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LOWER EAST SIDE NARCOTICS
ARRESTS, AUGUST 1982:

NCJRS

MAY 26 1988

COURT OUTCOMES AND REARRESTS
FINAL REPORT

ACQUISITIONS

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RESEARCH DEPARTMENT
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LOWER EAST SIDE NARCOTICS

ARRESTS, AUGUST 1982:

COURT OUTCOMES AND REARRESTS

FINAL REPORT

I. INTRODUCTION

The New York City Criminal Justice Agency (CJA) has participated in the Lower East Side Narcotics Task Force since the Task Force was established by the Criminal Justice Coordinator in July 1982. Its purpose was to bring together various City departments, community agencies, legislators, and criminal justice representatives to try to work together to reduce illicit drug sales on the Lower East Side.

In response to a series of requests from the Mayor's Office, CJA has been providing data on case processing and recidivism on the August 1982 arrest cohort since November 1982. Periodic reports have incorporated analyses of Criminal Court outcomes from CJA's own database, as well as Supreme Court outcomes gathered from the database maintained by the Office of Court Administration for those arrests that were transferred to Supreme Court. In order to address the specific concerns of the Task Force, these reports were designed to examine court processing of narcotics cases. Particular attention was paid to Criminal and Supreme Court dispositions and sentences, including such data as Criminal Court case outcomes by charge, type of arrest and prior criminal history. For cases transferred to Supreme Court, data on case outcome, grand jury release status and final release status at disposition have been presented. These data are summarized in the present report.

In light of the lack of available information on recidivism, in July 1983 CJA was also asked to track and analyze rearrests among the August 1982 Lower East Side defendants. Initial analyses of rearrest data were for the 143 defendants whose August 1982 cases were transferred to Supreme Court (including number of rearrests, rearrest charges, Criminal Court status of the rearrests, and rearrests by the Supreme Court status of the August 1982 case).^{*} In February 1984, CJA also began tracking and analyzing rearrests for the August 1982 defendants whose cases were not transferred to Supreme Court.

This final report summarizes the Court processing and rearrest status of the August 1982 Lower East Side narcotics arrests. Included are Criminal and Supreme Court status as of December 2, 1983, and rearrest data through May 1, 1984.

II. CRIMINAL AND SUPREME COURT OUTCOMES OF AUGUST 1982 ARRESTS

This Section summarizes the Criminal and Supreme Court status of August 1982 Lower East Side narcotics arrests, as of December 2, 1983. The sample population was derived from Police

^{*} Earlier reports also included tables showing the timing of the rearrest relative to Supreme Court disposition of the August, 1982 case. As of December 1983, two-thirds of the rearrests had occurred prior to Supreme Court disposition.

Department arrest logs. Arrest numbers, were used to locate defendant records in the CJA database.* A total of 502 of the 594 Lower East Side Narcotics arrests had available Criminal Court status information in the CJA database.** For cases transferred to Supreme Court, case status information was then acquired through records maintained by the Office of Court Administration.

A. CRIMINAL COURT STATUS AS OF DECEMBER 2, 1983

Table 1 summarizes the Criminal Court status by most severe arrest charge for Lower East Side narcotics arrests made during August 1982. Overall, of 502 arrests for which post-arrest information was available, 474 (94.4%) were completed in Criminal Court. Less than half (41.6%) pled guilty in Criminal Court, slightly less than one third (28.5%) were transferred to Supreme Court, and 24.1% were dismissed or adjourned in contemplation of dismissal (ACD'd in Criminal Court). An additional 28 arrests (5.6%) resulted in the issuance of a warrant outstanding as of December 2, 1983. There were no cases still pending in Criminal Court as of December 2, 1983.

* The CJA database is comprised of information about defendants ascertained during an interview through which CJA assesses their community ties and their likelihood of returning to court if released on their own recognizance. CJA notifies released defendants of upcoming Criminal Court appearances. Court information for all interviewed defendants, gathered from Criminal Court calendars, is also included in the database. For juvenile offenders and those arrested on homicide charges, CJA makes no recommendation but presents the community ties information to the judge. Defendants are not interviewed if they are arrested solely on warrants or violations, or charged with lesser offenses within the Administrative Code or the Vehicle and Traffic Law, given summons, or charged as juvenile delinquents. In Manhattan, defendants charged with prostitution offenses are also excluded. Although defendants issued Desk Appearance Tickets (DATs) are not interviewed by CJA, arrest and Criminal Court information for them is included in the CJA database, and CJA notifies these defendants of upcoming Criminal Court appearances.

** Among the 92 cases excluded from the sample were 9 summons cases, 6 juvenile delinquents, 1 declined prosecution and 73 cases for which no post-arrest information was available.

The most common Criminal Court disposition for defendants charged with 220.39 (B felony sale) or 220.16 (B felony possession) was transfer to Supreme Court (35.7% and 40.9% respectively). In addition, 32.0% of 220.39 arrests and 35.2% of 220.16 arrests resulted in a guilty plea in Criminal Court. Among defendants arrested on misdemeanor drug charges, 78.1% pled guilty and 11.5% were dismissed.

In Table 2, the Criminal Court status is presented by final Criminal Court charge. These data show that among the 143 cases transferred to Supreme Court, 117 (81.8%) had a most severe final (i.e. at the time of transfer) Criminal Court charge of 220.39 (B felony sale). In all 145 defendants pled guilty to a misdemeanor drug charge in Criminal Court, and 54 pled guilty to violations.

Table 3 shows the Criminal Court status by type of arrest as of December 2, 1983. Among summary arrests for which Criminal Court outcomes were available, 39.2% pled guilty in Criminal Court and 31.0% were transferred to Supreme Court. About one-fourth (25.5%) were dismissed or ACD'd, and 4.1% had a bench warrant ordered as the most recent status. In contrast, 22.5% of the DAT arrests currently have bench warrants, and 70.0% pled guilty.

Tables 4 and 5 summarize sentences for defendants who pled guilty in Criminal Court. Overall, most defendants were sentenced to conditional or unconditional discharges (38.9%) or imprisonment (39.3%). Of 181 summary arrests which resulted in a guilty plea, sentences of imprisonment were imposed in 40.4% of the cases, and 35.4% received conditional or unconditional discharges. Of 28 DAT arrests that resulted in guilty pleas, 60.7%

Tables 8 and 9 show Grand Jury and final release statuses (as of last appearance up to December 2, 1983) by most severe indictment charge. Most defendants were ROR'd at the time of Grand Jury indictment (84.3%). In addition, 7.5% were held on bail, 4.6% made bail, and 3.7% were remanded. Among 118 defendants for whom final release status information was available, 67.8% were paroled and 22.0% were remanded. Among defendants indicted for 220.39, 70.1% were paroled and 21.7% were remanded.

Table 10 shows the distribution of most severe disposition charges for defendants indicted for 220.39 who pled or were tried and found guilty in Supreme Court: 31.9% of these 69 defendants had a final charge of 110-220.39 and 20.2% were disposed on 220.34 (both C felony sale charges). About one-fourth (26.0%) were convicted of 220.31 (D felony sale) and 4.3% pled guilty to 220.03 (A misdemeanor possession).

Table 11 lists Supreme Court sentences for those defendants who pled or were tried and found guilty. About three-fifths (62.2%) of those sentenced received imprisonment, and 31.1% were sentenced to probation. Three defendants were sentenced to a combination of imprisonment and probation (2 months and 4 years 10 months; 6 months and 4 1/2 years) and one defendant was sentenced to intermittent imprisonment. In addition, 9 defendants were awaiting sentencing as of December 2, 1983. Finally, Table 12 shows length of Supreme Court prison sentence. Of the 46 defendants receiving jail or prison sentences thus far, 14 were sentenced to less than one year, 9 were sentenced to 1 year, 13 were sentenced to 2-4 years, and 4 received 1-3 years. In all, 23 defendants were sentenced to one year or less in jail.

III. REARRESTS AS OF MAY 1, 1984

This section summarizes rearrests among the 502 August 1982 Lower East Side narcotics arrests. Rearrests were identified by linking defendants' NYSID (New York State Identification) number to other cases in the CJA database. In cases where there was some biographical discrepancy between rearrest and original August 1982 case information, rearrests were verified either through the Police Department or the defendants' prior criminal history records maintained by Division of Criminal Justice Services (DCJS) in Albany. Rearrest data are presented for August 1982 defendants whose cases remained in Criminal Court, as well as for the August 1982 cases transferred to Supreme Court. As of May 1, 1984 a total of 1014 rearrests were linked to the 502 defendants for the 20-month period from August 1982.

A. REARRESTS FOR AUGUST 1982 DEFENDANTS TRANSFERRED TO SUPREME COURT

In this section, data are presented on rearrests through May 1, 1984 for August 1982 Lower East Side narcotics arrests that were transferred to Supreme Court.

Table 13 shows that of 132 August 1982 defendants transferred to Supreme Court for whom rearrest information was available, 30.3% had not been rearrested, 23.5% had one subsequent arrest and 14.4% had been rearrested twice. An additional 42 defendants (31.8%) were rearrested three or more times since their August 1982 arrest. Through May 1, 1984 there have been a total of 267 rearrests among the original August 1982 Supreme Court defendants for whom rearrest information was available.

In Table 14 the distribution of these rearrests is shown by type and severity of the most severe rearrest charge. Among the 267 rearrests, 225 (84.3%) were for drug charges. The most common drug charge was 220.39 (B Felony Sale), followed by 220.03 (A Misdemeanor Possession), with 43.7% and 16.1% of the rearrests respectively.

The most common severity level of charges among rearrests for non-drug charges was a misdemeanor (6.0% of all rearrests) although three defendants were rearrested for A felony murder charges (125.27 and 125.25). Of six rearrests for non-drug B felonies, one had a most severe charge of attempted Murder 2, four had most severe charges of Robbery 1 (one of which also included an A Misdemeanor drug possession charge) and one defendant was rearrested for Arson 2.

Table 15 presents the Criminal Court status for all the rearrests as of May 1, 1984. Two hundred thirty-seven cases (89.4%) have been completed in Criminal Court; slightly under one-third of all the rearrests have been transferred to Supreme Court, and 36.2% have pled guilty in Criminal Court. About one-tenth (10.6%) of the cases are still pending in Criminal Court, including 5.7% with a warrant ordered as the last status.

B. REARRESTS FOR AUGUST 1982 DEFENDANTS DISPOSED OR PENDING IN CRIMINAL COURT

In this section data on rearrests through May 1, 1984 are presented for August 1982 Lower East Side Narcotics arrests disposed or pending in Criminal Court. As with defendants transferred to Supreme Court, rearrests were identified by linking defendants' NYSID numbers to other cases in the CJA database. Rearrest information was available for 321 of 359 defendants.

Table 16 shows the number of rearrests for defendants whose August 1982 cases were disposed or are pending in Criminal Court. As of May 1, 1984, 32.4% had not been rearrested, as compared with 30.3% of defendants transferred to Supreme Court (see Table 13). Almost one-fifth (17.7%) were rearrested once, 13.4% had two subsequent rearrests, and 36.5% were rearrested three or more times. Through May 1, 1984, there have been a total of 747 rearrests among the 321 August 1982 Criminal Court defendants with available rearrest information. In comparison with the August 1982 Supreme Court defendants, Criminal Court defendants were less likely to be rearrested once (17.7% vs. 23.5%), but more likely to be rearrested three or more times (36.5% vs. 31.8% of the Supreme Court defendants).

In Table 17 the distribution of rearrests is presented by type and severity of most severe rearrest charge. Of the 747 rearrests, 609 (81.5%) were for drug charges, the most common being 220.39 (B felony sale; 34.1% of all rearrests) followed by 220.03 (A misdemeanor possession) with 16.8%. Among defendants transferred to Supreme Court, the percentage of rearrests for 220.39 was slightly higher (43.7%), while rearrests for 220.03 showed practically no difference (16.1%). As with defendants transferred to Supreme Court, the most common charges among defendants rearrested for non-drug charges were misdemeanors (6.1% of all rearrests). Five defendants were rearrested for A felony murder charges (125.25), and of 24 rearrests for non-drug B felonies, 20 were for 160.15 (Robbery 1).

The Criminal Court status of rearrests is shown in Table 18. As of May 1, 1984, 617 cases have been completed in Criminal Court (84.8%), the majority of which have pled guilty (47.2%). Dismissals/ACDs and transfers to Supreme Court each comprise about one-fifth of completed cases (19.4% and 17.9% respectively) and 15.2% of all rearrests are still pending in Criminal Court.

Among defendants transferred to Supreme Court the percentage of dismissals was approximately the same and the percentage of rearrest cases pending disposition somewhat lower (21.9% dismissed and 10.6% pending). Transfer to Supreme Court rates were higher (32.1%) and disposition by a guilty plea in Criminal Court lower (35.0%), compared to rearrest cases for the August 1982 Criminal Court defendants.

IV. SUMMARY AND CONCLUSIONS

As of December 2, 1983 less than one half (41.6%) of the August, 1982 defendants had been convicted of misdemeanors or violations in Criminal Court, while the conviction rate in Supreme Court (65.5%) was somewhat higher. Defendants convicted in Criminal Court were predominantly sentenced to either imprisonment (39.3% of those convicted) or conditional/unconditional discharge (38.9%) with imprisonment terms most likely to be timed served (58.0% of defendants sentenced to jail). The most common Supreme Court sentence was imprisonment (62.2% of defendants convicted in Supreme Court), followed by probation terms (31.1%). Despite being convicted in Supreme Court exactly one-half of these defendants were sentenced to one year or less in jail; the most common single other category was 2-4 years (28.2% of defendants sentenced to imprisonment in Supreme Court).

Overall, 69.7% of the August 1982 Supreme Court defendants and 67.6% of the Criminal Court defendants were rearrested at least once as of May 1, 1984. The rearrest data show that defendants transferred to Supreme Court on their August 1982 case were slightly less likely not to have been rearrested, but were more likely to have had one rearrest, than defendants whose August cases were disposed or still pending in Criminal Court. The latter defendants were more likely to have had 5 or more rearrests (19.3%) since their August 1982 arrest. The distributions of most severe rearrest charge show that for both categories of defendants, rearrests for drug charges were most common (over 80% of rearrests) most often B felony sale or A misdemeanor possession. Disposition rates show that conviction in Criminal Court on the rearrest was the most common among all defendants. However, the percentage of Supreme Court defendants

whose rearrest was also transferred to Supreme Court (36.2%) was considerably higher than for defendants whose August 1982 case was completed in Criminal Court.

Although the rearrest rate appears high for these defendants, it has remained relatively stable over the recent months, and may be comparable to rearrest rates for other defendant populations. It is also clear that the same defendants continue to be rearrested, as the percentage of defendants not rearrested has also remained fairly consistent. It should be noted that all these rearrest and Court outcome data represent characteristics for the sample of August 1982 Lower East Side defendants, and it is not known whether the data are representative of drug defendants in general, or defendants arrested on the Lower East Side during other times periods.

TABLE 1

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Criminal Court Status as of December 2, 1983 by Most Severe Arrest Charge

	220.39 B Felony Sale		220.16 B Felony Possession		Other Felony Drug Charges		Misdemeanor Drug Charges		Non-Drug Charges		Charge Not Available	TOTAL	
<u>COMPLETED:</u>													
Dismissed or ACD	73	27.4%	19	21.6%	10	29.4%	11	11.5%	8	44.4%	-	121	24.1%
Pled Guilty	85	32.0	31	35.2	12	35.3	75	78.1	6	33.3	-	209	41.6
Transferred to Supreme Court*	95	35.7	36	40.9	9	26.5	-	-	3	16.7	-	143	28.5
Other	-	-	-	-	-	-	1	1.0	-	-	-	1	0.2
	<u>253</u>	<u>95.1%</u>	<u>86</u>	<u>97.7%</u>	<u>31</u>	<u>91.2%</u>	<u>87</u>	<u>90.6%</u>	<u>17</u>	<u>94.4%</u>	<u>-</u>	<u>474</u>	<u>94.4%</u>
<u>PENDING:</u>													
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-
Warrant Ordered	13	4.9	2	2.3	3	8.8	9	9.4	1	5.6	-	28	5.6
	<u>13</u>	<u>4.9%</u>	<u>2</u>	<u>2.3%</u>	<u>3</u>	<u>8.8%</u>	<u>9</u>	<u>9.4%</u>	<u>1</u>	<u>5.6%</u>	<u>-</u>	<u>28</u>	<u>5.6%</u>
Total Criminal Court Outcomes	266	100.0%	88	100.0%	34	100.0%	96	100.0%	18	100.0%	-	502	100.0%
Status Not Available**	21		2		1		24		4		40	92	
	<u>21</u>		<u>2</u>		<u>1</u>		<u>24</u>		<u>4</u>		<u>40</u>	<u>92</u>	
TOTAL ARRESTS	287		90		35		120		22		40	594	

*Three of these cases were returned to Criminal Court by the Grand Jury. Two were dismissed in Criminal Court and the other has had a warrant ordered.

**Includes 9 summons cases, 3 voids, 6 juvenile delinquents, and 1 declined prosecution as well as 73 cases for which no post-arrest information was available.

TABLE 2

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Criminal Court Status as of December 2, 1983 by
Most Severe Final Criminal Court Charge

	220.39		220.16		Other Felony		Misdemeanor		Non-Drug		Violations		Charge Not Available	TOTAL		
	B Felony Sale		B Felony Possession		Drug Charges		Drug Charges		Charges							
<u>COMPLETED:</u>																
Dismissed or ACD	72	36.2%	8	40.0%	5	23.8%	25	14.0%	9	39.1%	2	3.5%	-	121	24.1%	
Pled Guilty	-	-	-	-	-	-	145	81.0	10	43.5	54	94.7	-	209	41.6	
Transferred to Supreme Court*	117	58.8	10	50.0	13	61.9	-	-	3	13.0	-	-	-	143	28.5	
Other	-	-	-	-	-	-	1	0.5	-	-	-	-	-	1	0.2	
	<u>189</u>	<u>95.0%</u>	<u>18</u>	<u>90.0%</u>	<u>18</u>	<u>85.7%</u>	<u>171</u>	<u>95.5%</u>	<u>22</u>	<u>95.6%</u>	<u>56</u>	<u>98.2%</u>	<u>-</u>	<u>474</u>	<u>94.4%</u>	
<u>PENDING:</u>																
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warrant Ordered	10	5.0	2	10.0	3	14.3	8	4.5	1	4.4	1	1.8	3	28	5.6	
	<u>10</u>	<u>5.0%</u>	<u>2</u>	<u>10.0%</u>	<u>3</u>	<u>14.3%</u>	<u>8</u>	<u>4.5%</u>	<u>1</u>	<u>4.4%</u>	<u>1</u>	<u>1.8%</u>	<u>3</u>	<u>28</u>	<u>5.6%</u>	
Total Criminal Court Outcomes	199	100.0%	20	100.0%	21	100.0%	179	100.0%	23	100.0%	57	100.0%	3	502	100.0%	
Status not Available**	-	-	-	-	-	-	-	-	-	-	-	-	92	92		
TOTAL ARRESTS	199		20		21		179		23		57		92	594		

*Three of these cases were returned to Criminal Court by the Grand Jury. Two were dismissed in Criminal Court and the other has had a warrant ordered.

**Includes 9 summons cases, 3 voids, 6 juvenile delinquents, and 1 declined prosecution as well as 73 cases for which no post-arrest information was available.

TABLE 3

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Criminal Court Status as of December 2, 1983
by Type of Arrest

	<u>SUMMARY</u>		<u>DAT</u>		<u>TOTAL</u>	
<u>COMPLETED:</u>						
Dismissed or ACD	118	25.5%	3	7.5%	121	24.1%
Pled Guilty	181	39.2	28	70.0	209	41.6
Transferred to Supreme Ct.*	143	31.0	-	-	143	28.5
Other	1	0.2	-	-	1	0.2
	<u>443</u>	<u>95.9%</u>	<u>31</u>	<u>77.5%</u>	<u>474</u>	<u>94.4%</u>
<u>PENDING:</u>						
Continued	-	-	-	-	-	-
Warrant Ordered	19	4.1	9	22.5	28	5.6
	<u>19</u>	<u>4.1%</u>	<u>9</u>	<u>22.5%</u>	<u>28</u>	<u>5.6%</u>
Total Criminal Court Outcomes	<u>462</u>	<u>100.0%</u>	<u>40</u>	<u>100.0%</u>	<u>502</u>	<u>100.0%</u>
Voided Arrests	3		-		3	
Juvenile Delinquents	6		-		6	
Declined Prosecution	1		-		1	
	<u>10</u>		<u>-</u>		<u>10</u>	
No Post Arrest Information Available	28		45		73	
	<u>500</u>		<u>85</u>		<u>585</u>	
			Summonses		<u>9</u>	
			TOTAL ARRESTS		594	

*Three of these cases were returned to Criminal Court by the Grand Jury. Two were dismissed in Criminal Court and the other has had a warrant ordered.

TABLE 4

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Criminal Court Sentences as of December 2, 1983
by Type of Arrest for Defendants Who Pled Guilty

	<u>SUMMARY</u>		<u>DAT</u>		<u>TOTAL</u>	
Conditional or Unconditional Discharge	63	35.4%	17	60.7%	80	38.9%
Fine	1	0.6	-	-	1	0.5
Fine or Imprisonment	24	13.5	2	7.1	26	12.6
Probation	18	10.1	-	-	18	8.7
Imprisonment	72	40.4	9	32.2	81	39.3
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	178	100.0%	28	100.0%	206	100.0%
Pending Sentencing	3		-		3	
	<hr/>		<hr/>		<hr/>	
TOTAL PLED GUILTY	181		28		209	

TABLE 5

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Length of Criminal Court Jail Sentence as of December 2, 1983
For Defendants Convicted in Criminal Court and Sentenced to Jail Terms

	<u>N</u>	<u>%</u>
Time Served	47	58.0%
1 - 7 Days	2	2.5
8 - 14 Days	2	2.5
15 - 21 Days	3	3.7
30 Days	8	9.9
45 - 90 Days	9	11.1
91+ Days	10	12.3
	—	—
Total Sentenced to Imprisonment	81	100.0%
Other Sentences	125	
Pending Sentencing	<u>3</u>	
TOTAL PLED GUILTY	209	

TABLE 6

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Criminal Court Status as of December 2, 1983 by Defendant Criminal History

	<u>No Convictions</u>				<u>Misdemeanor Convictions</u>				<u>Felony Convictions</u>				N/A	<u>TOTAL</u>			
	<u>First Arrest</u>		<u>Previous Arrests No Open</u>	<u>Open Cases</u>	<u>No Open</u>	<u>With Open</u>	<u>No Open</u>	<u>With Open</u>									
<u>COMPLETED:</u>																	
Dismissed or ACD	18	20.5%	9	21.4%	24	24.5%	13	33.3%	29	22.8%	11	25.6%	17	30.4%	-	121	24.1%
Pled Guilty	44	50.0	23	54.8	35	35.7	19	48.7	52	41.0	14	32.5	17	30.4	5	209	41.6
Transferred to Supreme Court*	20	22.7	10	23.8	31	31.6	6	15.4	34	26.8	18	41.9	20	35.7	4	143	28.5
Other	-	-	-	-	1	1.0	-	-	-	-	-	-	-	-	-	1	0.2
	<u>82</u>	<u>93.2%</u>	<u>42</u>	<u>100.0%</u>	<u>91</u>	<u>92.9%</u>	<u>38</u>	<u>97.4%</u>	<u>115</u>	<u>90.6%</u>	<u>43</u>	<u>100.0%</u>	<u>54</u>	<u>96.4%</u>	<u>9</u>	<u>474</u>	<u>94.4%</u>
<u>PENDING:</u>																	
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warrant Ordered	6	6.8	-	-	7	7.1	1	2.6	12	9.4	-	-	2	3.6	-	28	5.6
	<u>6</u>	<u>6.8%</u>	<u>-</u>	<u>-</u>	<u>7</u>	<u>7.1%</u>	<u>1</u>	<u>2.6%</u>	<u>12</u>	<u>9.4%</u>	<u>-</u>	<u>-</u>	<u>2</u>	<u>3.6%</u>	<u>-</u>	<u>28</u>	<u>5.6%</u>
Total Criminal Court Outcomes	88	100.0%	42	100.0%	98	100.0%	39	100.0%	127	100.0%	43	100.0%	56	100.0%	9	502	100.0%
No Post-Arrest Information Avail.	19		3		7		7		5		4		4		43	92	
TOTAL ARRESTS	107		45		105		46		132		47		60		52	594	

*Three of these cases were returned to Criminal Court by the Grand Jury. Two were dismissed in Criminal Court and the other has had a warrant ordered.

TABLE 8

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Grand Jury Release Status as of December 2, 1983 by Most Severe Indictment Charge

<u>Release Status</u>	<u>220.21</u> A Felony <u>Possession</u>		<u>220.39</u> B Felony <u>Sale*</u>		<u>220.16</u> B Felony <u>Possession</u>		<u>220.31</u> D Felony <u>Sale</u>		<u>Non-Drug</u> <u>Charges</u>		<u>Charge</u> <u>Not</u> <u>Available</u>	<u>TOTAL</u>	
Remand	-	-	2	2.2%	1	33.3%	-	-	1	100.0%	-	4	3.7%
Held on Bail-													
Bond Amount:													
\$2500	-	-	2	2.2	-	-	-	-	-	-	-	2	1.9
\$1500	-	-	1	1.1	-	-	-	-	-	-	-	1	0.9
\$1000	-	-	3	3.2	-	-	-	-	-	-	-	3	2.8
\$ 1	-	-	2	2.2	-	-	-	-	-	-	-	2	1.9
Released on Bail-													
Cash Made:													
\$10000	2	100.0%	-	-	-	-	-	-	-	-	-	2	1.9
\$ 1000	-	-	1	1.1	-	-	-	-	-	-	-	1	0.9
\$ 500	-	-	1	1.1	-	-	-	-	-	-	-	1	0.9
\$ 1	-	-	1	1.1	-	-	-	-	-	-	-	1	0.9
ROR/PC	-	-	80	86.0	2	66.7%	8	100.0%	-	-	1	91	84.3
Subtotal	2	100.0%	93	100.0%	3	100.0%	8	100.0%	1	100.0%	1	108	100.0%
Release Status Not Avail.**	-	-	7	-	-	-	-	-	2	-	26	35	-
TOTAL SUPREME COURT CASES	2		100		3		8		3		27	143	

*When a defendant had indictment charges of both 220.39 and 220.16, the sale charge (220.39) was used as the most severe charge.

**Included are cases that had no indictment information available, or were 'no public record' from OCA (Youthful offender, or dismissed and sealed cases).

TABLE 9

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Final Release Status as of December 2, 1983 by
Most Severe Indictment Charge

<u>Release Status</u>	<u>220.21</u> <u>A Felony</u> <u>Possession</u>		<u>220.39</u> <u>B Felony</u> <u>Sale*</u>		<u>220.16</u> <u>B Felony</u> <u>Possession</u>		<u>220.31</u> <u>D Felony</u> <u>Sale</u>		<u>Non-Drug</u> <u>Charges</u>		<u>Charge</u> <u>Not</u> <u>Available</u>	<u>TOTAL</u>
Remand	-	-	21	21.7%	-	-	1	12.5%	3	100.0%	1	26 22.0%
Held on Bail-												
Bond Amount:												
\$5000	-	-	1	1.0	-	-	-	-	-	-	-	1 0.9
\$1500	-	-	1	1.0	-	-	-	-	-	-	-	1 0.9
\$1000	-	-	3	3.1	-	-	-	-	-	-	-	3 2.5
\$ 1	-	-	-	-	-	-	-	-	-	-	2	2 1.6
Released on Bail-												
Cash Made:												
\$10000	2	100.0%	-	-	-	-	-	-	-	-	-	2 1.6%
\$ 1000	-	-	1	1.0%	-	-	-	-	-	-	-	1 0.9
\$ 500	-	-	1	1.0	-	-	-	-	-	-	-	1 0.9
\$ 1	-	-	1	1.0	-	-	-	-	-	-	-	1 0.9
ROR/PC	-	-	68	70.1	3	100.0%	7	87.5%	-	-	2	80 67.8
Subtotal	2	100.0%	97	100.0%	3	100.0%	8	100.0%	3	100.0%	5	118 100.0%
Release Status Not Avail.**	-	-	3	-	-	-	-	-	-	-	22	25
TOTAL SUPREME COURT CASES	2		100		3		8		3		27	143

*When a defendant had indictment charges of both 220.39 and 220.16, the sale charge (220.39) was used as the most severe charge.

**Included are cases that had no indictment information available, or were 'no public record' from OCA (Youthful offender, or dismissed and sealed cases).

TABLE 10

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Most Severe Disposition Charge for Defendants Whose Most Severe Indictment Charge was 220.39 (B Felony Sale), Who Pled Guilty or Were Tried and Found Guilty in Supreme Court as of December 2, 1983

<u>DISPOSITION CHARGE</u>	<u>N</u>	<u>%</u>
220.43 A Felony Sale	1	1.5%
220.39 B Felony Sale	8	11.6
220.34 C Felony Sale	14	20.2
221.55 C Felony Sale	1	1.5
220.09 C Felony Possession	1	1.5
110-220.39 C Felony Sale	22	31.9
110-220.16 C Felony Possession	1	1.5
220.31 D Felony Sale	18	26.0
220.03 A Misdemeanor Possession	3	4.3
	<hr/>	<hr/>
Subtotal	69	100.0%
Disposition Charge Unavail.	<u>1</u>	
TOTAL	70	

TABLE 11

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Supreme Court Sentences as of December 2, 1983 for Defendants
Who Pled Guilty or Were Tried and Found Guilty

	<u>N</u>	<u>%</u>
Imprisonment	46	62.2%
Imprisonment & Probation	3	4.1
Intermittent Imprisonment	1	1.3
Probation	23	31.1
Unconditional Discharge	1	1.3
	<hr/>	<hr/>
Subtotal	74	100.0%
Pending Sentence	9	
	<hr/>	
TOTAL	83	

TABLE 12

LOWER EAST SIDE NARCOTICS ARRESTS - August 1982

Length of Supreme Court Prison Sentence as of
December 2, 1983

	<u>N</u>	<u>%</u>
Time Served	1	2.2%
60 Days	1	2.2
90 Days	2	4.3
6 Months	5	10.8
7 Months	1	2.2
8 Months	1	2.2
9 Months	2	4.3
10 Months	1	2.2
1 Year	9	19.5
1-3 Years	4	8.7
1 1/3-4 Years	1	2.2
2-4 Years	13	28.2
2 1/2-5 Years	1	2.2
2-6 Years	1	2.2
3-6 Years	1	2.2
4 1/2-9 Years	1	2.2
25 Years to Life	1	2.2
Subtotal	46	100.0%
Intermittent Imprisonment	1	
2 Months Imprisonment and 4 Years 10 Months Probation	1	
6 Months Imprisonment and 4 1/2 Years Probation	2	
TOTAL	50	

TABLE 13

LOWER EAST SIDE NARCOTICS ARRESTS

DISTRIBUTION OF REARRESTS THROUGH MAY 1, 1984 FOR
AUGUST 1982 DEFENDANTS TRANSFERRED TO SUPREME COURT

<u># OF REARRESTS</u>	<u># OF DEFENDANTS</u>	<u>%</u>
0	40	30.3%
1	31	23.5
2	19	14.4
3	17	12.9
4	7	5.3
5 or More	18	13.6
	<hr/>	<hr/>
Total Defendants	132	100.0%
Grand Jury Returns to Criminal Court	3	
NYSID Not Available	2	
Defendants Transferred to Supreme Court	<hr/> 137	
Subsequent August Lower East Side Arrests Transferred to Supreme Court*	6	
TOTAL August 1982 Arrests Transferred to Supreme Ct.	<hr/> 143	

*These six defendants had two August Lower East Side Narcotics arrests transferred to Supreme Court. Their second August Supreme Court cases have been counted here only as rearrests.

TABLE 14
LOWER EAST SIDE NARCOTICS ARRESTS

DISTRIBUTION OF REARRESTS THROUGH MAY 1, 1984 BY
TYPE OF MOST SEVERE REARREST CHARGE FOR AUGUST 1982
DEFENDANTS TRANSFERRED TO SUPREME COURT

<u>DRUG CHARGE:</u>	<u>#</u>	<u>%</u>
220.21 A-I Felony Possession	1	0.4%
220.18 A-II Felony Possession	1	0.4
220.39 B Felony Sale	117	43.7
220.16 B Felony Possession	15	5.6
220.34 C Felony Sale	1	0.4
220.09 C Felony Possession	4	1.5
220.31 D Felony Sale	16	6.0
220.06 D Felony Possession	1	0.4
220.05 E Felony Possession	1	0.4
220.03 A Misdemeanor Possession	43	16.1
220.45 A Misdemeanor Possession	12	4.5
221.40 A Misdemeanor Sale (Marijuana)	1	0.4
220.50 A Misd. Use of Drug Paraphernalia	2	0.7
221.35 B Misdemeanor Sale (Marijuana)	1	0.4
221.10 B Misd. Possession (Marijuana)	1	0.4
240.36 B Misdemeanor Loitering for Drugs	8	3.0
Subtotal	225	84.3%
 <u>NON-DRUG CHARGE:</u>		
Class A Felonies	3	1.1%
Class B Felonies	6	2.2
Class C Felonies	1	0.4
Class D Felonies	11	4.1
Class E Felonies	5	1.9
Misdemeanors	16	6.0
Subtotal	42	15.7%
TOTAL REARRESTS	267	100.0%

TABLE 15
LOWER EAST SIDE NARCOTICS ARRESTS

CRIMINAL COURT STATUS AS OF MAY 1, 1984 OF REARRESTS
FOR AUGUST 1982 DEFENDANTS TRANSFERRED TO SUPREME COURT

CRIMINAL COURT STATUS

	<u># OF</u> <u>REARRESTS</u>	<u>%</u>
<u>COMPLETED:</u>		
Dismissed/ACD	58	21.9%
Pled Guilty	96	36.2
Transferred to Supreme Court	82	30.9
Other	1	0.4
Subtotal Completed	237	89.4%
<u>PENDING:</u>		
Continued	13	4.9%
Warrant Ordered	15	5.7
Subtotal Pending	28	10.6%
TOTAL DISPOSITIONS	265	100.0%
Status Not Available	2	
TOTAL REARRESTS	267	

TABLE 16
LOWER EAST SIDE NARCOTICS ARRESTS

DISTRIBUTION OF REARRESTS THROUGH MAY 1, 1984 FOR AUGUST 1982
DEFENDANTS DISPOSED OR PENDING IN CRIMINAL COURT

<u># OF REARRESTS</u>	<u># OF DEFENDANTS</u>	<u>%</u>
0	104	32.4%
1	57	17.7
2	43	13.4
3	32	10.0
4	23	7.2
5 or More	<u>62</u>	<u>19.3</u>
Subtotal	321	100.0%
NYSID Not Available	<u>38</u>	
TOTAL	359	

TABLE 17

LOWER EAST SIDE NARCOTICS ARRESTS

DISTRIBUTION OF REARRESTS THROUGH MAY 1, 1984 BY
TYPE OF MOST SEVERE REARREST CHARGE FOR AUGUST 1982
DEFENDANTS DISPOSED OR PENDING IN CRIMINAL COURT

<u>DRUG CHARGE:</u>	<u>#</u>	<u>%</u>
220.41 A Felony Sale	1	0.1%
220.21 A 1 Felony Possession	1	0.1
220.18 A 1 Felony Possession	1	0.1
220.39 B Felony Sale	255	34.1
220.16 B Felony Possession	46	6.2
220.09 C Felony Possession	6	0.8
220.31 D Felony Sale	40	5.4
220.06 D Felony Possession	20	2.7
220.05 E Felony Possession	1	0.1
220.03 A Misdemeanor Possession	126	16.8
220.45 A Misdemeanor Possession	73	9.8
221.40 A Misdemeanor Sale (Marijuana)	4	0.5
220.50 A Misd. Use of Drug Paraphernalia	2	0.3
221.35 B Misdemeanor Sale (Marijuana)	3	0.4
221.10 B Misdemeanor Possession (Marijuana)	2	0.3
240.36 B Misdemeanor Loitering for Drugs	<u>28</u>	<u>3.7</u>
	SUBTOTAL	609 81.5%
<u>NON-DRUG CHARGE:</u>		
Class A Felonies	5	0.7
Class B Felonies	24	3.2
Class C Felonies	13	1.7
Class D Felonies	35	4.8
Class E Felonies	15	2.0
Misdemeanors	<u>46</u>	<u>6.1</u>
	SUBTOTAL	138 18.5%
	<u>TOTAL REARRESTS</u>	<u>747</u> <u>100.0%</u>

TABLE 18
LOWER EAST SIDE NARCOTICS ARRESTS

CRIMINAL COURT STATUS AS OF MAY 1, 1984 OF REARRESTS FOR
AUGUST 1982 DEFENDANTS DISPOSED OR PENDING IN CRIMINAL COURT

	<u># of Rearrests</u>	<u>%</u>
<u>COMPLETED:</u>		
Dismissed/ACD	141	19.4%
Pled Guilty	344	47.2
Transferred to Supreme Court	130	17.9
Other	2	0.3
Subtotal Completed	<u>617</u>	<u>84.8%</u>
<u>PENDING:</u>		
Continued	52	7.1
Warrant Ordered	59	8.1
Subtotal Pending	<u>111</u>	<u>15.2%</u>
TOTAL DISPOSITIONS	<u>728</u>	<u>100.0%</u>
Status Not Available	19	
TOTAL REARRESTS	<u>747</u>	