



**Division of Criminal  
Justice Services**

# **Criminal Justice Statistical Report**

**Andrew M. Cuomo**  
*Governor*

**Michael C. Green**  
*Executive Deputy Commissioner*

**Violent Felony Offense Processing Report Series**

**June 2015**

# **New York State Violent Felony Offense Processing 2014 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 2010 to 2014.

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 2014 may have been arrested, indicted, or convicted in an earlier year or years.

**VIOLENT CRIME AND VIOLENT FELONY OFFENDERS IN NEW YORK STATE 2010 TO 2014**

		2010	2011	2012	2013	2014	% Change '10-'14	% Change '13-'14
Violent Felony Offense Arrests	New York State	44,183	44,704	44,002	42,878	41,437	-6.2%	-3.4%
	New York City	27,140	27,826	27,541	27,216	26,824	-1.2%	-1.4%
	Large Counties	13,780	13,608	13,132	12,529	11,819	-14.2%	-5.7%
	Small Counties	3,263	3,270	3,329	3,133	2,794	-14.4%	-10.8%
Violent Felony Offense Superior Court Actions	New York State	16,061	15,274	15,008	14,422	12,290	-23.5%	-14.8%
	New York City	8,825	8,337	8,317	7,902	6,659	-24.5%	-15.7%
	Large Counties	5,823	5,425	5,042	5,011	4,214	-27.6%	-15.9%
	Small Counties	1,413	1,512	1,649	1,509	1,417	0.3%	-6.1%
Violent Felony Offense Convictions/YO Adjudications	New York State	9,666	9,550	9,430	9,377	8,153	-15.7%	-13.1%
	New York City	4,939	4,925	4,799	4,935	4,090	-17.2%	-17.1%
	Large Counties	3,964	3,792	3,768	3,613	3,224	-18.7%	-10.8%
	Small Counties	763	833	863	829	839	10.0%	1.2%
Violent Felony Offense Prison Sentences	New York State	6,371	6,221	6,209	6,322	5,586	-12.3%	-11.6%
	New York City	3,305	3,198	3,123	3,300	2,747	-16.9%	-16.8%
	Large Counties	2,576	2,465	2,482	2,440	2,244	-12.9%	-8.0%
	Small Counties	490	558	604	582	595	21.4%	2.2%

Sources: DCJS, Computerized Criminal History System, Felony Processing File.

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 2010-2014

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 by 6.2% with larger decreases seen in Large Counties (-14.2%) and Small Counties (-14.4%). VFO arrests in New York City decreased slightly by 1.2%.

The largest decreases in VFO processing points occurred between 2013 and 2014 when statewide indictments/SCIs decreased 14.8%, convictions/YO adjudications decreased 13.1% and prison sentences decreased 11.6%.

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

		2010	2011	2012	2013	2014	% Change '10-'14	% Change '13-'14
NEW YORK STATE	ALL VIOLENT FELONY OFFENSES	6,371	6,221	6,209	6,322	5,586	-12.3%	-11.6%
	ASSAULT	914	941	924	913	870	-4.8%	-4.7%
	STRANGULATION	-	13	26	19	26		*
	HOMICIDE	507	460	497	506	471	-7.1%	-6.9%
	SEX OFFENSES	612	607	585	610	523	-14.5%	-14.3%
	BURGLARY	1,169	1,236	1,286	1,335	1,153	-1.4%	-13.6%
	ROBBERY	1,847	1,767	1,640	1,634	1,423	-23.0%	-12.9%
	WEAPON OFFENSES	1,245	1,123	1,192	1,238	1,051	-15.6%	-15.1%
	OTHER VFOS	77	74	59	67	69	-10.4%	3.0%
NEW YORK CITY	ALL VIOLENT FELONY OFFENSES	3,305	3,198	3,123	3,300	2,747	-16.9%	-16.8%
	ASSAULT	473	517	493	536	445	-5.9%	-17.0%
	STRANGULATION	-	5	9	5	4		*
	HOMICIDE	300	276	313	343	275	-8.3%	-19.8%
	SEX OFFENSES	221	206	191	244	194	-12.2%	-20.5%
	BURGLARY	477	466	420	496	435	-8.8%	-12.3%
	ROBBERY	1,140	1,130	1,064	1,019	863	-24.3%	-15.3%
	WEAPON OFFENSES	665	572	604	631	494	-25.7%	-21.7%
	OTHER VFOS	29	26	29	26	37	27.6%	42.3%
LARGE COUNTIES	ALL VIOLENT FELONY OFFENSES	2,576	2,465	2,482	2,440	2,244	-12.9%	-8.0%
	ASSAULT	342	314	321	288	322	-5.8%	11.8%
	STRANGULATION	-	7	9	9	16		*
	HOMICIDE	177	153	158	137	171	-3.4%	24.8%
	SEX OFFENSES	255	249	246	223	186	-27.1%	-16.6%
	BURGLARY	571	599	662	629	535	-6.3%	-14.9%
	ROBBERY	640	586	512	551	494	-22.8%	-10.3%
	WEAPON OFFENSES	554	520	551	571	504	-9.0%	-11.7%
	OTHER VFOS	37	37	23	32	16	-56.8%	-50.0%
SMALL COUNTIES	ALL VIOLENT FELONY OFFENSES	490	558	604	582	595	21.4%	2.2%
	ASSAULT	99	110	110	89	103	4.0%	15.7%
	STRANGULATION	-	1	8	5	6		*
	HOMICIDE	30	31	26	26	25	-16.7%	-3.8%
	SEX OFFENSES	136	152	148	143	143	5.1%	0.0%
	BURGLARY	121	171	204	210	183	51.2%	-12.9%
	ROBBERY	67	51	64	64	66	-1.5%	3.1%
	WEAPON OFFENSES	26	31	37	36	53	103.8%	47.2%
	OTHER VFOS	11	11	7	9	16	45.5%	77.8%

Sources: DCJS, Felony Processing File.

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

\*Percent change not calculated due to the 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 the two year period between 2013 and 2014. While, prison sentences remained relatively stable from 2010 to 2013, there was a significant decrease (-11.6%) between 2013 and 2014. The largest decreases over the two year period were seen in prison sentences for sex offenses (-14.3%), weapon offenses (-15.1%) burglary (-13.6%), and robbery (-12.9%).

In New York City, prison sentences decreased by 16.8% from 2013 to 2014 and in Large Counties, sentences decreased by 8.0% over the two year period. While prison sentences in Small Counties increased slightly between 2013 and 2014, there has been a much larger increase since 2010 (+21.4%) driven by sentences for weapon offenses, burglary, and other VFOs.

## **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

- Table 1 Violent Felony Offense Adults Arrests: Charge Type of Top Arrest Charge, 2010-2014
- Table 2 Violent Felony Offense Adult Arrests: Felony Class of Top Arrest Charge, 2010-2014
- Table 3 Violent Felony Offense Adult Arrests: Prior Felony Convictions, 2010-2014
- Table 4 Violent Felony Offense Superior Court Actions: Charge Type of Top Action Charge, 2010-2014
- Table 5 Violent Felony Offense Superior Court Actions: Felony Class of Top Action Charge, 2010-2014
- Table 6 Violent Felony Offense Superior Court Actions: Prior Felony Convictions, 2010-2014
- Table 7 Dispositions of Violent Felony Actions, 2010-2014
- Table 8 Dispositions of Violent Felony Actions, 2014
- Table 9 Dispositions of Violent Felony Actions, 2014
- Table 10 Violent Felony Offense Actions Vs. Convicted Offenses and Youthful Adjudications, 2010-2014
- Table 11 Sentences for Violent Felony Offense Convictions and Youthful Offender Adjudications, 2010-2014
- Table 12 Sentences for Violent Felony Offense Convictions and Youthful Offender Adjudications by Charge Category, 2014
- Table 13 Sentences for Violent Felony Offense Convictions and Youthful Offender Adjudications by Felony Class, 2014

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

		2010	2011	2012	2013	2014	% Change '10-'14	% Change '13-'14
NEW YORK STATE	TOTAL VFO ARRESTS	44,183	44,704	44,002	42,878	41,437	-6.2%	-3.4%
	ASSAULT	17,423	16,531	16,632	16,555	16,661	-4.4%	0.6%
	STRANGULATION	76	1,535	1,863	2,150	2,133	*	-0.8%
	HOMICIDE	858	861	817	760	890	3.7%	17.1%
	SEX OFFENSES	2,686	2,428	2,407	2,220	2,162	-19.5%	-2.6%
	BURGLARY	6,764	7,009	6,974	6,741	5,993	-11.4%	-11.1%
	ROBBERY	10,649	10,532	9,740	9,348	8,318	-21.9%	-11.0%
	WEAPON OFFENSES	5,173	5,286	5,011	4,562	4,645	-10.2%	1.8%
	OTHER VFOS	554	522	558	542	635	14.6%	17.2%
NEW YORK CITY	TOTAL VFO ARRESTS	27,140	27,826	27,541	27,216	26,824	-1.2%	-1.4%
	ASSAULT	11,593	11,183	11,567	11,757	12,223	5.4%	4.0%
	STRANGULATION	42	1,116	1,400	1,718	1,703	*	-0.9%
	HOMICIDE	565	613	586	470	633	12.0%	34.7%
	SEX OFFENSES	1,288	1,153	1,096	1,040	995	-22.7%	-4.3%
	BURGLARY	1,669	1,876	1,852	1,893	1,777	6.5%	-6.1%
	ROBBERY	7,971	7,815	7,166	6,817	5,897	-26.0%	-13.5%
	WEAPON OFFENSES	3,732	3,850	3,628	3,277	3,286	-12.0%	0.3%
	OTHER VFOS	280	220	246	244	310	10.7%	27.0%
LARGE COUNTIES	TOTAL VFO ARRESTS	13,780	13,608	13,132	12,529	11,819	-14.2%	-5.7%
	ASSAULT	4,795	4,397	4,206	3,993	3,691	-23.0%	-7.6%
	STRANGULATION	31	309	337	334	335	*	0.3%
	HOMICIDE	262	217	195	257	225	-14.1%	-12.5%
	SEX OFFENSES	878	822	803	756	758	-13.7%	0.3%
	BURGLARY	3,796	3,817	3,762	3,523	3,115	-17.9%	-11.6%
	ROBBERY	2,497	2,518	2,373	2,340	2,234	-10.5%	-4.5%
	WEAPON OFFENSES	1,305	1,297	1,229	1,109	1,214	-7.0%	9.5%
	OTHER VFOS	216	231	227	217	247	14.4%	13.8%
SMALL COUNTIES	TOTAL VFO ARRESTS	3,263	3,270	3,329	3,133	2,794	-14.4%	-10.8%
	ASSAULT	1,035	951	859	805	747	-27.8%	-7.2%
	STRANGULATION	3	110	126	98	95	*	-3.1%
	HOMICIDE	31	31	36	33	32	3.2%	-3.0%
	SEX OFFENSES	520	453	508	424	409	-21.3%	-3.5%
	BURGLARY	1,299	1,316	1,360	1,325	1,101	-15.2%	-16.9%
	ROBBERY	181	199	201	191	187	3.3%	-2.1%
	WEAPON OFFENSES	136	139	154	176	145	6.6%	-17.6%
	OTHER VFOS	58	71	85	81	78	34.5%	-3.7%

Source: DCJS, Computerized Criminal History System.

\*Percent change not calculated due to incomplete data in 2010.

Between 2010 and 2014, the number of arrests decreased statewide for all VFO offenses except homicide and other VFO offenses. While VFO arrests decreased only slightly in New York City (-1.2%), Large Counties experienced a larger decrease (-14.2%) as did Small Counties (-14.4%). 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).

While arrests for VFO burglary decreased statewide (-11.4%), these arrests increased in New York City (+6.5%). Over the five years, arrests for VFO weapon offenses decreased statewide (-10.2%) including decreases on New York City (-12.0%) and Large Counties (-7.0%). Arrests for VFO weapon offenses increased in Small Counties (+6.6%), from 136 in 2010 to 145 in 2014.

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

		2010	2011	2012	2013	2014	% Change '10-'14	% Change '13-'14
NEW YORK STATE	TOTAL VFO ARRESTS	44,183	44,704	44,002	42,878	41,437	-6.2%	-3.4%
	CLASS A	728	673	666	595	666	-8.5%	11.9%
	CLASS B	8,063	7,631	7,054	6,784	6,313	-21.7%	-6.9%
	CLASS C	17,958	18,221	17,781	16,850	15,899	-11.5%	-5.6%
	CLASS D	17,283	18,020	18,327	18,507	18,396	6.4%	-0.6%
	CLASS E	151	159	174	142	163	7.9%	14.8%
NEW YORK CITY	TOTAL VFO ARRESTS	27,140	27,826	27,541	27,216	26,824	-1.2%	-1.4%
	CLASS A	438	428	421	290	419	-4.3%	44.5%
	CLASS B	5,120	4,722	4,299	4,082	3,767	-26.4%	-7.7%
	CLASS C	10,553	10,804	10,517	9,945	9,596	-9.1%	-3.5%
	CLASS D	10,967	11,800	12,240	12,841	12,973	18.3%	1.0%
	CLASS E	62	72	64	58	69	11.3%	19.0%
LARGE COUNTIES	TOTAL VFO ARRESTS	13,780	13,608	13,132	12,529	11,819	-14.2%	-5.7%
	CLASS A	252	198	197	244	202	-19.8%	-17.2%
	CLASS B	2,484	2,455	2,301	2,266	2,170	-12.6%	-4.2%
	CLASS C	5,957	5,947	5,759	5,458	5,087	-14.6%	-6.8%
	CLASS D	5,016	4,954	4,809	4,497	4,291	-14.5%	-4.6%
	CLASS E	71	54	66	64	69	-2.8%	7.8%
SMALL COUNTIES	TOTAL VFO ARRESTS	3,263	3,270	3,329	3,133	2,794	-14.4%	-10.8%
	CLASS A	38	47	48	61	45	18.4%	-26.2%
	CLASS B	459	454	454	436	376	-18.1%	-13.8%
	CLASS C	1,448	1,470	1,505	1,447	1,216	-16.0%	-16.0%
	CLASS D	1,300	1,266	1,278	1,169	1,132	-12.9%	-3.2%
	CLASS E	18	33	44	20	25	38.9%	25.0%

Source: DCJS, Computerized Criminal History System.

The number of arrests for Class A and Class B VFOs decreased over the five year period by 8.5% and 21.7% respectively. The large decrease in Class B VFOs is driven by New York City where arrests for these felonies decreased by 26.4% over the five year period.

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

		2010	2011	2012	2013	2014	Total Arrests	
							#	%
NEW YORK STATE	TOTAL VFO ARRESTS	44,183	44,704	44,002	42,878	41,437	217,204	100.0%
	NO PRIOR FELONY CONVICTIONS	34,566	34,657	33,909	33,007	31,590	167,729	77.2%
	ONE PRIOR FELONY CONVICTION	4,957	5,122	5,096	5,012	5,134	25,321	11.7%
	TWO OR MORE PRIOR FELONY CONVICTIONS	4,660	4,925	4,997	4,859	4,713	24,154	11.1%
NEW YORK CITY	TOTAL VFO ARRESTS	27,140	27,826	27,541	27,216	26,824	136,547	100.0%
	NO PRIOR FELONY CONVICTIONS	21,391	21,793	21,359	21,240	20,655	106,438	77.9%
	ONE PRIOR FELONY CONVICTION	2,782	2,934	3,010	2,912	3,079	14,717	10.8%
	TWO OR MORE PRIOR FELONY CONVICTIONS	2,967	3,099	3,172	3,064	3,090	15,392	11.3%
LARGE COUNTIES	TOTAL VFO ARRESTS	13,780	13,608	13,132	12,529	11,819	64,868	100.0%
	NO PRIOR FELONY CONVICTIONS	10,568	10,325	9,980	9,363	8,885	49,121	75.7%
	ONE PRIOR FELONY CONVICTION	1,804	1,759	1,658	1,665	1,621	8,507	13.1%
	TWO OR MORE PRIOR FELONY CONVICTIONS	1,408	1,524	1,494	1,501	1,313	7,240	11.2%
SMALL COUNTIES	TOTAL VFO ARRESTS	3,263	3,270	3,329	3,133	2,794	15,789	100.0%
	NO PRIOR FELONY CONVICTIONS	2,607	2,539	2,570	2,404	2,050	12,170	77.1%
	ONE PRIOR FELONY CONVICTION	371	429	428	435	434	2,097	13.3%
	TWO OR MORE PRIOR FELONY CONVICTIONS	285	302	331	294	310	1,522	9.6%

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

Over three-quarters (77.2%) of persons arrested for a VFO between 2010 and 2014 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**

		2010	2011	2012	2013	2014	% Change '10-'14	% Change '13-'14
NEW YORK STATE	TOTAL ARRESTS	16,061	15,274	15,008	14,422	12,290	-23.5%	-14.8%
	ASSAULT	3,456	3,293	3,090	3,174	2,903	-16.0%	-8.5%
	STRANGULATION	-	176	160	150	157	*	4.7%
	HOMICIDE	776	796	734	684	672	-13.4%	-1.8%
	SEX OFFENSES	1,489	1,325	1,301	1,248	1,136	-23.7%	-9.0%
	BURGLARY	3,052	2,845	3,159	2,993	2,283	-25.2%	-23.7%
	ROBBERY	4,699	4,533	4,252	3,910	2,976	-36.7%	-23.9%
	WEAPON OFFENSES	2,358	2,085	2,077	2,066	1,949	-17.3%	-5.7%
	OTHER VFOS	231	221	235	197	214	-7.4%	8.6%
NEW YORK CITY	TOTAL ARRESTS	8,825	8,337	8,317	7,902	6,659	-24.5%	-15.7%
	ASSAULT	1,994	1,819	1,869	1,922	1,797	-9.9%	-6.5%
	STRANGULATION	-	84	74	60	72	*	20.0%
	HOMICIDE	499	542	499	394	420	-15.8%	6.6%
	SEX OFFENSES	565	478	479	489	420	-25.7%	-14.1%
	BURGLARY	1,030	934	1,083	1,050	817	-20.7%	-22.2%
	ROBBERY	3,252	3,182	2,960	2,672	1,911	-41.2%	-28.5%
	WEAPON OFFENSES	1,374	1,198	1,231	1,211	1,118	-18.6%	-7.7%
	OTHER VFOS	111	100	122	104	104	-6.3%	0.0%
LARGE COUNTIES	TOTAL ARRESTS	5,823	5,425	5,042	5,011	4,214	-27.6%	-15.9%
	ASSAULT	1,133	1,122	906	944	821	-27.5%	-13.0%
	STRANGULATION	-	59	48	58	56	*	-3.4%
	HOMICIDE	238	218	203	260	210	-11.8%	-19.2%
	SEX OFFENSES	566	503	477	453	403	-28.8%	-11.0%
	BURGLARY	1,535	1,387	1,408	1,383	957	-37.7%	-30.8%
	ROBBERY	1,336	1,247	1,154	1,111	942	-29.5%	-15.2%
	WEAPON OFFENSES	922	800	754	742	745	-19.2%	0.4%
	OTHER VFOS	93	89	92	60	80	-14.0%	33.3%
SMALL COUNTIES	TOTAL ARRESTS	1,413	1,512	1,649	1,509	1,417	0.3%	-6.1%
	ASSAULT	329	352	315	308	285	-13.4%	-7.5%
	STRANGULATION	-	33	38	32	29	*	-9.4%
	HOMICIDE	39	36	32	30	42	7.7%	40.0%
	SEX OFFENSES	358	344	345	306	313	-12.6%	2.3%
	BURGLARY	487	524	668	560	509	4.5%	-9.1%
	ROBBERY	111	104	138	127	123	10.8%	-3.1%
	WEAPON OFFENSES	62	87	92	113	86	38.7%	-23.9%
	OTHER VFOS	27	32	21	33	30	11.1%	-9.1%

Source: DCJS, Felony Processing File.

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

\*Percent change not calculated due to incomplete data in 2010.

The decrease in the total number of VFO cases between 2010 and 2014 is driven by decreases in New York City (-24.5%) and Large Counties (-27.6%). Decreases are seen in all charge types particularly sex offenses, burglary, and robbery and the largest decreases in indictments/SCIs for these crimes occurred between 2013 and 2014.

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

		2010	2011	2012	2013	2014	% Change '10 -'14	% Change '13 -'14
NEW YORK STATE	TOTAL ACTIONS	16,061	15,274	15,008	14,422	12,290	-23.5%	-14.8%
	CLASS A	675	690	685	569	555	-17.8%	-2.5%
	CLASS B	4,567	4,314	4,026	3,858	3,243	-29.0%	-15.9%
	CLASS C	7,074	6,612	6,556	6,246	5,274	-25.4%	-15.6%
	CLASS D	3,723	3,638	3,716	3,718	3,184	-14.5%	-14.4%
	CLASS E	22	20	25	31	34	*	*
NEW YORK CITY	TOTAL ACTIONS	8,825	8,337	8,317	7,902	6,659	-24.5%	-15.7%
	CLASS A	381	390	387	240	294	-22.8%	22.5%
	CLASS B	2,824	2,635	2,561	2,462	1,985	-29.7%	-19.4%
	CLASS C	3,803	3,626	3,565	3,439	2,830	-25.6%	-17.7%
	CLASS D	1,807	1,678	1,788	1,745	1,536	-15.0%	-12.0%
	CLASS E	10	8	16	16	14	*	*
LARGE COUNTIES	TOTAL ACTIONS	5,823	5,425	5,042	5,011	4,214	-27.6%	-15.9%
	CLASS A	247	242	242	267	205	-17.0%	-23.2%
	CLASS B	1,458	1,374	1,152	1,095	995	-31.8%	-9.1%
	CLASS C	2,730	2,394	2,276	2,191	1,866	-31.6%	-14.8%
	CLASS D	1,380	1,408	1,364	1,448	1,134	-17.8%	-21.7%
	CLASS E	8	7	8	10	14	*	*
SMALL COUNTIES	TOTAL ACTIONS	1,413	1,512	1,649	1,509	1,417	0.3%	-6.1%
	CLASS A	47	58	56	62	56	19.1%	-9.7%
	CLASS B	285	305	313	301	263	-7.7%	-12.6%
	CLASS C	541	592	715	616	578	6.8%	-6.2%
	CLASS D	536	552	564	525	514	-4.1%	-2.1%
	CLASS E	4	5	1	5	6	*	*

Source: DCJS, Felony Processing File.

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 2010 to 2014, superior court actions for VFOs declined statewide by -23.5%. The largest decreases occurred in Large Counties (-27.6%) and New York City (-24.5%) while Small Counties reported no significant change (+0.3%). Between 2013 and 2014, there were particularly large decreases in superior court actions for Class B, Class C, and Class D VFOs.

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

		2010	2011	2012	2013	2014	Total Actions	
							#	%
NEW YORK STATE	TOTAL ACTIONS	16,061	15,274	15,008	14,422	12,290	73,055	100.0%
	NO PRIOR FELONY CONVICTIONS	11,757	11,138	10,966	10,352	8,698	52,911	72.4%
	ONE PRIOR FELONY CONVICTIONS	2,185	2,027	2,023	2,004	1,848	10,087	13.8%
	TWO OR MORE PRIOR FELONY CONVICTIONS	2,119	2,109	2,019	2,066	1,744	10,057	13.8%
NEW YORK CITY	TOTAL ACTIONS	8,825	8,337	8,317	7,902	6,659	40,040	100.0%
	NO PRIOR FELONY CONVICTIONS	6,408	6,084	6,068	5,660	4,732	28,952	72.3%
	ONE PRIOR FELONY CONVICTIONS	1,142	1,052	1,083	1,059	899	5,235	13.1%
	TWO OR MORE PRIOR FELONY CONVICTIONS	1,275	1,201	1,166	1,183	1,028	5,853	14.6%
LARGE COUNTIES	TOTAL ACTIONS	5,823	5,425	5,042	5,011	4,214	25,515	100.0%
	NO PRIOR FELONY CONVICTIONS	4,281	3,966	3,691	3,600	2,964	18,502	72.5%
	ONE PRIOR FELONY CONVICTIONS	851	737	697	738	694	3,717	14.6%
	TWO OR MORE PRIOR FELONY CONVICTIONS	691	722	654	673	556	3,296	12.9%
SMALL COUNTIES	TOTAL ACTIONS	1,413	1,512	1,649	1,509	1,417	7,500	100.0%
	NO PRIOR FELONY CONVICTIONS	1,068	1,088	1,207	1,092	1,002	5,457	72.8%
	ONE PRIOR FELONY CONVICTIONS	192	238	243	207	255	1,135	15.1%
	TWO OR MORE PRIOR FELONY CONVICTIONS	153	186	199	210	160	908	12.1%

Source: DCJS, Felony Processing File.

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

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

Statewide, 72.4% 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**

		2010	2011	2012	2013	2014	Total Disposed	
							#	%
Total	Total Disposed	15,524	15,480	15,144	15,381	13,437	74,966	100.0%
	Convicted Felony/Misdemeanor- Plea	9,875	9,790	9,657	9,918	8,794	48,034	64.1%
	Convicted Felony/Misdemeanor- Verdict	903	917	909	910	837	4,476	6.0%
	Convicted- Non-Crim Violation/Infraction	141	179	230	254	233	1,037	1.4%
	Adjudicated - Youthful Offender	2,351	2,408	2,261	2,259	1,769	11,048	14.7%
	Covered by, Consolidated, Superseded	600	576	588	649	469	2,882	3.8%
	Diverted and Dismissed	13	20	19	17	25	94	0.1%
	Dismissed	1,158	1,082	1,021	967	916	5,144	6.9%
	Acquitted	410	438	394	356	318	1,916	2.6%
Other	73	70	65	51	76	335	0.4%	
NYC	Total Disposed	8,353	8,449	8,312	8,873	7,469	41,456	100.0%
	Convicted Felony/Misdemeanor- Plea	5,099	5,164	5,003	5,345	4,533	25,144	60.7%
	Convicted Felony/Misdemeanor- Verdict	485	463	484	536	455	2,423	5.8%
	Convicted- Non-Crim Violation/Infraction	117	147	187	229	197	877	2.1%
	Adjudicated - Youthful Offender	1,377	1,444	1,421	1,470	1,137	6,849	16.5%
	Covered by, Consolidated, Superseded	209	208	215	285	189	1,106	2.7%
	Diverted and Dismissed	13	20	19	17	25	94	0.2%
	Dismissed	748	690	712	740	687	3,577	8.6%
	Acquitted	252	270	231	223	189	1,165	2.8%
Other	53	43	40	28	57	221	0.5%	
Large Counties	Total Disposed	5,754	5,534	5,267	4,937	4,522	26,014	100.0%
	Convicted Felony/Misdemeanor- Plea	3,806	3,597	3,549	3,458	3,213	17,623	67.7%
	Convicted Felony/Misdemeanor- Verdict	323	339	307	273	284	1,526	5.9%
	Convicted- Non-Crim Violation/Infraction	24	29	39	21	32	145	0.6%
	Adjudicated - Youthful Offender	845	838	732	681	536	3,632	14.0%
	Covered by, Consolidated, Superseded	271	252	237	221	162	1,143	4.4%
	Dismissed	349	322	251	161	166	1,249	4.8%
	Acquitted	123	138	136	104	112	613	2.4%
	Other	13	19	16	18	17	83	0.3%
Small Counties	Total Disposed	1,417	1,497	1,565	1,571	1,446	7,496	100.0%
	Convicted Felony/Misdemeanor- Plea	970	1,029	1,105	1,115	1,048	5,267	70.3%
	Convicted Felony/Misdemeanor- Verdict	95	115	118	101	98	527	7.0%
	Convicted- Non-Crim Violation/Infraction	0	3	4	4	4	15	0.2%
	Adjudicated - Youthful Offender	129	126	108	108	96	567	7.6%
	Covered by, Consolidated, Superseded	120	116	136	143	118	633	8.4%
	Dismissed	61	70	58	66	63	318	4.2%
	Acquitted	35	30	27	29	17	138	1.8%
	Other	7	8	9	5	2	31	0.4%

Source: DCJS, Felony Processing File.

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, 86.2% 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) (70.1%), non-criminal convictions of violations/infractions (1.4%) and Youthful Offender (YO) adjudications (14.7%). Regionally, 85.1% of the VFO cases disposed in New York City resulted in a guilty finding, as did 88.1% of the VFO cases in the Large Counties and 85.1% in the Small Counties.

YO adjudications may be granted to offenders who are 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 17.1% of the VFO cases with guilty findings over the five-year period, including 19.4% of the New York City cases, 15.8% of the cases in Large Counties and 8.9% of the cases in Small Counties.

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES  
TABLE 8 - DISPOSITIONS OF VIOLENT FELONY ACTIONS  
2014**

	Total Disposed	Convicted/Adjudicated			Covered by, Consolidated, Superseded	Diverted and Dismissed	Dismissed	Acquitted	Other
		Convicted - Plea	Convicted - Verdict	Youthful Offender					
<b>NEW YORK STATE</b>	13,437	9,019	844	1,770	469	25	916	318	76
Assault	2,976	2,098	181	224	99	5	250	98	21
Strangulation	152	131	2	1	5	1	4	7	1
Homicide	730	392	216	10	28	0	40	40	4
Sex Offenses	1,174	881	95	59	43	0	60	30	6
Burglary	2,609	1,925	80	331	143	3	89	31	7
Robbery	3,619	2,073	180	958	73	8	251	57	19
Weapon	1,978	1,372	76	177	66	7	215	48	17
Other	199	147	14	10	12	1	7	7	1
<b>NEW YORK CITY</b>	7,469	4,724	460	1,138	189	25	687	189	57
Assault	1,772	1,188	100	147	62	5	200	55	15
Strangulation	62	55	0	1	1	1	1	2	1
Homicide	445	247	113	10	20	0	25	26	4
Sex Offenses	474	354	44	19	6	0	35	12	4
Burglary	954	735	35	95	21	3	46	16	3
Robbery	2,492	1,315	124	742	27	8	216	46	14
Weapon	1,159	746	36	119	44	7	160	32	15
Other	111	84	8	5	8	1	4	0	1
<b>LARGE COUNTIES</b>	4,522	3,243	286	536	162	0	166	112	17
Assault	903	669	69	63	28	0	32	36	6
Strangulation	57	49	1	0	2	0	1	4	0
Homicide	247	126	89	0	7	0	11	14	0
Sex Offenses	401	305	27	27	20	0	11	11	0
Burglary	1,154	850	21	188	48	0	28	15	4
Robbery	994	665	44	202	40	0	29	9	5
Weapon	711	545	30	52	15	0	51	16	2
Other	55	34	5	4	2	0	3	7	0
<b>SMALL COUNTIES</b>	1,446	1,052	98	96	118	0	63	17	2
Assault	301	241	12	14	9	0	18	7	0
Strangulation	33	27	1	0	2	0	2	1	0
Homicide	38	19	14	0	1	0	4	0	0
Sex Offenses	299	222	24	13	17	0	14	7	2
Burglary	501	340	24	48	74	0	15	0	0
Robbery	133	93	12	14	6	0	6	2	0
Weapon	108	81	10	6	7	0	4	0	0
Other	33	29	1	1	2	0	0	0	0

Source: DCJS, Felony Processing File.

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, 86.6% of 2014 superior court 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  
2014**

	Total Disposed	Convicted/Adjudicated			Covered by, Consolidated, Superseded	Diverted and Dismissed	Dismissed	Acquitted	Other	
		Convicted - Plea	Convicted - Verdict	Youthful Offender						
NEW YORK STATE	TOTAL	13,437	9,019	844	1,770	469	25	916	318	76
	Class A	655	340	216	5	28	0	33	32	1
	Class B	3,641	2,294	293	448	123	3	337	114	29
	Class C	5,828	3,772	212	1,032	243	14	419	105	31
	Class D	3,281	2,587	123	282	75	8	125	66	15
	Class E	32	26	0	3	0	0	2	1	0
NEW YORK CITY	TOTAL	7,469	4,724	460	1,138	189	25	687	189	57
	Class A	335	170	109	5	18	0	17	15	1
	Class B	2,378	1,434	173	332	63	3	277	75	21
	Class C	3,220	1,940	123	651	84	14	316	68	24
	Class D	1,519	1,166	55	150	24	8	75	30	11
	Class E	17	14	0	0	0	0	2	1	0
LARGE COUNTIES	TOTAL	4,522	3,243	286	536	162	0	166	112	17
	Class A	256	130	90	0	7	0	12	17	0
	Class B	980	670	85	101	43	0	42	32	7
	Class C	2,032	1,435	59	329	83	0	84	35	7
	Class D	1,246	1,001	52	105	29	0	28	28	3
	Class E	8	7	0	1	0	0	0	0	0
SMALL COUNTIES	TOTAL	1,446	1,052	98	96	118	0	63	17	2
	Class A	64	40	17	0	3	0	4	0	0
	Class B	283	190	35	15	17	0	18	7	1
	Class C	576	397	30	52	76	0	19	2	0
	Class D	516	420	16	27	22	0	22	8	1
	Class E	7	5	0	2	0	0	0	0	0

Source: DCJS, Felony Processing File.

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 2014, 77.5% were by plea bargain, 7.3% were by trial verdict and 15.2% 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 2010 - 2014**

		TOP ACTION CHARGE					
		Class A	Class B	Class C	Class D	Class E	TOTAL
NEW YORK STATE	TOTAL CONVICTIONS	2,860	17,503	27,920	16,194	118	64,595
	<u>FELONY CLASS</u>						
	CLASS A	1,042	19	4	2	0	1,067
	CLASS B	1,339	6,838	197	80	0	8,454
	CLASS C	268	2,889	11,071	102	0	14,330
	CLASS D	118	4,804	11,020	9,638	0	25,580
	CLASS E	42	1,013	1,455	2,599	91	5,200
	MISDEMEANORS	42	1,767	3,705	3,387	26	8,927
	LESSER OFFENSES	9	173	468	386	1	1,037
	<u>CONVICTION TYPE</u>						
	VFO CONVICTION	2,646	13,213	19,292	9,538	84	44,773
NON-VFO CONVICTION	214	4,290	8,628	6,656	34	19,822	
NEW YORK CITY	TOTAL CONVICTIONS	1,524	10,771	15,278	7,669	51	35,293
	<u>FELONY CLASS</u>						
	CLASS A	464	18	4	2	0	488
	CLASS B	754	4,079	179	75	0	5,087
	CLASS C	158	1,482	5,451	84	0	7,175
	CLASS D	81	3,003	5,593	4,314	0	12,991
	CLASS E	27	630	875	835	42	2,409
	MISDEMEANORS	31	1,404	2,775	2,048	8	6,266
	LESSER OFFENSES	9	155	401	311	1	877
	<u>CONVICTION TYPE</u>						
	VFO CONVICTION	1,374	7,631	9,588	4,358	40	22,991
NON-VFO CONVICTION	150	3,140	5,690	3,311	11	12,302	
LARGE COUNTIES	TOTAL CONVICTIONS	1,076	5,462	10,164	6,179	45	22,926
	<u>FELONY CLASS</u>						
	CLASS A	460	1	0	0	0	461
	CLASS B	486	2,328	18	5	0	2,837
	CLASS C	90	1,143	4,852	17	0	6,102
	CLASS D	24	1,413	4,104	3,918	0	9,459
	CLASS E	11	274	376	1,136	30	1,827
	MISDEMEANORS	5	288	753	1,034	15	2,095
	LESSER OFFENSES	0	15	61	69	0	145
	<u>CONVICTION TYPE</u>						
	VFO CONVICTION	1,028	4,595	8,198	3,831	28	17,680
NON-VFO CONVICTION	48	867	1,966	2,348	17	5,246	
SMALL COUNTIES	TOTAL CONVICTIONS	260	1,270	2,478	2,346	22	6,376
	<u>FELONY CLASS</u>						
	CLASS A	118	0	0	0	0	118
	CLASS B	99	431	0	0	0	530
	CLASS C	20	264	768	1	0	1,053
	CLASS D	13	388	1,323	1,406	0	3,130
	CLASS E	4	109	204	628	19	964
	MISDEMEANORS	6	75	177	305	3	566
	LESSER OFFENSES	0	3	6	6	0	15
	<u>CONVICTION TYPE</u>						
	VFO CONVICTION	244	987	1,506	1,349	16	4,102
NON-VFO CONVICTION	16	283	972	997	6	2,274	

Source: DCJS, Felony Processing File.

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**

		2010	2011	2012	2013	2014	% Change '10-'14	% Change '13-'14
NEW YORK STATE	TOTAL SENTENCES	9,666	9,550	9,430	9,377	8,153	-15.7%	-13.1%
	PRISON	6,371	6,221	6,209	6,322	5,586	-12.3%	-11.6%
	JAIL	949	987	980	945	690	-27.3%	-27.0%
	JAIL AND PROBATION	1,061	1,049	980	865	801	-24.5%	-7.4%
	PROBATION	1,206	1,191	1,122	1,090	985	-18.3%	-9.6%
	OTHER	79	102	139	155	91	15.2%	-41.3%
NEW YORK CITY	TOTAL SENTENCES	4,939	4,925	4,799	4,935	4,090	-17.2%	-17.1%
	PRISON	3,305	3,198	3,123	3,300	2,747	-16.9%	-16.8%
	JAIL	558	607	643	585	442	-20.8%	-24.4%
	JAIL AND PROBATION	296	311	246	243	229	-22.6%	-5.8%
	PROBATION	711	723	671	669	594	-16.5%	-11.2%
	OTHER	69	86	116	138	78	13.0%	-43.5%
LARGE COUNTIES	TOTAL SENTENCES	3,964	3,792	3,768	3,613	3,224	-18.7%	-10.8%
	PRISON	2,576	2,465	2,482	2,440	2,244	-12.9%	-8.0%
	JAIL	342	337	295	319	203	-40.6%	-36.4%
	JAIL AND PROBATION	624	577	584	492	438	-29.8%	-11.0%
	PROBATION	414	402	388	350	328	-20.8%	-6.3%
	OTHER	8	11	19	12	11	37.5%	-8.3%
SMALL COUNTIES	TOTAL SENTENCES	763	833	863	829	839	10.0%	1.2%
	PRISON	490	558	604	582	595	21.4%	2.2%
	JAIL	49	43	42	41	45	-8.2%	9.8%
	JAIL AND PROBATION	141	161	150	130	134	-5.0%	3.1%
	PROBATION	81	66	63	71	63	-22.2%	-11.3%
	OTHER	2	5	4	5	2	0.0%	-60.0%

Source: DCJS, Felony Processing File.

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

Between 2010 and 2014 the number of sentences decreased statewide by 15.7%. Sentences to prison decreased by -12.3% while larger decreases were seen in sentences to local jail (-27.3%), split probation/jail (-24.5%), and straight probation (-18.3%). For both sentences to prison and sentences to local jail, the majority of the decrease occurred between 2013 and 2014 with prison sentences decreasing 11.6% and sentences to local jail decreasing 27.0%.

Regionally, large decreases occurred for these sentences in both New York City and Large Counties. In Small Counties, total sentences increased since 2010, driven by an increase in prison sentences (+21.4%) while there were decreases in sentences to local jail (-8.2%), split probation/jail (-5.0%), and straight probation (-22.2%).

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES  
TABLE 12 - SENTENCES FOR VIOLENT FELONY OFFENSE CONVICTIONS  
AND YOUTHFUL OFFENDER ADJUDICATIONS  
BY CHARGE CATEGORY  
2014**

		PRISON		JAIL		JAIL AND PROBATION		PROBATION		OTHER		TOTAL	
		#	%	#	%	#	%	#	%	#	%	#	%
NEW YORK STATE	TOTAL SENTENCES	5,586	68.5%	690	8.5%	801	9.8%	985	12.1%	91	1.1%	8,153	100.0%
	ASSAULT	870	61.9%	159	11.3%	217	15.4%	140	10.0%	20	1.4%	1,406	100.0%
	STRANGULATION	26	53.1%	10	20.4%	9	18.4%	4	8.2%	0	0.0%	49	100.0%
	HOMICIDE	471	99.6%	0	0.0%	0	0.0%	2	0.4%	0	0.0%	473	100.0%
	SEX OFFENSES	523	72.0%	46	6.3%	93	12.8%	63	8.7%	1	0.1%	726	100.0%
	BURGLARY	1,153	67.5%	104	6.1%	210	12.3%	232	13.6%	9	0.5%	1708	100.0%
	ROBBERY	1,423	61.5%	218	9.4%	208	9.0%	417	18.0%	46	2.0%	2312	100.0%
	WEAPON OFFENSES	1,051	75.6%	148	10.6%	57	4.1%	121	8.7%	14	1.0%	1391	100.0%
OTHER	69	78.4%	5	5.7%	7	8.0%	6	6.8%	1	1.1%	88	100.0%	
NEW YORK CITY	TOTAL SENTENCES	2,747	67.2%	442	10.8%	229	5.6%	594	14.5%	78	1.9%	4,090	100.0%
	ASSAULT	445	60.1%	96	13.0%	101	13.6%	80	10.8%	19	2.6%	741	100.0%
	STRANGULATION	4	25.0%	5	31.3%	3	18.8%	4	25.0%	0	0.0%	16	100.0%
	HOMICIDE	275	99.3%	0	0.0%	0	0.0%	2	0.7%	0	0.0%	277	100.0%
	SEX OFFENSES	194	74.3%	24	9.2%	12	4.6%	31	11.9%	0	0.0%	261	100.0%
	BURGLARY	435	76.9%	46	8.1%	19	3.4%	62	11.0%	4	0.7%	566	100.0%
	ROBBERY	863	58.4%	159	10.8%	74	5.0%	339	22.9%	43	2.9%	1478	100.0%
	WEAPON OFFENSES	494	70.0%	109	15.4%	19	2.7%	72	10.2%	12	1.7%	706	100.0%
OTHER	37	82.2%	3	6.7%	1	2.2%	4	8.9%	0	0.0%	45	100.0%	
LARGE COUNTIES	TOTAL SENTENCES	2,244	69.6%	203	6.3%	438	13.6%	328	10.2%	11	0.3%	3,224	100.0%
	ASSAULT	322	63.3%	53	10.4%	85	16.7%	48	9.4%	1	0.2%	509	100.0%
	STRANGULATION	16	72.7%	3	13.6%	3	13.6%	0	0.0%	0	0.0%	22	100.0%
	HOMICIDE	171	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	171	100.0%
	SEX OFFENSES	186	72.1%	11	4.3%	39	15.1%	21	8.1%	1	0.4%	258	100.0%
	BURGLARY	535	60.7%	48	5.4%	153	17.4%	140	15.9%	5	0.6%	881	100.0%
	ROBBERY	494	65.7%	55	7.3%	122	16.2%	78	10.4%	3	0.4%	752	100.0%
	WEAPON OFFENSES	504	83.0%	31	5.1%	31	5.1%	40	6.6%	1	0.2%	607	100.0%
OTHER	16	66.7%	2	8.3%	5	20.8%	1	4.2%	0	0.0%	24	100.0%	
SMALL COUNTIES	TOTAL SENTENCES	595	70.9%	45	5.4%	134	16.0%	63	7.5%	2	0.2%	839	100.0%
	ASSAULT	103	66.0%	10	6.4%	31	19.9%	12	7.7%	0	0.0%	156	100.0%
	STRANGULATION	6	54.5%	2	18.2%	3	27.3%	0	0.0%	0	0.0%	11	100.0%
	HOMICIDE	25	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	25	100.0%
	SEX OFFENSES	143	69.1%	11	5.3%	42	20.3%	11	5.3%	0	0.0%	207	100.0%
	BURGLARY	183	70.1%	10	3.8%	38	14.6%	30	11.5%	0	0.0%	261	100.0%
	ROBBERY	66	80.5%	4	4.9%	12	14.6%	0	0.0%	0	0.0%	82	100.0%
	WEAPON OFFENSES	53	67.9%	8	10.3%	7	9.0%	9	11.5%	1	1.3%	78	100.0%
OTHER	16	84.2%	0	0.0%	1	5.3%	1	5.3%	1	5.3%	19	100.0%	

Source: DCJS, Felony Processing File.  
Includes Youthful Offender (YO) and Juvenile Offender (JO) sentences.

Statewide, 68.5% of 2014 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 (99.6%).

**NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES  
TABLE 13 - SENTENCES FOR VIOLENT FELONY OFFENSE CONVICTIONS  
AND YOUTHFUL OFFENDER ADJUDICATIONS  
BY FELONY CLASS  
2014**

		PRISON		JAIL		JAIL AND PROBATION		PROBATION		OTHER		TOTAL	
		N	%	N	%	N	%	N	%	N	%	N	%
NEW YORK STATE	TOTAL SENTENCES	5,586	68.5%	690	8.5%	801	9.8%	985	12.1%	91	1.1%	8,153	100.0%
	CLASS A	235	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	235	100.0%
	CLASS B	1,215	84.3%	40	2.8%	53	3.7%	126	8.7%	7	0.5%	1,441	100.0%
	CLASS C	2,023	76.3%	107	4.0%	127	4.8%	358	13.5%	37	1.4%	2,652	100.0%
	CLASS D	2,094	55.3%	538	14.2%	616	16.3%	496	13.1%	46	1.2%	3,790	100.0%
	CLASS E	19	54.3%	5	14.3%	5	14.3%	5	14.3%	1	2.9%	35	100.0%
NEW YORK CITY	TOTAL SENTENCES	2,747	67.2%	442	10.8%	229	5.6%	594	14.5%	78	1.9%	4,090	100.0%
	CLASS A	96	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	96	100.0%
	CLASS B	731	81.1%	34	3.8%	17	1.9%	112	12.4%	7	0.8%	901	100.0%
	CLASS C	924	71.0%	64	4.9%	27	2.1%	254	19.5%	33	2.5%	1,302	100.0%
	CLASS D	984	55.5%	340	19.2%	185	10.4%	225	12.7%	38	2.1%	1,772	100.0%
	CLASS E	12	63.2%	4	21.1%	0	0.0%	3	15.8%	0	0.0%	19	100.0%
LARGE COUNTIES	TOTAL SENTENCES	2,244	69.6%	203	6.3%	438	13.6%	328	10.2%	11	0.3%	3,224	100.0%
	CLASS A	117	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	117	100.0%
	CLASS B	383	87.8%	6	1.4%	34	7.8%	13	3.0%	0	0.0%	436	100.0%
	CLASS C	902	79.8%	39	3.4%	89	7.9%	97	8.6%	4	0.4%	1,131	100.0%
	CLASS D	837	54.7%	158	10.3%	312	20.4%	217	14.2%	7	0.5%	1,531	100.0%
	CLASS E	5	55.6%	0	0.0%	3	33.3%	1	11.1%	0	0.0%	9	100.0%
SMALL COUNTIES	TOTAL SENTENCES	595	70.9%	45	5.4%	134	16.0%	63	7.5%	2	0.2%	839	100.0%
	CLASS A	22	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	22	100.0%
	CLASS B	101	97.1%	0	0.0%	2	1.9%	1	1.0%	0	0.0%	104	100.0%
	CLASS C	197	90.0%	4	1.8%	11	5.0%	7	3.2%	0	0.0%	219	100.0%
	CLASS D	273	56.1%	40	8.2%	119	24.4%	54	11.1%	1	0.2%	487	100.0%
	CLASS E	2	28.6%	1	14.3%	2	28.6%	1	14.3%	1	14.3%	7	100.0%

Source: DCJS, Felony Processing File.

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 100% of Class A VFOs down to 55.3% of Class D VFOs and 54.3% of Class E VFOs.

## NEW YORK STATE VIOLENT FELONY OFFENSES

PL SECTION	DESCRIPTION	SUB SECTION	CLASS	NOTE
120.02	RECKLESS ASSAULT OF A CHILD		D	*
120.05	ASSAULT - 2ND		D	*
120.06	GANG ASSAULT - 2ND		C	
120.07	GANG ASSAULT - 1ST		B	
120.08	ASSAULT ON POLICE/PEACE/FIRE/EMT OFFICER		C	
120.09	ASSAULT ON A JUDGE		C	
120.10	ASSAULT - 1ST		B	
120.11	AGGRAVATED ASSAULT UPON A POLICE/PEACE OFFICER		B	
120.18	MENACING A POLICE OR PEACE OFFICER		D	*
120.60	STALKING - 1ST: CAUSE INJURY	1	D	*
121.12	STRANGULATION - 2ND		D	*
121.13	STRANGULATION - 1ST		C	
125.11	AGGRAVATED CRIMINALLY NEGLIGENT HOMICIDE		C	
125.20	MANSLAUGHTER - 1ST		B	
125.21	AGGRAVATED MANSLAUGHTER - 2ND		C	
125.22	AGGRAVATED MANSLAUGHTER - 1ST		B	
125.25	MURDER - 2ND		A	**
125.26	AGGRAVATED MURDER		A	**
125.27	MURDER - 1ST		A	**
130.30	RAPE - 2ND		D	*
130.35	RAPE - 1ST		B	
130.45	CRIMINAL SEXUAL ACT - 2ND		D	
130.50	CRIMINAL SEXUAL ACT - 1ST		B	
130.53	PERSISTENT SEXUAL ABUSE		E	*
130.65	SEXUAL ABUSE - 1ST		D	*
130.65-A	AGGRAVATED SEXUAL ABUSE - 4TH		E	*
130.66	AGGRAVATED SEXUAL ABUSE - 3RD		D	*
130.67	AGGRAVATED SEXUAL ABUSE - 2ND		C	
130.70	AGGRAVATED SEXUAL ABUSE - 1ST		B	
130.75	COURSE OF SEXUAL CONDUCT AGAINST A CHILD - 1ST		B	
130.80	COURSE OF SEXUAL CONDUCT AGAINST A CHILD - 2ND		D	*
130.90	FACILITATING SEX OFFENSE WITH CONTROLLED SUBSTANCE		D	*
130.95	PREDATORY SEXUAL ASSAULT		A	**
130.96	PREDATORY SEXUAL ASSAULT AGAINST CHILD		A	**
135.20	KIDNAPPING - 2ND		B	
135.25	KIDNAPPING - 1ST		A	**
140.25	BURGLARY - 2ND		C	
140.30	BURGLARY - 1ST		B	
150.15	ARSON - 2ND		B	
150.20	ARSON - 1ST		A	**
160.10	ROBBERY - 2ND		C	
160.15	ROBBERY - 1ST		B	
215.16	INTIMIDATE VICTIM OR WITNESS - 2ND		D	*

\* 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: The hate crime, terrorism crime, and sexually motivated felony versions of the above offenses are also VFOs.

## NEW YORK STATE VIOLENT FELONY OFFENSES

PL SECTION	DESCRIPTION	SUB SECTION	CLASS	NOTE
215.17	INTIMIDATE VICTIM OR WITNESS - 1ST		B	
240.55	FALSELY REPORTING INCIDENT - 2ND		E	*
240.60	FALSELY REPORTING INCIDENT - 1ST		D	*
240.61	PLACE FALSE BOMB OR HAZARDOUS SUBSTANCE - 2ND		E	*
240.62	PLACE FALSE BOMB OR HAZARDOUS SUBSTANCE - 1ST		D	*
240.63	PLACE FALSE BOMB MALL/STADIUM/MASS TRANSIT		D	*
255.27	INCEST - 1ST		B	
265.02	CRIMINAL POSSESSION OF A WEAPON - 3RD	5 - 10	D	
265.03	CRIMINAL POSSESSION OF A WEAPON - 2ND		C	
265.04	CRIMINAL POSSESSION OF A WEAPON - 1ST		B	
265.08	CRIMINAL USE OF A FIREARM - 2ND		C	
265.09	CRIMINAL USE OF A FIREARM - 1ST		B	
265.11	CRIMINAL SALE OF A FIREARM - 3RD		D	
265.12	CRIMINAL SALE OF A FIREARM - 2ND		C	*
265.13	CRIMINAL SALE OF A FIREARM - 1ST		B	
265.14	CRIMINAL SALE OF A FIREARM WITH AID OF A MINOR		C	
265.19	AGGRAVATED CRIMINAL POSSESSION OF A WEAPON		C	
405.18	AGGRAVATED USE OF PYROTECHNICS - 1ST		D	*
490.10	SUPPORT ACT OF TERRORISM - 2ND		D	*
490.15	SUPPORT ACT OF TERRORISM - 1ST		C	
490.20	MAKE TERRORISTIC THREAT		D	*
490.30	HINDER PROSECUTION OF TERRORISM - 2ND		C	
490.35	HINDER PROSECUTION OF TERRORISM - 1ST		B	
490.37	CRIM POSSESSION CHEMICAL OR BIOLOGICAL WEAPON - 3RD		C	
490.40	CRIM POSSESSION CHEMICAL OR BIOLOGICAL WEAPON - 2ND		B	
490.45	CRIM POSSESSION CHEMICAL OR BIOLOGICAL WEAPON - 1ST		A	**
490.47	CRIM USE OF CHEMICAL OR BIOLOGICAL WEAPON - 3RD		B	
490.50	CRIM USE OF CHEMICAL OR BIOLOGICAL WEAPON - 2ND		A	**
490.55	CRIM USE OF CHEMICAL OR 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: The hate crime, terrorism crime, and sexually motivated felony versions of the above offenses are also VFOs.