Non-Crim Violation/Infraction	29	39	20	32	24	144	0.6%
	Adjudicated - Youthful Offender	839	735	683	539	526	3,322	14.0%
	Covered by, Consolidated, Superseded	253	242	233	185	200	1,113	4.5%
	Dismissed	321	254	161	164	162	1,062	4.3%
	Acquitted	138	136	104	112	105	595	2.4%
	Other	19	16	19	18	24	96	0.4%
	Small Counties	Total Disposed	1,502	1,564	1,576	1,472	1,339	7,453
Convicted Felony/Misdemeanor- Plea		1,031	1,104	1,115	1,053	963	5,266	70.7%
Convicted Felony/Misdemeanor- Verdict		115	116	100	97	90	518	7.0%
Convicted- Non-Crim Violation/Infraction		3	4	4	5	3	19	0.3%
Adjudicated - Youthful Offender		126	108	108	101	81	524	7.6%
Covered by, Consolidated, Superseded		119	138	146	130	135	668	9.0%
Dismissed		69	58	68	65	44	304	4.1%
Acquitted		30	27	30	19	16	122	1.6%
Other		9	9	5	2	7	32	0.4%

Source: DCJS, Felony Processing File (as of 6/21/16).

Does not include cases where the defendant has been convicted, but not sentenced.

The term actions in this table refers to indictments and superior court informations.

Statewide, 86.6% of VFO superior court cases that were disposed during the five-year period resulted in a guilty finding, which includes criminal convictions (by plea or verdict) (70.5%), non-criminal convictions of violations/infractions (1.4%) and Youthful Offender (YO) adjudications (14.7%). Regionally, 85.5% of the VFO cases disposed in New York City resulted in a guilty finding, as did 88.8% of the VFO cases in the Large Counties and 85.6% in the Small Counties.

YO adjudications may be granted to offenders 16 to 18 years of age at the time of the crime who have no prior felony convictions or adjudications (see CPL 720.10). A YO adjudication broadens sentencing options and seals the criminal record. Statewide, YO adjudications made up 16.6% of the VFO cases with guilty findings over the five-year period, including 18.9% of the New York City cases, 15.3% of the cases in Large Counties and 8.3% of the cases in Small Counties.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 8 - DISPOSITIONS OF VIOLENT FELONY ACTIONS
2015**

	Total Disposed	Convicted/Adjudicated			Covered by, Consolidated, Superseded	Diverted and Dismissed	Dismissed	Acquitted	Other
		Convicted - Plea	Convicted - Verdict	Youthful Offender					
NEW YORK STATE	12,296	8,310	751	1,546	542	20	748	312	67
Assault	2,874	2,064	171	236	111	4	182	91	15
Strangulation	158	138	3	6	5	0	2	4	0
Homicide	712	393	178	14	42	0	35	45	5
Sex Offenses	1,109	816	91	66	46	1	49	30	10
Burglary	2,184	1,607	104	230	160	3	53	17	10
Robbery	3,126	1,849	117	809	96	8	178	60	9
Weapon	1,918	1,292	71	167	74	4	234	59	17
Other	215	151	16	18	8	0	15	6	1
NEW YORK CITY	6,682	4,344	403	939	207	20	542	191	36
Assault	1,800	1,224	107	171	69	4	156	60	9
Strangulation	78	65	2	4	2	0	2	3	0
Homicide	453	266	89	12	28	0	25	30	3
Sex Offenses	408	314	34	17	15	1	19	8	0
Burglary	772	597	48	71	14	3	24	9	6
Robbery	2,001	1,132	74	548	41	8	147	44	7
Weapon	1,077	679	42	108	38	4	161	34	11
Other	93	67	7	8	0	0	8	3	0
LARGE COUNTIES	4,275	3,000	258	526	200	0	162	105	24
Assault	805	617	49	57	29	0	22	25	6
Strangulation	49	45	0	1	2	0	0	1	0
Homicide	228	107	82	2	13	0	9	14	1
Sex Offenses	396	285	35	27	14	0	12	18	5
Burglary	929	701	24	121	55	0	19	6	3
Robbery	1,014	635	34	255	48	0	26	14	2
Weapon	761	548	26	55	32	0	70	24	6
Other	93	62	8	8	7	0	4	3	1
SMALL COUNTIES	1,339	966	90	81	135	0	44	16	7
Assault	269	223	15	8	13	0	4	6	0
Strangulation	31	28	1	1	1	0	0	0	0
Homicide	31	20	7	0	1	0	1	1	1
Sex Offenses	305	217	22	22	17	0	18	4	5
Burglary	483	309	32	38	91	0	10	2	1
Robbery	111	82	9	6	7	0	5	2	0
Weapon	80	65	3	4	4	0	3	1	0
Other	29	22	1	2	1	0	3	0	0

Source: DCJS, Felony Processing File (as of 6/21/16).

Does not include cases where the defendant has been convicted, but not sentenced.

The term actions in this table refers to indictments and superior court informations.

Includes convictions and Youthful Offender (YO) adjudications for felonies, misdemeanors, and non-criminal offenses such as violations and infractions.

Statewide, 86.3% of 2015 superior court Felony VFO cases resulted in a conviction or Youthful Offender Adjudication.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 9 - DISPOSITIONS OF VIOLENT FELONY ACTION
2015**

	Total Disposed	Convicted/Adjudicated			Covered by, Consolidated, Superseded	Diverted and Dismissed	Dismissed	Acquitted	Other	
		Convicted - Plea	Convicted - Verdict	Youthful Offender						
NEW YORK STATE	TOTAL	12,296	8,310	751	1,546	542	20	748	312	67
	Class A	591	317	173	6	36	0	20	35	4
	Class B	3,484	2,215	275	429	168	5	247	124	21
	Class C	5,135	3,350	200	811	258	11	374	101	30
	Class D	3,069	2,414	103	298	80	4	107	51	12
	Class E	17	14	0	2	0	0	0	1	0
NEW YORK CITY	TOTAL	6,682	4,344	403	939	207	20	542	191	36
	Class A	324	175	84	5	24	0	9	25	2
	Class B	2,171	1,327	155	310	93	5	197	74	10
	Class C	2,740	1,738	110	470	67	11	264	63	17
	Class D	1,438	1,098	54	152	23	4	72	28	7
	Class E	9	6	0	2	0	0	0	1	0
LARGE COUNTIES	TOTAL	4,275	3,000	258	526	200	0	162	105	24
	Class A	216	109	78	1	11	0	7	10	0
	Class B	1,057	711	97	104	61	0	32	44	8
	Class C	1,842	1,252	53	299	97	0	95	34	12
	Class D	1,156	924	30	122	31	0	28	17	4
	Class E	4	4	0	0	0	0	0	0	0
SMALL COUNTIES	TOTAL	1,339	966	90	81	135	0	44	16	7
	Class A	51	33	11	0	1	0	4	0	2
	Class B	256	177	23	15	14	0	18	6	3
	Class C	553	360	37	42	94	0	15	4	1
	Class D	475	392	19	24	26	0	7	6	1
	Class E	4	4	0	0	0	0	0	0	0

Source: DCJS, Felony Processing File (as of 6/21/16).

Does not include cases where the defendant has been convicted, but not sentenced.

The term actions in this table refers to indictments and superior court informations.

Includes convictions and Youthful Offender (YO) adjudications for felonies, misdemeanors, and non-criminal offenses such as violations and infractions.

Superior court cases where the top charge was a Class D or a Class E VFO were more likely statewide to result in a conviction or Youthful Offender adjudication than cases with a more serious top charge. Of disposed cases that resulted in a conviction in 2015, 78.3% were by plea bargain, 7.1% were by trial verdict and 14.6% through youthful offender adjudication.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 10 - VIOLENT FELONY OFFENSE ACTIONS VS CONVICTED OFFENSES AND YOUTHFUL OFFENDER
ADJUDICATIONS 2011 - 2015**

		TOP ACTION CHARGE					TOTAL
		Class A	Class B	Class C	Class D	Class E	
NEW YORK STATE	TOTAL CONVICTIONS	2,745	16,679	26,566	15,804	111	61,905
	<u>FELONY CLASS</u>						
	CLASS A	993	22	6	3	0	1,024
	CLASS B	1,299	6,585	181	74	0	8,139
	CLASS C	252	2,781	10,567	103	0	13,703
	CLASS D	115	4,445	10,204	9,294	0	24,058
	CLASS E	34	967	1,493	2,586	88	5,168
	MISDEMEANORS	43	1,702	3,653	3,338	22	8,758
	LESSER OFFENSES	9	177	462	406	1	1,055
	<u>CONVICTION TYPE</u>						
VFO CONVICTION	2,535	12,580	18,145	9,186	83	42,529	
NON-VFO CONVICTION	210	4,099	8,421	6,618	28	19,376	
NEW YORK CITY	TOTAL CONVICTIONS	1,472	10,387	14,542	7,412	50	33,863
	<u>FELONY CLASS</u>						
	CLASS A	439	19	4	3	0	465
	CLASS B	740	3,979	164	69	0	4,952
	CLASS C	153	1,457	5,136	87	0	6,833
	CLASS D	79	2,766	5,154	4,003	0	12,002
	CLASS E	21	634	935	844	42	2,476
	MISDEMEANORS	31	1,370	2,749	2,086	7	6,243
	LESSER OFFENSES	9	162	400	320	1	892
	<u>CONVICTION TYPE</u>						
VFO CONVICTION	1,324	7,337	8,961	4,036	41	21,699	
NON-VFO CONVICTION	148	3,050	5,581	3,376	9	12,164	
LARGE COUNTIES	TOTAL CONVICTIONS	1,015	5,053	9,567	6,038	42	21,715
	<u>FELONY CLASS</u>						
	CLASS A	451	3	2	0	0	456
	CLASS B	450	2,193	17	5	0	2,665
	CLASS C	80	1,059	4,669	15	0	5,823
	CLASS D	21	1,299	3,751	3,880	0	8,951
	CLASS E	8	230	365	1,091	28	1,722
	MISDEMEANORS	5	257	709	969	14	1,954
	LESSER OFFENSES	0	12	54	78	0	144
	<u>CONVICTION TYPE</u>						
VFO CONVICTION	972	4,276	7,711	3,800	27	16,786	
NON-VFO CONVICTION	43	777	1,856	2,238	15	4,929	
SMALL COUNTIES	TOTAL CONVICTIONS	258	1,239	2,457	2,354	19	6,327
	<u>FELONY CLASS</u>						
	CLASS A	103	0	0	0	0	103
	CLASS B	109	413	0	0	0	522
	CLASS C	19	265	762	1	0	1,047
	CLASS D	15	380	1,299	1,411	0	3,105
	CLASS E	5	103	193	651	18	970
	MISDEMEANORS	7	75	195	283	1	561
	LESSER OFFENSES	0	3	8	8	0	19
	<u>CONVICTION TYPE</u>						
VFO CONVICTION	239	967	1,473	1,350	15	4,044	
NON-VFO CONVICTION	19	272	984	1,004	4	2,283	

Source: DCJS, Felony Processing File (as of 6/21/16).

Does not include cases where the defendant has been convicted, but not sentenced.

The term actions in this table refers to indictments and superior court informations.

Includes convictions and youthful offender (YO) adjudications for felonies, misdemeanors, and non-criminal offenses such as violations and infractions.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 11 - SENTENCES FOR VIOLENT FELONY OFFENSE CONVICTIONS
AND YOUTHFUL OFFENDER ADJUDICATIONS**

		2011	2012	2013	2014	2015	% Change '14-'15	% Change '11-'15
NEW YORK STATE	TOTAL SENTENCES	9,529	9,399	9,349	8,160	7,479	-8.3%	-21.5%
	PRISON	6,203	6,183	6,303	5,588	5,299	-5.2%	-14.6%
	JAIL	989	985	947	692	555	-19.8%	-43.9%
	JAIL AND PROBATION	1,044	975	861	806	659	-18.2%	-36.9%
	PROBATION	1,191	1,118	1,085	984	856	-13.0%	-28.1%
	OTHER	102	138	153	90	110	22.2%	7.8%
NEW YORK CITY	TOTAL SENTENCES	4,916	4,772	4,913	4,085	3,735	-8.6%	-24.0%
	PRISON	3,190	3,103	3,283	2,746	2,660	-3.1%	-16.6%
	JAIL	610	646	587	444	320	-27.9%	-47.5%
	JAIL AND PROBATION	308	242	242	227	203	-10.6%	-34.1%
	PROBATION	722	666	664	591	455	-23.0%	-37.0%
	OTHER	86	115	137	77	97	26.0%	12.8%
LARGE COUNTIES	TOTAL SENTENCES	3,779	3,767	3,607	3,230	3,032	-6.1%	-19.8%
	PRISON	2,453	2,478	2,435	2,247	2,127	-5.3%	-13.3%
	JAIL	337	298	320	202	203	0.5%	-39.8%
	JAIL AND PROBATION	575	584	489	442	351	-20.6%	-39.0%
	PROBATION	403	388	351	328	344	4.9%	-14.6%
	OTHER	11	19	12	11	7	*	*
SMALL COUNTIES	TOTAL SENTENCES	834	860	829	845	712	-15.7%	-14.6%
	PRISON	560	602	585	595	512	-13.9%	-8.6%
	JAIL	42	41	40	46	32	-30.4%	-23.8%
	JAIL AND PROBATION	161	149	130	137	105	-23.4%	-34.8%
	PROBATION	66	64	70	65	57	-12.3%	-13.6%
	OTHER	5	4	4	2	6	*	*

Source: DCJS, Felony Processing File (as of 6/21/16).

Includes Youthful Offender (YO) and Juvenile Offender (JO) sentences.

*Percent change not calculated due to the small number of cases.

Between 2011 and 2015 the number of sentences decreased statewide by 21.5%. Sentences to prison decreased by 14.6% while larger decreases were seen in sentences to local jail (-43.9%), split jail/probation (-36.9%), and straight probation (-28.1%). For both sentences to prison and sentences to local jail, the majority of the decrease occurred between 2013 and 2014 with prison sentences decreasing 11.3% and sentences to local jail decreasing 26.9%.

Large decreases occurred for these sentences in all three regions between 2011 and 2015. New York City reported significant decreases in local jail (-47.5%), split jail/probation (-34.1%), and straight probation (-37.0%) sentences. Large Counties saw significant decreases in local jail (-39.8%) and straight probation (-39.0%) sentences. Small Counties also reported significant decreases in local jail (-23.8%) and straight probation (-34.8%) sentences. Between 2014 and 2015, New York City reported a large increase of 26.0% in other sentences.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 12 - SENTENCES FOR VIOLENT FELONY OFFENSE CONVICTIONS
AND YOUTHFUL OFFENDER ADJUDICATIONS
BY CHARGE CATEGORY
2015**

		PRISON		JAIL		JAIL AND PROBATION		PROBATION		OTHER		TOTAL	
		#	%	#	%	#	%	#	%	#	%	#	%
NEW YORK STATE	TOTAL SENTENCES	5,299	70.9%	555	7.4%	659	8.8%	856	11.4%	110	1.5%	7,479	100.0%
	ASSAULT	900	63.8%	163	11.6%	177	12.6%	152	10.8%	18	1.3%	1,410	100.0%
	STRANGULATION	25	55.6%	4	8.9%	9	20.0%	7	15.6%	0	0.0%	45	100.0%
	HOMICIDE	470	97.9%	6	1.3%	1	0.2%	3	0.6%	0	0.0%	480	100.0%
	SEX	479	71.4%	32	4.8%	96	14.3%	60	8.9%	4	0.6%	671	100.0%
	BURGLARY	981	70.3%	84	6.0%	138	9.9%	182	13.0%	11	0.8%	1,396	100.0%
	ROBBERY	1,327	64.3%	174	8.4%	164	7.9%	332	16.1%	68	3.3%	2,065	100.0%
	WEAPON	1,045	79.1%	84	6.4%	71	5.4%	113	8.6%	8	0.6%	1,321	100.0%
	OTHER	72	79.1%	8	8.8%	3	3.3%	7	7.7%	1	1.1%	91	100.0%
NEW YORK CITY	TOTAL SENTENCES	2,660	71.2%	320	8.6%	203	5.4%	455	12.2%	97	2.6%	3,735	100.0%
	ASSAULT	502	63.9%	103	13.1%	86	10.9%	79	10.1%	16	2.0%	786	100.0%
	STRANGULATION	7	53.8%	1	7.7%	1	7.7%	4	30.8%	0	0.0%	13	100.0%
	HOMICIDE	290	97.0%	5	1.7%	1	0.3%	3	1.0%	0	0.0%	299	100.0%
	SEX	175	82.2%	4	1.9%	10	4.7%	23	10.8%	1	0.5%	213	100.0%
	BURGLARY	387	79.5%	30	6.2%	16	3.3%	46	9.4%	8	1.6%	487	100.0%
	ROBBERY	771	62.1%	112	9.0%	60	4.8%	233	18.8%	66	5.3%	1,242	100.0%
	WEAPON	501	75.6%	60	9.0%	29	4.4%	67	10.1%	6	0.9%	663	100.0%
	OTHER	27	84.4%	5	15.6%	0	0.0%	0	0.0%	0	0.0%	32	100.0%
LARGE COUNTIES	TOTAL SENTENCES	2,127	70.2%	203	6.7%	351	11.6%	344	11.3%	7	0.2%	3,032	100.0%
	ASSAULT	302	61.8%	53	10.8%	68	13.9%	64	13.1%	2	0.4%	489	100.0%
	STRANGULATION	12	54.5%	3	13.6%	5	22.7%	2	9.1%	0	0.0%	22	100.0%
	HOMICIDE	164	99.4%	1	0.6%	0	0.0%	0	0.0%	0	0.0%	165	100.0%
	SEX	180	68.2%	16	6.1%	46	17.4%	22	8.3%	0	0.0%	264	100.0%
	BURGLARY	441	63.5%	42	6.0%	97	14.0%	114	16.4%	1	0.1%	695	100.0%
	ROBBERY	496	65.8%	62	8.2%	98	13.0%	96	12.7%	2	0.3%	754	100.0%
	WEAPON	498	82.9%	24	4.0%	37	6.2%	41	6.8%	1	0.2%	601	100.0%
	OTHER	34	81.0%	2	4.8%	0	0.0%	5	11.9%	1	2.4%	42	100.0%
SMALL COUNTIES	TOTAL SENTENCES	512	71.9%	32	4.5%	105	14.7%	57	8.0%	6	0.8%	712	100.0%
	ASSAULT	96	71.1%	7	5.2%	23	17.0%	9	6.7%	0	0.0%	135	100.0%
	STRANGULATION	6	60.0%	0	0.0%	3	30.0%	1	10.0%	0	0.0%	10	100.0%
	HOMICIDE	16	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	16	100.0%
	SEX	124	63.9%	12	6.2%	40	20.6%	15	7.7%	3	1.5%	194	100.0%
	BURGLARY	153	71.5%	12	5.6%	25	11.7%	22	10.3%	2	0.9%	214	100.0%
	ROBBERY	60	87.0%	0	0.0%	6	8.7%	3	4.3%	0	0.0%	69	100.0%
	WEAPON	46	80.7%	0	0.0%	5	8.8%	5	8.8%	1	1.8%	57	100.0%
	OTHER	11	64.7%	1	5.9%	3	17.6%	2	11.8%	0	0.0%	17	100.0%

Source: DCJS, Felony Processing File (as of 6/21/16).
Includes Youthful Offender (YO) and Juvenile Offender (JO) sentences.

Statewide, 70.9% of 2015 sentences imposed after a VFO conviction or Youthful Offender adjudication were sentences to prison. Nearly all sentences following a VFO homicide conviction or Youthful Offender adjudication were prison sentences (97.9%).

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
TABLE 13 - SENTENCES FOR VIOLENT FELONY OFFENSE CONVICTIONS
AND YOUTHFUL OFFENDER ADJUDICATIONS
BY FELONY CLASS
2015**

		PRISON		JAIL		JAIL AND PROBATION		PROBATION		OTHER		TOTAL	
		N	%	N	%	N	%	N	%	N	%	N	%
NEW YORK STATE	TOTAL SENTENCES	5,299	70.9%	555	7.4%	659	8.8%	856	11.4%	110	1.5%	7,479	100.0%
	CLASS A	195	99.5%	1	0.5%	0	0.0%	0	0.0%	0	0.0%	196	100.0%
	CLASS B	1,322	86.0%	46	3.0%	35	2.3%	109	7.1%	25	1.6%	1,537	100.0%
	CLASS C	1,857	78.6%	88	3.7%	84	3.6%	285	12.1%	49	2.1%	2,363	100.0%
	CLASS D	1,912	57.0%	413	12.3%	539	16.1%	457	13.6%	35	1.0%	3,356	100.0%
	CLASS E	13	48.1%	7	25.9%	1	3.7%	5	18.5%	1	3.7%	27	100.0%
NEW YORK CITY	TOTAL SENTENCES	2,660	71.2%	320	8.6%	203	5.4%	455	12.2%	97	2.6%	3,735	100.0%
	CLASS A	83	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	83	100.0%
	CLASS B	766	81.9%	39	4.2%	18	1.9%	87	9.3%	25	2.7%	935	100.0%
	CLASS C	870	75.1%	49	4.2%	20	1.7%	170	14.7%	49	4.2%	1,158	100.0%
	CLASS D	933	60.3%	229	14.8%	165	10.7%	196	12.7%	23	1.5%	1,546	100.0%
	CLASS E	8	61.5%	3	23.1%	0	0.0%	2	15.4%	0	0.0%	13	100.0%
LARGE COUNTIES	TOTAL SENTENCES	2,127	70.2%	203	6.7%	351	11.6%	344	11.3%	7	0.2%	3,032	100.0%
	CLASS A	102	99.0%	1	1.0%	0	0.0%	0	0.0%	0	0.0%	103	100.0%
	CLASS B	465	91.9%	7	1.4%	15	3.0%	19	3.8%	0	0.0%	506	100.0%
	CLASS C	826	80.4%	39	3.8%	57	5.6%	105	10.2%	0	0.0%	1,027	100.0%
	CLASS D	731	52.7%	154	11.1%	279	20.1%	218	15.7%	6	0.4%	1,388	100.0%
	CLASS E	3	37.5%	2	25.0%	0	0.0%	2	25.0%	1	12.5%	8	100.0%
SMALL COUNTIES	TOTAL SENTENCES	512	71.9%	32	4.5%	105	14.7%	57	8.0%	6	0.8%	712	100.0%
	CLASS A	10	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	10	100.0%
	CLASS B	91	94.8%	0	0.0%	2	2.1%	3	3.1%	0	0.0%	96	100.0%
	CLASS C	161	90.4%	0	0.0%	7	3.9%	10	5.6%	0	0.0%	178	100.0%
	CLASS D	248	58.8%	30	7.1%	95	22.5%	43	10.2%	6	1.4%	422	100.0%
	CLASS E	2	33.3%	2	33.3%	1	16.7%	1	16.7%	0	0.0%	6	100.0%

Source: DCJS, Felony Processing File (as of 6/21/16).
Includes Youthful Offender (YO) and Juvenile Offender (JO) sentences.

The more serious the felony class of the VFO conviction, the more likely a prison sentence was imposed, from 99.5% of Class A VFOs down to 57.0% of Class D VFOs and 48.1% of Class E VFOs.

Appendix A: Violent Felony Offenses

TITLE	SECTION	DESCRIPTION	SUB SECTION	CLASS
PL	120.02	RECKLESS ASSAULT OF A CHILD *		D
PL	120.05	ASSAULT SECOND DEGREE *		D
PL	120.06	GANG ASSAULT 2ND DEGREE		C
PL	120.07	GANG ASSAULT 1ST DEGREE		B
PL	120.08	ASLT:POLICE OFF/FIREMAN/EMT		C
PL	120.09	ASSAULT ON A JUDGE		C
PL	120.10	ASSAULT 1ST DEGREE		B
PL	120.11	AGGRAVATED ASSAULT UPON A POLICE OFFICER/PEACE		B
PL	120.18	MENACING POLICE/PEACE OFFICER *		D
PL	120.60	STALKING 1ST:CAUSE INJURY *	01 & 02T	D
PL	121.12	STRANGULATION 2ND DEGREE *		D
PL	121.13	STRANGULATION 1ST DEGREE		C
PL	125.11	AGGRAVATED CRIM NEGLIGENT HOMICIDE		C
PL	125.20	MANSLAUGHTER -1ST		B
PL	125.21	AGGRAVATED MANSLAUGHTER 2ND DEGREE		C
PL	125.22	AGGRAVATED MANSLAUGHTER 1ND DEGREE		B
PL	125.25	MURDER-2ND DEG **		A
PL	125.26	AGGRAVATED MURDER **		A
PL	125.27	MURDER - 1ST DEGREE **		A
PL	130.30	RAPE-2ND DEGREE *		D
PL	130.35	RAPE-1ST		B
PL	130.45	CRIMINAL SEXUAL ACT-2ND		D
PL	130.50	CRIMINAL SEXUAL ACT-1ST		B
PL	130.53	PERSISTENT SEXUAL ABUSE *		E
PL	130.65	SEXUAL ABUSE-1ST *		D
PL	130.65-A	AGGRAVATED SEXUAL ABUSE- 4TH *		E
PL	130.66	AGGRAVATED SEXUAL ABUSE -3RD *		D
PL	130.67	AGGRAVATED SEXUAL ABUSE 2ND		C
PL	130.70	AGGRAVATED SEXUAL ABUSE-1ST		B
PL	130.75	COURSE SEX CONDUCT-CHILD 1ST		B
PL	130.80	COURSE SEX CONDUCT-CHILD 2ND *		D
PL	130.90	PL490.25/TERR:FAC SEX OFFENSE *		C
PL	130.95	PREDATORY SEXUAL ASSAULT		A
PL	130.96	PREDATORY SEX ASSAULT AGAINST CHILD		A
PL	135.20	KIDNAPPING 2ND		B
PL	135.25	KIDNAPPING-1ST **		A
PL	140.25	BURGLARY-2ND		C
PL	140.30	BURGLARY-1ST		B
PL	150.15	ARSON-2ND		B
PL	150.20	ARSON-1ST **		A
PL	160.10	ROBBERY-2ND		C
PL	160.15	ROBBERY-1ST		B
PL	215.16	INTIMIDATE VICTIM/WITNESS-2ND *		D
PL	215.17	INTIMIDATE VICTIM/WITNESS-1ST		B
PL	230.34	SEX TRAF:FEAR OF INJURY/DEATH	05A & 05B	B
PL	240.55	FALSELY REPORTING INCIDENT-2ND *		E
PL	240.60	FALSELY REPORTING INCIDENT-1ST *		D
PL	240.61	PLACE FALSE BOMB/HAZ SUBSTAN-2 *		E
PL	240.62	PLACE FALSE BOMB/HAZ SUBSTAN-1 *		D
PL	240.63	FALSE BOMB/HAZ SUB- MALL/ARENA *		D
PL	255.27	INCEST-1ST DEGREE		B
PL	265.02	CRIMINAL POSSESSION OF A WEAPON- 3RD	5 - 10	D
PL	265.03	CRIMINAL POSSESSION OF A WEAPON-2ND		C
PL	265.04	CRIMINAL POSSESSION OF A WEAPON-1ST		B

* An attempt to commit these offenses is not a violent felony.

** Class A felonies were not designated violent felonies by legislation (Penal Law 70.02) but are included here because they are governed by similar sentencing provisions. Attempts at these offenses (class B felonies) are specified as VFOs.

NOTE: Other offenses designated as hate crimes, crimes of terrorism, and sexually motivated felonies are also VFOs.

Appendix A: Violent Felony Offenses

TITLE	SECTION	DESCRIPTION	SUB SECTION	CLASS
PL	265.08	CRIMINAL USE FIREARM 2ND DEG		C
PL	265.09	CRIMINAL USE FIREARM-1ST DEG		B
PL	265.11	CRIMINAL SALE OF A FIREARM-3RD		D
PL	265.12	CRIMINAL SALE OF A FIREARM-2ND *		C
PL	265.13	CRIMINAL SALE OF A FIREARM-1ST		B
PL	265.14	CRIMINAL SALE FIREARM/AID MINOR		C
PL	265.19	AGGRAVATED CRIMINAL POSSESSION WEAPON		C
PL	125.26	AGGRAVATED MURDER **		A
PL	405.18	AGGRAVATED USE PYROTECHNICS- 1 *		D
PL	490.10	SUPPORT ACT OF TERRORISM 2ND *		D
PL	490.15	SUPPORT ACT OF TERRORISM 1ST		C
PL	490.20	MAKE TERRORISTIC THREAT *		D
PL	490.30	HINDER PROSECUTION TERRORISM 2		C
PL	490.35	HINDER PROSECUTION TERRORISM 1		B
PL	490.37	CRIM POSS CHEM/BIOLOGICAL WEAPON-3RD		C
PL	490.40	CRIM POSS CHEM/BIOLOGICAL WEAPON-2ND		B
PL	490.45	CRIM POSS CHEM/BIOLOGICAL WEAPON-1ST		A
PL	490.47	CRIM USE CHEM/BIOLOGICAL WEAPON-3RD		B
PL	490.50	CRIM USE CHEM/BIOLOGICAL WEAPON-2ND		A
PL	490.55	CRIM USE CHEM/BIOLOGICAL WEAPON-1ST		A

* An attempt to commit these offenses is not a violent felony.

** Class A felonies were not designated violent felonies by legislation (Penal Law 70.02) but are included here because they are governed by similar sentencing provisions. Attempts at these offenses (class B felonies) are specified as VFOs.

NOTE: Other offenses designated as hate crimes, crimes of terrorism, and sexually motivated felonies are also VFOs.