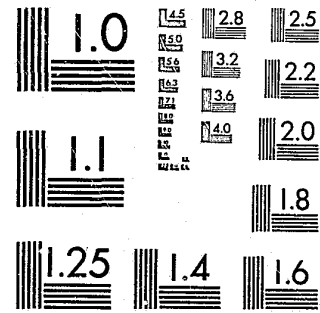


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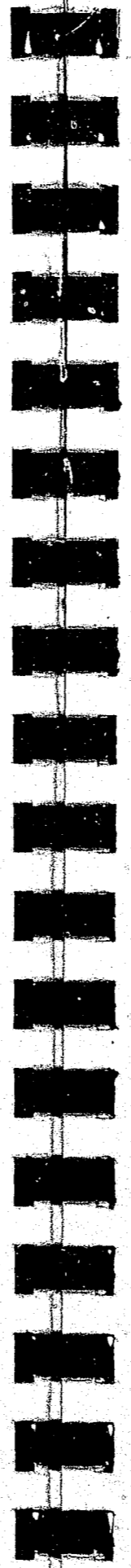
DEPARTMENT OF CORRECTIONS DIVISION OF CRIMINAL JUSTICE SERVICES

SEMI-ANNUAL REPORT ON VIOLENT FELONY AND JUVENILE OFFENSES IN NEW YORK STATE

February 2, 1982

HUGH L. CAREY, GOVERNOR
FRANK J. ROGERS, COMMISSIONER
MARSHAL RICHTER, DIRECTOR

1981 VFO PROCESSING
VFO TRENDS
VFO IMPACT ANALYSIS
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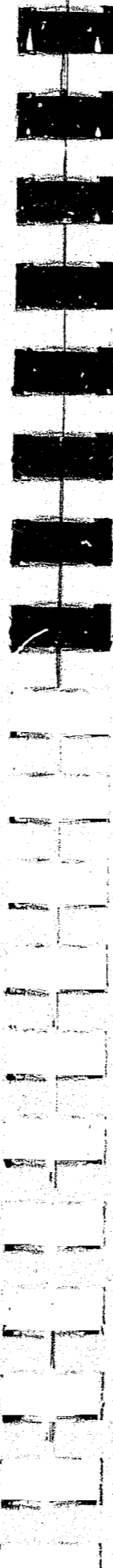
To: the Honorable Hugh L. Carey
the Honorable Warren M. Anderson
the Honorable Manfred Ohrenstein
the Honorable Stanley Fink
the Honorable James L. Emery

The Division of Criminal Justice Services has the honor to submit the following report pursuant to Chapter 481 of the Laws of 1978. This is the sixth semi-annual report pertaining to the processing and disposition of Violent Felony Offenses and Juvenile Offenses throughout New York State.

The information contained in this report is based on data reported to the Division, and upon information submitted by the District Attorneys of New York State. They have reported to us in accordance with Section 837-a and 837-b of the Executive Law.

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SIXTH SEMI-ANNUAL REPORT

VIOLENT FELONY AND JUVENILE OFFENSES

IN NEW YORK STATE

January 1, 1981

December 31, 1981

U.S. Department of Justice
National Institute of Justice

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February, 1982

Prepared By:

New York State Division of
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A special note of thanks to the Albany Staff of DCJS who assisted us in the preparation of this report.

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INTRODUCTION

Since 1978, as a result of the efforts of Governor Carey and the NYS Legislature in the war against crime, a number of administrative and reporting responsibilities have been delegated to the State's Division of Criminal Justice Services. This report addresses those responsibilities for 1981 as they apply to Violent Felony/Juvenile Offender Legislation, the 1980 Firearm Legislation, and the Violent Felony Warrant Program.

In September of 1978, the Legislature enacted Chapter 481 of the Laws of 1978. This legislation enhanced sentencing and restricted plea bargaining for Violent Felony Offenders (VFO's). It also created two new categories of offenders entitled "Juvenile Offenders" and "Armed Felony Offenders". The legislation created the Major Violent Offense Trial Program (MVOTP) through which the State provided resources to components of the criminal justice system to ensure swift and effective processing of Violent Offense cases despite an anticipated increase in trial caseloads.*

In October of 1978, the Legislature approved the Statewide Violent Felony Warrant Enforcement Program (VFWEP) to assist criminal justice agencies in executing Violent Felony bench, arrest or parole warrants. Finally, in August of 1980, the Legislature enacted the New York State Gun Law which further enhanced sentencing provisions and created stricter plea bargaining restrictions in gun related cases.

Under each of these programs the Division is charged with various responsibilities and tasks which are fiscal and programmatic in nature.

*Note: At the time of this writing, funding of the Major Violent Offense Trial Program in the Budget of 1982-83 was uncertain.

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EXECUTIVE SUMMARY

The Division monitors the fiscal activities of the components, monitors the program as it functions in each of the components within each county, and provides technical assistance where necessary.

Finally, DCJS is mandated to report to the Governor and Legislature on the processing and disposition of VFO, Gun, and JO cases and to assess the overall impact of these cases on the criminal justice system. This task has been accomplished through the design of various statistical programs in addition to case by case field checks and manual collection and analysis of data.

The exhibits included in the report provide aggregate statewide statistics with emphasis on the three major geographical areas of the state: New York City, Suburban New York City and Upstate. Suburban New York City includes the counties of Nassau, Rockland, Suffolk, and Westchester, areas characteristically different from either New York City or Upstate.

Many New York State and local agencies have contributed towards the preparation of this report. Acknowledgment must be given to the Administrative Judge of the State, the Office of Court Administration, the Criminal Justice Agency and the Department of Corrections of NYC, and especially the District Attorneys for the time and invaluable information that they have provided to us.

The following analyses and statistics are included in DCJS's February 1982 "Violent Felony/Juvenile Offender Report":

1. A description of 1981 Violent Felony processing;
2. Trends in Violent Felony processing;
3. The impact and effect of the VFO law on the processing of such cases;
4. Specific information on Juvenile Offenders;
5. Information on firearm offenses and the effects of the gun law; and,
6. Statistics on the long-term detainee population in NYC; activity in the thirty Violent Felony court parts; and data on mitigating circumstances and plea compliance.

The highlights outlined below provide the reader with an overview of the most significant data in the text.

1981 VFO PROCESSING
(For Comparative Data See Trend Section)

- *During 1981, Violent Felony arrests totaled 50,139 statewide;
- *In 1981 there were 18,607 Violent Felony indictments statewide, accounting for over 46% of all felony indictments. NYC reported over 75% of all Violent Felony indictments. Robbery charges accounted for 44% of all VFO indictments;
- *The Statewide VFO indictment to arrest rate was 37.1% for 1981. The Suburban NYC rate was 45.4%, followed by NYC (37.1%) and Upstate (31.7%);
- *In 1981, 15,462 Violent Felony dispositions were reported statewide. The trial rate was 17.1%, and the conviction rate was approximately 80%;
- *Almost 87% of all convictions were to Violent Felonies, and 34% were convicted of the top indictment charge;
- *The state prison rate on all convictions was 58% (7,192) and for adults only, it was 64.5% (6,990). Adults convicted on a Violent Felony had a 71.6% state prison rate. Statewide, 17.5% were sentenced as predicate felons, and 12% were adjudicated youthful offenders;

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*Over 58% (7,182 of 12,307) of the total state prison sentences imposed during 1981 in New York State resulted from VFO indictments, which only accounted for 40.6% of the total convictions;

*The median minimum term of imprisonment for all convictions on VFO indictments was 32.9 months and the median maximum was 84.7 months; and,

*The median time to disposition was 142 days. NYC had the longest time to disposition (154 days).

TRENDS IN VIOLENT FELONIES: 1979, 1980, 1981 (ORIGINAL VFO OFFENSES)

*Arrests on original VFO offenses reached a three year high of 46,232 in 1981;

*Indictments hit a three year high of 15,107 in 1981, a 23.3% increase from 1979;

*The indictment to arrest rate rose steadily over the three years to 32.7% for 1981, with a 29% increase in NYC;

*A comparison of disposition data reveals almost 28% more VFO dispositions in 1981 as compared to 1980; and,

*The conviction and state prison rates also increased in 1981 over 1980.

REVISED VFO LAW IMPACT STUDY

*The VFO Law led to a distinct increase in trial activity and a distinct decline in plea activity;

*The VFO Law increased by 60% the rate of pleas to the same or another Violent Felony, and contributed to a 30% increase in the rate at which pleas to the highest or next highest felony class were taken;

*The VFO law led to higher state prison and jail incarceration rates for post-law VFO cases;

*Over the four years analyzed (two pre- and two post-VFO law), the median minimum prison term for adults rose from 18.4 months to 33.9 months; and,

*The VFO Law lengthened processing times to dispositions.

JUVENILE OFFENDERS

*In the 40 months since the enactment of the Juvenile Offender legislation, there have been 5,298 arrests throughout the state; 4,572 (86%) of these have been in New York City. In 1981 there were 1,560 JO arrests statewide, of which, 1,408 or almost 90% were in NYC;

*Robbery 1° and Robbery 2° continue to account for 3/4 of all the arrests; there have been 146 arrests for Murder 2° and 147 for attempted murder. In 1981, Robbery accounted for 77% of the JO arrests which included 44 arrests for Murder 2° and 59 for attempted murder;

*The indictment rate on all cases arraigned as JO's in NYC was 39%. For calendar year 1981, the indictment rate was 43%;

*There have been 1,011 convictions to Juvenile Offender charges; this represents 72% of all disposed indictments statewide. In 1981, statewide, 482 of 626 or 77% of the disposed indictments were convictions to JO charges. In NYC, 71% of those indicted were convicted of JO crimes and another 12% were convicted of other charges, for a total conviction rate of 83% (in 1981 for NYC, 79% were convicted of JO crimes and 4% were convicted of other charges), and;

*In NYC, 59% or 399 of the Juvenile Offenders sentenced to date have been sentenced to serve time in Division for Youth facilities; 17 of these received maximum terms of life imprisonment. During 1981, 56% or 183 JO's were sentenced to DFY facilities with 12 of these receiving life maximum terms.

FIREARM LAW OFFENSES

*From 8/12/80 through 12/31/81, 15,600 felony firearm arrests were reported statewide. NYC accounted for almost 90% of all arrests;

*Statewide, there were 10,311 gun or armed felony indictments. The gun charge was the most serious charge in 46.4% (4,787) of the cases;

*There were 5,115 dispositions with an overall conviction rate of almost 79% and a net conviction rate of over 84%;

*In NYC, 93% of the convictions were to the highest or next highest felony class;

*Statewide, there were 4,028 sentences imposed. Over 11% were adjudicated youthful offenders and 17.1% (690) were predicate felons. The prison rate for adults was 58% (2,070) and the overall incarceration rate was 80% (2,844);

*Statewide, 74% of the adults convicted of any charge under the gun law received terms of one year or greater;

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*A special DCJS study of the impact of the gun law on the processing of Criminal Possession of a Loaded Firearm arrests in NYC, revealed that under the gun law such arrests were 56% more likely to be indicted than prior to the law. This led directly to the increased likelihood of a felony conviction and some form of incarceration for post-law gun possession cases.

NYC LONG-TERM DETAINEE POPULATION

*As of 12/31/81, there were 900 defendants, involving 1,108 indictments, incarcerated six months or longer awaiting disposition in NYC;

*This is a 43% increase over the 631 such defendants DCJS had counted one year earlier; and,

*Almost 74% of the indictments pending against these defendants charged a Class A or B felony.

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1981 Adult Violent Felony Arrests*

Highlights

- * During 1981, there were 50,139 VFO arrests. This represents 36.9% of all felony arrests reported statewide;
- * NYC accounted for over three-fourths (75.9%) of the VFO arrests;
- * Robbery (35.6%) and Assault (28.9%) were the most frequent VFO arrest charges statewide;
- * Approximately 80% of those arrested for a VFO were between the ages of 16 to 30.

During 1981, adult Violent Felony arrests totaled 50,139 statewide.** New York City accounted for over three-fourths (75.9% or 38,048) of all VFO arrests while Upstate New York registered approximately 15% and Suburban New York City about 9%.

Focusing on the specific arrest charges, Robbery arrests totaled 35.6% of all VFO arrests. Assaults accounted for 28.9% of the total; Burglary represented 11.5% and Weapons offenses totaled 11%***

Robbery (39.8%) and Assault (27.1%) were the most voluminous arrest charges in New York City, whereas Assault (32.8%) and Robbery (27.6%) were most frequent in Suburban NYC (Nassau, Suffolk, Westchester and Rockland Counties). Assault (35.6%) and Burglary (20.4%) were the most common upstate.

1981
Adult VFO Arrests By Major Offenses
(Percent of total VFO Arrests in Area)

	<u>N.Y.C.</u>	<u>Suburban</u>	<u>Upstate</u>
Homicide	6.0%	3.7%	2.5%
Robbery	39.8%	27.6%	18.8%
Burglary	8.5%	21.3%	20.4%
Sex Offenses	4.3%	7.8%	12.2%
Assault	27.1%	32.8%	35.6%
Weapons	12.2%	5.4%	8.0%
Other	2.1%	1.4%	2.5%

*These data are generated from fingerprint arrest data submitted to DCJS under CPL 160.20.
**For Juvenile Offender arrests see Juvenile Offender Section.
***For all arrests involving the use, display, or possession of firearms see Gun Law Section.

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Over three-fourths (78%) of those arrested for Violent Felony offenses are young adults below age 30.* Statewide, almost 39% of those arrested were between the ages of 16 and 20 and another 39% were between the ages of 21 and 30. These figures hold true for every area of the state.

During 1981, Violent Felony arrests amounted to over one-third of all statewide felony arrests (50,139 of 135,997). In NYC, more four out of ten felony arrests (41.6%) charged a Violent Felony, while only approximately one in four felony arrests Upstate and three in ten in Suburban NYC, involved a VFO crime.

*Arrestee age data is based solely on arrests originally designated VFO's.

1981 Violent Felony Indictments

Highlights

- * During 1981, there were 18,607 Violent Felony indictments statewide.
- * Over 46% of all indictments in the State charged a Violent Felony during 1981.
- * While NYC accounted for 56.9% of all indictments, it accounted for 75.9% of the Violent Felony indictments.
- * Robbery indictments totaled 44.4% of all Violent Felony indictments statewide.

During 1981, 18,607 Violent Felony indictments were reported statewide. Of these indictments, over three-fourths (75.9%) occurred in New York City, with the balance almost evenly divided between the Upstate (12.6%) and Suburban (11.4%) areas.

Statewide, almost five in ten indictments charged a Violent Felony. By area, approximately six in ten indictments included a VFO charge in New York City, whereas three in ten Suburban NYC indictments and two in ten Upstate indictments charged a Violent Felony.

1981
Violent Felonies as a Percent
of All Indictments by Area

<u>Area</u>	<u>All Indictments</u>	<u>VFO Indictments</u>	<u>Percent VFO</u>
Statewide	40,313*	18,607	46.2%
NYC	22,956	14,130	61.6%
Suburban	6,745	2,127	31.5%
Upstate	10,589	2,350	22.2%

Violent felony indictments are not distributed geographically in the same pattern as felony indictments as a whole. While New York City accounted for only slightly more than one-half of all indictments, it accounted for more than three-quarters of all the Violent

*includes 23 indictments from Statewide special prosecutors.

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Felony indictments for the year. This is due to the fact that NYC accounts for only 40.7% (8,826) of the non-VFO indictments (21,706) statewide with the Upstate and Suburban areas totaling 38% (8,239) and 21.3% (4,618) respectively.

Kings county is the only jurisdiction in the State in which VFO's amounted to more than 70% of the superior court filings, with New York County (66.5%) and the Bronx (65.1%) following closely behind (VFO's accounted for 59.4% of the Queens filings and 47.4% in Richmond). In only six major counties outside NYC did the VFO indictment percentage exceed 30% of total indictments (Westchester 36.7%, Albany 35.4%, Nassau 35.1%, Rensselaer 33.6%, Schenectady 33.5%, and Niagara 33%).

From an indictment charge perspective*, Robbery charges (PL 160) totaled 44.4% of the statewide Violent Felony Offense indictments, followed by Weapons Offenses (20.6%), Burglary (11.4%), Homicide (9.5%), and Assault (7.2%).

Significant differences exist among the geographical areas. While Robbery charges account for almost one-half (48.8%) of the VFO indictments in NYC, they account for 37% in Suburban NYC, and only 27% of such indictments Upstate. Conversely, while Burglary (PL 140) charges account for only 6.8% of the VFO indictments in NYC, they represent 25.3% and 26.4% of the indictments in the Suburban and Upstate areas, respectively. The frequency of weapons indictments in NYC is almost three times greater than in Suburban NYC and four times the Upstate rate. (Sex Offenses and Assaults in the Upstate and Suburban areas account for a significantly larger proportion of respective caseloads than in NYC.)

*All indictment data is reported by highest VFO charge.

1981
Percent of VFO Indictments by Penal Law Article
Within Geographical Areas

Charge	Statewide	NYC	Suburban	Upstate
PL 120 Assault	7.2%	4.3%	12.5%	19.9%
PL 125 Homicide	9.5%	11.4%	5.4%	6.9%
PL 130 Sex Offenses	5.6%	3.4%	8.9%	15.2%
PL 140 Burglary	11.4%	6.8%	25.3%	26.4%
PL 160 Robbery	44.4%	48.8%	37.2%	23.3%
PL 265 Weapons	20.6%	27.7%	8.7%	5.7%
Other	1.3%	.6%	2.0%	2.6%

Differences also exist in the severity of indictments as measured by felony class level. While 45% of the VFO indictments in NYC and 40% of those in Suburban NYC were for Class A and Class B offenses, only 34% of the Upstate indictments were for such offenses.

Percent of VFO Indictment by Penal Law Class
Within Geographical Areas
(1981)

	Statewide	NYC	Suburban	Upstate
Class A	5.6%	6.1%	3.5%	4.9%
Class B	37.0%	38.4%	36.1%	29.4%
Class C	31.2%	28.5%	38.6%	40.5%
Class D	26.0%	26.8%	21.8%	24.9%
Class E	.1%	.1%	0%	.3%

These differences in the composition of Violent Felony indictments not only reflect the varying patterns of criminal activity in the areas, but also reflect different criminal justice policies and community standards. The section on arrest/indictment rates for each area bears directly on these issues.

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1981 VFO Arrest/VFO Indictment Rates

Highlights

- * The 1981 VFO indictment to arrest rate was 37.1%;
- * The Suburban NYC rate was 45.4%, followed by NYC (37.1%) and Upstate (31.7%);
- * Assault (9.3%) had the lowest rate. The Robbery rate was 46.3%.

The ratio of VFO indictments to VFO arrests provides the degree of probability that such an arrest will result in a Violent Felony prosecution in Superior Court. (Please note: Being restricted to violent felony indictments only, we are not providing the probability that such an arrest will result in a felony prosecution for another non-VFO crime. For example, if a Robbery 2° arrest results in a Robbery 3° (not a VFO) indictment, the arrest, not the indictment, affects our calculation).

During 1981, 37.1% of the statewide Violent Felony arrests resulted in Violent Felony indictments. Suburban NYC had the highest rate (45.4%), followed by NYC (37.1%) and Upstate (31.7%). Thus, for every 100 VFO arrests, 14 more VFO indictments will be filed in the Suburban area than Upstate.

By major VFO penal law article, Weapons Offenses had an indictment rate of 69.6%, Robbery 46.3%, Burglary 37.1%, Sex Offenses 35%, and Assault 9.3%.

Assault had the lowest arrest/indictment rate in each area of the State.

There is variation in the rate for each crime category among the areas. For some offenses the disparity is quite large. For example, in NYC only 5.9% of the VFO Assault arrests result in VFO Assault

indictments, a rate that is 3 times smaller than the Upstate and the Suburban rates. Alternatively, the rate at which VFO Weapons Offenses result in indictments Upstate (22.7%) is more than three times smaller than the NYC or Suburban rate.

The difference in the indictment rates among the areas is much narrower for Robbery, while the NYC indictment rate for Robbery (46%) trails the Suburban rate (61%), it exceeds the Upstate rate (40%).

1981 Adult
VFO Arrest/Indictment Rates

	<u>State</u>	<u>N.Y.C.</u>	<u>Suburban</u>	<u>Upstate</u>
All Charges				
Arrests	50,139	38,048	4,687	7,404
Inds.	18,607	14,130	2,127	2,350
Rate/100	37.1	37.1	45.4	31.7
Robbery				
Arrests	17,846	15,160	1,294	1,392
Inds.	8,255	6,912	792	551
Rate/100	46.3	45.6	61.2	39.6
Sex Offenses				
Arrests	2,950	1,621	367	902
Inds.	1,032	488	187	357
Rate/100	35.0	29.0	51.0	39.6
Burglary				
Arrests	5,746	3,236	1,000	1,510
Inds.	2,129	972	539	618
Rate/100	37.1	30.0	53.9	40.9
Assault				
Arrests	14,495	10,322	1,536	2,637
Inds.	1,342	608	267	468
Rate/100	9.3	5.9	17.4	17.7
Homicide and Related Offenses				
Arrests	2,642	2,285	172	185
Inds.	1,751	1,474	115	162
Rate/100	66.3	64.5	66.9	87.6
Weapons Offenses				
Arrests	5,502	4,656	252	594
Inds.	3,829	3,506	188	135
Rate/100	69.6	75.3	74.6	22.7

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Defendant Status at Supreme Court Intake (Cumulative)

Highlights

- * Statewide, 62.5% of the those indicted were detained at Supreme Court Intake; and
- * The proportion of defendants detained in NYC (68.3%) far exceeds the other areas.

Since the VFO law has been in effect, defendant status has been reported on 40,666 of the 47,863 defendant-indictment filings. Statewide, 63.5% of the defenants were detained, 20.8% were on bail, 18.8% were ROR'd (released on recognizance), and 2.0% were fugitives (bench warrants).

In New York City a greater proportion of defendants were detained (68.3%) than in the Suburban area (40.6%) and the Upstate area (47.5%). Correspondingly, more defendants made bail in the Suburban (44.6%) and Upstate (41.3%) areas than New York City (13.8%).

When defendant status is analyzed by specific indictment charges, the NYC detention rate remains significantly higher than the other areas.

Defendant Status By Select Charges

		<u>Jail</u>	<u>Bail</u>	<u>ROR</u>	<u>Fugitive</u>
Robbery 1° Class B	NYC	73.9%	12.0%	12.3%	1.8%
	Suburban	51.9%	38.0%	8.4%	1.6%
	Upstate	61.4%	30.8%	6.0%	1.8%
Burglary 2° Class C	NYC	69.0%	11.6%	17.7%	1.7%
	Suburban	30.5%	48.2%	19.7%	1.6%
	Upstate	35.4%	46.1%	16.5%	2.0%
Assault 2° Class D	NYC	41.1%	19.5%	36.8%	2.5%
	Suburban	21.5%	54.7%	21.3%	2.6%
	Upstate	31.3%	53.6%	13.5%	1.6%

Factors which could explain such differences include: use of weapon, degree of injury, prior criminal record, defendant characteristics, bail amount, financial ability to meet bail, and probability of conviction and sentence.

Victimization*

Highlights

- * The most frequent victims were between the ages of 21-30 (30.3%) and 16-20 (19.0%);
- * The elderly were 8.9% of the victims;
- * The youngest defendant age group (13-15) and 51-60 year olds more frequently victimize the elderly than do other defendant age groups;
- * Children account for 3.2% of all victims, but 11.5% of the Rape victims, 40.8% of the Sodomy and 57% of the Sexual Abuse victims;
- * Violent felony indictments most frequently involve young adults as both perpetrators and victims.

DCJS maintains victimization data in two ways:

1. Victim Age by Indictment Charge - two victim ages can be reported, the eldest and the youngest. Therefore, the table will reflect multiple victims. Note that this information is presented cumulatively from 9/1/78.
2. Victim Age vs. Defendant Age - a matrix which plots reported victim age against defendant age for 1981. This information is broken down by geographical area.

Statewide, for the 40 month period, a total of 32,748 victim ages were reported. Analysis of these data reveals that 3.2% of the victims were children under the age of 13, and 8.5% were elderly victims over the age of 60. People between the ages of 21-30 are the most frequent victims (29.6%) followed by 16-20 year olds (17.7%) and 31-40 year olds (17.5%).

Sixty-five percent (65%) of the elderly victims were victims of Robbery. About 21% of the Burglary 1° victims and 17% of the Kidnapping 1° victims were elderly. These are the only crime categories

*Includes JO data.

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in which the elderly victimization rate approximates or exceeds their proportion of the population (statewide: 17.1%).

Percent of All Victims Statewide Over 60 by Selected Crime Category
(40 Months: 9/1/78 - 12/31/81)

Burglary 1°	21.4
Robbery 2°	15.5
Att. Robbery 2°	14.9
Burglary 2°	14.2
Murder 2°	10.7
Att. Robbery 1°	8.3
Robbery 1°	8.1
Assault 1°	3.7
Rape 1°	2.2

Fifty-nine percent of the total child victims reported were victims of Sex Offenses. Though children accounted for only 3.2% of all victims, they accounted for: 11.5% of the Rape 1° victims; 40.8% of the Sodomy 1° victims; and 57% of the Sexual Abuse victims.

A comparison of reported victim age to defendant age for Violent Felony indictments for calendar year 1981, reveals that peer groups or near peer groups are the most frequent victims of a defendant. Almost 23% of the victims of defendants 16-20 years old are the same age and another 27% are 21-30 years old. Over one-third of the victims of young adults (age 21-30) are other young adults.

The data below presents, by defendant age group, the proportion of their victims who are elderly:

<u>Defendant Age Group</u>	<u>% Elderly Victims (60 and over)</u>
13-15	12.8%
16-20	9.4%
21-30	8.4%
31-40	7.8%
41-50	6.6%
51-60	10.0%

Over 80 percent of all defendants were between the ages of 16 and 30. The largest defendant age group was the 16-20 year old group which accounted for 42.4% of the defendants.

New York City and Suburban NYC generally conform with the State-wide pattern of victim and defendant age. However, in the Upstate area, the largest percentage of defendants are young adults (21-30), not those in the 16-20 year old group.

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1981 Dispositions

Highlights

- * During 1981, 15,462 Violent Felony dispositions were reported, statewide;
- * Dispositions lagged behind filings in every area of the State;
- * The statewide trial rate was 17.1%. The Upstate area had the highest trial rate (21.1%) and
- * The plea rate was 67.8%. Suburban NYC led the State with a rate of 77.1%.

During 1981, 15,462 Violent Felony indictments have been disposed statewide. Of these, 74.6% (11,534) occurred in New York City, 14.3% (2,215) took place in the Upstate counties, and 11.1% (1,713) were in Suburban New York City.

Dispositions and Backlog

During 1981 the number of Violent Felony indictments reported statewide exceeded the number of Violent Felony indictments disposed.

1981 Filing and Dispositions of VFO Indictments

	<u>Filings</u>	<u>Dispositions</u>	<u>Disp. as % of Filings</u>
Statewide	18,607.	15,462	83.1%
New York City	14,130	11,534	81.6%
Suburban	2,127	1,713	80.5%
Upstate	2,350	2,215	94.3%

This situation translates to an increasing VFO backlog in each of the areas.

Types of Dispositions

Of the 15,462 VFO dispositions reported statewide, 12% were dismissals, 5.7% were acquittals, 67.8% were guilty pleas, 11.9% were guilty verdicts, and 3.1% were disposed of by other court action (covered by a plea on another case, abatements, removals, etc.). The trial rate (verdicts as a percent of dispositions) was 17.1% statewide.

Almost 6% (853) of the statewide dispositions were on Superior Court Informations. SCI's represented over 24% (418) of the Suburban VFO disposed cases and 8% (187) of the Upstate dispositions, while accounting for only 2.2% (248) of the VFO dispositions in NYC.

The disposition pattern varies by geographical area. Upstate had the highest trial disposition rate (21.1%), followed by NYC (16.9%) and Suburban NYC (13.4%). Dismissals accounted for 13% of the dispositions in New York City, 10.5% Upstate, and only 7.3% in Suburban New York City. In the Suburban area, pleas accounted for over three-fourths (77.1%) of the dispositions, while only accounting for approximately two-thirds of the dispositions in New York City (67%) and Upstate (64.3%).

The tables below presents the disposition pattern by felony class and geographical area:

	<u>1981 Dismissal, Trial and Plea Rates by Felony Class*</u>					
	<u>Statewide</u>			<u>New York City</u>		
	<u>Dismissal</u>	<u>Trial</u>	<u>Plea</u>	<u>Dismissal</u>	<u>Trial</u>	<u>Plea</u>
Class A	11.2%	44.2%	41.1%	12.0%	43.0%	41.3%
Class B	11.9%	20.7%	64.3%	12.6%	20.1%	64.3%
Class C	9.1%	11.2%	76.6%	9.7%	11.1%	76.4%
Class D	16.8%	10.5%	69.6%	19.1%	9.6%	68.0%
Total	12.0%	17.1%	67.8%	13.0%	16.9%	67.0%

*The 23 Class E indictments disposed during 1981 were all pleas.

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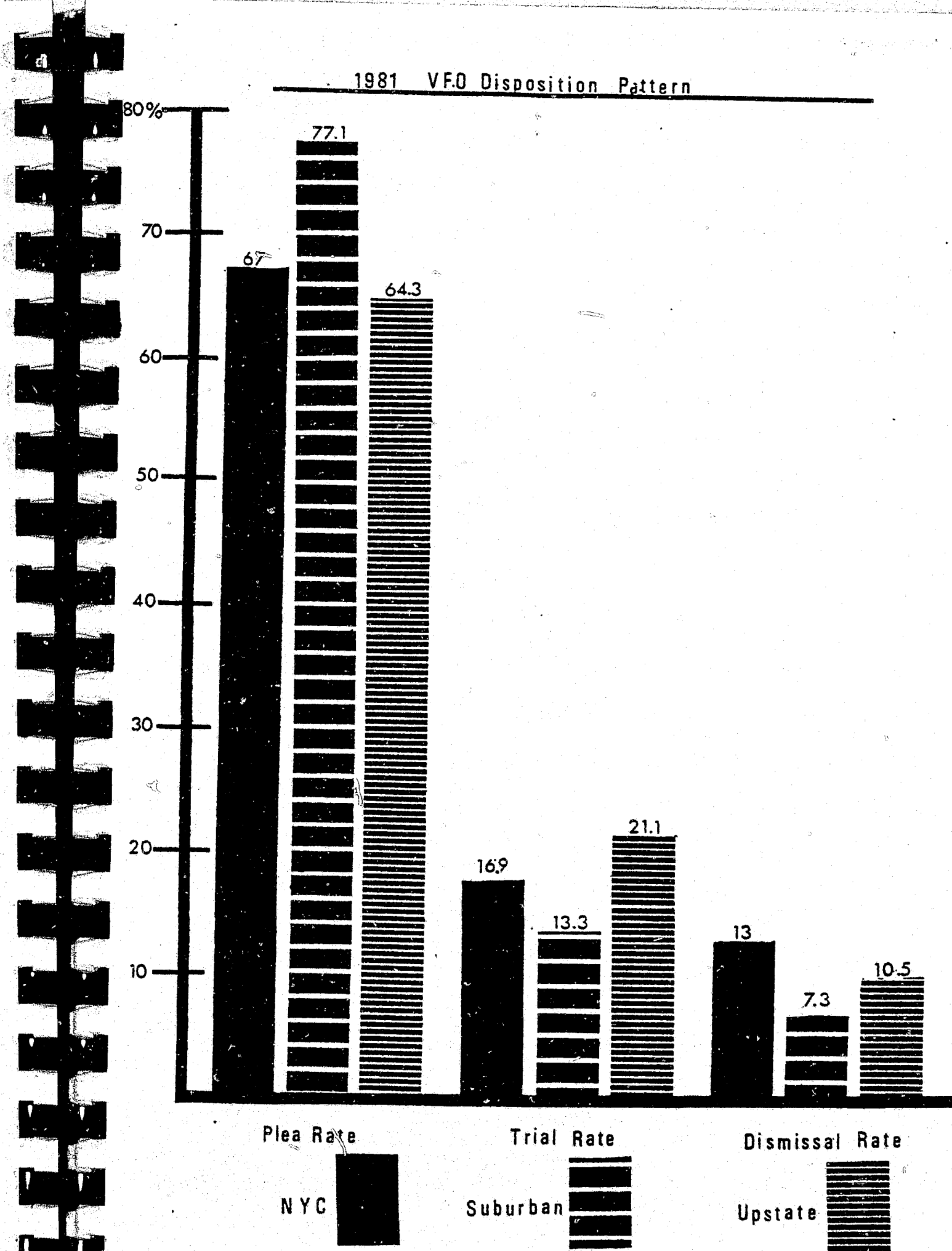
	Suburban			Upstate		
	Dismissal	Trial	Plea	Dismissal	Trial	Plea
Class A	9.1%	49.4%	39.0%	7.7%	48.3%	41.3%
Class B	7.6%	18.2%	71.9%	11.6%	27.2%	56.5%
Class C	6.7%	6.5%	84.4%	8.4%	15.2%	71.9%
Class D	7.3%	7.7%	82.8%	13.3%	15.9%	67.8%
Total	7.3%	13.3%	77.1%	10.5%	21.1%	64.3%

In terms of severity (moving from the more serious to less serious offenses), the plea rate in each area increases and the trial rate decreases. Upon reaching the Class D offenses, we note a distinct increase in the dismissal rate, a general stabilization of the trial rate and a decline in the plea rate. (This can be basically attributed to the case characteristics associated with Assault 2° and CPW 3° charges.)

The following table presents the specific indictment charges that ranked highest in certain dispositions:

1981 Top Three Charges Ranked By Disposition Type*							
Statewide ^{a)}	NYC ^{a)}		Suburban NYC ^{b)}		Upstate ^{b)}		
Plea Rate							
Burg. 2°	84.1%	Burg. 2°	82.8%	Burg. 2°	92.2%	Att Rob. 2°	82.9%
Att Rob. 2°	83.5%	Att Rob. 2°	82.8%	CPW 3°	92.2%	Burg. 2°	79.7%
Rob. 2°	79.0%	Rob. 2°	80.2%	Att Rob. 2°	90.3%	Sex Abuse	75.7%
Trial Rate							
Murder 2°	44.9%	Murder 2°	43.7%	Murder 2°	52.3%	Murder 2°	48.1%
Att Murd. 1°	38.7%	Arson 2°	41.1%	Att Murd. 2°	40.7%	Att Murd. 2°	33.5%
Att Murd. 2°	30.5%	Rape 1°	31.8%	Rape 1°	32.0%	Sodomy 1°	28.7%
TFG Rate							
Att Murd. 1°	37.0%	Arson 2°	32.2%	Murder 2°	44.3%	Burg. 2°	43.5%
Murder 2°	34.3%	Murder 2°	31.8%	Att Murd. 2°	34.4%	Burg. 2°	23.2%
Rape 1°	21.3%	Burg. 1°	21.1%	Rape 1°	25.6%	Att Murd. 2°	22.5%
Acquittal Rate							
Assault 1°	11.7%	Assault 1°	13.9%	Sex Abuse	16.7%	Att Rape 1°	12.5%
Att Murd. 2°	10.8%	Sodomy 1°	12.5%	Murder 2°	7.5%	Assault 1°	11.4%
Mansl. 1°	10.7%	Murder 2°	11.9%	Rape 1°	6.4%	Att Murd. 2°	10.0%
Dismissal Rate							
Burg. 1°	21.5%	Burg. 1°	24.2%	Assault 1°	23.4%	Arson 2°	22.9%
CPW 3°	21.3%	Rape 1°	23.6%	Burg. 1°	20.0%	Burg. 1°	17.9%
Rape 1°	19.5%	CPW 3°	22.8%	Assault 2°	11.0%	Rape 1°	15.0%

*Since top charge 265.08 indictments and 265.03 indictments are not being reported uniformly their dispositional pattern has been excluded.
a) at least 50 dispositions
b) at least 25 dispositions



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The high trial and dismissal rates generally associated with certain charges are often a reflection of evidentiary and witness related problems. Additionally, high trial rates can be interpreted as a measure of a defendant's assessment of the conviction/acquittal trade-off.

Except for trial outcomes, all other types of dispositions can occur during pre-trial proceedings or during trial. Not all trials reach completion, many do not proceed beyond the voir dire. The conventional trial rate (verdicts as a percent of dispositions) underestimates trial activity* especially in New York City where more than one in ten trials commenced will not be completed. In Suburban NYC nearly every trial results in a verdict.

	<u>% of Dispositions at Trial</u>	<u>Conventional Trial Rate</u>
Statewide	18.5%	17.1%
New York City	18.6%	16.9%
Upstate	22.3%	21.1%
Suburban	13.5%	13.3%

*Please Note: Since all disposition data used in this report is on a defendant/indictment basis, all numbers regarding trials should be construed as close approximations, since a single trial can include multiple defendant/indictments.

1981 Convictions

Highlights

- * The statewide conviction rate was approximately 80% during 1981. Suburban NYC recorded the highest rate at 87.5%;
- * Class C offense indictments are most likely to lead to a conviction (84.1%); and
- * Statewide, Rape 1° had the lowest rate (67.3%) and Burglary 2° the highest rate of 89.1%.

Statewide, the 1981 conviction rate for VFO indictments was approximately 80%. The conviction rate was 78.6% in New York City, 79.3% in the Upstate counties and 87.5% in Suburban NYC.

Statewide, Class C offenses were most likely to result in a conviction (84.1%) and Class D indictments least likely (75.3%).

Guilty pleas represented approximately 81% of all convictions Upstate, 85% in New York City, and 88% in Suburban NYC. The balance were by trial.

The lower conviction rates in New York City and Upstate are the result of a number of factors. A major factor in New York City's case is its relatively higher dismissal rate for any given crime. Additionally, the NYC and Upstate acquittal rates were higher than in Suburban NYC.

In Suburban NYC almost 79% of the verdicts were convictions, as opposed to 71% Upstate and 68% in New York City. Intangible factors, such as witness credibility and cooperation, defense strategy, as well as the quality of arrest are probably significant contributors to these outcomes.

Statewide, of the major indictment charges (50 + dispositions), only Rape 1° registered a conviction rate below 70% (67.3%), and no charge registered a conviction rate in excess of 90%.

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Conviction Rates for Major Charges

	<u>State</u>		<u>New York City</u>	
Highest	Burglary 2°	89.1%	Burg. 2°	88.0%
	Att. Robb. 2°	88.6%	Att. Robb. 2°	87.7%
	Att. Burg. 2°	88.2%	Robb. 2°	85.7%
Lowest	Rape 1°	67.3%	Rape 1°	63.4%
	Burg. 1°	71.2%	Burg. 1°	69.5%
	CPW 2°	71.9%	CPW 2°	70.3%
	<u>Suburban*</u>		<u>Upstate*</u>	
Highest	CPW 2°	95.1%	Att. Robb 2°	91.5%
	Burg. 2°	95.0%	Burg. 2°	85.5%
	Att. Robb. 1°	93.5%	Murd. 2°	84.7%
Lowest	Assault 1°	72.3%	Arson 2°	68.6%
	Sex Abuse	75.0%	Burg. 1°	71.4%
	Burg 1°	75.0%	Sodomy 1°	72.4%

*25 or more dispositions

1981 Convicted vs. Indicted Offenses

Highlights

- * Statewide, 86.8% of all convictions resulting from VFO indictments were to Violent Felonies. The percent of pleas to a VFO was 87.1% and the percent of trial convictions to a VFO was 84.9%;
- * New York City had the highest proportion of pleas to a VFO (90.3%), while Upstate registered the lowest (74.9%);
- * Statewide, over 34% were convictions to the top charge and 83% were to the highest or next highest felony class; and,
- * Over 57% of those convicted at trial were convicted of the highest indictment charge.

While conviction rates are silent as to the charge to which a defendant has been convicted, DCJS matrices, which plot the convicted offense vs. indicted offense, provide this information.

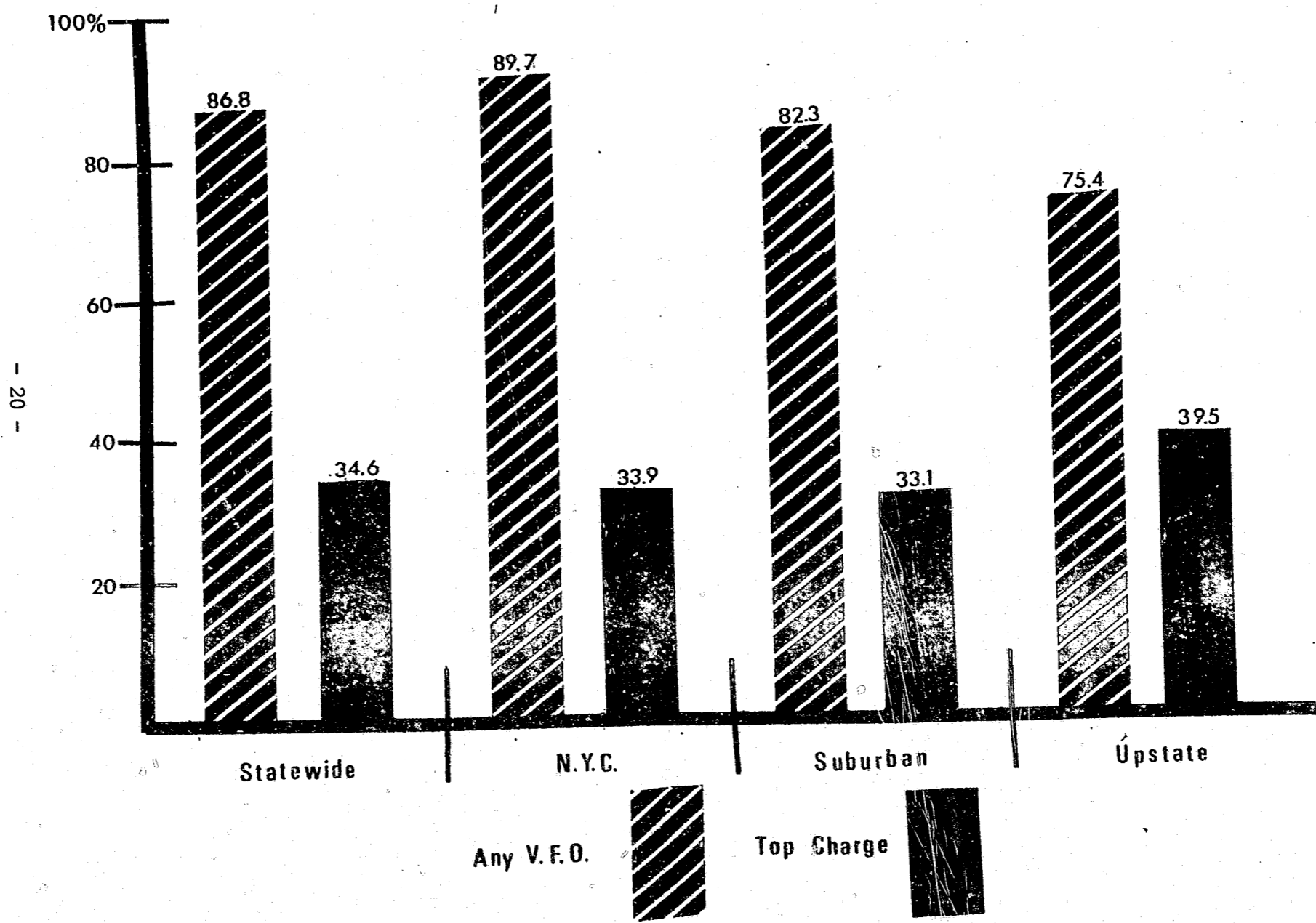
Statewide, 86.8% of all convictions (plea or trial) on VFO indictments were to the same Violent Offense or another VFO; 8.8% were to a non-VFO felony and 4.4% were to a misdemeanor.

1981
Indicted vs. Convicted Offense
All VFO's

<u>Conviction Charge</u>	<u>Statewide</u>	<u>NYC</u>	<u>Suburban</u>	<u>Upstate</u>
<u>Same VFO Offense</u>	34.6%	33.9%	33.1%	39.5%
<u>Other Violent Felony</u>	52.2%	55.8%	49.2%	35.9%
Class A	.9%	.8%	.6%	1.2%
Class B	4.3%	4.7%	2.2%	3.9%
Class C	14.5%	16.3%	11.3%	7.9%
Class D	29.1%	29.6%	33.6%	22.7%
Class E	3.5%	4.5%	1.4%	.2%
<u>Other Felony</u>	8.8%	7.6%	10.1%	13.9%
<u>Misdemeanor</u>	4.4%	2.7%	7.5%	10.6%
<u>Other</u>	.0%	.0%	.1%	.0%

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1981 Convicted Offense(in percent)



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New York City had the highest proportion of convictions to VFO crimes (89.7%) followed by the Suburban area (82.3%) and then by the Upstate counties (75.4%). New York City also registered the smallest proportion of misdemeanor convictions (2.7%).

Statewide, over 34% of the defendants were convicted of the top charge of the indictment. The percent of "top charge convictions" was highest Upstate (39.5%).

Over 83% of those convicted statewide were convicted of the highest or next highest indictment charge (NYC - 85.4%, Suburban - 79.6%, Upstate - 76.7%).

On a number of measures NYC generally had the strongest conviction charge pattern. For example, while 76.1% of NYC's Class B indictments resulted in convictions to the highest or next highest felony class, 71.8% of such indictments in the Suburban area and 64.4% Upstate resulted in such convictions. (Please note that 42.4% of the Suburban Class B convictions were to the same offense.) An analysis of Class "D" indicted offenses showed that over 72.0% of the Class "D" indictments resulted in a conviction to a Violent Felony in New York City, compared to only 40.9% in the Suburban area.

Of the major felony classes, Class D indictments most frequently resulted in a conviction to the same offense (44.2%), while Class A indictments are least likely to result in a conviction to the same offense (22.3%).

Convicted by Plea - Indicted vs. Convicted Offenses

The original Violent Felony legislation placed plea bargaining restrictions on indictments charging a Violent Felony Offense.

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The specific restrictions are: (1) indictments charging a Class A (except PL 220), Class B, or Class C Violent Felony must include a plea to a Violent Felony; and (2) indictments charging a Class D Violent Felony can result in a plea to another felony or misdemeanor except if the defendant is a second felony offender, then no permissible plea to a misdemeanor.*

During 1981, 87.1% of all Violent Felony pleas have been to the same or another violent felony offense.

1981
VFO
Indicted vs. Convicted Offenses
For Pleas Only

<u>Conviction Charge</u>	<u>Statewide</u>	<u>NYC</u>	<u>Suburban</u>	<u>Upstate</u>
Same VFO Offense	30.6%	29.8%	29.3%	36.3%
Other Violent Felony	56.5%	60.5%	52.3%	38.6%
Class A	.2%	.2%	.1%	.1%
Class B	3.7%	4.1%	1.9%	3.0%
Class C	15.5%	17.5%	11.4%	8.3%
Class D	33.0%	33.4%	37.3%	26.7%
Class E	4.1%	5.2%	1.6%	.3%
Other Felony	9.1%	7.8%	10.6%	15.1%
Misdemeanor	3.8%	1.9%	7.7%	10.0%
Other	.0%	.0%	.1%	.0%

% Of Pleas to Violent Felonies by Indictment Charge Class

<u>Charge Class</u>	<u>Statewide</u>	<u>NYC</u>	<u>Suburban</u>	<u>Upstate</u>
Class A	93.8%	94.5%	96.6%	88.2%
Class B	95.7%	96.9%	95.5%	86.4%
Class C	90.6%	92.7%	91.3%	80.3%
Class D	64.5%	71.9%	39.9%	52.8%
Class E	95.7%	94.1%	100.0%	100.0%

New York City had the highest percentage of pleas to a Violent Felony (90.3%), followed by Suburban NYC (81.6%) and Upstate (74.9%).

Generally, trials result in more severe conviction charges than pleas. Over 57% of all trial convictions result in a conviction to the same offense as charged, a rate almost double the 30.6% for pleas. This applies to every area of the State.

*Recent restrictions applying to Armed Violent Felonies are dealt with in the gun section.

1981 Sentences

Highlights

- * The State prison rate on convictions to any charge was 58.3%. New York City had the highest state prison rate (60.6%). The incarceration (prison and jail) rate was 78.1% statewide;
- * The adult state prison rate on convictions to any charge was 64.5% statewide. For first offender adults the rate was 55.5% and for youthful offenders the rate was 13%;
- * Adults convicted of any Violent Felony had a 71.6% state prison rate;
- * Of those convicted and sentenced, 17.5% were predicate felons and 12% were adjudicated youthful offenders. New York City led the State in predicate felony sentences (18.3%) while Suburban NYC and Upstate had a greater proportion of youthful offenders;
- * Convictions on VFO indictments accounted for almost 60% of all state prison sentences imposed in 1981, and were twice as likely to result in a state prison sentence than a non-VFO indictment.

Sentencing data are provided in two ways: (1) sentences for defendants indicted on a VFO; and (2) sentences by conviction charge.

As an aid to interpreting the data, note that a convicted defendant can be adjudicated as one of the following:

1. A youthful offender, requiring a Class E felony sentence which does not mandate a local jail or state prison sentence.
2. A non-youthful 1st offender (adult) convicted of a Class A, B, or C Violent Felony requiring a sentence to State prison.
3. A non-youthful 1st offender (adult) convicted of the Class D crimes of Att. Assault 1° and Assault 2° requiring a local jail or state prison sentence.
4. A non-youthful 1st offender (adult) convicted of the Class D Crimes of Sex Abuse 1° and Att. Burglary 2°, which do not require a local jail or state prison sentence.

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5. A non-youthful (adult) 1st armed felony offender who pleads down to a Class D offense requiring a state prison sentence unless mitigating circumstances are specified.
6. A non-youthful (adult) 1st armed felony offender convicted of a Class D or E firearms offense requiring a one year jail or prison sentence unless mitigating circumstances are specified.
7. A Predicate Felony/Violent Felony Offender requiring a state prison sentence.
8. A Persistent Felony/Violent Felony Offender requiring a state prison sentence.

These sentencing options do not provide for mandatory imprisonment for all defendants indicted on a Violent Offense and subsequently convicted of certain Violent Felonies or non-violent felonies.

Sentences by Area

Statewide, during 1981, 58.3% or 7,182 of the defendants indicted for a Violent Felony and convicted of any crime were sentenced to state prison and another 19.8% were sentenced to local jail* for an overall incarceration rate of 78.1%.

New York City's state prison rate of 60.6% was the highest in the State, followed by the Upstate area (53%) and the Suburban area (50.4%).

Sentences by Geographical Area (Convictions to any Crime)

Area	Probation	Jail & Prob.	Local Jail	State Prison	Other**	Total Convictions
Statewide	20.3%	5.7%	14.1%	58.3%	1.6%	12,318
New York City	21.2%	4.1%	12.9%	60.6%	1.2%	9,063
Suburban	18.7%	11.8%	17.5%	50.4%	1.6%	1,499
Upstate	16.7%	9.1%	17.5%	53.0%	3.7%	1,756

*This local jail figure includes "split" sentences of jail and probation.

**Other sentences include: conditional discharge, fine, etc.

One key factor which accounts for the differences in the state prison rates among the areas lies within the relative magnitude of youthful and predicate/persistent offenders within each area. If a region has a high proportion of predicates and a low proportion of youthful offenders, its prison rate will be high. If the proportions are reversed, its prison rate will be relatively lower.

The table below outlines these differences by area.

Persistent, Predicate and Youthful Offenders as Percent of Convicted (1981)

	Persistent	Predicate	Youthful Offender	Total Convictions
Statewide	39	2,154	1,479	12,318
%	.3%	17.5%	12.0%	100%
New York City	31	1,655	980	9,063
%	.3%	18.3%	10.8%	100%
Suburban	1	229	263	1,499
%	.1%	15.3%	17.5%	100%
Upstate	7	270	236	1,756
%	.4%	15.4%	13.4%	100%

Statewide, of the 12,318 defendants convicted, 1,479 (12%) were adjudicated youthful offenders, 2,154 (17.5%) were adjudicated predicate felons and 39 (.3%) were determined to be persistent felons.* New York City, which had the highest prison rate, had the largest proportion of predicate/persistent felons (18.3%) and smallest proportion of youthful (10.8%). The Upstate area had a higher prison rate than the Suburban area while having slightly more predicate felons and a lower level of youthful offenders.

*In this report, predicates were identified by determining the number of state prison sentences in which the minimum term was one-half the maximum term falling within statutory limits. Persistents were identified by determining the number of Class B, C, and D convictions in which a life maximum term was imposed.

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As the disparity between the level of predicate felons and youthful offenders narrows among areas, a second factor in the determination of prison rates becomes more critical: namely, the severity level of the conviction charges.

Adult Sentences By Area

Statewide, for adults (non-youthful offenders) the state prison rate was 64.5% on all convictions.

The adult state prison rate in New York City was 66.3%, followed by Upstate (59.5%) and Suburban NYC (58.8%). These rates are affected by the level of predicates and the seriousness of the conviction charges.

Adults indicted for a Class A offense and convicted on any charges had a 95.7% likelihood of being sentenced to state prison. The likelihood of state prison drops as one descends the indictment class hierarchy (for example in Class B indictments the likelihood was 83.7%).

1981 Adult State Prison Sentences by Area for Violent Felony Indictments
(% of Adult Convictions)

	<u>Statewide</u>	<u>NYC</u>	<u>Suburban NYC</u>	<u>Upstate</u>
All VFO Ind.	64.5%	66.3%	58.8%	59.5%
Class A Ind.	95.7%	96.1%	93.7%	95.0%
Class B Ind.	83.7%	84.9%	81.1%	78.2%
Class C Ind.	56.1%	56.9%	50.9%	56.6%
Class D Ind.	26.7%	27.2%	19.2%	30.0%
Class E Ind.	13.0%	5.9%	.0%	40.0%
# Adult Convs.	10,839	8,083	1,236	1,520

By subtracting the volume of predicates and persistents from the adult numbers, the state prison rate for first felony offender adults is established. The state prison rate for first felony offenders is 55.5%, statewide. New York City led the State in its prison rate for first offenders (57.4%), followed by Upstate (50.5%) and Suburban NYC (49.4%).

Important factors in explaining the differences in these rates are: the seriousness of the conviction charge; method of disposition; and qualitative case characteristics.

The statewide youthful offender state prison rate was 13% (192 state prison sentences on 1,479 YO adjudications).

State Prison Rates by Conviction Charge

Statewide, the state prison rate was 64.4% on all convictions to a Violent Felony crime. Adults convicted of a Violent Felony Offense were sentenced to state prison at a 71.6% rate.

Over 89% of all convictions to Class A, B, and C violent felonies resulted in the imposition of state prison sentences. For adults convicted of Class A, B, and C Violent Felonies, the statewide rate was 97.3%. Since state prison is mandatory for these adults, it appears that the potential improper sentence rate is 2.7% (137 defendants). However, DCJS's continuing analysis of the improper sentences reported reveals that most of these are the result of the reporting of incorrect data*, and that the effective compliance rate is in excess of 99.5%.

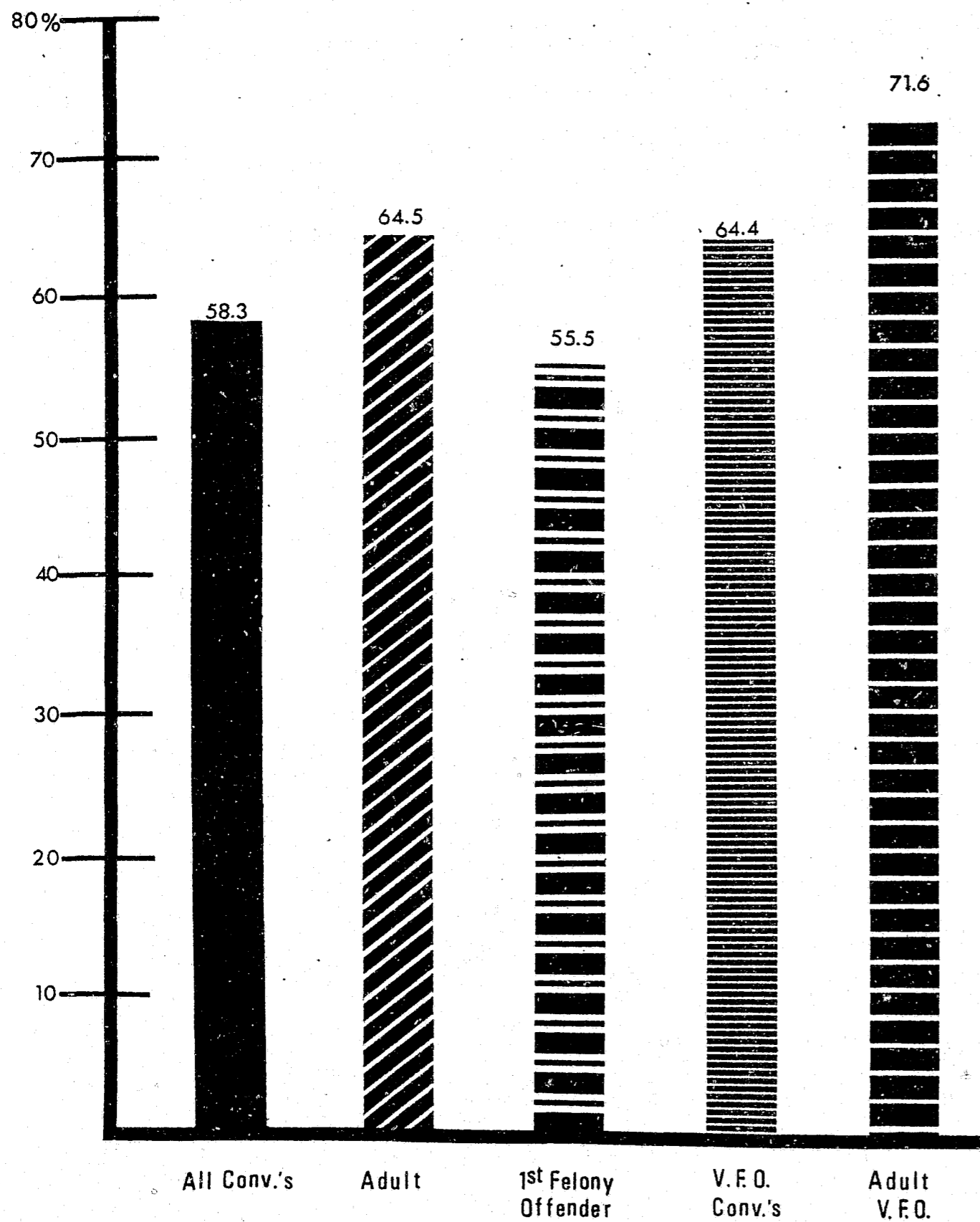
1981 Percent of Adults Sentenced to State Prison by Conviction Class

<u>Conviction Class</u>	<u>Statewide</u>	<u>NYC</u>	<u>Suburban NYC</u>	<u>Upstate</u>
Class A VFO	100.0%	100.0%	100.0%	100.0%
Class B VFO	99.2%	99.4%	99.2%	97.9%
Class C VFO	95.5%	96.2%	93.2%	90.7%
Class D VFO	42.4%	43.0%	35.5%	45.3%
Class E VFO	20.0%	20.1%	15.0%	33.3%
All VFO	71.6%	72.2%	67.6%	71.0%
Non-VFO	27.4%	28.8%	21.8%	27.0%
All Adults	64.5%	66.3%	58.8%	59.5%

*This most frequently entails the omission of critical data. For example, the failure to indicate that the conviction was to the attempt of the crime or the failure to indicate YO status.

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1981 Statewide State Prison Rates on VFO Indict's (in percent)



VFO State Prison Sentences As A Percent of All State Prison Sentences

During 1981, a total of 12,307 state prison sentences were imposed statewide on 30,305 convictions on indictments charging any offense. Thus, while VFO indictments represented only 40.6% (12,318 of 30,305) of the convictions, they totalled 58.4% (7,182 of 12,307) of the state prison sentences. The state prison rate on convictions on non-VFO indictments is 28.5% or approximately one-half the rate registered for any conviction on a VFO indictment (58.3%).

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1981 Terms of Imprisonment

Highlights

- * The median minimum prison term for all convictions on VFO indictments was 32.9 months. The median term for Violent Felony convictions was 33.9 months, for a Class B conviction 59.5 months, and Class C 31.3 months;
- * The median minimum for a predicate felon was approximately 50 months and for a first offender 27 months;
- * Sodomy 1°, Att. Rape 1° and Assault 2° had the longest median minimum terms in their respective felony classes and Robbery convictions the least severe; and
- * The median maximum term was 84.7 months on all convictions and 87.3 months on adult VFO convictions.

This section presents data on state prison terms, with emphasis placed on the minimum terms and adult (Non-Youthful Offender) data.

Minimum Terms

For all convictions on VFO indictments, the statewide median* minimum term of imprisonment was 32.9 months. For adults the median minimum increases to 33.5 months. (Only a slight positive effect registers because YO's constitute such a small percentage (2.7%) of those sentenced to state prison, and their minimum terms are concentrated in the 12-17 month range.)

The median minimum sentence Upstate was 35.4 months, followed by Suburban NYC (33.7 months) and New York City (32.4 months).

Statewide, the median minimum term for all Violent Felony convictions was 33.9 months and 34.5 months for adult convictions to a VFO. Statewide, the adult median minimum sentence for Class B Violent Felony convictions is 59.5 months; 31.3 months for a Class C

*Medians are considered to be truer norms than means, since they are not distorted by extreme values.

Violent Felony conviction; and 23.5 months for Class D Violent Felony convictions.

1981 Statewide Adult Minimum State Prison Terms (In Months)
By Conviction Class

Min. Term	All Conv.'s	Class A VFO	Class B VFO	Class C VFO	Class D VFO	Class E VFO	All VFO	NON-VFO
12-17	12.2%	0%	.7%	2.2%	41.3%	7.6%	11.0%	28.2%
18-23	17.0%	.4%	.6%	36.5%	9.5%	60.8%	16.5%	24.2%
24-35	26.8%	.4%	24.8%	20.3%	38.7%	31.6%	25.6%	34.9%
36-47	12.2%	0%	12.2%	17.7%	8.8%	0%	12.7%	5.5%
48-71	14.3%	1.4%	24.5%	17.5%	1.0%	0%	15.0%	5.3%
72-119	11.0%	1.1%	27.7%	5.7%	.6%	0%	11.7%	1.9%
120-179	2.8%	0%	8.5%	.3%	.1%	0%	3.0%	.2%
180-239	1.5%	34.9%	.2%	.1%	.1%	0%	1.6%	0%
240+	2.7%	61.9%	.8%	0%	0%	0%	2.9%	0%
N =	6,990	281	2,221	2,368	1,575	79	6,514	476

Adult defendants convicted of Robbery are sentenced to shorter minimums than other convictions in their respective felony classes. For Class B and C convictions, Sex Offenses had the highest median minimum terms, and Assault 2° led the Class D convictions.

1981 Adult
Statewide Median Minimum Sentences (In Months)
For Selected Conviction Charges

Conviction Charge	Median Min.	Conviction Charge	Median Min.
Murder 2° A	251.6	Assault 1° C	38.7
Att. Murder 2° B	71.1	Burglary 2° C	37.0
Manslaughter 1° B	66.4	Robbery 2° C	29.2
Rape 1° B	68.7	CPW 2° C	31.2
Sodomy 1° B	78.9	Att. Robbery 2° D	18.0
Robbery 1° B	53.9	Att. Burg. 2° D	26.1
Burglary 1° B	60.7	Assault 2° D	27.2
Att. Robbery 1° C	26.8	Sex Abuse 1° D	24.0
Att. Rape 1° C	43.1	CPW 3° D	25.9

The median minimum term for predicate offenders was 50 months. For 1st offenders (adult minus predicates) the median was 26.9 months.*

*Excludes Class A Convictions

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1981 Statewide Median Minimums (In Months*)

	<u>All Adults</u>	<u>Predicates</u>	<u>1st Offenders</u>
All Convictions	33.5	49.7	26.9
Class B VFO	59.5	96.1	44.1
Class C VFO	31.3	55.3	23.8
Class D VFO	23.5	31.9	16.4

Maximum Sentences

The statewide adult median maximum prison term was 84.7 months on all conviction charges. On all Violent Felony convictions the median maximum term was 87.3 months. Upstate the median maximum term for all convictions was 89.5 months, in Suburban NYC it was 89 months, and in NYC the median was 83.3 months.

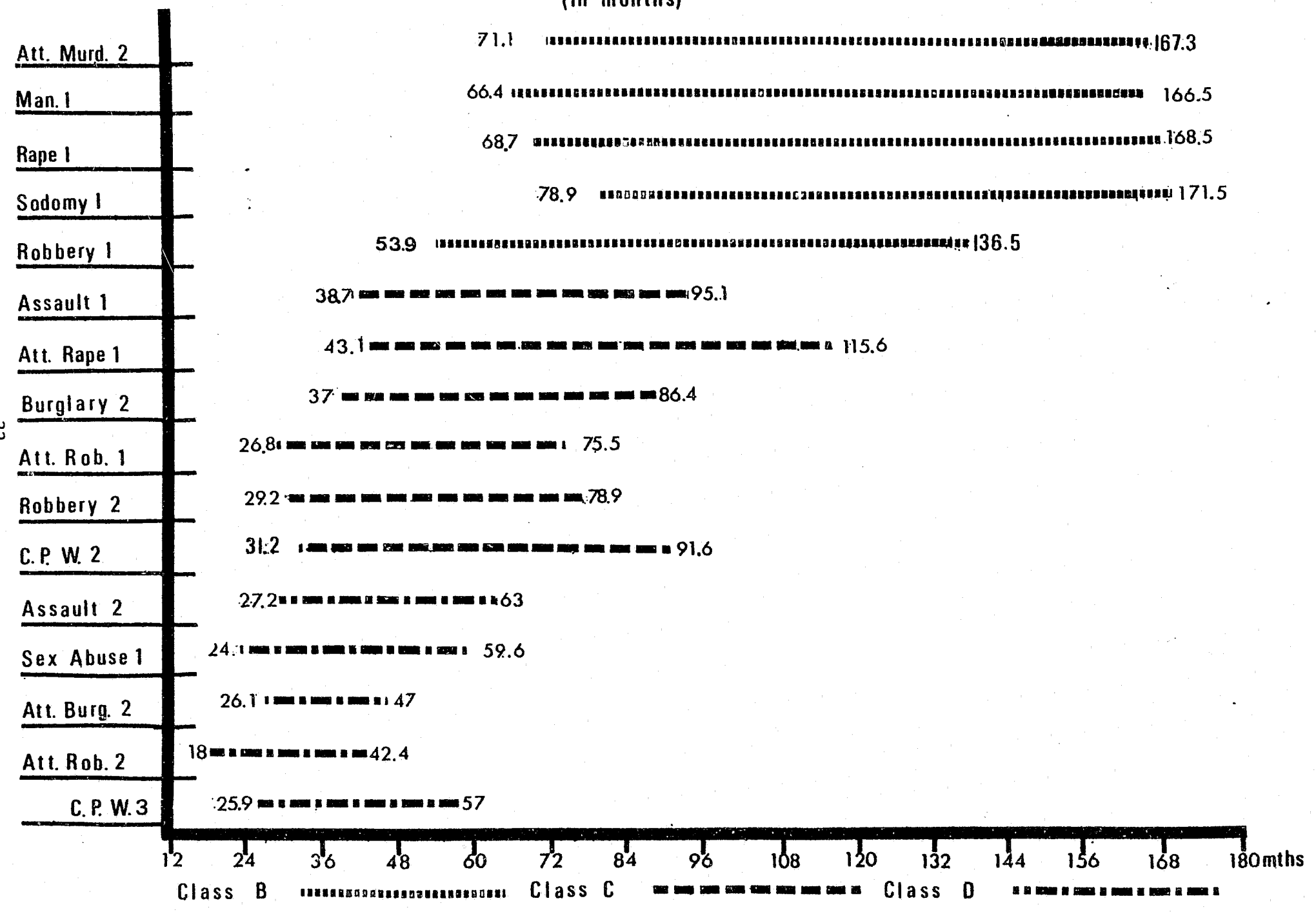
On a conviction charge basis, Sodomy 1° (171.5 months), Att. Rape 1° (114.6 months) and Assault 2° (63 months) had the highest median maximum terms in their respective felony classes. Robbery offenses had the lowest median maximums.

1981 Statewide
Median Maximum Terms By Conviction Charge
(In Months)

Att. Murder 2°	B	167.3	Burglary 2°	C	86.4
Manslaughter 1°	B	166.5	Robbery 2°	C	78.9
Rape 1°	B	168.5	CPW 2°	C	91.6
Sodomy 1°	B	171.5	Att. Robbery 2°	D	42.4
Robbery 1°	B	136.5	Att. Burglary 2°	D	47.0
Burglary 1°	B	152.3	Assault 2°	D	63.0
Att. Robbery 1°	C	75.5	Sex Abuse 1°	D	59.6
Att. Rape 1°	C	115.6	CPW 3°	D	57.0
Assault 1°	C	95.1			



1981 MEDIAN MIN. and MAX. TERMS
by Conviction Charge
(in months)



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1981 VFO Processing Times

Highlights

- * The median processing time to disposition was 142 days. New York City had the longest time to disposition (154 days);
- * Guilty pleas consumed the least amount of time, with the Suburban area having the shortest time to plea.

The median* processing time for Violent Felony indictments disposed was 142 days. In New York City, the median time to disposition was 154 days or 69% longer than the Suburban median (91 days) and 25% longer than the Upstate (123 days). New York City had longer processing times for most disposition types.

A guilty plea was the least time consuming means of disposition for a Violent Felony indictment in all areas of the state (108 days). In the Suburban area, pleas were obtained 40% faster than in the Upstate area, and twice as fast as in NYC (56 days as compared to 94 days and 120, respectively). To a certain extent this very low time to plea in the Suburban area reflects a greater use of the superior court information. The Upstate area processed cases via jury trial significantly faster than either the Suburban area or NYC (184 days as compared to 252 days and 260 days, respectively).

Processing times reflect the impact of resources, management techniques, court room norms, and the attitude and strategy of a defendant in the face of potential sanctions. Since New York City's caseload is characterized by more defendants who have more serious criminal histories and are charged with more serious crimes than those

*The median is used instead of the mean which is distorted by extreme values.

defendants in the other areas of the state, the role of the defendant probably has a greater adverse impact there.

1981
MEDIAN PROCESSING TIMES
(In Days)

	<u>Statewide</u>	<u>NYC</u>	<u>Suburban</u>	<u>Upstate</u>
Disposition	142	154	91	123
Conviction	129	141	74	110
Plea	108	120	56	94
Jury Trial	242	260	252	184
Non-Jury Trial	210	236	231	175
Dismissal	181	181	155	193
Acquittal	246	267	195	188

Sentencing of defendants took approximately 60 days (68 days in NYC, 53 days in Suburban NYC, and 35 days Upstate).

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Trends in VFO Arrests and Indictments: 1979, 1980, 1981
(Original VFO Offenses Only)

Highlights

- * Statewide VFO arrests were at a three year high in 1981, led by NYC and Suburban NYC. Robbery arrests increased while Assault arrests declined between each of the periods;
- * VFO indictments on original charges rose by 12.6% from 1980 to 1981, and 23% over the three years; and,
- * Consecutive increases in the VFO indictment to arrest rate were reported statewide, led by consecutive increases in NYC amounting to more than 29%: from 24.1 indictments per 100 arrests in 1979 to 31.3 in 1981.

In this section, trends in VFO arrests and indictments over the three full years the law has been in effect (1979, 1980 and 1981) are analyzed. The analysis is restricted to those offenses originally designated Violent Felonies.

Violent Felony arrests reached a three year high of 46,232 statewide during 1981. This is a 4.5% increase over the 44,227 VFO arrests reported in 1980, which had slipped from the 1979 figure of 45,652. In particular, New York City and Suburban NYC reached three year highs.

In NYC, 1981 VFO arrests rose by 7.3% over 1980, to a level just exceeding the 1979 volume (34,810 vs. 34,248). The fluctuation of VFO arrests in NYC closely mirrors the trend reflected in all felony arrests for the corresponding periods. VFO arrests in NYC accounted for a slightly higher percentage of total felony arrests in 1981 (38.1%) than for the two previous years.

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Suburban NYC VFO arrests figures also closely mirror changes recorded for total felony arrests. Due to relative changes, VFO arrests are accounting for a slightly increased share of arrests each year.

A different pattern emerges Upstate. While total felony arrests showed small increases each year, VFO arrests declined. As a result, VFO arrests have accounted for a shrinking share of felony arrests Upstate.

The table below summarizes this data.

	Arrest Trends*			1981	% Change From 80	% Change From 79
	1979	1980	% Change From 79			
<u>Statewide</u>						
Felony Arrests	134,136	131,564	- 1.9%	135,997	+3.4%	+ 1.4%
*VFO Arrests	45,652	44,227	- 3.1%	46,232	+4.5%	+ 1.3%
% VFO	34.0	33.6		34.0		
<u>NYC</u>						
Felony Arrests	90,800	86,685	- 4.5%	91,472	+5.5%	+ .7%
*VFO Arrests	34,248	32,427	- 5.3%	34,810	+7.3%	+ 1.6%
% VFO	37.7	37.4		38.1		
<u>Suburban</u>						
Felony Arrests	14,695	16,139	- 9.8%	15,680	-2.8%	+ 6.7%
*VFO Arrests	4,050	4,531	+11.9%	4,497	- .8%	+11.0%
% VFO	27.5	28.1		28.7		
<u>Upstate</u>						
Felony Arrests	28,641	28,740	+ .4%	28,845	+ .4%	+ .7%
*VFO Arrests	7,354	7,269	- 1.2%	6,925	-4.7%	- 5.8%
% VFO	25.7	25.3		24.0		

*original VFO crimes only

From an offense category perspective, statewide VFO Robbery arrests increased each year, rising by 23.7% (from 14,424 to 17,846) with consecutive increases registered in NYC (29%) and Suburban NYC (22.4%). Upstate VFO Robbery arrests declined each year.

Statewide arrests for VFO Assaults declined steadily, dropping by 15.6%. The consecutive declines registered by NYC (especially from 1979 to 1980) accounted for most of the decline. (Specific arrest figures for offenses are provided in the upcoming arrest/indictment rate table.)

Indictments

Indictments on original Violent Felony charges rose consecutively to a three year high of 15,107 in 1981, a jump of 12.6% over 1980 (13,411) and 23.3% greater than the 12,248 registered in 1979.

The number of indictments charging original VFO crimes posted two consecutive increases in NYC and Suburban NYC. Upstate suffered two consecutive declines.

Concomitant with these changes, New York State, NYC and Suburban NYC posted consecutive increases in total felony indictments, while the Upstate volume was essentially unchanged.

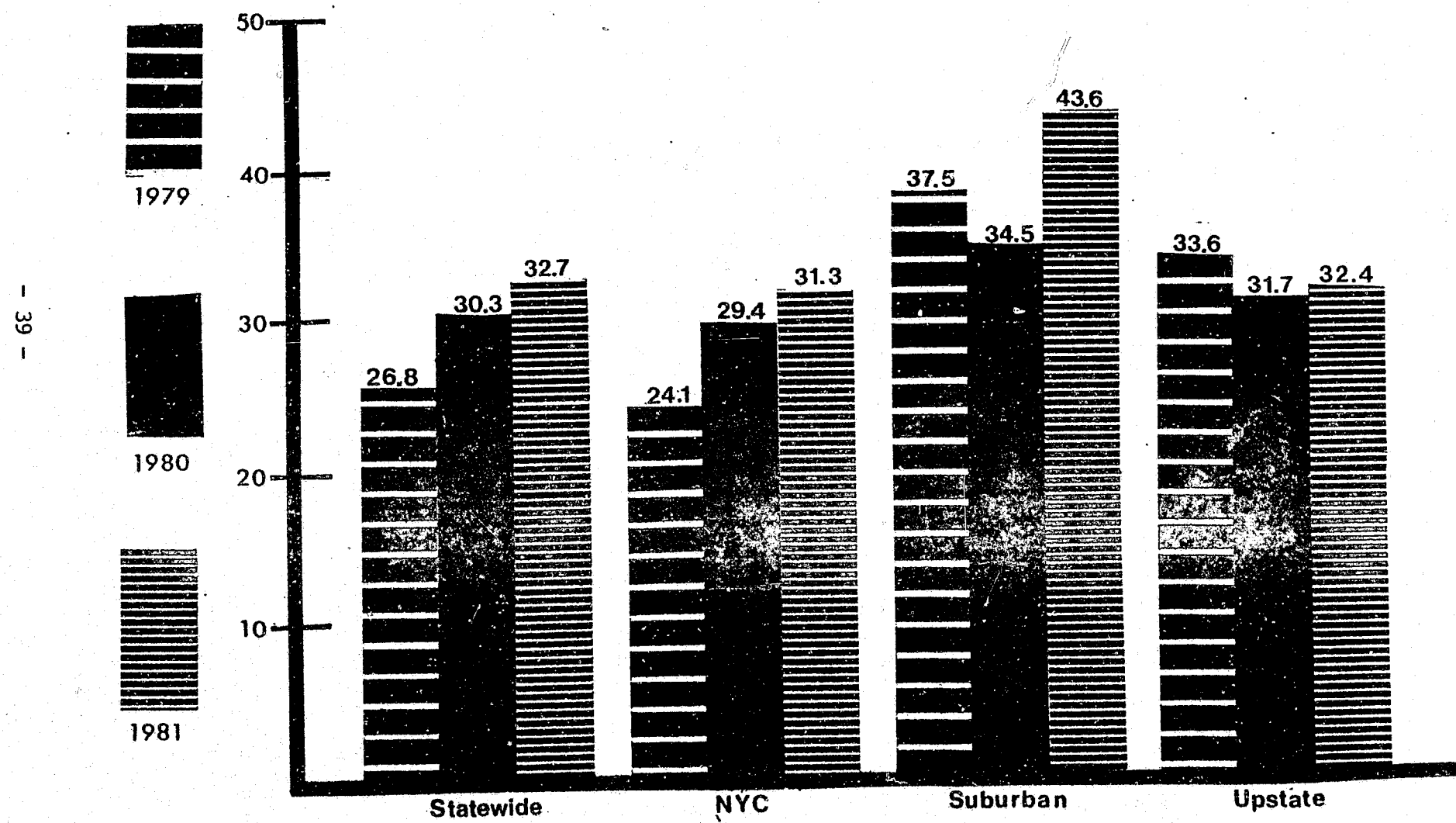
Overall, the increase in VFO indictments was slightly out paced by the growth of other indictments.

	Indictment Trends*					
	1979	1980	% Change From 79	1981	% Change From 80	% Change From 79
<u>Statewide</u>						
All Indictments	31,823	36,112	+13.5%	40,313	+11.6%	+26.7%
*VFO Indictments	12,248	13,411	+ 9.5%	15,107	+12.6%	+23.3%
% VFO	38.5	37.1		37.5		
<u>NYC</u>						
All Indictments	16,455	19,846	+20.6%	10,956	+15.7%	+39.5%
*VFO Indictments	8,260	9,548	+15.6%	10,904	+14.2%	+32.0%
% VFO	50.2	48.1		47.5		
<u>Suburban</u>						
All Indictments	4,627	5,544	+19.8%	6,745	+21.7%	+45.8%
*VFO Indictments	1,519	1,561	+ 2.7%	1,962	+25.7%	+29.2%
% VFO	32.8	28.2		29.1		
<u>Upstate</u>						
All Indictments	10,606	10,602	0%	10,598	0%	- .1%
*VFO Indictments	2,469	2,302	- 6.8%	2,241	- 2.6%	- 9.2%
% VFO	23.3	21.7		21.1		

*Original VFO Crimes only.

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VFO Indictments Per 100 VFO Arrests (original VFO crimes)



Indictment/Arrest Rates

The statewide ratio of VFO indictments to arrests increased between each year, rising to 32.7% in 1981 from 30.3% in 1980 and 26.8% in 1979. Consecutive increases in NYC to a 31.3% indictment rate were primarily responsible for the increased statewide figure. While both the Suburban NYC and Upstate areas registered increases between 1981 and 1980, only the Upstate area had a 1981 indictment to arrest rate below its respective 1979 figure. The increase in the NYC rate over the three years exceeded 29% (the statewide increase was 22%).

From an offense perspective, statewide, consecutive increases in the indictment/arrest rate was registered for Burglary and Robbery. In NYC consecutive increases were also registered for Robbery and Burglary. In Suburban NYC a consecutive increase was reported for Sex Offenses, while Upstate a consecutive decline was registered in the indictment rate for Robbery.

	<u>VFO Indictment/Arrest Rate*</u>		
	<u>1979</u>	<u>1980</u>	<u>1981</u>
<u>All VFO's*</u>			
<u>Statewide</u>			
Arrests	45,652	44,227	46,232
Indictments	12,248	13,411	15,107
Rate/100	26.8	30.3	32.7
<u>NYC</u>			
Arrests	34,248	32,427	34,810
Indictments	8,260	9,548	10,904
Rate/100	24.1	29.4	31.3
<u>Suburban</u>			
Arrests	4,050	4,531	4,497
Indictments	1,519	1,561	1,962
Rate/100	37.5	34.5	43.6
<u>Upstate</u>			
Arrests	7,354	7,269	6,925
Indictments	2,469	2,302	2,241
Rate/100	33.6	31.7	32.4

*Original VFO Charges Only

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	<u>VFO Indictment/Arrest Rate*</u>		
	<u>1979</u>	<u>1980</u>	<u>1981</u>
<u>Robbery</u>			
<u>Statewide</u>			
Arrests	14,424	15,540	17,846
Indictments	6,087	7,018	8,255
Rate/100	42.2	45.2	46.3
<u>NYC</u>			
Arrests	11,782	12,852	15,160
Indictments	4,753	5,752	6,912
Rate/100	40.3	44.8	45.6
<u>Suburban</u>			
Arrests	1,057	1,202	1,294
Indictments	615	653	792
Rate/100	58.2	54.3	61.2
<u>Upstate</u>			
Arrests	1,585	1,486	1,392
Indictments	719	613	551
Rate/100	45.4	41.3	39.6
<u>Sex Offenses</u>			
<u>Statewide</u>			
Arrests	2,974	2,830	2,950
Indictments	1,115	1,081	1,032
Rate/100	37.5	38.2	35.0
<u>NYC</u>			
Arrests	1,759	1,621	1,621
Indictments	563	571	488
Rate/100	32.0	35.2	30.1
<u>Suburban</u>			
Arrests	343	343	367
Indictments	162	169	187
Rate/100	47.7	49.3	51.0
<u>Upstate</u>			
Arrests	872	866	902
Indictments	390	341	357
Rate/100	44.7	39.4	39.6
<u>Burglary</u>			
<u>Statewide</u>			
Arrests	5,903	5,808	5,746
Indictments	1,218	1,352	2,129
Rate/100	20.6	23.3	37.1

*Original VFO Charges

	<u>VFO Indictment/Arrest Rate*</u>		
	<u>1979</u>	<u>1980</u>	<u>1981</u>
<u>NYC</u>			
Arrests	3,444	3,038	3,236
Indictments	417	559	972
Rate/100	12.1	18.4	30.0
<u>Suburban</u>			
Arrests	797	1,010	1,000
Indictments	296	314	539
Rate/100	37.1	31.1	53.9
<u>Upstate</u>			
Arrests	1,662	1,760	1,510
Indictments	505	479	618
Rate/100	30.4	27.2	40.9
<u>Assault</u>			
<u>Statewide</u>			
Arrests	17,174	14,923	14,495
Indictments	1,520	1,447	1,342
Rate/100	8.9	9.7	9.3
<u>NYC</u>			
Arrests	12,926	10,660	10,322
Indictments	753	676	608
Rate/100	5.8	6.3	5.9
<u>Suburban</u>			
Arrests	1,550	1,671	1,536
Indictments	241	212	267
Rate/100	15.5	12.7	17.4
<u>Upstate</u>			
Arrests	2,698	2,592	2,637
Indictments	526	559	468
Rate/100	19.5	21.6	17.7

*Original VFO Offenses Only

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Trends in VFO Indictment Processing: 1980 and 1981
(Original VFO Offenses)

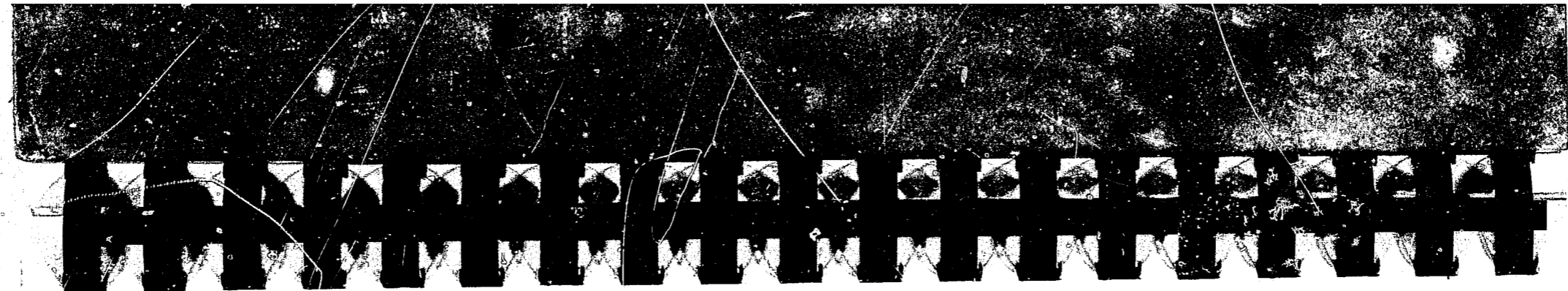
Highlights

- * Statewide dispositions increased by 27.5%, led by a 35.7% jump in NYC;
- * Led by NYC, convictions and state prison sentences increased faster than dispositions, resulting in a moderate increase in conviction and prison rates;
- * The percent of convictions to a VFO crime increased to 86.5%.

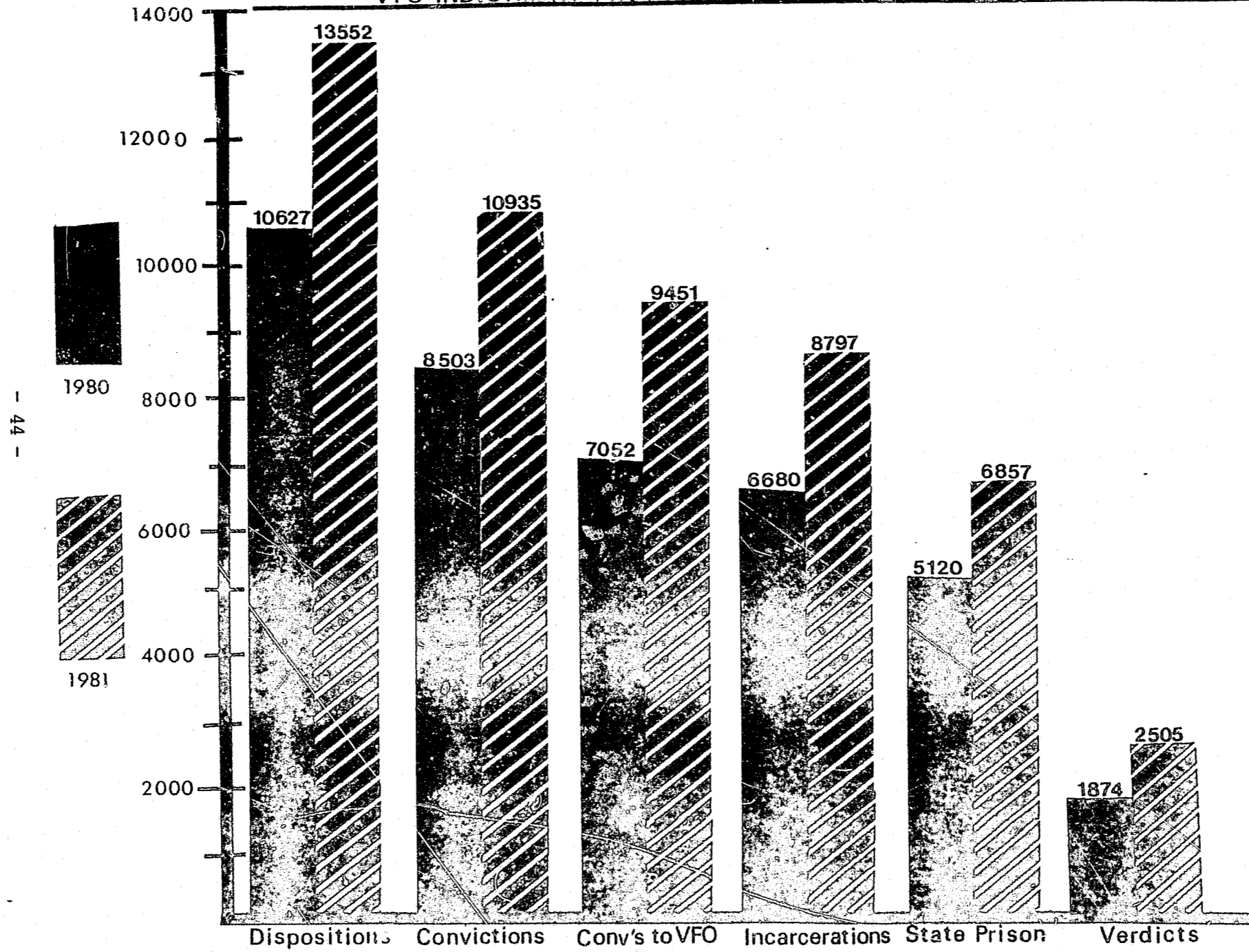
This section compares VFO indictment processing on original VFO offenses for 1981 and 1980.*

As previously noted, statewide indictments on original VFO charges rose by 12.6% when 1981 is compared to 1980. The volume of dispositions increased at the even faster rate of +27.5% statewide. More importantly: (1) the number of verdicts increased at a faster rate (33.7%) than dispositions, resulting in a higher trial rate (17.6% v. 18.5%); (2) the volume of convictions increased at a slightly faster rate (28.6%) than dispositions, raising the conviction rate from 80.0% to 80.7%; (3) the volume of convictions to VFO crimes rose at even a faster rate than convictions (+33.3%), raising the conviction rate to VFO crimes as a percent of all convictions from 83.4% to 86.5%; and, (4) the number of state prison sentences increased at an even faster rate than convictions, raising the state prison rate as a percent of convictions from 60.2% to 62.7%. New York City was responsible for the overall statewide growth on these measures with its

*The 1979 figures are not used since both the volume of dispositions and the dispositional pattern would be distorted due to insufficient lead-time from 9/1/78 starting date.



VFO INDICTMENT PROCESSING (original VFO crimes)



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volume of dispositions increasing by 36%; convictions rising by 37.6% and state prison sentences jumping by 40%. All processing rates (conviction, trial, et. al.) increased in NYC.

Suburban NYC experienced increases in all volume measures, except verdicts. Its incarceration, trial and disposition rates declined.

The decline in the incarceration and disposition rates were due to the fact that growth in these areas was not as large as the increases in convictions and indictments. Increased use of superior court informations was also detected in Suburban NYC.

Except for the volume of indictments and the conviction rate, all processing volumes and rates increased in the Upstate area.

Statewide, the adult median minimum state prison sentence was relatively stable, showing a slight increase from 33.5 months in 1980 to 34.2 months in 1981.

<u>VFO</u>			
<u>Processing Indicators</u>			
<u>(Original Crimes Only)</u>			
	<u>1980</u>	<u>1981</u>	<u>% Change</u>
<u>Indictments</u>			
Statewide	13,411	15,107	+12.6%
NYC	9,548	10,904	+14.2%
Suburban	1,561	1,962	+25.7%
Upstate	2,302	2,241	- 2.6%
<u>Dispositions</u>			
Statewide	10,627	13,552	+27.5%
NYC	7,224	9,803	+35.7%
Suburban	1,351	1,606	+18.9%
Upstate	2,052	2,143	+ 4.4%
<u>Verdicts</u>			
Statewide	1,874	2,505	+33.7%
NYC	1,257	1,822	+44.9%
Suburban	232	224	- 3.4%
Upstate	385	459	+19.2%

VFO
Processing Indicators
(Original Crimes Only)

	<u>1980</u>	<u>1981</u>	<u>% Change</u>
<u>Convictions</u>			
Statewide	8,503	10,935	+28.6%
NYC	5,695	7,837	+37.6%
Suburban	1,171	1,398	+19.4%
Upstate	1,637	1,700	+ 3.8%
<u>VFO Convictions</u>			
Statewide	7,092	9,451	+33.3%
NYC	4,967	6,998	+40.9%
Suburban	936	1,169	+24.9%
Upstate	1,189	1,284	+ 8.0%
<u>Prison Sentences</u>			
Statewide	5,120	6,857	+33.9%
NYC	3,714	5,203	+40.1%
Suburban	604	737	+22.0%
Upstate	802	917	+14.3%
<u>Incarcerations*</u>			
Statewide	6,680	8,797	+31.7%
NYC	4,439	6,304	+42.0%
Suburban	975	1,130	+15.9%
Upstate	1,266	1,363	+ 7.7%

*Includes the following: state prison, local jail, intermittent imprisonment, split sentences of jail and probation.

VFO
Processing Rates
(Original Crimes Only)

	<u>1980</u>	<u>1981</u>	<u>Absolute Change</u>
<u>Disposition Rate*</u>			
Statewide	79.2%	89.7%	+10.5%
NYC	75.7%	89.9%	+14.2%
Suburban	86.5%	81.9%	- 4.6%
Upstate	89.1%	95.6%	+ 6.5%
<u>Trial Rate**</u>			
Statewide	17.6%	18.5%	+ .9%
NYC	17.4%	18.6%	+ 1.2%
Suburban	17.2%	14.0%	- 3.2%
Upstate	18.7%	21.4%	+ 2.7%

*% of filings **% of dispositions

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VFO
Processing Rates
(Original Crimes Only)

	<u>1980</u>	<u>1981</u>	<u>Absolute</u> <u>Change</u>
<u>Conviction Rate**</u>			
Statewide	80.0%	80.7%	+ .7%
NYC	78.9%	80.0%	+ 1.1%
Suburban	86.7%	87.1%	+ .4%
Upstate	79.8%	79.3%	- .5%
<u>State Prison Rate***</u>			
Statewide	60.2%	62.7%	+ 2.5%
NYC	65.2%	66.4%	+ 1.2%
Suburban	51.6%	52.7%	+ 1.1%
Upstate	49.0%	53.9%	+ 4.9%
<u>Incarceration Rate***</u>			
Statewide	78.6%	80.4%	+ 1.8%
NYC	77.9%	80.4%	+ 2.5%
Suburban	83.3%	80.8%	- 2.5%
Upstate	77.3%	80.2%	+ 2.9%
<u>% Conv. to VFO***</u>			
Statewide	83.4%	86.5%	+ 3.1%
NYC	87.3%	89.3%	+ 2.0%
Suburban	79.9%	83.6%	+ 3.7%
Upstate	72.6%	75.5%	+ 2.9%

* % of filings ** % of dispositions *** % of convictions

VFO IMPACT ANALYSIS
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Extended VFO Law Impact Study

Introduction

This study represents a revision of our four earlier VFO impact studies by incorporating a longer time frame.

In this analysis, we track VFO cases covering periods two years before and two years after the effective date of legislation in order to place the potential effects of the law in the context of longer trend data.

Specifically, we analyze 24 month tracking data for the following filing periods:

	<u>Group</u>	<u>Filing-Period</u>	<u>Dispositions Through</u>
Pre-Law	76/77	9/1/76-8/31/77	8/31/78
Pre-Law	77/78	9/1/77-8/31/78	8/31/79
Post-Law	78/79	9/1/78-8/31/79	8/31/80
Post-Law	79/80	9/1/79-8/31/80	8/31/81

The cases included in the study will have had a minimum of 12 months and up to a maximum of 24 months in the system during which a disposition could have occurred.

The four groups of indictments are subject to comparable control dates; exclude Juvenile Offenders; and are restricted to those cases in which the top indictment charge was a Violent Felony.

In particular, this study focuses on those indictment processing indicators which were identified in our previous studies as having been impacted upon by the legislation.

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VFO Impact Study - Disposition Analysis

Highlights

- * The VFO law had an immediate negative impact on the disposition rate;
- * The VFO Law, and the additional resources provided with it, led to a distinct increase in trial activity and a distinct decline in plea activity; and,
- * The post-law data indicates movement to a new equilibrium for the felony processing system.

The implementation of the Violent Felony Law had an immediate negative effect on the rate at which post-law cases have been disposed. The last statewide pre-law (77/78) rate was 86.2% and the first post-law (78/79) was 84%. This resulted in an almost 15% increase in the number of cases pending at the end of the respective 24 month processing periods from 1,510 to 1,731. Specifically, these effects manifested themselves in New York City and Upstate.

Simply put, the changes in disposition levels generally did not keep pace with indictment filing levels, resulting in an increase in the pending caseload. The post-law data indicates a degree of stabilization evolving, even in the face of an increasing case load, but at a disposition rate somewhat below the pre-law levels.

Among the factors related to the disposition rate are: available resources; method of case disposition (i.e. trial or plea); and, the order in which cases are taken into the system.

Dispositions Within Twenty-Four Month Tracking Period

	PRE-LAW		POST-LAW	
	76/77	77/78	78/79	79/80
<u>Statewide</u>				
Disposition Rate	85.9%	86.2%	84.0%	84.4%
Filings	10,445	10,939	10,822	11,257
Dispositions	8,986	9,429	9,091	9,506
Pending	1,459	1,510	1,731	1,751
<u>NYC</u>				
Disposition Rate	84.8%	84.1%	81.6%	82.9%
Filings	6,977	7,324	7,474	8,090
Dispositions	5,921	6,159	6,101	6,708
Pending	1,056	1,165	1,373	1,382
<u>Suburban NYC</u>				
Disposition Rate	87.5%	89.3%	90.3%	86.4%
Filings	1,228	1,474	1,272	1,217
Dispositions	1,075	1,317	1,148	1,052
Pending	153	157	124	165
<u>Upstate</u>				
Disposition Rate	88.9%	91.3%	88.7%	89.5%
Filings	2,239	2,140	2,076	1,950
Dispositions	1,990	1,953	1,842	1,746
Pending	249	187	234	204

Impact on the Disposition Pattern

The analysis of the disposition data presented at the end of this section indicates that the implementation of the Violent Felony Law had an immediate effect on the plea and trial pattern throughout the State. Comparing the first post-law period (78/79) to the last pre-law period (77/78) surrounding the effective date of the legislation, reveals a distinct increase in both absolute and relative trial indicators coupled with a significant decline in the plea indicators in every area of the State. Of those periods observed, these are the only two contiguous periods that show such a universal change. Trial activity increased despite a decrease in the volume of dispositions, which was attributable to the decline in plea activity and, in some areas, due in part to the slight decline in Supreme Court filings.

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A comparison of the two pre-law groups (76/77 and 77/78) does show increased trial activity, but coupled with increased plea and disposition activity. It should be noted, that increases in trial activity also reflect increases in available resources (for example, the addition of court parts). Since the new resources provided under the VEO law were on-line during the last twelve months (9/1/78-8/31/79) in which we tracked the dispositions for the last pre-law group, the increase in trial activity for this group was probably due, in part, to that fact. This makes the jump in trial activity between the 77/78 pre-law group and the 78/79 post-law group all the more distinctiv since this situation would mitigate against such large changes.

Comparing the two post-law groups, we notice a stablization of trial activity in NYC with a resumption in plea growth; a general decline in dispositions in Suburban NYC; and, a continued increase trial activity combined with a decline in plea activity in the Upstate area.

Observing statewide trends over the four year period reveals a general decline in the proportion of dispositions and convictions accounted for by pleas. In the 76/77 group pleas totaled 73.8% of the dispositions and 89% of the convictions, whereas for the 79/80 group pleas were only 68.5% of all dispositions and 84.5% of the convictions. Simultaneously, the proportion of dispositions accounted for by convictions at trial and dismissals showed continued growth, while other dispositions declined. The most significant changes in these measures occurred immediately after the effective date of the law.

Changes in the Rate and Number of Pleas and Trials

	PRE-LAW				POST-LAW					
	76/77	77/78	Change FROM 76/77	Percent Change	78/79	Change FROM 77/78	Percent Change	79/80	Change FROM 78/79	Percent Change
<u>Statewide</u>										
Trial Rate	14.9%	15.0%	+ .1%		17.8%	+ 2.8%		17.8%	0%	
Trials	1164	1406	+ 242	+20.8%	1615	+ 209	+14.9%	1689	+ 74	+ 4.6%
Plea Rate	73.8%	71.5%	- 2.3%		68.6%	- 2.9%		68.5%	- .1%	
Pleas	6634	6744	+ 110	+ 1.7%	6232	- 512	- 7.6%	6512	+ 280	+ 4.5%
Dispositions	8986	9429	+ 443	+ 4.9%	9091	- 338	- 3.6%	9506	+ 415	+ 4.6%
<u>NYC</u>										
Trial Rate	12.8%	15.2%	+ 2.4		18.5%	+ 3.3%		17.3%	- 1.2%	
Trials	757	937	+ 180	+23.8%	1132	+ 195	+20.8%	1160	+ 28	+ 2.5%
Plea Rate	73.5%	70.5%	- 3.0%		66.9%	- 3.6%		68.2%	+ 1.3%	
Pleas	4352	4343	- 9	-.2%	4082	- 261	- 6.0%	4577	+ 495	+12.2%
Dispositions	5921	6159	+ 238	+ 4.0%	6101	- 58	-.9%	6708	+ 607	+ 9.9%
<u>Suburban</u>										
Trial Rate	12.1%	13.7%	+ 1.6%		16.5%	+ 2.8%		16.8%	+ .3%	
Trials	130	180	+ 50	+38.5%	189	+ 9	+ 5.0%	175	- 14	- 7.4%
Plea Rate	81.2%	77.5%	- 3.7%		76.7%	- .8%		73.5%	- 3.2%	
Pleas	873	1021	+ 148	+17.0%	880	- 141	-13.8%	773	- 107	-12.2%
Dispositions	1075	1317	+ 242	+22.5%	1148	- 169	-12.8%	1052	- 96	- 9.1%
<u>Upstate</u>										
Trial Rate	13.9%	14.8%	+ .9%		15.9%	+ 1.1%		20.3%	+ 4.4%	
Trials	277	289	+ 12	+ 4.3%	294	+ 5	+ 1.7%	354	+ 60	+17.0%
Plea Rate	70.8%	70.7%	- .1%		68.9%	- 1.8%		66.3%	- 2.6%	
Pleas	1409	1380	- 29	- 2.1%	1270	- 110	- 8.0%	1162	- 108	- 8.5%
Dispositions	1990	1953	- 37	- 1.9%	1842	- 111	- 5.7%	1746	- 96	- 5.2%

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Appendix

In summary, the VFO law and the resources provided along with it, propelled the system to higher levels of trial activity and lower levels of plea activity, greatly accentuating trends detected earlier. It continues to be evident that these changes are due, in part, to the reluctance of defendants to plead to Violent Felony Offenses which carry stringent sentences. One of the continued effects of the plea restrictions and enhanced sentences may be to make pleas less desirable and to encourage trial activity. However, post-law data would seem to indicate that the system will generally move toward a new state of equilibrium of relatively stable trial activity and plea activity following the initial impact of the law.

Comparative Disposition Pattern

	Pre-law		Post-law	
	76/77	77/78	78/79	79/80
<u>Statewide</u>				
Dismissal	7.8%	8.6%	9.4%	10.2%
Acquittal	3.8%	5.1%	5.8%	5.2%
Other	5.4%	5.0%	4.3%	3.6%
Plea	73.8%	71.5%	68.6%	68.5%
Conv.-Trial	9.1%	9.9%	12.0%	12.6%
<u>NYC</u>				
Dismissal	8.5%	8.9%	10.4%	10.7%
Acquittal	3.7%	5.8%	6.2%	5.3%
Other	5.2%	5.3%	4.1%	3.8%
Plea	73.5%	70.5%	66.9%	68.2%
Conv.-Trial	9.1%	9.4%	12.3%	12.0%
<u>Suburban</u>				
Dismissal	4.4%	6.8%	5.5%	7.9%
Acquittal	3.3%	3.6%	4.8%	3.3%
Other	2.3%	2.1%	1.4%	2.0%
Plea	81.2%	77.5%	76.7%	73.5%
Conv.-Trial	8.8%	10.1%	11.7%	13.5%
<u>Upstate</u>				
Dismissal	7.6%	8.8%	8.4%	9.4%
Acquittal	4.4%	3.7%	4.7%	6.0%
Other	7.7%	5.8%	6.7%	3.0%
Plea	70.8%	70.7%	68.9%	66.6%
Conv.-Trial	9.5%	11.1%	11.2%	14.3%

VFO Impact Study - Plea Analysis

Highlights

- * Statewide, the rate of pleas to Violent Felonies increased significantly (+60%);
- * The VFO Law contributed greatly to an overall 30% increase in the rate at which pleas to the highest or next highest felony class were taken; and
- * The VFO Law accelerated the rate at which pleas were taken to the same offense as the indicted offense.

The impact study demonstrates a significant and continued improvement, on a number of measures, in the quality of pleas in every area of the State, due to the intervention of the plea bargaining restrictions of the Violent Felony Law.

A. Percent of Pleas to a Violent Felony Offense

Analysis of the percent of pleas to any VFO charge reveals a relatively stable situation when the two pre-law groups are compared, but a dramatic improvement commencing with the effective date of the Violent Felony Law.

Statewide, the percent of pleas to the same or another VFO rose from 50.5% for the last pre-law group to 80.7% for the first post-law group. This represents an increase of almost 60% in the plea rate to Violent Felonies, from 50 out of 100 pre-law pleas being to a VFO to 80 out of 100 post-law.

Comparing these two groups by area reveals that: New York City experienced a 54.9% increase in the plea rate to a VFO crime (54.9% to 84.8%); an 85.8% increase in that rate in Suburban NYC (42.3% to 78.6%); and a 64.5% jump Upstate (42.3% to 69.6%).

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Continued positive trends between the two post-law groups were also detected in each area, but naturally these were of a less dramatic character. This probably not only reflects increased acclimatization of the system to the provisions of the law, but also the serious view prosecutors and judges are taking towards plea bargaining in general.

Additionally, comparing the base group (76/77) to last post-law group (79/80), the actual number of pleas to a Violent Felony rose from 3,305 to 5,592, an increase of 69.2% (2,287). Thus, almost seventy percent more of the defendants who pled guilty are now subject to enhanced sentences as predicate Violent Felony Offenders if they are subsequently convicted of another VFO, when compared to the baseline group.

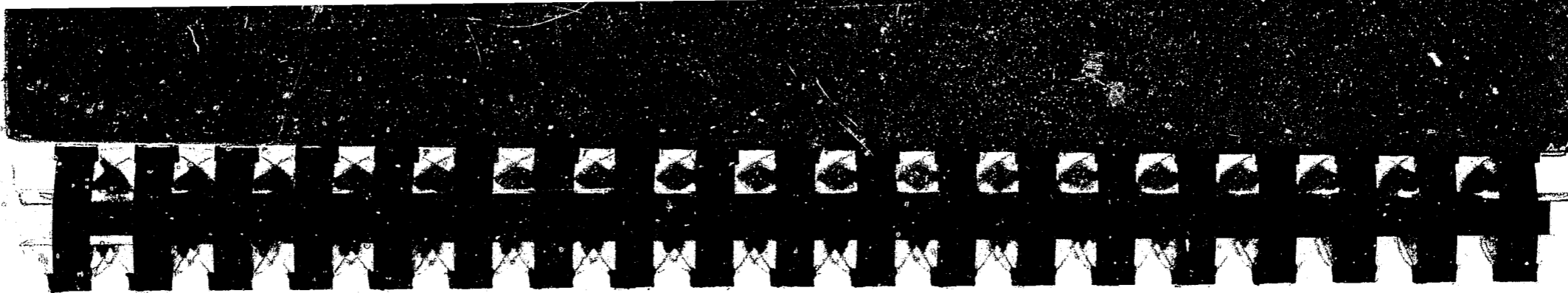
B. Percent of Pleas to the Highest or Next Highest Felony Class

This analysis measures the rate at which pleas were taken to the highest or next highest felony class as a percent of pleas. (For example, the percent of Class B indictments resulting in pleas to a Class B or Class C conviction charge.)

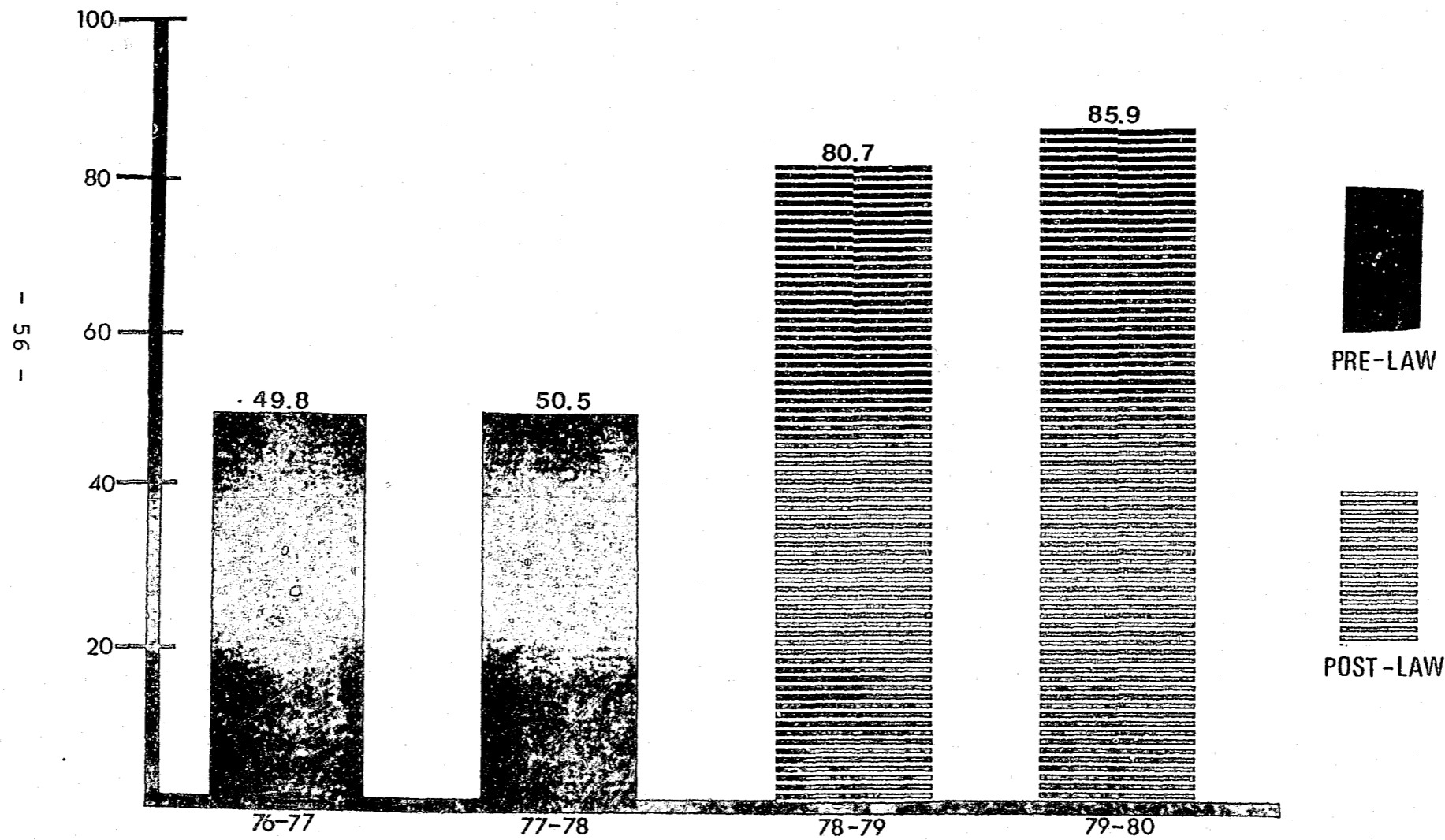
The analysis reveals that a distinct increase in this rate occurred at the time of the VFO law intervention in each area of the State, accelerating a small positive pre-law trend. Statewide, the rate of pleas to the highest or next highest felony class rose significantly between the 77/78 pre-law group (64.1%) and the 78/79 post-law group (76.8%). Generally, a more gradual positive trend was resumed between the two post-law groups.

Overall, these changes resulted in the highest or next highest felony class plea rate rising from 61.9% in the pre-law base period (76/77) to almost 81% in the last post-law period (79/80).

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PERCENT OF PLEAS TO SAME OR OTHER VFO



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C. Percent of Pleas to the Same Offense

The intervention of the Violent Felony Law has accelerated the rate at which pleas were taken to the same offense as the top indictment charge. An increase of almost 18% in this rate was detected at the point at which the VFO law became effective. It was at this point, that the most significant increases occurred in each area of the State.

A more gradual positive trend appears to have resumed when the two post-law groups (78/79 and 79/80) are compared. Thus, when the base year is compared to the final year the percent of pleas to the same offense rose from 21.7% to 29.2% statewide.

D. Percent of All Convictions to a VFO

Naturally, the above changes in the plea pattern, have led to an ever increasing proportion of all convictions that were to a Violent Felony, rising from 53.1% in the base year to over 85% in the final post-law period.

	VFO Impact Study			
	Indicted V.		Convicted Offense	
	Pre-Law		Post-Law	
	76/77	77/78	78/79	79/80
<u>Statewide</u>				
PG to VFO	49.8%	50.5%	80.7%	85.9%
PG Same Off.	21.7%	22.3%	26.2%	29.2%
PG 1st, 2nd Highest Class	61.9%	64.1%	76.8%	80.8%
All Conv.'s to VFO	53.1%	54.0%	80.5%	85.3%
# PG to VFO	3305	3404	5034	5592
# All PG	6634	6744	6232	6512
# Conv's	7454	7673	7323	7704

	Pre-Law		Post-Law	
	76/77	77/78	78/79	79/80
<u>NYC</u>				
PG to VFO	55.0%	54.9%	84.8%	89.9%
PG Same Off.	22.0%	21.5%	24.7%	27.9%
PG 1st, 2nd Highest Class	64.4%	67.1%	79.0%	82.7%
All Convs. To VFO	57.9%	58.1%	83.8%	89.0%
<u>Suburban NYC</u>				
PG to VFO	40.5%	42.3%	78.6%	83.4%
PG Same Off.	19.4%	21.5%	25.2%	29.2%
PG 1st, 2nd Highest Class	55.6%	60.0%	71.0%	80.6%
All Conv's. To VFO	44.2%	46.5%	79.2%	83.7%
<u>Upstate</u>				
PG to VFO	39.6%	42.3%	69.6%	71.8%
PG Same Off.	22.4%	25.1%	32.0%	34.5%
PG 1st, 2nd Highest Class	58.1%	57.7%	73.6%	73.4%
All Conv's. To VFO	44.1%	46.7%	70.5%	72.4%

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VFO Impact Study - Sentences

Highlights

- * The state prison rate was higher for post-law convictions than for pre-law convictions;
- * This increase was facilitated by the VFO Law which inhibited the provision of youthful offender treatment, while at the same time bringing about a moderate increase in the severity of conviction charges; and,
- * The increase in the local jail rate was facilitated by the VFO Law's plea restrictions that led to more Class D convictions and fewer Class E convictions.

As stated in other sections of this report, there are two principal factors related to changes in the state prison rate. These are: (a) changes in the relative proportions of predicate felons and youthful offenders; and (b) changes in the severity of conviction charges.

While the Violent Felony Law did not impose mandatory imprisonment in cases in which it was not already required by law, it did contain a number of provisions which, depending on their application by judges and prosecutors, are directly related to the two principal factors cited above. These provisions are:

1. Armed Felons who plead down to a Class D Violent Felony must be sentenced to state prison unless mitigating circumstances are demonstrated; and
2. Armed Felons are ineligible for youthful offender treatment unless mitigating circumstances are demonstrated.

Additionally, the plea bargaining restrictions, depending on how they were applied, may have inhibited the acceptance of guilty pleas to charges not requiring prison sentences.

State Prison and Incarceration Rates:
VFO Impact Study

	Pre-Law		Post-Law	
	76/77	77/78	78/79	79/80
<u>Statewide</u>				
State Prison	60.5%	56.6%	61.0%	62.5%
Jail*	14.7%	16.8%	17.0%	18.5%
Incarceration	75.2%	73.4%	78.0%	81.0%
# Sentenced	7,454	7,673	7,323	7,704
<u>NYC</u>				
State Prison	66.7%	62.1%	65.4%	67.3%
Jail*	10.5%	12.3%	12.6%	13.5%
Incarceration	77.2%	74.4%	78.0%	80.8%
# Sentenced	4,889	4,923	4,832	5,379
<u>Suburban</u>				
State Prison	51.8%	47.2%	50.3%	51.7%
Jail*	23.1%	24.2%	28.5%	33.0%
Incarceration	74.9%	71.4%	78.8%	84.7%
# Sentenced	967	1,153	1,014	913
<u>Upstate</u>				
State Prison	46.6%	46.4%	54.0%	51.3%
Jail*	22.5%	25.3%	23.2%	28.5%
Incarceration	69.1%	71.7%	77.2%	79.8%
# Sentenced	1,598	1,597	1,477	1,412

*jail category includes split sentences of jail and probation

The data contained in the table above, generally shows that both the state prison rate and the local jail rate on convictions was moderately higher for the post-law convictions than for the pre-law convictions. These changes resulted in an overall statewide incarceration rate of 81% for the 79/80 VFO indictments as compared to a 75.2% rate for the 76/77 VFO indictments. The state prison rate, which declined between the two pre-law groups, showed a distinct increase for the first post-law group. Another, albeit more moderate, increase was registered for the last post-law group of convictions.

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The data also reveal that these changes in the state prison rate generally conform to the relative changes in the volume of predicate felons and youthful offenders (YO). As a rule, when the ratio of youthful offenders to predicate felons increase, the prison rate falls and vice versa. (Note: A ratio of 1 indicates an equal number of predicates and YO's. A ratio of less than 1 indicates more predicates than YO's and a figure of more than one indicates more YO's than predicate felons.) For example, statewide, for the last pre-law group (77/78) the state prison rate was 56.6% and the ratio of youthful offenders to predicates was .954, whereas, in the first post-law group (78/79) the state prison rate rose to 61%, while the ratio of YO's to predicates fell to .819.

Generally, the relative volume of youthful offenders fell during the periods covered by the VFO Law, reflecting the new law's inhibition on the provision of YO treatment. Additionally, the proportion of convictions accounted for by predicate felons increased during the post-law period. This probably is a reflection of the criminal justice system's increased emphasis on major offenders and career criminals.

It should be noted that increases in the volume of predicate felony sentences will have a limited impact on state prison rates, if such an increase mainly occurs for those conviction charges that require a state prison sentence whether or not the defendant is a pre-felon. In this case, the impact will be more pronounced on the terms of imprisonment imposed and not on the state prison rate.

Predicate Felon and Youthful Offender Rates

	PRE-LAW		Direction	POST-LAW		Direction
	77/76	77/78	of Change	78/79	79/80	of Change
<u>Statewide</u>						
% Youthful Off.*	13.2%	14.9%		13.4%	12.7%	
% Predicate Felon*	16.2%	15.6%		16.4%	17.8%	
Ratio of YO's to Predicates	.817	.954	+	.819	.717	-
State Prison Rate	60.5%	56.6%	-	61.0%	62.5%	+
<u>NYC</u>						
% Youthful Off.*	9.8%	11.7%		11.4%	12.1%	
% Predicate Felon*	18.8%	17.4%		17.9%	19.0%	
Ratio of YO's to Predicates	.520	.669	+	.640	.634	-
State Prison Rate	66.7%	62.1%	-	65.4%	67.3%	+
<u>Suburban NYC</u>						
% Youthful Off.*	20.2%	23.2%		20.1%	13.5%	
% Predicate Felon*	14.1%	13.2%		12.8%	15.6%	
Ratio of YO's to Predicates	1.434	1.763	+	1.569	.866	-
State Prison Rate	51.8%	47.2%	-	50.3%	51.7%	+
<u>Upstate</u>						
% Youthful Off.*	19.5%	18.6%		15.3%	14.9%	
% Predicate Felon*	9.3%	11.5%		13.9%	14.5%	
Ratio of YO's to Predicates	2.101	1.614	-	1.097	1.024	-
State Prison Rate	46.6%	46.4%	-	54.0%	51.3%	-

*as a percent of total convictions.

Examination of the second major factor related to state prison rates, i.e., the severity of conviction charges, reveals that the severity of conviction charges has increased in the post-law periods. Statewide, the proportion of convictions to charges that do not mandate state prison time (Class D and Class E felonies and misdemeanors) fell from 54.5% and 56.3%, respectively, for the two pre-law groups to 52.1% and 51% for the two post-law groups. (This occurred despite the fact that the disposed indictment caseload reflected a steady decline in the proportion of cases accounted for by the most severe

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indictment charges, Class A and B felonies. While accounting for 58.6% of the indictments disposed statewide in the 76/77 group, Class A and B indictments accounted for only 51.6% of the dispositions in the 79/89 group.)

The post-law increase in the severity of conviction charges had a positive impact on the state prison rate. Additionally, these data are helpful in explaining some of the anomalies that appear when we simply rely on the use of predicate and youthful offender data. For example, when the two post-law groups Upstate are compared, the state prison rate fell from 54% in the 78/79 group to 51.3% in the 79/80 group despite the fact that there were relatively more predicates than youthful offenders for the second group. This is, in part, explained by the fact that there was a slight increase in the proportion of convictions not requiring state prison sentences, from 60.1% to 62%, between the periods (however, both levels are below the pre-law percentages). The increase in conviction charge severity was brought about by the plea restrictions and the increase of convictions at trial, which generally result in more severe conviction charges than pleas.

Severity of Conviction Charges as Measured by Percent Convicted of Charges Not Mandating State Prison*

	Pre-law		Post-law	
	76/77	77/78	78/79	79/80
Statewide	54.5%	56.3%	52.1%	51.0%
NYC	48.7%	50.9%	48.2%	46.7%
Suburban	64.2%	65.5%	59.1%	59.2%
Upstate	66.7%	66.4%	60.1%	62.0%

*Class D and E felonies, Misdemeanors, and Violations

The increase in local jail sentences in the post-law period is in large part due to the application of the plea restrictions. Within the conviction charges that do not require state prison time, there was a dramatic increase in Class D convictions and a lessening of Class E and Misdemeanor conviction charges which are not Violent Felony Offenses. For example, statewide over the four year filing period, Class D convictions as a percent of all convictions rose from 31.3% in the 76/77 pre-law group to 41.2% in the 79/80 post-law group, while the proportion accounted for by Class E conviction charges fell from 15.3% to 5.4%.

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VFO Impact Study - Terms of Imprisonment

Highlights

- * The VFO Law had a distinct positive effect on the median minimum. Over the four year period, the median minimum term for adults rose by 84.2% from 18.4 months to 33.9
- * The total minimum prisoner years to state prison jumped by 16.5% after the intervention of the VFO Law; and,
- * A moderate effect was detected on the median maximum term of approximately 5 months.

The Violent Felony Law contained a number of provisions directly related to the terms of imprisonment that could be imposed on those defendants sentenced to state institutions. These provisions are:

1. minimum terms must be specified by the court for all state prison sentences on adult VFO convictions;
2. increases in the statutory minimum and maximum terms for adult defendants convicted of a Class B or C Violent Felony, and for predicate felons whose prior conviction was to a Violent Felony; and,
3. the imposition of a mandatory life maximum for a persistent Violent Felony Offender.

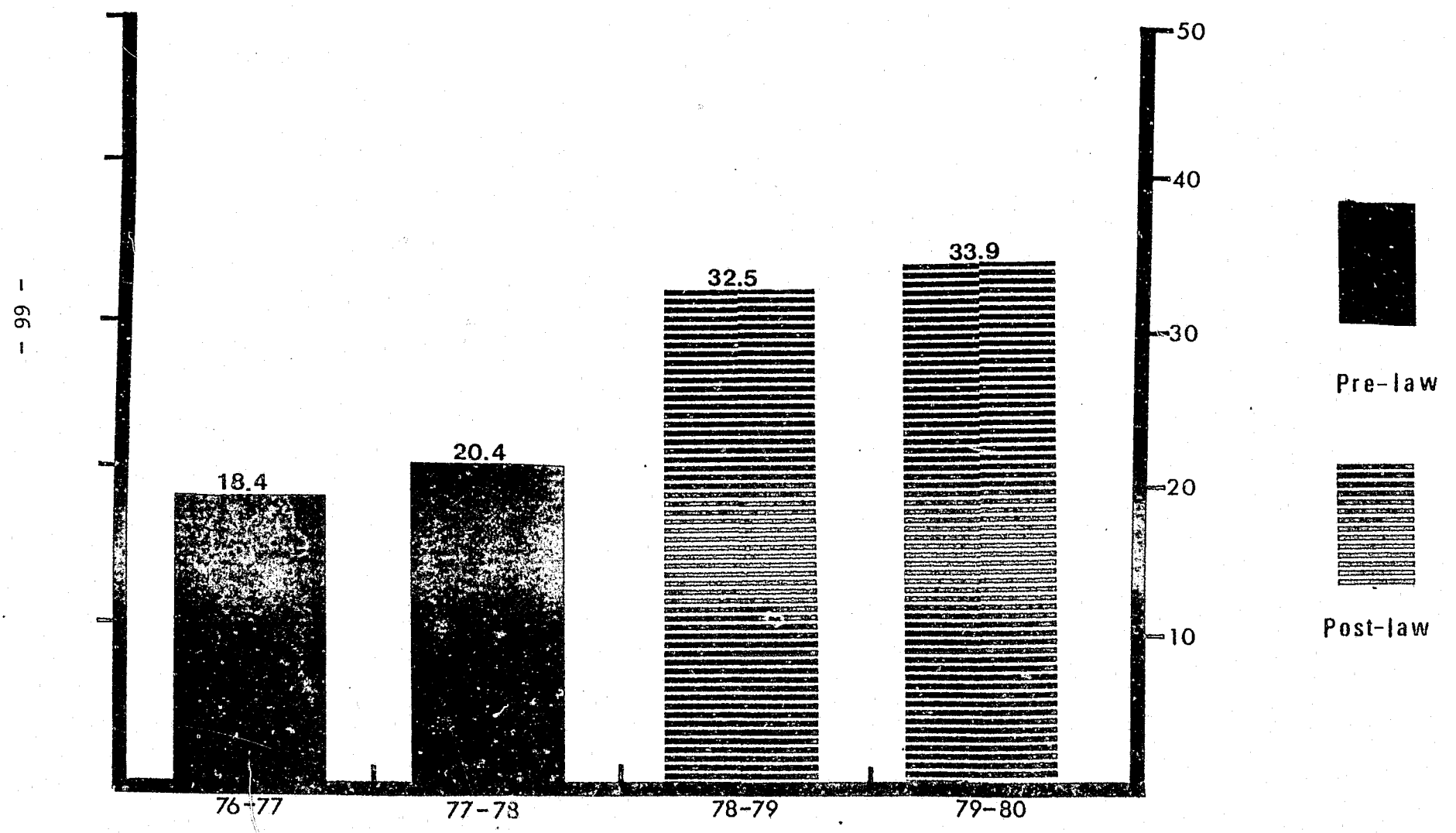
A. Minimum Terms

Analysis of the data reveals that the adult median minimum term of imprisonment showed a distinct and sharp increase at the point of intervention of the Violent Felony Law in each area of the state.

Comparing the first pre-law group (76/77) to the last post-law group (79/80) reveals an 84.2% increase in the statewide median minimum (18.4 to,33.9 months), a 56.7% increase in NYC (21 to 33.3 months), a 106% increase in Suburban NYC (17.5 to 36 months), and a 103% increase Upstate (17.5 to 35.5 months).



ADULT MEDIAN MINIMUM STATE PRISON TERM(in months)



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Median Minimum State Prison Term In Months
(Any State Prison Sentence Resulting from a VFO Indictment)

	Pre-Law		Post-Law	
	76/77	77/78	78/79	79/80
Statewide	18.4	20.4	32.5	33.9
NYC	21.0	21.4	31.4	33.3
Suburban NYC	17.5	19.9	37.9	36.0
Upstate	17.5	17.9	33.3	35.5

Distribution of Adult Minimum Terms In Months

	#	12-17	18-23	24-35	36-47	48-71	72-119	120-179	180-239	240+
Statewide										
Pre: 76/77	4289	2132	182	468	441	490	344	85	57	90
Pre: 77/78	4147	1996	196	449	404	493	332	110	61	106
Post: 78/79	4285	806	626	1008	590	563	420	84	60	128
Post: 79/80	4672	658	722	1162	612	657	525	126	79	131
NYC										
Pre: 76/77	3139	1503	131	345	345	388	277	60	34	56
Pre: 77/78	2960	1401	140	333	303	360	246	64	45	68
Post: 78/79	3063	562	531	708	416	385	288	47	42	84
Post: 79/80	3520	467	603	889	457	513	379	81	52	79
Suburban NYC										
Pre: 76/77	464	252	12	57	47	50	16	12	8	11
Pre: 77/78	499	245	14	50	46	64	45	15	4	16
Post: 78/79	479	78	32	116	86	77	47	18	9	16
Post: 79/80	464	68	49	115	57	74	55	22	9	15
Upstate										
Pre: 76/77	686	377	39	66	50	52	51	13	15	23
Pre: 77/78	688	350	42	66	55	69	41	13	12	22
Post: 78/79	743	166	63	184	88	101	85	19	9	28
Post: 79/80	688	123	70	158	98	70	91	23	18	37

Statewide Adult Minimum Terms By Conviction Class
(In Months)

Conv. Class	#	12-17	18-24	24-35	36-47	48-71	72-119	120-179	180-239	240+
Class A VFO										
Pre: 76/77	147	1	-	-	-	-	4	5	51	86
Pre: 77/78	150	1	-	-	-	-	4	5	57	90
Post: 78/79	172	-	1	-	-	-	2	2	54	115
Post: 79/80	202	-	1	-	-	3	1	-	73	124
Class B VFO										
Pre: 76/77	1353	560	7	56	94	282	281	79	2	2
Pre: 77/78	1308	487	4	54	67	314	261	106	3	12
Post: 78/79	1300	53	14	287	184	330	337	81	4	10
Post: 79/80	1518	13	3	378	209	357	430	116	5	7
Class C VFO										
Pre: 76/77	1344	766	9	77	253	182	55	1	1	-
Pre: 77/78	1279	749	6	75	234	154	59	1	-	1
Post: 78/79	1485	87	495	314	314	203	69	3	-	-
Post: 79/80	1561	40	554	321	285	274	79	7	1	-
Class D VFO										
Pre: 76/77	334	195	8	97	33	1	-	-	-	-
Pre: 77/78	426	236	17	119	48	3	-	-	-	-
Post: 78/79	942	505	47	313	65	6	2	-	-	1
Post: 79/80	1069	511	76	379	81	12	8	2	-	1
All VFO										
Pre: 76/77	3188	1522	24	230	380	465	340	85	54	88
Pre: 77/78	3163	1473	27	248	349	471	322	109	60	104
Post: 78/79	3899	645	557	914	563	539	413	84	58	126
Post: 79/80	4350	564	634	1078	575	646	518	125	79	131
NON-VFO										
Pre: 76/77	1101	610	158	238	61	25	4	-	3	2
Pre: 77/78	984	523	169	201	55	22	10	1	1	2
Post: 78/79	386	161	69	94	27	24	7	-	2	2
Post: 79/80	322	94	88	84	37	11	7	1	1	1

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B. Total Minimum Years to State Prison

Using the minimum term data for adult offenders, an estimate of any changes in total minimum prisoner years to state prison can be calculated (we have not factored in good time, Parole Board decisions, and credit for time served).

A sharp increase (+16.4%) in total minimum prisoner years occurred at the intervention point of the Violent Felony Law. Since the number of adults sentenced to state prison was relatively stable between the two pre-law groups and the first post-law group, this change can be attributed to the imposition of the harsher mandatory minimums.

The sharp jump between the two post-law groups reflects both more state prison sentences and slightly longer minimums.

Statewide Adult Minimum Sentences Translated Into Prisoner Years

	Pre-Law			Post-Law			
	76/77	77/78	% Change	78/79	Change	79/80	% Change
# Sentenced	4289	4147	-3.3%	4285	+ 3.3%	4672	+ 9.0%
Total Prisoner Years	15031	15324	+1.9%	17844	+16.4%	20525	+15.0%

C. Maximum Terms

Maximum terms are not as informative as minimum terms. The examination of maximum terms can not differentiate among such sentences as "0 to 6" years, "2 to 6" years and "3 to 6" years, all of which are or were possible sentences.

The intervention of the Violent Felony Law appears to have had a slight positive effect on the median maximum term imposed.

Overall, the median maximum term was approximately 5 months longer for the last post-law group (79/80) when compared to the initial pre-law group (76/77).

These small increases in the median maximum terms are a reflection that a minority of pre-law cases received minimum/maximums below those specified in the new law.

Median Adult Maximum Terms
(In Months)

	Pre-Law		Post-Law	
	76/77	77/78	78/79	79/80
Statewide	80.0	78.1	83.2	85.8
NYC	80.2	76.5	80.6	84.8
Suburban NYC	77.8	88.5	93.5	91.2
Upstate	80.1	78.1	86.0	86.8

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VFO Impact Study - Processing Times

Highlights

- * The intervention of the VFO Law had a negative impact on median time to disposition (+14%), pleas (+13%) and conviction (+13%);
- * This result was felt most acutely in NYC and Upstate.

The intervention of the Violent Felony Law had a distinct negative impact on a number of processing time measures, particularly time to disposition, conviction and plea.

Statewide, a comparison of the last pre-law group (77/78) to the first post-law group (78/79) reveals a 13.9% increase in the median time to disposition, and 13% increases in both the time to plea and convictions. The changes between these two periods is far greater than for any other two contiguous periods. These changes were particularly pronounced in New York City and Upstate.

The law affected processing times in two ways:

1. It adversely affected the readiness of defendants to plead guilty. A 15% increase in the median plea time was registered in NYC and a 10% increase was recorded Upstate. Since pleas continue to account for the significant majority of dispositions these increases adversely affect overall disposition and conviction times. (Suburban NYC was immune from this particular effect due to the rapid expansion of the use of the Superior Court Information as a means of case disposition throughout this period).
2. General disposition times were also adversely affected by the VFO Law through the increased use of more time-consuming means of case disposition. As trials account for a greater proportion of dispositions and convictions,

general disposition time will increase if it occurs at the expense of less time consuming methods (i.e. pleas). This is why Suburban NYC experienced a moderate increase in median time to disposition between 77/78 and 78/79, despite the fact that time to plea and conviction declined.

	VFO Impact Study Median Processing Times in Days						
	Pre-Law		%	Post-Law		79/80	%
	77/76	77/78		78/79	Change		
<u>Statewide</u>							
Disposition	117	122	+ 4.3%	139	+13.9%	142	+ 2.2%
Conviction	106	111	+ 4.7%	125	+12.6%	132	+ 5.6%
Plea	95	93	- 2.1%	105	+12.9%	110	+ 4.8%
Jury Trial	217	228	+ 5.1%	226	- .9%	237	+ 4.9%
Acquittal	235	252	+ 6.5%	241	- 4.4%	250	+ 3.7%
Dismissal	176	188	+ 6.8%	196	+ 4.3%	196	0%
<u>NYC</u>							
Disposition	124	133	+ 7.3%	156	+17.3%	154	- 1.3%
Conviction	112	118	+ 5.4%	139	+17.8%	145	+ 4.1%
Plea	98	101	+ 3.1%	116	+14.9%	122	+ 5.2%
Jury Trial	229	250	+ 9.2%	244	- 2.4%	255	+ 4.5%
Acquittal	237	260	+ 5.7%	258	- .8%	288	+11.6%
Dismissal	195	194	- .5%	205	+ 5.7%	202	- 1.5%
<u>Suburban NYC</u>							
Disposition	110	108	- 1.8%	112	+ 3.7%	112	0%
Conviction	104	97	- 6.7%	96	- 1.0%	96	0%
Plea	95	83	-12.6%	70	-15.7%	71	+ 1.4%
Jury Trial	225	213	- 5.3%	242	+13.6%	234	- 3.3%
Acquittal	230	245	+ 6.5%	233	- 4.9%	230	- 1.3%
Dismissal	226	189	-16.4%	186	- 1.6%	202	+ 8.6%
<u>Upstate</u>							
Disposition	104	106	+ 1.9%	112	+ 5.7%	118	+ 5.4%
Conviction	96	98	+ 2.1%	105	+ 7.1%	109	+ 3.8%
Plea	85	84	- 1.2%	92	+ 9.5%	93	+ 1.1%
Jury Trial	176	188	+ 6.8%	178	- 5.3%	181	+ 1.7%
Acquittal	230	219	- 4.8%	175	-20.1%	162	- 7.4%
Dismissal	144	150	+ 4.2%	167	+11.3%	183	+ 9.6%

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JUVENILE OFFENDERS

On September 1, 1978, 13, 14, and 15 year olds who commit certain violent felonies became subjected to prosecution in the adult criminal court system in New York State. These juveniles are classified as "Juvenile Offenders".

Although Juvenile Offenders are prosecuted in the adult criminal court system, there are a number of features which mark their prosecution as being unique from the adult proceedings. The most notable of these features is the availability of removal to Family Court, where juveniles are not subject to criminal responsibility. Removal can occur at any point in the criminal prosecution process, from arraignment until sentencing. Another unique feature is the mandatory sentencing structure defined for those juveniles found guilty of offenses for which they are criminally responsible. These sentences range from a minimum of one to three years in a Division for Youth secure facility for a C felony conviction to a maximum of nine years to life for Murder. Amendments have altered this sentencing structure somewhat, allowing these juveniles to receive youthful offender treatment under certain circumstances. Those juveniles who receive youthful offender treatment can be sentenced to either five years probation or to prison time for less than four years.

New York City

During the 40 month period, September 1, 1978 to December 31, 1981, in which the "Juvenile Offender" legislation has been in effect, there have been 4,572 juveniles arrested in New York City for crimes subject to prosecution in the adult system. This figure represents

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86 percent of the JO arrests statewide. Kings County has accounted for most of the City arrests, 40%; New York County, 23%; the Bronx, 19%; Queens, 16% and Richmond, 2%. These percentages have remained relatively constant over the more than three years since the inception of the legislation.

During calendar year 1981, arrests averaged 117 per month. Robbery arrests continued to dominate the figures, with Robbery 1° accounting for 51% of these arrests and Robbery 2° for an additional 28%.

As of December 31, 1981, 4,540 Juvenile Offender cases have been confirmed as having reached Criminal Court.* Of the 4,540 confirmed arrests, 3,864 (85%) have been arraigned as Juvenile Offenders. The District Attorneys declined to prosecute 676 (15%) cases in Criminal Court because the facts in these cases did not meet the standards required for Juvenile Offender complaints to be drawn. This, of course, did not preclude proceedings on these cases in the Family Court.

Of the 3,864 juveniles arraigned, 1,678 (43%) have been removed to the Family Court either at the Criminal Court level or by the Grand Jury. An additional 612 (16%) have been dismissed at the Criminal Court or Grand Jury level, and 86 (2%) are still pending in the Criminal Court.

Indictments were filed in 1,488 (39%) of the cases arraigned as juvenile offenders since the inception of the law.

Data for calendar year 1981 indicates that 529 (38%) of the 1,403 arrests reported during this time period have resulted in

*DCJS has received arrest information for 32 cases (1%) which have not been located in court records as of yet. When located, these are most often found to be cases which do not result in arraignment on Juvenile Offender charges.

indictments so far. This figure represents 43% of the arraigned cases, an increase from the 37% indictment rate on arraignments reported for the period ending December, 1980.

The higher indictment rate on arrests in Queens County which was mentioned in previous reports levelled off in 1981; although not so much as to affect the cumulative figures, where the Queens indictment rate remains relatively high.

Of the 1,488 indictments handed up since the inception of the law, 1,167 had reached disposition by the end of the report period. Citywide, there were 830 convictions to Juvenile Offender charges, resulting in a 71% JO conviction rate. In addition, 134 (12%) juveniles were removed to Family Court for sentencing after being found guilty of Juvenile Delinquency offenses for which they were not criminally responsible as adults. In all, 83% of the indictments disposed resulted in either a Juvenile Offender conviction or a Juvenile Delinquency fact-finding.

Removals by the Supreme Court in NYC prior to disposition are increasing overall as post-conviction removals with non-JO findings decrease. A majority of the Supreme Court removals since the initiation of the legislation took place during 1981. The total removal rate for indicted cases has not changed considerably, but more cases are being removed prior to a Supreme Court disposition relative to those removed after conviction on Juvenile Delinquency charges.

Six hundred and seventy-nine of the 830 convicted juvenile offenders have been sentenced as of 12/31/81. Two hundred and eighty (41%) of those sentenced have received probationary terms as youthful offenders and an additional 92 (14%) have been sentenced to

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imprisonment for less than four years as youthful offenders. Three hundred and seven youths (45%) have been sentenced to imprisonment as Juvenile Offenders. In total, 399 (59%) Juvenile Offenders have been sentenced to serve time in Division for Youth secure facilities (307 as Juvenile Offenders and 92 as youthful offenders). Seventeen youths (3%) convicted of Murder 2° have received sentences with maximum terms of life imprisonment, twelve of whom were sentenced during 1981.

The disparities between counties in sentencing which were mentioned in previous reports are less pronounced when 1981 figures are included. The percentage of cases sentenced under the youthful offender provisions rose significantly in the Bronx, New York, and Queens, while remaining relatively constant in Kings and Richmond Counties. Since almost half (328 out of 679) of the sentences imposed under the law were imposed during 1981, a more complete picture is now emerging of citywide sentencing patterns. (The fact that there were only 108 sentences in the first 18 months of the laws is a reflection of the lead time necessary to process completely a sufficient number of cases after the implementation date.)

Figures from Spofford Juvenile Center reveal that 616 of the juvenile offenders whose cases were active during the last six months of 1981 were held in detention. Of these, twelve (2%) had spent over a year in Spofford, with an additional sixteen (3%) being in Spofford for more than nine months. Included in the calculation of detention time is time awaiting trial; time awaiting sentencing; and, time awaiting placement in Division for Youth facilities.

The table which follows shows that the majority of detained juvenile offenders spend relatively short periods in detention. Thirty-one percent of the juvenile offenders admitted to Spofford

during this time period stayed only one day. An additional 27% were there for fewer than ten days. Many of the short term detentions reflect police actions before arraignment rather than court ordered detentions.

Length of Detention - Juvenile Offenders
(Cases Active 7/1/81 - 12/31/81)

Days in detention	1	2-10	11-30	31-90	91-150	151-210	211-270	271-360	361-450	450	Total
Number of Cases	191	168	60	76	33	41	19	16	10	2	616
% of Total	31	27	10	12	5	7	3	3	2	0	100

Victim data has never been reported in every case, nor even in every county, but the data available does reveal certain patterns. As in the past, the typical victim of the juvenile offender is a peer, aged 13 through 19. Twenty-one percent of the victims were classified as being "especially vulnerable". Nine percent of these were extremely young (12 years of age or younger), 11% were elderly (60 years of age or older), and 1% were classified as especially vulnerable due to some physical or mental handicap.

Suburban and Upstate Counties

New York City continues to account for 86% (4,572) of the juvenile offender arrests in New York State, the Suburban counties (Nassau, Suffolk, Westchester and Rockland) for about 8% (391), and the Upstate counties for 6% (335). Outside New York City, the counties with the most substantial number of arrests during the life of the law are; Suffolk, 166; Westchester, 105; Nassau, 103; Erie, 59; Onondaga, 53; Monroe, 48; and Albany, 46.

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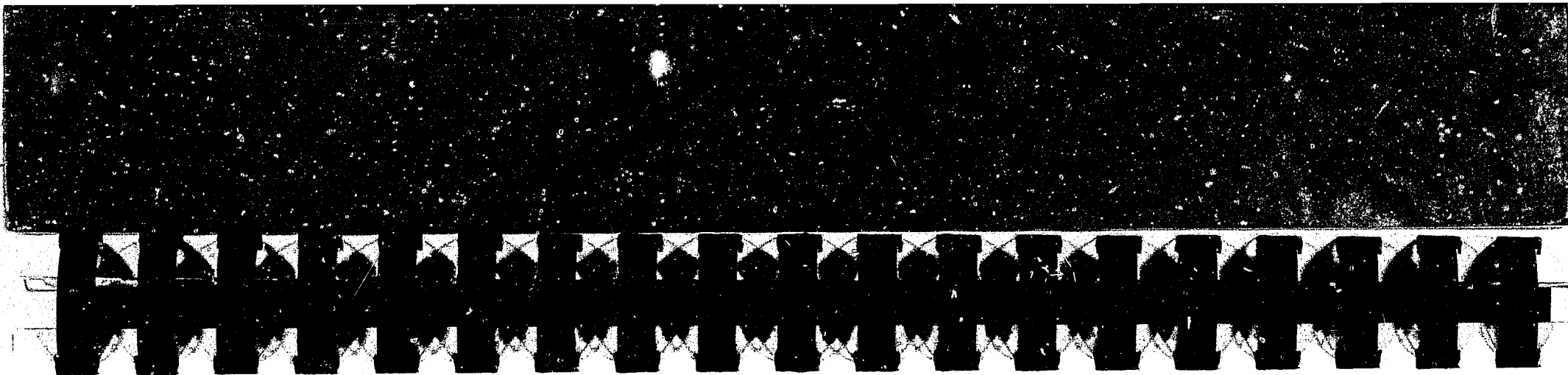
Marked differences can be seen in the distribution of arrest charges when New York City is compared with the Upstate and Suburban areas. Robbery arrests account for 78% of the New York City arrests, but only 57% of the Suburban arrests and 51% of arrests Upstate. Property crimes such as burglary and arson are much more prevalent outside of New York City. In the Suburban area, they comprise 23% of the arrests; in the Upstate area 24%; but in New York City only 4%. Rape and sodomy continue to account for a more substantial portion of arrests in the Upstate and Suburban areas than in New York City.

In the counties with the greatest number of arrests, the indictment rates range from a low of 22% in Erie to a high of 47% in Onondaga. Other rates are: Suffolk, 32%; Monroe 33%; Westchester, 43%; Nassau, 44%; and Albany, 46%. Overall, arrest to indictment rates have increased. The Suburban rate is now 38% as compared to 30% at the end of 1980, and the Upstate rate rose from 37% to 41% when 1981 indictments were included.

In total 246 indictments have reached disposition in the non-New York City counties. In the Suburban counties, 102 (84%) have resulted in convictions; in the Upstate counties, 79 (64%) have resulted in convictions. This compares with a 71% conviction rate in New York City.

During the 24 months from 1/1/80 through 12/31/81, 65 juvenile offenders were sentenced outside NYC to serve time in Division for Youth secure facilities. Twenty-nine were from Suburban counties and 36 were from Upstate counties. A large portion (53%) of the Upstate sentences continue to carry maximum terms of six years or greater. By way of comparison, 31% of the Suburban cases had similar sentences. (The New York City figure for the entire 40 month period was 32%.)

1980 Fiscal Year Report



JUVENILE OFFENDERS
ARRESTS BY CRIME AND COUNTY
1/1/81 - 12/31/81

	KINGS	BRONX	NEW YORK	QUEENS	RICHMOND	CITYWIDE
ROBBERY 1°	294 (51)	143 (55)	207 (54)	68 (40)	9 (41)	721 (51)
ROBBERY 2°	147 (26)	57 (22)	118 (31)	67 (39)	7 (32)	396 (28)
ASSAULT 1°	24 (4)	4 (2)	9 (2)	3 (2)	0 (0)	40 (3)
BURGLARY 1°	12 (2)	3 (1)	0 (0)	5 (3)	0 (0)	20 (1)
BURGLARY 2°	13 (2)	3 (1)	3 (1)	1 (1)	1 (5)	21 (1)
ARSON	3 (1)	4 (2)	3 (1)	2 (1)	1 (5)	13 (1)
RAPE 1°	24 (4)	20 (8)	14 (4)	8 (5)	1 (5)	67 (5)
SODOMY 1°	7 (1)	7 (3)	2 (1)	5 (3)	3 (14)	24 (2)
KIDNAP.	1 (0)	0 (0)	1 (0)	0 (0)	0 (0)	2 (0)
ATTEMPTED MURDER 2°	25 (4)	6 (2)	14 (4)	10 (6)	0 (0)	55 (4)
MURDER 2°	18 (3)	11 (4)	8 (2)	2 (1)	0 (0)	39 (3)
OTHER*	0 (0)	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)
UNKNOWN	3 (1)	0 (0)	1 (0)	0 (0)	0 (0)	4 (0)
TOTAL	571 (100) (41)	258 (100) (18)	381 (100) (27)	171 (100) (12)	22 (100) (2)	1,403 (100) (100)

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JUVENILE OFFENDERS
ARRESTS BY CRIME AND COUNTY

9/1/78 - 12/31/81

	KINGS	BRONX	NEW YORK	QUEENS	RICHMOND	CITYWIDE
ROBBERY 1°	855 (47)	462 (53)	520 (49)	328 (46)	35 (43)	2,200 (48)
ROBBERY 2°	585 (32)	183 (21)	340 (32)	236 (33)	20 (25)	1,364 (30)
ASSAULT 1°	76 (4)	27 (3)	41 (4)	23 (3)	1 (1)	168 (4)
BURGLARY 1°	26 (1)	5 (1)	6 (1)	14 (2)	1 (1)	52 (1)
BURGLARY 2°	33 (2)	6 (1)	11 (1)	13 (2)	2 (2)	65 (1)
ARSON	26 (1)	17 (2)	9 (1)	14 (2)	4 (5)	70 (2)
RAPE 1°	96 (5)	60 (7)	50 (5)	40 (6)	7 (9)	253 (6)
SODOMY 1°	23 (1)	27 (3)	17 (2)	12 (2)	4 (5)	83 (2)
KIDNAP.	3 (0)	1 (0)	1 (0)	1 (0)	0 (0)	6 (0)
ATTEMPTED MURDER 2°	51 (3)	25 (3)	33 (3)	25 (3)	2 (2)	136 (3)
MURDER 2°	46 (3)	41 (5)	25 (2)	8 (1)	3 (4)	123 (3)
OTHER*	1 (0)	2 (0)	1 (0)	0 (0)	0 (0)	4 (0)
UNKNOWN	13 (1)	16 (2)	12 (1)	5 (1)	2 (2)	48 (1)
TOTAL	1,834 (100) (40)	872 (100) (19)	1,066 (100) (23)	719 (100) (16)	81 (100) (2)	4,572 (100) (100)

JUVENILE OFFENDERS
COURT ACTION BY COUNTY
CASES ORIGINATING
 1/1/81 - 12/31/81

	KINGS	BRONX	NEW YORK	QUEENS	RICHMOND	CITYWIDE
Declined to Prosecute	60 (11)	17 (7)	76 (20)	10 (6)	6 (27)	169 (12)
Removed to Family Court	227 (40)	79 (31)	66 (17)	41 (24)	2 (9)	415 (30)
Dismissed	36 (6)	30 (11)	45 (12)	27 (16)	5 (23)	143 (10)
Subtotal	323 (57)	126 (49)	187 (49)	78 (46)	13 (59)	727 (52)
Pending in Criminal Court	21 (4)	30 (11)	51 (13)	17 (10)	1 (4)	120 (9)
Pending in Grand Jury	14 (2)	2 (1)	1 (0)	1 (0)	3 (14)	21 (1)
Indicted	209 (37)	100 (39)	142 (37)	73 (43)	5 (23)	529 (38)
Subtotal	244 (43)	132 (51)	194 (51)	92 (53)	9 (41)	670 (48)
Unconfirmed Arrest Reports	4 (1)	0	0	2 (1)	0	6 (0)
Total	571 (100)	258 (100)	381 (100)	171 (100)	22 (100)	1403 (100)

Notes: Numbers in parentheses are percentages

COMPLIANCE MONITORING PROGRAM
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JUVENILE OFFENDERS
COURT ACTION BY COUNTY
9/1/78 - 12/31/81

	KINGS	BRONX	NEW YORK	QUEENS	RICHMOND	CITYWIDE
Declined to Prosecute	256 (14)	109 (12)	245 (23)	57 (8)	9 (11)	676 (15)
Removed to Family Court	819 (45)	376 (43)	267 (25)	191 (27)	25 (31)	1,678 (37)
Dismissed	139 (7)	102 (12)	193 (18)	161 (22)	17 (21)	612 (13)
Subtotal	1,214 (66)	587 (67)	705 (66)	409 (57)	51 (63)	2,966 (65)
Pending in Criminal Court	11 (1)	24 (3)	26 (2)	18 (3)	0	79 (2)
Pending in Grand Jury	5 (0)	0	0	0	2 (3)	7 (0)
Indicted	599 (33)	260 (30)	312 (29)	290 (40)	27 (33)	1,488 (32)
Subtotal	615 (34)	284 (33)	338 (31)	308 (43)	29 (36)	1,574 (34)
Unconfirmed Arrest Reports	5 (0)	1 (0)	23 (2)	2 (0)	1 (1)	32 (1)
Total	1,834 (100)	872 (100)	1,066 (100)	719 (100)	81 (100)	4,572 (100)

Note: Numbers in parentheses are percentages

**JUVENILE OFFENDERS
DISPOSITIONS OF INDICTED CASES
1/1/81-12/31/81**

	KINGS	BRONX	NEW YORK	QUEENS	RICHMOND	CITYWIDE
GUILTY BY TRIAL	11 (4)	1 (1)	0 (5)	3 (3)	0	23 (4)
GUILTY BY ADMISSION	183 (72)	74 (92)	142 (84)	47 (52)	6 (67)	452 (75)
TOTAL CONVICTIONS	194 (76)	75 (93)	150 (89)	50 (55)	6 (67)	475 (79)
REMOVED WITH NON-J.O. FINDING	6 (2)	2 (2.5)	6 (4)	9 (10)	0	23 (4)
REMOVED BY SUPERIOR COURT	42 (16)	2 (2.5)	7 (4)	14 (16)	1 (11)	66 (11)
TOTAL REMOVALS	48 (18)	4 (5)	13 (8)	23 (26)	1 (11)	89 (15)
ACQUITTED	2 (1)	1 (1)	1 (0)	11 (12)	0	15 (3)
DISMISSED	12 (5)	1 (1)	5 (3)	6 (7)	2 (22)	26 (4)
SUBTOTAL	14 (6)	2 (2)	6 (3)	17 (19)	2 (22)	41 (7)
TOTAL DISPOSED INDICEMENTS	256 (100)	81 (100)	169 (100)	90 (100)	9 (100)	605 (100)
PENDING IN SUPERIOR COURT	159	60	56	44	2	321
TOTAL INDICEMENTS	415	141	225	134	11	926

NOTE: Numbers in parentheses are percentages.

1980 FISCAL COMPLIANCE & MONITORING PROGRAM REPORT

**JUVENILE OFFENDERS
DISPOSITIONS OF INDICTED CASES
9/1/78 - 12/31/81**

	KINGS	BRONX	NEW YORK	QUEENS	RICIMOND	CITYWIDE
GUILTY BY TRIAL	18 (4)	7 (4)	13 (5)	10 (4)	2 (8)	50 (4)
GUILTY BY ADMISSION	312 (71)	161 (80)	192 (75)	100 (41)	15 (60)	780 (67)
TOTAL CONVICTIONS	330 (75)	168 (84)	205 (80)	110 (45)	17 (68)	830 (71)
REMOVED WITH NON-J.O. FINDING	22 (5)	18 (9)	18 (7)	74 (30)	2 (8)	134 (12)
REMOVED BY SUPERIOR COURT	58 (13)	3 (1)	15 (6)	32 (13)	2 (8)	110 (9)
TOTAL REMOVALS	80 (18)	21 (10)	33 (13)	106 (43)	4 (16)	244 (21)
ACQUITTED	5 (1)	7 (4)	3 (1)	15 (6)	0	30 (3)
DISMISSED	25 (6)	4 (2)	15 (6)	15 (6)	4 (16)	63 (5)
SUBTOTAL	30 (7)	11 (6)	18 (7)	30 (12)	4 (16)	93 (8)
TOTAL DISPOSED INDICTMENTS	440 (100)	200 (100)	256 (100)	246 (100)	25 (100)	1,167 (100)
PENDING IN SUPERIOR COURT	159	60	56	44	2	321
TOTAL INDICTMENTS	599	260	312	290	27	1,488

NOTE: Numbers in parentheses are percentages.

G

JUVENILE OFFENDERS
SENTENCES BY COUNTY
9/1/78 - 12/31/81

	KINGS	BRONX	NEW YORK	QUEENS	RICHMOND	CITYWIDE
5 YEAR PROBATION	141 (52)	33 (23)	57 (38)	43 (45)	6 (40)	280 (41)
JAIL-LESS THAN 4 YRS	20 (7)	23 (16)	27 (18)	21 (22)	1 (7)	92 (14)
Y.O. SUBTOTAL	161 (59)	56 (39)	84 (56)	64 (67)	7 (47)	372 (55)
3 YEARS	61 (22)	14 (10)	17 (11)	13 (14)	4 (26)	109 (16)
4	6 (2)	5 (3)	6 (4)	0	0	17 (3)
4-1/2	9 (3)	15 (10)	9 (6)	4 (4)	0	37 (5)
5	7 (3)	8 (5)	2 (1)	0	0	17 (3)
6	9 (3)	13 (9)	12 (8)	9 (9)	0	43 (6)
7	8 (3)	14 (10)	2 (1)	3 (3)	0	27 (4)
8	1 (0)	4 (3)	1 (1)	0	1 (7)	7 (1)
9	3 (1)	7 (5)	5 (3)	2 (2)	0	17 (3)
10	4 (2)	5 (3)	4 (3)	1 (1)	2 (13)	16 (2)
Life	4 (2)	4 (3)	8 (6)	0	1 (7)	17 (3)
J.O. SUBTOTAL	112 (41)	89 (61)	66 (44)	32 (33)	8 (53)	307 (45)
TOTAL SENTENCED	273 (100)	145 (100)	150 (100)	96 (100)	15 (100)	679 (100)
PENDING SENTENCE	* 55	23	55	14	2	149
TOTAL CONVICTIONS	330	168	205	110	17	830

NOTE: All sentences indicated are maximums. For juvenile offenders, the minimum sentence is 1/3 the maximum, except when the sentence is life; then, the minimum sentence can range from five to nine years.

NOTE: Numbers in parentheses are percentages
*: 2 cases were abated while awaiting sentence.

1980 Firearm Statutes - COMPLIANCE & MONITORING PROGRAM

Appendix

JUVENILE OFFENDERS

VICTIMS

AGE	VICTIMS
0 - 12 YEARS	184 (9)
60 +	232 (11)
OTHER E.V.G.	24 (1)
E.V.G. SUBTOTAL	440 (21)
13 - 19	868 (42)
20 - 29	258 (12)
30 - 39	140 (7)
40 - 49	134 (6)
50 - 59	118 (6)
OTHER NON-E.V.G.	114 (6)
NON-E.V.G. SUBTOTAL	1632 (79)
TOTAL VICTIMS	2072 (100)

NOTE: E.V.G. denotes that the victim is a member of an "especially vulnerable group".

NOTE: Numbers on this table reflect information gathered from a select group of cases for which victimization data was available.

NOTE: Numbers in parentheses are percentages.

JUVENILE OFFENDERS
STATEWIDE ARRESTS BY COUNTY

9/1/78 - 12/31/81

	SUBURBAN	UPSTATE	NEW YORK CITY	STATEWIDE
Albany		46 (0.9)		
Allegany		1 (0)		
Bronx			872 (16.5)	
Broome		2 (0)		
Cattaraugus		2 (0)		
Cayuga				
Chautaugua		5 (0.1)		
Chemung		2 (0)		
Chenango		2 (0)		
Clinton		2 (0)		
Columbia				
Cortland		2 (0)		
Delaware		1 (0)		
Dutchess		12 (0.2)		
Erie		59 (1.1)		
Essex				
Franklin				
Fulton				
Genesee		1 (0)		
Greene		1 (0)		
Hamilton				
Herkimer		2 (0)		
Jefferson				
Kings			1834 (34.6)	
Lewis				
Livingston				
Madison		1 (0)		
Monroe		48 (0.9)		
Montgomery				
Nassau	103 (2.0)			
New York			1066 (20.1)	
Niagara		16 (0.3)		
Oneida		7 (0.1)		
Onondaga		53 (1.0)		
Ontario				
Orange		21 (0.4)		
Orleans				
Oswego		2 (0)		
Otsego		3 (0.1)		
Putnam		2 (0)		
Queens			719 (13.6)	
Rensselaer		10 (0.2)		
Richmond			81 (1.5)	
Rockland	17 (0.3)			
St. Lawrence		6 (0.1)		
Saratoga		4 (0.1)		
Schenectady		7 (0.1)		
Schoharie				
Schuyler				
Seneca				
Steuben		1 (0)		
Suffolk	166 (3.1)			
Sullivan		1 (0)		
Tioga				
Tompkins		10 (0.2)		
Ulster				
Warren				
Washington				
Wayne		3 (0.1)		
Westchester	105 (2.0)			
Wyoming				
Yates				
	391 (7.4)	335 (6.3)	4572 (86.3)	5298 (100)

1980 Firearms Compliance & Monitoring Program

**JUVENILE OFFENDERS
STATEWIDE ARRESTS BY CHARGE**

9/1/78 - 12/31/81

	SUBURBAN	UPSTATE	NEW YORK CITY	STATEWIDE
Robbery 1°	147 (38)	113 (34)	2,200 (48)	2,460 (46)
Robbery 2°	75 (19)	58 (17)	1,364 (30)	1,497 (28)
Assault 1°	15 (4)	17 (5)	168 (4)	200 (4)
Burglary 1°	27 (7)	13 (4)	52 (1)	92 (2)
Burglary 2°	47 (12)	35 (10)	65 (1)	147 (3)
Arson 1° + 2°	16 (4)	33 (10)	70 (2)	119 (2)
Rape 1°	29 (7)	27 (8)	253 (6)	309 (6)
Sodomy 1°	17 (4)	23 (7)	83 (2)	123 (2)
Kidnap 1° + 2°	0 (0)	0 (0)	6 (0)	6 (0)
Att. Murder 2°	7 (2)	4 (1)	136 (3)	147 (3)
Murder 2° *	11 (3)	12 (4)	123 (3)	146 (3)
Other			4 (0)	4 (0)
Unknown			48 (1)	48 (1)
Total	391 (100)	335 (100)	4,572 (100)	5,298 (100)

*Includes Manslaughter 1°
Note: Numbers in parentheses are percentages.

**JUVENILE OFFENDERS
STATEWIDE INDICTMENTS BY COUNTY
9/1/78 - 12/31/81**

	SUBURBAN	UPSTATE	NEW YORK CITY	STATEWIDE
Albany		21 (1.1)		
Allegheny		1 (.1)		
Bronx		3 (.2)	260 (14.6)	
Chautaugua		3 (.2)		
Chemung		2 (.1)		
Dutchess		13 (.7)		
Erie		1 (.1)		
Genesee		1 (.1)		
Herkimer		1 (.1)		
Kings		2 (.1)	599 (33.8)	
Livingston		16 (.9)		
Monroe				
Nassau	45 (2.5)			
New York			312 (17.6)	
Niagara		4 (.2)		
Oneida		8 (.4)		
Oranida		25 (1.4)		
Orange		7 (.4)		
Oswego		2 (.1)		
Queens			290 (16.4)	
Rensselaer		5 (.3)		
Richmond				
Rockland	4 (.2)		27 (1.5)	
St. Lawrence		11 (.6)		
Saratoga		2 (.1)		
Schenectady		4 (.2)		
Steuben		2 (.1)		
Suffolk	53 (3.0)			
Suffolk		1 (.1)		
Ulster		3 (.2)		
Wayne		1 (.1)		
Westchester	45 (2.5)			
Yates		1 (.1)		
Total	147 (8.3)	138 (7.8)	1488 (83.9)	1773 (100)

Note: Number in parentheses are percentages.

1980 Fiscal Year
Compliance Monitoring Program

**JUVENILE OFFENDERS
STATEWIDE ARRESTS BY CHARGE
9/1/78 - 12/31/81**

	SUBURBAN	UPSTATE	NEW YORK CITY	STATEWIDE
Robbery 1°	147 (38)	113 (34)	2,200 (48)	2,460 (46)
Robbery 2°	75 (19)	58 (17)	1,364 (30)	1,497 (28)
Assault 1°	15 (4)	17 (5)	168 (4)	200 (4)
Burglary 1°	27 (7)	13 (4)	52 (1)	92 (2)
Burglary 2°	47 (12)	35 (10)	65 (1)	147 (3)
Arson 1° + 2°	16 (4)	33 (10)	70 (2)	119 (2)
Rape 1°	29 (7)	27 (8)	253 (6)	309 (6)
Sodomy 1°	17 (4)	23 (7)	83 (2)	123 (2)
Kidnap 1° + 2°	0 (0)	0 (0)	6 (0)	6 (0)
Att. Murder 2°	7 (2)	4 (1)	136 (3)	147 (3)
Murder 2° *	11 (3)	12 (4)	123 (3)	146 (3)
Other			4 (0)	4 (0)
Unknown			48 (1)	48 (1)
Total	391 (100)	335 (100)	4,572 (100)	5,298 (100)

*Includes Manslaughter 1°
Note: Numbers in parentheses are percentages.

JUVENILE OFFENDERS
STATEWIDE INDICTMENTS BY COUNTY
 9/1/78 - 12/31/81

	SUBURBAN	UPSTATE	NEW YORK CITY	STATEWIDE
Albany		21 (1.1)		
Allegany		1 (.1)		
Bronx			260 (14.6)	
Chautaugua		3 (.2)		
Chemung		3 (.2)		
Dutchess		2 (.1)		
Erie		13 (.7)		
Genesee		1 (.1)		
Herkimer		1 (.1)		
Kings			599 (33.8)	
Livington		2 (.1)		
Monroe		16 (.9)		
Nassau	45 (2.5)			
New York			312 (17.6)	
Niagara		4 (.2)		
Oneida		8 (.4)		
Onondaga		25 (1.4)		
Orange		7 (.4)		
Oswego		2 (.1)		
Queens			290 (16.4)	
Rensselaer		5 (.3)		
Richmond			27 (1.5)	
Rockland	4 (.2)			
St. Lawrence		11 (.6)		
Saratoga		2 (.1)		
Schenectady		4 (.2)		
Steuben		2 (.1)		
Suffolk	53 (3.0)			
Ulster		1 (.1)		
Wayne		3 (.2)		
Westchester	45 (2.5)			
Yates		1 (.1)		
	147 (8.3)	138 (7.8)	1488 (83.9)	1773 (100)

Note: Number in parentheses are percentages.

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L

JUVENILE OFFENDERS
STATEWIDE DISPOSITIONS OF INDICTED CASES
 9/1/78 - 12/31/81

	SUBURBAN	UPSTATE	N.Y.C.	STATEWIDE
Guilty-Trial	7 (6)	10 (8)	50 (4)	67 (5)
Guilty-Plea	95 (78)	69 (56)	780 (67)	944 (67)
Total Convictions	102 (84)	79 (64)	830 (71)	1,011 (72)
Acquitted	2 (1.5)	1 (1)	30 (3)	33 (2)
Dismissed	2 (1.5)	11 (9)	63 (5)	76 (6)
	4 (3)	12 (10)	93 (8)	109 (8)
Other*	16 (13)	33 (26)	244 (21)	293 (20)
TOTAL	122 (100)	124 (100)	1,167 (100)	1,413 (100)

*Includes removals from Superior Court, pleas to non-JO charges, indictment consolidations, and other dispositions.

Note: Numbers in parentheses are percentages.

M

JUVENILE OFFENDERS
SURBURBAN AND UPSTATE SENTENCES*
 1/1/80 - 12/31/81

	SUBURBAN	UPSTATE
36 MONTHS**	16 (55)	10 (28)
37 - 53**	3 (10)	5 (14)
54 - 71	1 (4)	2 (5)
72 - 95	5 (17)	12 (33)
96 - 107	0	1 (3)
108 - 143	2 (7)	5 (14)
144 - 180	0	0
181 - LIFE	0	0
LIFE	2 (7)	1 (3)
TOTAL SENTENCES	29 (100)	36 (100)

* For complete New York City sentencing figures see Table G.

**Includes juveniles sentenced as "youthful offenders."

NOTE: All sentences indicted are maximums; generally, the minimum sentence is 1/3 the maximum. When the maximum sentence is life, the minimum can range from five to nine years.

NOTE: Numbers in parentheses are percentages.

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L

JUVENILE OFFENDERS
STATEWIDE DISPOSITIONS OF INDICTED CASES
 9/1/78 - 12/31/81

	SUBURBAN	UPSTATE	N.Y.C.	STATEWIDE
Guilty-Trial	7 (6)	10 (8)	50 (4)	67 (5)
Guilty-Plea	95 (78)	69 (56)	780 (67)	944 (67)
Total Convictions	102 (84)	79 (64)	830 (71)	1,011 (72)
Acquitted	2 (1.5)	1 (1)	30 (3)	33 (2)
Dismissed	2 (1.5)	11 (9)	63 (5)	76 (6)
	4 (3)	12 (10)	93 (8)	109 (8)
Other*	16 (13)	33 (26)	244 (21)	293 (20)
TOTAL	122 (100)	124 (100)	1,167 (100)	1,413 (100)

*Includes removals from Superior Court, pleas to non-JO charges, indictment consolidations, and other dispositions.

Note: Numbers in parentheses are percentages.

M

JUVENILE OFFENDERS
SURBURBAN AND UPSTATE SENTENCES*
 1/1/80 - 12/31/81

	SUBURBAN	UPSTATE
36 MONTHS**	16 (55)	10 (28)
37 - 53**	3 (10)	5 (14)
54 - 71	1 (4)	2 (5)
72 - 95	5 (17)	12 (33)
96 - 107	0	1 (3)
108 - 143	2 (7)	5 (14)
144 - 180	0	0
181 - LIFE	0	0
LIFE	2 (7)	1 (3)
TOTAL SENTENCES	29 (100)	36 (100)

* For complete New York City sentencing figures see Table G.

**Includes juveniles sentenced as "youthful offenders."

NOTE: All sentences indicted are maximums; generally, the minimum sentence is 1/3 the maximum. When the maximum sentence is life, the minimum can range from five to nine years.

NOTE: Numbers in parentheses are percentages.

STATUTES
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The 1980 New York State Firearm Legislation

Introduction

This section of the report provides data on the new firearm statutes, which became effective on August 12, 1980. The legislation created new gun related offense categories, further restricted plea bargaining, enhanced sentences for these offenses, and placed additional controls on the sale and possession of firearms.

Arrest and indictment processing data is presented for felony cases involving the use, display or possession of a firearm. Additionally, a study of the impact of the legislation on the processing of certain cases is included.

Among the significant new firearm related offenses are:

1. PL Section 120.11 - Aggravated Assault on a Peace Officer - A Class B Armed Felony Offense (Defendant, with intent, causes serious physical injury to a peace officer performing his/her official duties, by means of a firearm);
2. PL Section 265.02 Subdivision (4) - Criminal Possession of a Weapon 3° - A Class D Armed Violent Felony (possession of a loaded gun outside home or place of business);
3. PL Section 265.02 Subdivision (5) - Criminal Possession of a Weapon 3° - A Class D Armed Violent Felony. (Possession of 20 or more firearm OR possession of firearm outside home or place of business with previous Class A misdemeanor conviction within in five years immediately preceding this possession);
4. PL Section 265.08 - Criminal Use of a Firearm 2° - A Class C Armed Violent Felony (Possession of a loaded weapon during the commission of a Class C Violent Felony OR display of a loaded weapon during the commission of Class C Violent Felony);
5. PL Section 265.09 - Criminal Use of a Firearm 1° - A Class B Armed Violent Felony (same as 265.08 during the commission of a B Violent Felony);

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6. PL Section 265.12 - Criminal Sale of a Firearm 1° - A Class D Violent Felony. (Unlawful sale of 20 or more firearms); and,
7. PL Section 265.11 - Criminal Sale of a Firearm 2° - A Class E Felony. (Unauthorized sale of, or possession of, with intent to sell 5 or more firearms).

Under the new law, most firearm offenses are classified as Violent Felony Offenses, carrying stringent plea restrictions and mandatory sentences upon conviction to a VFO. Two offenses, Criminal Possession of a Weapon 1° (265.04) and Criminal Possession of a Weapon 2° (265.03), were already designated Violent Felonies.

The new plea restrictions prohibit anything less than a Class C VFO plea on a Class B Armed Felony indictment. Additionally, pleas to 265.01 (A misdemeanor) from 265.02 were prohibited for any defendant convicted of a Class A misdemeanor within five years.

With regard to sentencing, the new law's major change was the mandatory imposition of a prison sentence of at least one year upon conviction of possession of a loaded weapon outside the home or place of business. However, the law establishes procedures to permit the court to sentence outside this provision, if the sentence is considered unduly harsh.

Since the law has been in effect, DCJS' efforts have been directed at ensuring a complete and accurate accounting of all of the firearm cases in the system covered by the new law and to provide timely disposition data on them. This effort requires much programming time and extensive manual verification and update in the field. These efforts at cleaning the data base and revising the information system are on-going. As these procedures are routinized, more automated manipulation of the data can take place.

Felony Firearm Arrests (8/12/80 - 12/31/81)*

Highlights

- * From 8/12/80 through 12/31/81, there were 15,600 felony gun arrests in New York State. Ninety percent of these arrests occurred in NYC; and,
- * In NYC, Criminal Use of a Firearm 1° (265.09) was the most frequent arrest charge (38.1%), while Criminal Possession of a Weapon 3° accounted for over 60% of the arrests Upstate and in Suburban NYC.

Between 8/12/80 and 12/31/81, 15,600 felony firearm arrests were reported throughout New York State.

New York City accounted for 14,042 or 90% of the felony firearm arrests, while Upstate reported 994 felony arrests (6.4%) and Suburban NYC totaled 564 (3.6%).

Of the 14,042 New York City felony arrests, Kings County accounted for 36.4%, followed by New York County (28.8%) and the Bronx (22.8%).

Six counties were responsible for 68% of all felony firearm arrests outside of New York City. Erie had 294 felony firearm arrests, followed by Nassau (252), Westchester (174), Monroe (149), Suffolk (115) and Onondaga (69).

Almost 38% of the statewide felony firearm offenses charged Criminal Possession of a Weapon in the third degree (265.02) and 35.1% involved Criminal Use of a Firearm in the first degree. In New York City, CPW 3° accounted for only 34.8% of the felony gun arrests, while the proportion of felony firearm arrests charging simple possession of a loaded firearm was considerably higher Upstate (62.9%) and in Suburban NYC (60.3%).

*August 12, 1980 is the date the Gun Law became operational. Because the law is new, DCJS has determined that for this report it would be most valuable to present data for the entire period the law has been in effect (8/12/80 - 12/31/81).

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6. PL Section 265.12 - Criminal Sale of a Firearm 1° - A Class D Violent Felony. (Unlawful sale of 20 or more firearms); and,
7. PL Section 265.11 - Criminal Sale of a Firearm 2° - A Class E Felony. (Unauthorized sale of, or possession of, with intent to sell 5 or more firearms).

Under the new law, most firearm offenses are classified as Violent Felony Offenses, carrying stringent plea restrictions and mandatory sentences upon conviction to a VFO. Two offenses, Criminal Possession of a Weapon 1° (265.04) and Criminal Possession of a Weapon 2° (265.03), were already designated Violent Felonies.

The new plea restrictions prohibit anything less than a Class C VFO plea on a Class B Armed Felony indictment. Additionally, pleas to 265.01 (A misdemeanor) from 265.02 were prohibited for any defendant convicted of a Class A misdemeanor within five years.

With regard to sentencing, the new law's major change was the mandatory imposition of a prison sentence of at least one year upon conviction of possession of a loaded weapon outside the home or place of business. However, the law establishes procedures to permit the court to sentence outside this provision, if the sentence is considered unduly harsh.

Since the law has been in effect, DCJS' efforts have been directed at ensuring a complete and accurate accounting of all of the firearm cases in the system covered by the new law and to provide timely disposition data on them. This effort requires much programming time and extensive manual verification and update in the field. These efforts at cleaning the data base and revising the information system are on-going. As these procedures are routinized, more automated manipulation of the data can take place.

Felony Firearm Arrests (8/12/80 - 12/31/81)*

Highlights

- * From 8/12/80 through 12/31/81, there were 15,600 felony gun arrests in New York State. Ninety percent of these arrests occurred in NYC; and,
- * In NYC, Criminal Use of a Firearm 1° (265.09) was the most frequent arrest charge (38.1%), while Criminal Possession of a Weapon 3° accounted for over 60% of the arrests Upstate and in Suburban NYC.

Between 8/12/80 and 12/31/81, 15,600 felony firearm arrests were reported throughout New York State.

New York City accounted for 14,042 or 90% of the felony firearm arrests, while Upstate reported 994 felony arrests (6.4%) and Suburban NYC totaled 564 (3.6%).

Of the 14,042 New York City felony arrests, Kings County accounted for 36.4%, followed by New York County (28.8%) and the Bronx (22.8%).

Six counties were responsible for 68% of all felony firearm arrests outside of New York City. Erie had 294 felony firearm arrests, followed by Nassau (252), Westchester (174), Monroe (149), Suffolk (115) and Onondaga (69).

Almost 38% of the statewide felony firearm offenses charged Criminal Possession of a Weapon in the third degree (265.02) and 35.1% involved Criminal Use of a Firearm in the first degree. In New York City, CPW 3° accounted for only 34.8% of the felony gun arrests, while the proportion of felony firearm arrests charging simple possession of a loaded firearm was considerably higher Upstate (62.9%) and in Suburban NYC (60.3%).

*August 12, 1980 is the date the Gun Law became operational. Because the law is new, DCJS has determined that for this report it would be most valuable to present data for the entire period the law has been in effect (8/12/80 - 12/31/81).

COMPLIANCE & MONITORING PROGRAM

Felony Gun Arrests By Charge
(8/12/80 - 12/31/81)

	CUF 1° 265.09	CPW 2° 265.03	CUF 2° 265.08	CPW 3° 265.02	Other	Total
Statewide	5,483 35.1%	3,299 21.1%	882 5.7%	5,852 37.5%	84 .5%	15,600 100%
New York City	5,344 38.1%	2,933 20.9%	842 6.0%	4,887 34.8%	36 .3%	14,042 100%
Suburban	78 13.8%	125 22.2%	9 1.6%	340 60.3%	12 2.1%	564 100%
Upstate	61 6.1%	241 24.2%	31 3.1%	625 62.9%	36 3.6%	994 100%

Among the New York City counties, the differences in arrest charges are not so extreme. While Kings county had a higher proportion of criminal use of a firearm (265.09 and .08) arrests than the other counties, it had a relatively lower volume of 265.03 arrests. It should be noted that these two charges are frequently applied to the same type of criminal incident.

New York City Felony Gun Arrests By Charge
(8/12/80 - 12/31/81)

	CUF 1°	CPW 2°	CUF 2°	CPW 3°	Other	Total
Kings	2,340 45.8%	746 14.6%	469 9.2%	1,544 30.2%	6 .1%	5,105 100%
Manhattan	1,417 35.0%	902 22.3%	218 5.4%	1,496 36.9%	16 .4%	4,049 100%
Bronx	1,006 31.8%	816 25.8%	105 3.3%	1,233 39.0%	4 .1%	2,164 100%
Queens	571 36.5%	396 25.3%	48 3.1%	541 34.5%	10 .6%	1,566 100%
Richmond	10 6.3%	73 46.2%	2 1.3%	73 46.2%	0 0	158 100%
Citywide	5,344 38.1%	2,933 20.9%	842 6.0%	4,887 34.8%	36 .3%	14,042 100%

COUNTY FELONY GUN ARRESTS
8/12/80 - 12/31/81

COUNTY	TOTAL FELONY ARRESTS	%
Albany	41	.3
Allegany	5	*
Broome	9	.1
Bronx	3164	20.3
Cattaraugus	14	.1
Cayuga	-	-
Chautauqua	10	.1
Chemung	5	*
Chenango	3	*
Clinton	31	.2
Columbia	2	*
Cortland	11	.1
Delaware	4	*
Dutchess	28	.2
Erie	294	1.9
Essex	42	.3
Franklin	3	*
Fulton	4	*
Genesee	8	.1
Greene	9	.1
Hamilton	5	*
Herkimer	2	*
Jefferson	8	.1
Kings	5105	32.7
Lewis	-	-
Livingston	3	*
Madison	2	*
Monroe	147	.9
Montgomery	2	*
Nassau	252	1.6
New York	4049	26.0
Niagara	33	.2
Oneida	23	.1
Onondaga	69	.4
Ontario	4	*
Orange	34	.2
Orleans	3	*
Oswego	3	*
Otsego	4	*
Putnam	10	.1
Queens	1566	10.0
Rensselaer	10	.1
Richmond	158	1.0
Rockland	23	.1
St. Lawrence	16	.1
Saratoga	5	*
Schenectady	7	*
Schoharie	2	*
Schuyler	-	-
Seneca	3	*
Steuben	6	*
Suffolk	115	.7
Sullivan	13	.1
Tioga	1	*
Tompkins	9	.1
Ulster	12	.1
Warren	2	*
Washington	3	*
Wayne	25	.2
Westchester	174	1.1
Wyoming	3	*
Yates	-	-
TOTAL	15,600	

*less than .1

COMPLIANCE & MONITORING PROGRAM

Firearm Indictments

Highlights

- * From 8/12/80 through 12/31/81, 10,311 indictments charging use, possession or display of a firearm were reported statewide;
- * Almost 90% of the indictments occurred in New York City; and
- * The gun offense was the most serious charge in 46.4% of the indictments.

This section presents data on all indictments involving the use, possession or display of a firearm stemming from post 8/11/80 criminal incidents (including all indictments designated Armed Felonies).

From 8/12/80 through 12/31/81 a total of 10,311 indictments charging use, possession or display of a firearm have been reported statewide. Of these, 9,260 (89.8%) were in New York City, 650 (6.3%) occurred in Suburban NYC and 401 (3.9%) were reported Upstate.

Kings County accounted for 35.7% of the NYC indictments with New York County and the Bronx accounting for 26.3% and 22% respectively. (Kings reported 32% of all the statewide firearm indictments.)

Six counties (Westchester, Nassau, Suffolk, Onondaga, Erie and Monroe) accounted for over 78% of all firearm indictments outside of New York City.

Statewide, the gun charge was the most serious indictment charge in a minority (46.4%) of the indictments.

In New York City the gun charge was the most serious charge in a higher percentage of indictments (47.7%) than in Suburban NYC (31.5%) and Upstate (42.1%).

Class D Penal Law Section 265 charges (mostly CPW 3°) accounted for 39.3% of the statewide indictments, while armed robbery indictments (PL 160) totaled 37.5%.

FIREARM INDICTMENTS BY CHARGE AND AREA
(8/12/80 - 12/31/81)

INDICTMENT CHARGE	NY CO.	KINGS	BRONX	QUEENS	NYC			STATEWIDE	
					TOTAL*	SUBURBAN	UPSTATE	TOTAL	PERCENT
Gun Most Serious PL 265									
PL 265 Class B	1	2	2	11	16	2	2	20	.2%
PL 265 Class C	145	316	66	81	615	24	26	665	6.4%
PL 265 Class D	1,160	1,213	866	492	3,755	177	119	4,051	39.3%
PL 265 Class E	5	2	16	1	25	1	7	33	.3%
PL 265 Class Misd.	1	0	1	0	2	1	15	18	.2%
PL 265 SUB-TOTAL	1,312	1,533	951	585	4,413	205	169	4,787	46.4%
Gun Less Serious									
Class A PL 125	83	162	138	70	458	43	24	525	5.1%
Class A Other	0	26	17	5	48	0	0	48	.5%
Class A SUB-TOTAL	83	188	155	75	506	43	24	573	5.6%
Class B PL 125	71	86	81	57	296	12	7	315	3.1%
Class B PL 130	8	34	19	10	71	5	6	82	.8%
Class B PL 160	623	872	661	462	2,643	276	96	3,015	29.2%
Class B Other	18	60	17	52	148	21	25	194	1.9%
Class B SUB-TOTAL	720	1,052	778	581	3,158	314	134	3,606	35.0%
Class C PL 120	12	52	11	24	102	10	22	134	1.3%
Class C PL 140	20	63	12	11	106	16	6	128	1.2%
Class C PL 160	212	350	103	86	760	33	11	804	7.8%
Class C Other	20	24	13	11	69	8	17	94	.9%
Class C SUB-TOTAL	264	489	139	132	1,037	67	56	1,160	11.3%
Class D PL 120	19	31	9	11	71	11	7	89	.9%
Class D Other	30	12	6	18	69	10	10	89	.9%
Class D SUB-TOTAL	49	43	15	29	140	21	17	178	1.7%
Class E	0	0	1	0	1	0	0	1	.0%
Misdemeanor	4	1	0	0	5	0	1	6	.1%
Gun Less Serious Sub-Total	1,120	1,773	1,088	817	4,847	485	232	5,524	53.6%
GRAND TOTAL	2,432	3,306	2,039	1,402	9,260*	650	401	10,311	100%
PERCENT	23.6%	32.1%	19.8%	13.6%	89.8%	6.3%	3.9%	100%	

*Includes Richmond County

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FIREARM INDICTMENTS
(8/12/80 - 12/31/81)

<u>COUNTY</u>	<u>GUN MOST SERIOUS</u>	<u>GUN LESS SERIOUS</u>	<u>TOTAL</u>	<u>PERCENT</u>
Albany	13	5	18	.2%
Allegany	2	1	3	0%
Broome	0	0	0	0%
Bronx	951	1,088	2,039	19.8%
Cattaraugus	1	5	6	.1%
Cayuga	0	0	0	0%
Chautaugua	6	1	7	.1%
Chemung	2	9	11	.1%
Chenango	0	5	5	0%
Clinton	1	0	1	0%
Columbia	0	0	0	0%
Cortland	1	5	6	.1%
Delaware	0	0	0	0%
Dutchess	4	2	6	.1%
Erie	24	71	95	.9%
Essex	0	0	0	0%
Franklin	3	1	4	*
Fulton	2	2	4	*
Genesee	2	0	2	0%
Greene	2	4	6	.1%
Hamilton	1	0	1	0%
Herkimer	0	0	0	0%
Jefferson	3	3	6	.1%
Kings	1,533	1,773	3,306	32.1%
Lewis	0	0	0	0%
Livingston	2	2	4	*
Madison	2	2	4	*
Monroe	17	17	34	.3%
Montgomery	3	0	3	*
Nassau	83	132	215	2.1%
New York	1,312	1,120	2,432	23.6%
Niagara	4	4	8	.1%
Oneida	8	8	16	.2%
Onondaga	31	38	69	.7%
Ontario	1	4	5	0%
Orange	7	3	10	.1%
Orleans	6	5	11	.1%
Oswego	0	2	2	0%
Otsego	0	0	0	0%
Putnam	1	2	3	*
Queens	585	817	1,402	13.6%
Rensselaer	1	0	1	*
Richmond	32	49	81	.8%
Rockland	6	14	20	.2%
St. Lawrence	1	1	2	0%
Saratoga	0	0	0	0%
Schenectady	5	8	13	.1%
Schoharie	0	0	0	0%
Schuyler	0	0	0	0%
Seneca	1	0	1	0%
Stauban	3	8	11	.1%
Suffolk	49	106	155	1.5%
Sullivan	0	0	0	0%
Tioga	2	1	3	*
Tompkins	1	0	1	*
Ulster	3	1	4	*
Warren	0	3	3	*
Washington	0	4	4	*
Wayne	2	5	7	.1%
Westchester	67	193	260	2.5%
Wyoming	1	0	1	*
Yates	0	0	0	0%
TOTAL	4,787	5,524	10,311	100.0%

*less than .1

Dispositions and Convictions on Firearm Indictments
(8/12/80 - 12/31/81)

Highlights

- * Statewide, 5,115 dispositions were reported;
- * Pleas accounted for 71.3% of the dispositions. Suburban NYC had a plea rate of over 86%;
- * The statewide trial rate was 11.5%;
- * The overall statewide conviction rate was 78.7% and the net conviction rate was 84.2%.

Dispositions on firearm indictments totaled 5,115 statewide. Almost 89% (4,533) of the statewide dispositions were reported in New York City. Three hundred and sixty-one dispositions were reported in Suburban NYC and 221 were reported Upstate.

Statewide, pleas of guilty accounted for 71.3% of the dispositions, 7.5% were found guilty at trial, 4.0% were acquitted, 10.9% were dismissed and another 6.4% were disposed by administrative procedures and dismissals. The trial rate was 11.5% and should continue to increase as the caseload matures.

While pleas accounted for 86.4% of the dispositions in Suburban NYC, they totaled only 70% of the dispositions in New York City and 72% Upstate. The trial rate Upstate was almost 17% and in NYC it was 11.4%. This compares to a 8.6% trial rate in Suburban NYC. The Suburban dismissal rate was approximately one-third the NYC rate and one-half the Upstate rate. Administrative procedures accounted for 8% of New York City's dispositions.

Indictments charging CPW 3° (265.02) accounted for 39.9% of the dispositions in NYC, 30.7% of the dispositions in Suburban NYC and 30.3% of the dispositions Upstate. Robbery 1° indictments totaled

COMPLIANCE & MONITORING PROGRAM

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FIREARM INDICTMENTS BY CHARGE AND AREA
(8/12/80 - 12/31/81)

INDICTMENT CHARGE	NY CO.	KINGS	BRONX	QUEENS	NYC			STATEWIDE	
					TOTAL*	SUBURBAN	UPSTATE	TOTAL	PERCENT
Gun Most Serious PL 265									
PL 265 Class B	1	2	2	11	16	2	2	20	.2%
PL 265 Class C	145	316	66	81	615	24	26	665	6.4%
PL 265 Class D	1,160	1,213	866	492	3,755	177	119	4,051	39.3%
PL 265 Class E	5	2	16	1	25	1	7	33	.3%
PL 265 Class Misd.	1	0	1	0	2	1	15	18	.2%
PL 265 SUB-TOTAL	1,312	1,533	951	585	4,413	205	169	4,787	46.4%
Gun Less Serious									
Class A PL 125	83	162	138	70	458	43	24	525	5.1%
Class A Other	0	26	17	5	48	0	0	48	.5%
Class A SUB-TOTAL	83	188	155	75	506	43	24	573	5.6%
Class B PL 125	71	86	81	57	296	12	7	315	3.1%
Class B PL 130	8	34	19	10	71	5	6	82	.8%
Class B PL 160	623	872	661	462	2,643	276	96	3,015	29.2%
Class B Other	18	60	17	52	148	21	25	194	1.9%
Class B SUB-TOTAL	720	1,052	778	581	3,158	314	134	3,606	35.0%
Class C PL 120	12	52	11	24	102	10	22	134	1.3%
Class C PL 140	20	63	12	11	106	16	6	128	1.2%
Class C PL 160	212	350	103	86	760	33	11	804	7.8%
Class C Other	20	24	13	11	69	8	17	94	.9%
Class C SUB-TOTAL	264	489	139	132	1,037	67	56	1,160	11.3%
Class D PL 120	19	31	9	11	71	11	7	89	.9%
Class D Other	30	12	6	18	69	10	10	89	.9%
Class D SUB-TOTAL	49	43	15	29	140	21	17	178	1.7%
Class E	0	0	1	0	1	0	0	1	.0%
Misdemeanor	4	1	0	0	5	0	1	6	.1%
Gun Less Serious Sub-Total	1,120	1,773	1,088	817	4,847	445	232	5,524	53.6%
GRAND TOTAL	2,432	3,306	2,039	1,402	9,260*	650	401	10,311	100%
PERCENT	23.6%	32.1%	19.0%	13.6%	89.9%	6.3%	3.9%	100%	

*Includes Richmond County

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FIREARM INDICTMENTS
(8/12/80 - 12/31/81)

<u>COUNTY</u>	<u>GUN MOST SERIOUS</u>	<u>GUN LESS SERIOUS</u>	<u>TOTAL</u>	<u>PERCENT</u>
Albany	13	5	18	.2%
Allegany	2	1	3	0%
Broome	0	0	0	0%
Bronx	951	1,088	2,039	19.8%
Cattaraugus	1	5	6	.1%
Cayuga	0	0	0	0%
Chautaugua	6	1	7	.1%
Chemung	2	9	11	.1%
Chenango	0	5	5	0%
Clinton	1	0	1	0%
Columbia	0	0	0	0%
Cortland	1	5	6	.1%
Delaware	0	0	0	0%
Dutchess	4	2	6	.1%
Erie	24	71	95	.9%
Essex	0	0	0	0%
Franklin	3	1	4	0%
Fulton	2	2	4	0%
Genesee	2	0	2	0%
Greene	2	4	6	.1%
Hamilton	1	0	1	0%
Herkimer	0	0	0	0%
Jefferson	3	3	6	.1%
Kings	1,533	1,773	3,306	32.1%
Lewis	0	0	0	0%
Livingston	2	2	4	0%
Madison	2	2	4	0%
Monroe	17	17	34	.3%
Montgomery	3	0	3	0%
Nassau	83	132	215	2.1%
New York	1,312	1,120	2,432	23.6%
Niagara	4	4	8	.1%
Oneida	8	8	16	.2%
Onondaga	31	38	69	.7%
Ontario	1	4	5	0%
Oranget	7	3	10	.1%
Orleans	6	5	11	.1%
Oswego	0	2	2	0%
Otsego	0	0	0	0%
Putnam	1	2	3	0%
Queens	585	817	1,402	13.6%
Rensselaer	1	0	1	0%
Richmond	32	49	81	.8%
Rockland	6	14	20	.2%
St. Lawrence	1	1	2	0%
Saratoga	0	0	0	0%
Schenectady	5	8	13	.1%
Schoharie	0	0	0	0%
Schuyler	0	0	0	0%
Seneca	1	0	1	0%
Stauban	3	8	11	.1%
Suffolk	49	106	155	1.5%
Sullivan	0	0	0	0%
Tioga	2	1	3	0%
Tompkins	1	0	1	0%
Ulster	3	1	4	0%
Warren	0	3	3	0%
Washington	0	4	4	0%
Wayne	2	5	7	.1%
Westchester	67	193	260	2.5%
Wyoming	1	0	1	0%
Yates	0	0	0	0%
TOTAL	4,787	5,524	10,311	100.0%

*less than .1

Dispositions and Convictions on Firearm Indictments
(8/12/80 - 12/31/81)

Highlights

- * Statewide, 5,115 dispositions were reported;
- * Pleas accounted for 71.3% of the dispositions. Suburban NYC had a plea rate of over 86%;
- * The statewide trial rate was 11.5%;
- * The overall statewide conviction rate was 78.7% and the net conviction rate was 84.2%.

Dispositions on firearm indictments totaled 5,115 statewide.

Almost 89% (4,533) of the statewide dispositions were reported in New York City. Three hundred and sixty-one dispositions were reported in Suburban NYC and 221 were reported Upstate.

Statewide, pleas of guilty accounted for 71.3% of the dispositions, 7.5% were found guilty at trial, 4.0% were acquitted, 10.9% were dismissed and another 6.4% were disposed by administrative procedures and dismissals. The trial rate was 11.5% and should continue to increase as the caseload matures.

While pleas accounted for 86.4% of the dispositions in Suburban NYC, they totaled only 70% of the dispositions in New York City and 72% Upstate. The trial rate Upstate was almost 17% and in NYC it was 11.4%. This compares to a 8.6% trial rate in Suburban NYC. The Suburban dismissal rate was approximately one-third the NYC rate and one-half the Upstate rate. Administrative procedures accounted for 8% of New York City's dispositions.

Indictments charging CPW 3° (265.02) accounted for 39.9% of the dispositions in NYC, 30.7% of the dispositions in Suburban NYC and 30.3% of the dispositions Upstate. Robbery 1° indictments totaled

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DISPOSITIONS OF FIREARM INDICTMENTS
(8/12/80 - 12/31/81)

	PLED GUILTY	FOUND GUILTY	TOTAL CONVICTIONS	ACQUITTALS	DISMISSALS	Administrative Dismissals and Procedures				TOTAL DISPOSITIONS
						COVERED	SUPER.	CONSOL.	OTHER*	
New York City	3,173	330	3,503	188	524	46	202	19	51	4,533
%	70.0%	7.3%	77.3%	4.1%	11.6%	1.0%	4.5%	.4%	1.1%	100%
Manhattan	884	98	982	38	118	5	42	6	17	1,208
%	73.2%	8.1%	81.3%	3.1%	9.8%	.4%	3.5%	.5%	1.4%	100%
Kings	1,148	99	1,247	53	179	1	81	3	18	1,582
%	72.6%	6.3%	78.8%	3.4%	11.3%	.1%	5.1%	.2%	1.1%	100%
Bronx	728	87	815	59	163	17	57	6	9	1,126
%	64.7%	7.7%	72.4%	5.2%	14.5%	1.5%	5.1%	.5%	.8%	100%
Queens	363	42	405	37	62	23	22	4	7	560
%	64.8%	7.5%	72.3%	6.6%	11.1%	4.1%	3.9%	.7%	1.3%	100%
Richmond	50	4	54	1	2	0	0	0	0	57
%	87.7%	7.0%	94.7%	1.7%	3.5%	0%	0%	0%	0%	100%
Suburban	312	25	337	6	13	1	0	0	4	361
%	86.4%	6.9%	93.3%	1.7%	3.6%	.3%	0%	0%	1.1%	100%
Upstate	160	28	188	9	19	3	0	0	2	221
%	72.3%	12.7%	85.0%	4.1%	8.6%	1.4%	0%	0%	.9%	100%
State	3,645	383	4,028	203	556	50	202	19	57	5,115
%	71.3%	7.5%	78.7%	4.0%	10.9%	1.0%	3.9%	.4%	1.1%	100%

*Includes: Abated, etc.

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32.5% of the dispositions in NYC, 41.3% of those disposed in Suburban NYC and 24.9% of the total Upstate.

Convictions (8/12/80 -12/31/81)

Statewide, the overall conviction rate was 78.7%. The conviction rate for indictments where the gun charge was the most serious charge was 74.9% and for indictments where the gun offense was the less serious charge the rate was 82%.

In New York City, the overall conviction rate was 77.3%. For indictments where the gun was the most serious charge, the conviction rate was 73.5% which is distinctly lower than the 80.6% conviction rate for those indictments where the gun was not the top charge.

The overall conviction rate in Suburban NYC was 93.3% and Upstate it was 85%.

Dispositions By Indictment Charge
8/12/80 - 12/31/81

<u>Charge</u>	<u>Convicted</u>	<u>Acquitted</u>	<u>Dismissed</u>	<u>Other*</u>	<u>Total</u>
<u>New York City</u>					
<u>Gun Most Serious</u>					
265.03	191	23	26	14	254
265.02	1,328	55	323	103	1,809
Other	44	5	7	7	63
Sub-Total	1,563	83	356	124	2,126
<u>Gun Less Serious</u>					
160.15	1,174	59	103	135	1,471
160.10	311	2	13	13	339
Other	455	44	52	46	597
Sub-Total	1,940	105	168	192	2,407
GRAND TOTAL	3,503	188	524	318	4,533
<u>Suburban</u>					
<u>Gun Most Serious</u>					
265.03	11	1	1	0	13
265.02	105	1	3	2	111
Other	2	0	0	0	2
Sub-Total	118	2	4	2	126
<u>Gun Less Serious</u>					
160.15	145	2	1	1	149
160.10	18	0	0	0	18
Other	56	2	8	2	68
Sub-Total	219	4	9	3	235
GRAND TOTAL	337	6	13	5	361

*Other includes: Superseded Indictments, Consolidations, Abatements, Covers, etc.

COMPLIANCE MONITORING

CURRENT PROGRAM

Appendix

<u>Charge</u>	<u>Convicted</u>	<u>Acquitted</u>	<u>Dismissed</u>	<u>Other*</u>	<u>Total</u>
<u>Upstate</u>					
Gun Most Serious					
265.03	10	1	1	1	13
265.02	52	4	9	2	67
Other	13	0	0	0	13
Sub-Total	75	5	10	3	93
Gun Less Serious					
160.15	49	1	5	0	55
160.10	14	0	0	0	14
Other	50	3	4	2	59
Sub-Total	113	4	9	2	128
GRAND TOTAL	188	9	19	5	221

In addition to the overall conviction rate, we also provide the "net" conviction rate. The "net" conviction rate eliminates administrative procedures from the disposition figures and takes the conviction rate as a percent of dispositions disposed on their merits.

Examination of the net conviction rates reveals that the differences among the three geographical areas of the State and among the four major counties of New York City are less extreme than those conveyed by the total conviction rate.

Firearm Indictment Conviction Rate

	<u>Total Conviction Rate</u>	<u>Net Conviction Rate**</u>
New York City	77.3%	83.1%
Bronx	72.4%	78.6%
Kings	78.8%	84.3%
New York	81.3%	86.3%
Queens	72.3%	80.4%
Richmond	94.7%	94.7%
Suburban New York City	93.3%	94.7%
Upstate	85.0%	87.0%
Statewide	78.7%	84.1%

*Other includes: Superceded Indictments, Consolidations, Abatements, Covers, etc.

**Convictions divided by dispositions minus administrative procedures.

Firearm Plea Analysis (8/12/80 - 12/31/81)

Highlights

- * Ninety-three percent of the pleas in NYC, 79% of the pleas Upstate, and 80% of the pleas in Suburban NYC were to highest or next highest charge class;
- * In NYC, 50% of the pleas from CPW 3° are to the attempt and 46% are to the top charge; and,
- * The unaudited compliance rate with the plea restrictions is in excess of 94%.

Since pleas accounted for 71.3% of all dispositions and over 90% of all convictions throughout the State, it is important to examine them more closely as to the conviction charges that resulted.

In New York City, 1,448 or 46% of the 3,173 pleas have been to the same felony class as the top indictment charge and another 47% were to the next highest class. With regard to the two most frequent indictment charges disposed: 46.3% of the 265.02 (CPW 3°) pleas resulted in convictions to the same charge and another 50.3% pled guilty to Attempt 265.02; and 44% of the Robbery 1° pleas were to Robbery 1°, 22.6% pled to Attempt Robbery 1° and another 21.4% pled to Robbery 2°.

Upstate, 53.1% of the pleas resulted in convictions to the same felony class and another 25.6% were pleas to the next highest felony class. In Suburban NYC, the figures are 40.1% to the same class and another 39.7% to the next highest felony class.

Percent of Pleas to Highest or Next Highest Offense Classification

<u>Indictment Charge</u>	<u># of Pleas</u>	<u>Conviction Charge</u>	
		<u>Highest Class</u>	<u>Next Highest Class</u>
<u>NYC</u>			
Gun Most Serious	1,473	658	749
		44.7%	50.8%
Gun Less Serious	1,700	790	756
		46.5%	44.5%
Total	3,173	1,448	1,505
		45.6%	47.4%

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Indictment Charge	# of Pleas	Conviction Charge	
		Highest Class	Next Highest Class
<u>Suburban NYC</u>			
Gun Most Serious	109	36	38
		33.0%	34.9%
Gun Less Serious	203	89	86
		43.8%	42.4%
Total	312	125	124
		40.1%	39.7%
<u>Upstate</u>			
Gun Most Serious	68	36	16
		52.9%	23.5%
Gun Less Serious	92	49	35
		53.3%	38.0%
Total	160	85	41
		53.1%	25.6%

From the data submitted to DCJS the number of pleas apparently not in compliance with the various plea restrictions that apply to Armed Felony cases was 214 statewide. This represents 5.9% of the 3,645 statewide pleas. Based upon our experience of checking improper Violent Felony pleas over the last three years, the real number is probably half that many. Cases are usually eliminated for two reasons: improper data reported (for example, failure to report the charge as an attempt); and intermediate processing data not recorded in the system (for example, the dismissal of the armed count in the indictment, but not the entire indictment).

These cases are individually identified on regular DCJS compliance computer runs and then subjected to a field audit on a periodic basis. Corrections are then made to the data base and both the prosecutors and courts receive lists of confirmed improper pleas for their examination and use.

FIREARMS
Indicted v. Convicted Offense
Pleas Only
(8/12/80 - 12/31/81)
NEW YORK CITY

GUN MOST SERIOUS INDICTMENT CHARGE												
Gun Indict. Charge	Conviction Charge		Other			Other		Other		Other		Total
	Class B	265.03	Class C	265.02	110/265.03	Class D	110/265.02	Class E	265.01	Misdemeanor		
Class B	2	0	1	0	0	2	0	0	0	0	5	
265.03 C	0	51	1	53	35	11	8	1	0	6	166	
Other Class C	0	0	0	0	0	0	0	0	0	0	0	
265.02 D	0	0	0	591	0	9	642	6	22	7	1,277	
Other Class D	0	0	0	0	0	1	0	1	0	0	2	
Class E	0	0	0	0	0	0	15	4	1	0	20	
Misdemeanor	0	0	0	0	0	0	0	0	3	0	3	
TOTAL	2	51	2	644	35	23	665	12	26	13	1,473	
GUN LESS SERIOUS CHARGE												
Indict. Charge	Conviction Charge		Other			Other		Other		Other		Total
	Class A	160.15	Class B	160.10	110/160.15	Class C	110/160.10	Class D	Class E	Misdemeanor		
Class A	11	2	32	0	2	5	0	2	2	0	56	
160.15 B	0	455	0	221	233	6	102	12	2	1	1,032	
Other Class B	0	2	48	0	4	37	2	12	0	0	105	
160.10 C	0	0	0	153	0	1	145	3	2	1	305	
110/160.15C	0	0	0	1	45	4	27	2	1	0	80	
Other Class C	0	0	0	1	1	26	2	30	7	0	67	
Class D	0	0	0	0	0	0	6	27	9	1	43	
Class E	0	0	0	0	0	0	0	0	9	3	12	
TOTAL	11	459	80	376	285	79	284	88	32	6	1,700	

FIREARMS
Indicted v. Convicted Offense
Pleas Only
(8/12/80 - 12/31/81)
SUBURBAN

GUN MOST SERIOUS INDICTMENT CHARGE												
Gun Indict. Charge	Conviction Charge			Other			Other			Other		Total
	Class B	265.03	Class C	265.02	110/265.03	Class D	110/265.02	Class E	265.01	Misdemeanor		
Class B	0	0	1	0	0	0	0	0	0	0	1	
265.03 C	0	1	0	5	2	0	1	0	1	1	11	
Other Class C	0	0	0	0	0	0	0	0	0	0	0	
265.02 D	0	0	0	34	0	1	29	0	29	3	96	
Other Class D	0	0	0	0	0	0	0	0	0	0	0	
Class E	0	0	0	0	0	0	0	1	0	0	1	
Misdemeanor	0	0	0	0	0	0	0	0	0	0	0	
TOTAL	0	1	1	39	2	1	30	1	30	4	109	
GUN LESS SERIOUS CHARGE												
Indict. Charge	Conviction Charge			Other			Other			Other		Total
	Class A	160.15	Class B	160.10	110/160.15	Class C	110/160.10	Class D	Class E	Misdemeanor		
Class A	2	1	2	0	0	0	0	0	0	0	5	
160.15 B	0	62	1	24	29	4	18	1	0	0	139	
Other Class B	0	1	3	0	0	7	0	4	2	0	17	
160.10 C	0	0	0	8	0	1	7	1	1	0	18	
110/160.15C	0	0	0	0	1	0	5	0	1	0	7	
Other Class C	0	0	0	0	0	4	0	3	0	1	8	
Class D	0	0	0	0	0	0	0	6	3	0	9	
Class E	0	0	0	0	0	0	0	0	0	0	0	
TOTAL	2	64	6	32	30	16	30	15	7	1	203	

FIREARMS
Indicted v. Convicted Offense
Pleas Only
(8/12/80 - 12/31/81)
UPSTATE

GUN MOST SERIOUS INDICTMENT CHARGE											
Gun Indict. Charge	Conviction Charge		Other			Other		Other		Other	Total
	Class B	265.03	Class C	265.02	110/265.03	Class D	110/265.02	Class E	265.01	Misdemeanor	
Class B	0	0	0	0	0	0	0	0	0	0	0
265.03 C	0	0	0	3	2	0	2	1	1	0	9
Other Class C	0	0	0	0	0	0	0	0	0	0	0
265.02 D	0	0	0	24	0	1	9	2	11	0	47
Other Class D	0	0	0	0	0	0	0	1	0	0	1
Class E	0	0	0	0	0	0	2	9	0	0	11
Misdemeanor	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	27	2	1	13	13	12	0	68
GUN LESS SERIOUS CHARGE											
Indict. Charge	Conviction Charge		Other			Other		Other		Other	Total
	Class A	160.15	Class B	160.10	110/160.15	Class C	110/160.10	Class D	Class E	Misdemeanor	
Class A	2	0	5	0	0	0	0	0	0	0	7
160.15 B	0	21	1	8	6	0	4	1	0	0	41
Other Class B	0	2	2	0	2	1	0	0	0	1	8
160.10 C	0	0	0	9	0	0	3	1	0	0	13
110/160.15C	0	0	0	0	0	1	2	0	0	0	3
Other Class C	0	0	0	0	1	2	0	2	0	1	6
Class D	0	0	0	0	0	0	3	4	5	1	13
Class E	0	0	0	0	0	0	0	0	1	0	1
TOTAL	2	23	8	17	9	4	12	8	6	3	92

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COMPLIANCE & MONITORING PROGRAM Appendix

Sentences and Terms of Imprisonment (Firearms)

Highlights

- * Statewide, 4,028 sentences were imposed;
- * Second felony offenders totaled 17.1% of those sentenced and youthful offenders 11.3%;
- * The State prison rate on all convictions was 52.6% and on adult convictions it was 58%. The overall incarceration rate was 75.1%;
- * Statewide, almost 75% of the adults were sentenced to terms of one year or greater; and
- * Adults convicted on weapons possession charges were sentenced to one year or more in 54.6% of the cases, while those convicted of other felonies involving the use of the firearm received such sentences in 90.4% of the cases.

Statewide, 4,028 sentences have been imposed on convictions arising from firearm indictments. Approximately, 87% (3,503) occurred in NYC.

The statewide sentencing pattern on all convictions was as follows: 52.6% state prison; 19.1% local jail; 3.5% local jail and probation; 22.4% probation; and 2.4% other. The overall incarceration rate was 75.1%.

Regionally, the state prison and incarceration rates were; respectively; 51.9% and 74.1% in NYC; 55.8% and 81.6% in Suburban NYC; and 60.1% and 83% in the Upstate area.

As cited elsewhere in the report, two factors are of primary importance in assessing the regional differences in the state prison rate: (1) the relative proportions of predicate and youthful offenders; and (2) the severity of conviction charges.

Youthful and Predicate Offenders
On Convictions to Firearm Indictments

	<u>Sentences</u>	<u>YO's</u> ^{a)}	<u>Predicates</u> ^{b)}
Statewide	4,028	456 11.3%	690 17.1%
NYC	3,503	403 11.5%	587 16.8%
Suburban	337	45 13.4%	58 17.2%
Upstate	188	8 4.3%	45 23.9%

a) includes juvenile offenders b) includes persistent felons

The higher state prison rate Upstate reflects its large proportion of predicates and low proportion of youthful offenders relative to the other areas. Since the relative weight of YO's and predicates is roughly the same between NYC and the Suburban area, conviction charges become a factor in explaining the slightly higher Suburban state prison rate. New York City had relatively more convictions with charges that do not mandate state prison; this is a direct result of the NYC Courts having more gun possession indictments in its caseload than the other areas.

Statewide, for adults (subtracting out the youthful offenders) the state prison rate was 58% and the overall incarceration rate was about 80%. For adults sentenced as first felony offenders (subtract out predicates) the state prison rate was 47.9%.

Terms and Sentences by Conviction Charge

Statewide, almost three-fourths of the 3,572 adult sentences on all convictions that resulted from firearm indictments were to terms of incarceration of one year or greater. There existed no large differences among the areas (NYC, 74%; Suburban NYC, 75%; and Upstate 72.2%).

Examining sentences by conviction charge reveals that 90.4% of the defendants convicted of crimes more serious than the weapons offense received 1 year or more, whereas those convicted of possession of a weapon had such sentences imposed in 54.6% of the cases. (For felony possession cases the figure was 57.0%).

In NYC, 55.3% of the adults convicted of any gun charge were sentenced to one year or more. The figure is 50.5% in Suburban NYC and 45.2% Upstate.

Sentences of 1 Year or Greater as a Percent of Sentences

<u>Conviction Charge</u>	<u>All Convictions</u>	<u>Adult Convictions</u>	<u>1st Felony Offender Adults</u>
<u>Statewide</u>			
Any Gun Charge	52.2% 914/1752	54.6% 894/1637	47.3% 667/1410
Felony Gun Charge	54.3% 903/1663	57.0% 883/1548	49.6% 655/1321
Non-Gun Charge	82.2% 1870/2276	90.4% 1750/1935	87.4% 1287/1472
All Charges	69.1% 2784/4028	74% 2644/3572	67.8% 1954/2882
<u>NYC</u>			
Any Gun Charge	53.0% 832/1571	55.3% 812/1468	48.1% 608/1264
Felony Gun Charge	54.2% 831/1532	56.8% 811/1429	49.6% 607/1225
Non-Gun Charge	81.8% 1581/1932	90.9% 1483/1632	88.1% 1100/1249
All Charges	68.9% 2413/3503	74.0% 2295/3100	67.9% 1707/2513
<u>Suburban</u>			
Any Gun Charge	45.8% 54/118	50.5% 54/107	42.4% 39/92
Felony Gun Charge	58.3% 49/84	67.1% 49/73	58.6% 34/58
Non-Gun Charge	83.6% 183/219	89.2% 165/185	85.9% 122/142
All Charges	70.3% 237/337	75.0% 219/292	68.8% 161/234
<u>Upstate</u>			
Any Gun Charge	44.4% 28/63	45.2% 28/62	37.0% 20/54
Felony Gun Charge	48.9% 23/47	50.0% 23/46	36.8% 14/38
Non-Gun Charge	84.8% 106/125	86.4% 102/118	80.2% 65/81
All Charges	71.3% 134/188	72.2% 130/180	63.0% 85/135

COMPLIANCE
UNUSUAL

Gun Law SENTENCES: New York City - All (8/12/80 - 12/31/81)

Conviction Charge	Other	Probation	Jail + Prob.	Jail Less than 1 yr.	Jail 1 yr.	Total Jail	State Prison by Minimum Term								Total Prison	All Sentences	
							1 yr +	2 yr +	3 yr +	4 yr +	5 yr +	6 yr +	7 yr +	8 yr +			
All Class A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	28	28	28
160.15 B	0	31	1	1	13	15	11	162	79	62	69	64	38	49	534	580	
Other Class B	1	0	0	0	7	7	2	18	14	14	16	13	6	26	109	117	
All Class B	1	31	1	1	20	22	13	180	93	76	85	77	44	75	643	697	
265.03 C	1	1	0	0	4	4	25	15	11	3	6	2	2	0	64	70	
160.10 C	2	65	4	3	26	33	142	57	45	27	10	8	4	0	293	393	
110/160.15C	1	27	3	1	6	10	128	52	40	30	4	3	3	3	263	301	
Other Class C	1	4	2	2	5	9	15	14	7	2	5	0	1	2	46	60	
All Class C	5	97	9	6	41	56	310	138	103	62	25	13	10	5	666	824	
265.02 D	19	218	41	27	230	298	55	97	37	3	1	1	1	0	195	730	
110/265.03D	0	13	2	1	12	15	10	4	0	0	0	0	0	0	14	42	
110/160.10D	3	97	11	9	61	81	61	26	11	3	0	4	2	0	107	288	
Other Class D	2	17	9	0	23	32	16	15	1	1	1	2	0	0	36	87	
All Class D	24	345	63	37	326	426	142	142	49	7	2	7	3	0	352	1,147	
110/265.02E	19	307	34	18	196	248	78	33	3	1	1	0	0	0	116	690	
Other Class E	1	25	1	3	7	11	8	3	2	0	1	0	0	0	14	51	
All Class E	20	332	35	21	203	259	86	36	5	1	2	0	0	0	130	741	
265.01 M	15	19	1	3	1	5	0	0	0	0	0	0	0	0	0	39	
Other Misd.	10	8	2	4	3	9	0	0	0	0	0	0	0	0	0	27	
All Misd.	25	27	3	7	4	14	0	0	0	0	0	0	0	0	0	66	
TOTAL	75	832	111	72	994	777	551	496	250	146	114	97	57	108	1,819	3,503	
Gun Felony	39	539	77	46	442	565	168	149	51	7	8	3	3	0	389	1,532	
All Gun	54	558	78	49	443	570	168	149	51	7	8	3	3	0	389	1,571	

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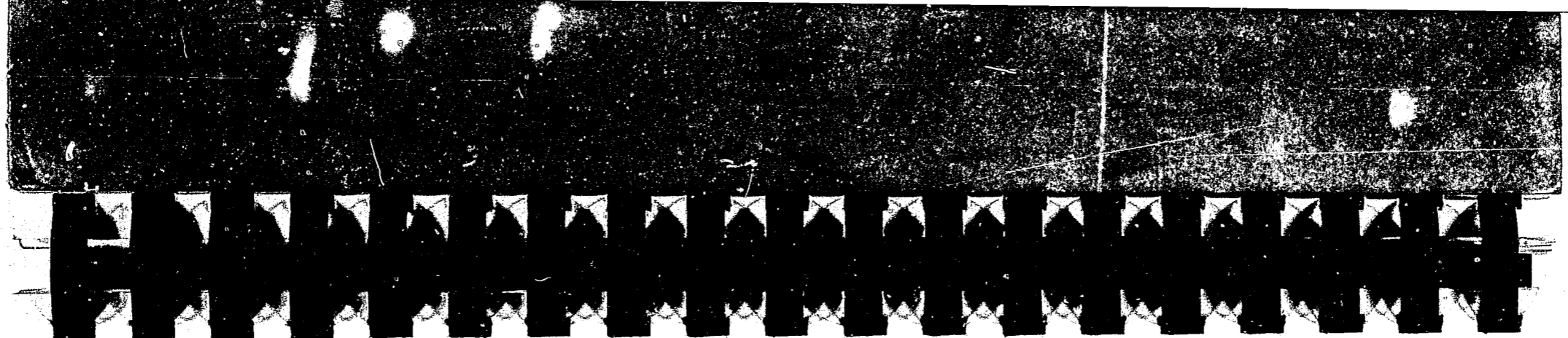
COMPLIANCE & MONITORING PROGRAM
Appendix

Gun Law SENTENCES: New York City - Adults Only (Minus YO's & JO's) (8/12/80 - 12/31/81)

State Prison by Minimum Term

Conviction Charge	Other	Prob- tion	Jail + Prob.	Jail Less than 1 yr.	Jail 1 yr.	Total Jail	State Prison by Minimum Term								Total Prison	All Sentences	
							1 yr +	2 yr +	3 yr +	4 yr +	5 yr +	6 yr +	7 yr +	8 yr +			
All Class A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	28	28	28
160.15 B	0	0	0	0	0	0	0	161	75	62	69	64	38	49	518	518	518
Other Class B	0	0	0	0	0	0	0	18	13	14	16	13	6	26	106	106	106
All Class B	0	0	0	0	0	0	0	179	88	76	85	77	44	75	624	624	624
265.03 C	0	0	0	0	0	0	23	15	11	3	6	2	2	0	62	62	62
160.10 C	0	0	0	0	0	0	139	55	45	27	10	8	4	0	288	288	288
110/160.15C	0	0	0	0	0	0	127	46	40	30	4	3	3	3	256	256	256
Other Class C	0	0	0	0	0	0	15	14	7	2	5	0	1	2	46	46	46
All Class C	0	0	0	0	0	0	304	130	103	62	25	13	10	5	652	652	652
265.02 D	18	180	40	26	223	289	54	97	37	3	1	1	1	0	194	681	681
110/265.03D	0	9	2	1	12	15	10	4	0	0	0	0	0	0	14	38	38
110/160.10D	1	63	9	9	54	72	57	26	11	3	0	4	2	0	103	239	239
Other Class D	2	13	8	0	23	31	16	15	1	1	1	2	0	0	36	82	82
All Class D	21	265	59	36	312	407	137	142	49	7	2	7	3	0	347	1,040	1,040
110/265.02E	19	276	31	16	190	237	78	33	3	1	1	0	0	0	116	648	648
Other Class E	0	22	1	3	7	11	8	3	2	0	1	0	0	0	14	47	47
All Class E	19	298	32	19	197	248	86	36	5	1	2	0	0	0	130	695	695
265.01 M	18	16	1	3	1	5	0	0	0	0	0	0	0	0	0	39	39
Other Misd.	7	5	2	4	3	9	0	0	0	0	0	0	0	0	0	21	21
All Misd.	25	21	3	7	4	14	0	0	0	0	0	0	0	0	0	60	60
TOTAL	65	584	94	62	514	670	527	487	245	146	114	97	57	108	1,781	3,100	3,100
Gun Felony	37	465	73	43	425	541	165	149	51	7	8	3	3	0	386	1,429	1,429
All Gun	55	481	74	46	426	546	165	149	51	7	8	3	3	0	386	1,468	1,468

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Gun Law SENTENCES: Suburban NYC - All (8/12/80 - 12/31/81)

State Prison by Minimum Term

Conviction Charge	Other	Probation	Jail + Prob.	Jail Less than 1 yr.	Jail 1 yr.	Total Jail	1 yr +	2 yr +	3 yr +	4 yr +	5 yr +	6 yr +	7 yr +	8 yr +	Total Prison	All Sentences
All Class A	0	0	0	0	0	0	0	0	0	0	0	0	0	4	4	4
160.15 B	0	2	0	0	2	2	6	25	5	6	9	2	4	12	69	73
Other Class B	0	0	0	0	0	0	1	2	1	0	0	0	1	3	8	8
All Class B	0	2	0	0	2	2	7	27	6	6	9	2	5	15	77	81
265.03 C	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
160.10 C	0	2	3	0	1	4	9	6	3	3	3	1	2	0	27	33
110/160.15C	0	0	3	0	0	3	15	5	1	1	3	1	2	0	28	31
Other Class C	0	0	0	0	1	1	3	1	4	2	4	1	0	0	15	16
All Class C	0	3	6	0	2	8	27	12	8	6	10	3	4	0	70	81
265.02 D	1	8	4	5	17	26	6	6	2	0	0	0	0	0	14	49
110/265.03D	0	1	0	0	1	1	0	0	0	0	0	0	0	0	0	2
110/160.10D	1	5	5	2	7	14	8	3	0	0	0	0	0	0	11	31
Other Class D	0	4	0	2	3	5	0	2	0	0	0	0	0	0	2	11
All Class D	2	18	9	9	28	46	14	11	2	0	0	0	0	0	27	93
110/265.02E	3	6	2	4	10	16	6	1	0	0	0	0	0	0	7	32
Other Class E	1	1	1	0	2	3	3	0	0	0	0	0	0	0	3	8
All Class E	4	6	3	4	12	19	9	1	0	0	0	0	0	0	10	39
265.01 M	10	13	4	2	5	11	0	0	0	0	0	0	0	0	0	34
Other Misd.	2	1	1	0	0	1	0	0	0	0	0	0	0	0	0	4
All Misd.	12	15	5	2	5	12	0	0	0	0	0	0	0	0	0	39
TOTAL	18	44	23	15	49	87	57	51	16	12	19	5	9	19	188	337
Gun Felony	4	16	6	9	28	43	12	7	2	0	0	0	0	0	21	84
All Gun	14	29	10	11	33	54	12	7	2	0	0	0	0	0	21	118

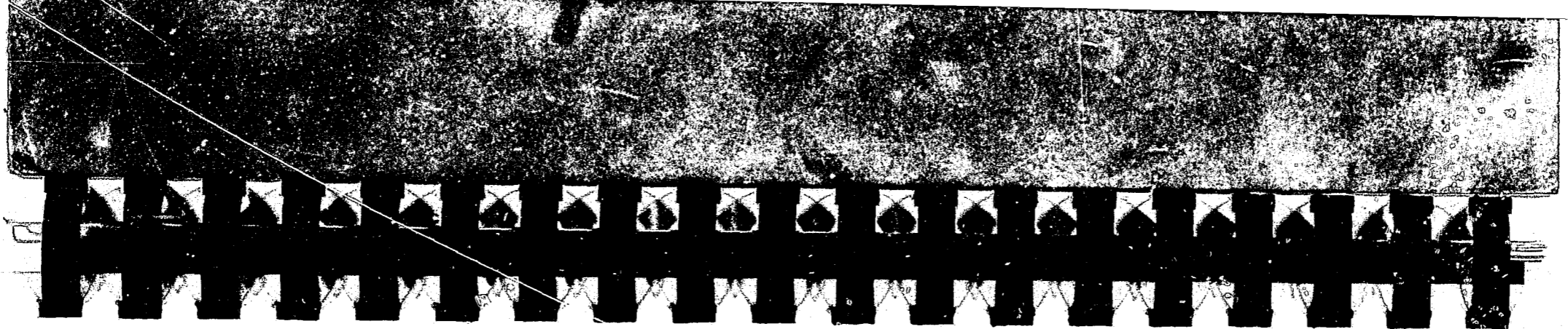
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COMPLIANCE MONITORING PROGRAM Appendix

Gun Law SENTENCES: Suburban NYC - Adults Only (Minus YO's & JO's) (8/12/80 -12/31/81)

Conviction Charge	Other	Prob- tion	Jail + Prob.	Jail Less than 1 yr.	Jail 1 yr.	Total Jail	State Prison by Minimum Term								Total Prison	All Sentences
							1 yr +	2 yr +	3 yr +	4 yr +	5 yr +	6 yr +	7 yr +	8 yr +		
All Class A	0	0	0	0	0	0	0	0	0	0	0	0	0	4	4	4
160.15 B	0	0	0	0	0	0	0	25	5	6	9	2	4	12	63	63
Other Class B	0	0	0	0	0	0	0	2	1	0	0	0	1	3	7	7
All Class B	0	0	0	0	0	0	0	27	6	6	9	2	5	15	70	70
265.03 C	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
160.10 C	0	0	0	0	0	0	7	6	3	3	3	1	2	0	25	25
110/160.15C	0	0	0	0	0	0	15	5	1	1	3	1	2	0	28	28
Other Class C	0	0	0	0	0	0	3	1	4	2	4	1	0	0	15	15
All Class C	0	0	0	0	0	0	25	12	8	6	10	3	4	0	68	68
265.02 D	1	4	2	5	17	24	6	6	2	0	0	0	0	0	14	43
110/265.03D	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	1
110/160.10D	1	4	4	0	4	8	8	3	0	0	0	0	0	0	11	24
Other Class D	0	4	0	2	3	5	0	2	0	0	0	0	0	0	2	11
All Class D	2	12	6	7	25	38	14	11	2	0	0	0	0	0	27	79
110/265.02E	3	4	2	3	10	15	6	1	0	0	0	0	0	0	7	29
Other Class E	0	0	1	0	1	2	2	0	0	0	0	0	0	0	2	4
All Class E	3	4	3	3	11	17	8	1	0	0	0	0	0	0	9	33
265.01 M	10	14	2	3	5	10	0	0	0	0	0	0	0	0	0	34
Other Misd.	2	1	1	0	0	1	0	0	0	0	0	0	0	0	0	4
All Misd.	12	15	3	3	5	11	0	0	0	0	0	0	0	0	0	38
TOTAL	17	31	12	13	41	66	47	51	16	12	19	5	9	19	178	292
Gun Felony	4	8	4	8	28	40	12	7	2	0	0	0	0	0	21	73
All Gun	14	22	6	11	33	50	12	7	2	0	0	0	0	0	21	107

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Gun Law SENTENCES: Upstate - All (8/12/80 - 12/31/81)

State Prison by Minimum Term

Conviction Charge	Other	Probation	Jail + Prob.	Jail Less than 1 yr.	Jail 1 yr.	Total Jail	1 yr +	2 yr +	3 yr +	4 yr +	5 yr +	6 yr +	7 yr +	8 yr +	Total Prison	All Sentences
All Class A	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	2
160.15 B	0	0	0	0	0	0	0	2	6	6	2	3	5	8	32	32
Other Class B	0	0	0	0	0	0	0	2	1	1	6	0	1	5	16	16
All Class B	0	0	0	0	0	0	0	4	7	7	8	3	6	13	48	48
265.03 C	0	0	0	0	0	0	1	0	0	0	0	0	0	1	2	2
160.10 C	0	0	0	0	0	0	4	3	7	1	3	0	0	0	18	18
110/160.15C	0	0	0	0	1	1	0	1	3	1	2	1	0	0	8	9
Other Class C	0	0	0	0	1	1	1	0	1	0	2	0	0	0	4	5
All Class C	0	0	0	0	2	2	6	4	11	2	7	1	0	1	32	34
265.02 D	1	5	2	7	4	13	3	4	1	0	0	0	0	0	8	27
110/265.03D	0	1	0	0	0	0	1	0	0	0	0	0	0	0	1	2
110/160.10D	0	1	1	2	1	4	7	1	1	0	0	0	0	0	9	14
Other Class D	0	4	1	0	2	3	1	2	1	0	0	0	0	0	4	11
All Class D	1	11	4	9	7	20	12	7	3	0	0	0	0	0	22	54
110/265.02E	1	5	0	2	2	4	3	3	0	0	0	0	0	0	6	16
Other Class E	0	5	1	2	3	6	2	1	0	0	0	0	0	0	3	14
All Class E	1	10	1	4	5	10	5	4	0	0	0	0	0	0	9	30
265.01 M	3	5	1	2	5	8	0	0	0	0	0	0	0	0	0	16
Other Misd.	0	1	0	1	2	3	0	0	0	0	0	0	0	0	0	4
All Misd.	3	6	1	3	7	11	0	0	0	0	0	0	0	0	0	20
TOTAL	5	27	6	16	21	43	23	19	21	9	15	4	6	16	113	188
Gun Felony	2	11	2	9	6	17	8	7	1	0	0	0	0	1	17	47
All Gun	5	16	3	11	11	25	8	7	1	0	0	0	0	1	17	63

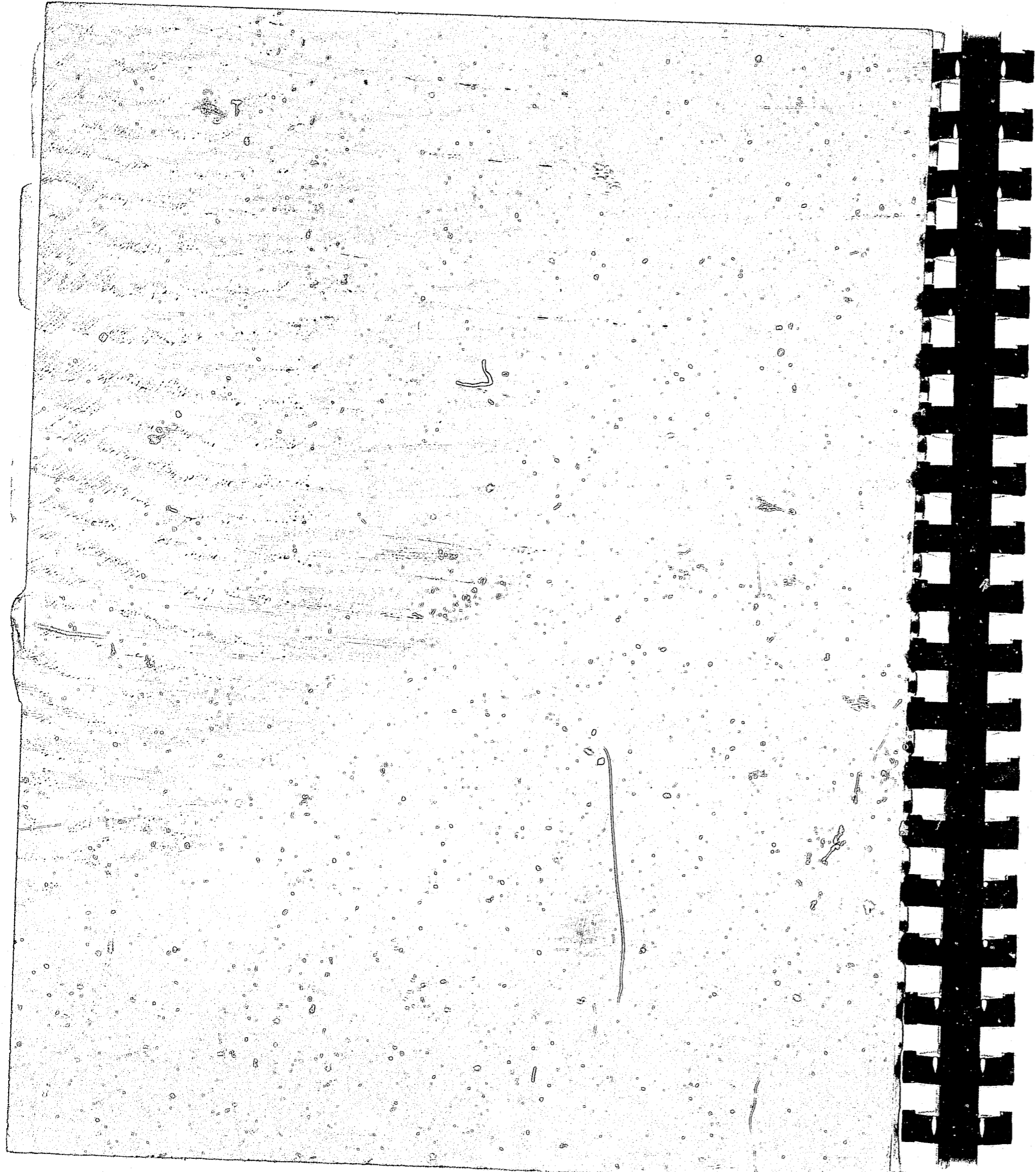
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COMPLIANCE MONITORING PROGRAM Appendix

Gun Law SENTENCES: Upstate - Adults Only (Minus YO's & JO's) (8/12/80 - 12/31/81)

Conviction Charge	Other	Probation	Jail + Prob.	Jail Less than 1 yr.	Jail 1 yr.	Total Jail	State Prison by Minimum Term								Total Prison	All Sentences	
							1 yr +	2 yr +	3 yr +	4 yr +	5 yr +	6 yr +	7 yr +	8 yr +			
All Class A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	2
160.15 B	0	0	0	0	0	0	0	2	5	6	2	3	5	8	31	31	
Other Class B	0	0	0	0	0	0	0	2	1	1	6	0	1	5	16	16	
All Class B	0	0	0	0	0	0	0	4	6	7	8	3	6	13	47	47	
265.03 C	0	0	0	0	0	0	1	0	0	0	0	0	0	1	2	2	
160.10 C	0	0	0	0	0	0	4	3	7	1	3	0	0	0	18	18	
110/160.15C	0	0	0	0	0	0	0	1	3	1	2	1	0	0	8	8	
Other Class C	0	0	0	0	0	0	1	0	1	0	2	0	0	0	4	4	
All Class C	0	0	0	0	0	0	6	4	11	2	7	1	0	1	32	32	
265.02 b	1	5	1	7	4	12	3	4	1	0	0	0	0	0	8	26	
110/265.03D	0	1	0	0	0	0	1	0	0	0	0	0	0	0	1	2	
110/160.10D	0	1	0	1	1	2	7	1	1	0	0	0	0	0	9	12	
Other Class D	0	3	1	0	2	3	0	2	1	0	0	0	0	0	3	9	
All Class D	1	10	2	8	7	17	11	7	3	0	0	0	0	0	21	49	
110/265.02E	1	5	0	2	2	4	3	3	0	0	0	0	0	0	6	16	
Other Class E	0	5	1	2	3	6	2	1	0	0	0	0	0	0	3	14	
All Class E	1	10	1	4	5	10	5	4	0	0	0	0	0	0	9	30	
265.01 M	3	5	1	2	5	8	0	0	0	0	0	0	0	0	0	16	
Other Misd.	0	1	0	1	2	3	0	0	0	0	0	0	0	0	0	4	
All Misd.	3	6	1	3	7	11	0	0	0	0	0	0	0	0	0	20	
TOTAL	5	26	4	15	19	38	22	19	20	9	15	4	6	16	111	180	
Gun Felony	2	11	1	9	6	16	8	7	1	0	0	0	0	1	17	46	
All Gun	5	16	2	11	11	24	8	7	1	0	0	0	0	1	17	62	

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Criminal Possession of a Loaded Firearm
Outside the Home or Place of Business:
The Effect of the Gun Law in NYC

Report Prepared by:
NYS Division of Criminal
Justice Services
Major Violent Offense
Trial Program

I Introduction and Methodology

One of the most significant provisions of the Gun Law statute enacted in 1980 was the elevation of the Class D felony of PL 265.02-04 (Criminal Possession of a Loaded Firearm outside of the home or place of business) to a Class D Violent Felony Offense. This new designation imposed plea bargaining restrictions and a mandatory sentencing structure unless specified mitigating factors could be cited.

In order to help assess the impact of this change, DCJS designed and conducted a comparative analysis of the court processing of all arrests in New York City in the last quarter of 1979 (pre-law) and the last quarter of 1980 (post-law) where PL 265.02-04 was the most severe reported arrest charge. The reasons for the design are as follows:

1. the study was restricted to NYC because data collection and verification would be manageable and timely, and 90% of such arrests occur in NYC;
2. the last quarters of 1979 and 1980 were used because they would allow for sufficient time to maximize the volume of court outcomes; and
3. the study was restricted to those arrests for which the gun charge was the most severe offense so that the disposition pattern would essentially be governed by the gun charge.

The purpose of the study is to determine whether or not any statistically significant differences exist in the probability of certain court outcomes.

A total of 1368 criminal history reports reflecting such arrest events were generated covering both periods (849 pre-law and 519 post-law). Since we were only concerned with those cases arraigned in court, those cases not docketed were eliminated (64 pre-law and 22 post-law arrests were eliminated at this point).

The post-law criminal histories were generated for top charge 265.02-04 or 265.02-00 arrests from the DCJS gun arrest file which was created when the new law went into effect. For any weapons arrest to be placed on the file required either the use of a firearm code or the citing of a penal law subsection indicating a firearm by the arresting police officer on the fingerprint arrest card submitted to DCJS. Confirmation of the possession of a loaded firearm charge was obtained through the examination of the Criminal Court complaint in each of 497 arraigned cases and resulted in the elimination of 17 non-loaded gun arrests. Thus, 480 confirmed loaded gun arraignments composed the post-law sample.

The pre-law criminal histories had to be generated for all top charge 265.02 arrests since nothing comparable to the gun file was maintained prior to the gun law. As with the post-law sample, the Criminal Court complaint was examined to confirm the presence of a loaded firearm. A total of 153 pre-law cases were eliminated at this point. Thus, 632 confirmed loaded gun arraignments composed the pre-law sample.

The combined 1,112 court arraigned arrest events were then subjected to intensive examination of manual and computerized records, to obtain or verify the disposition data.

Finally, any statistical differences that emerged were then subjected to the standard two-sample test at the .05 confidence level to determine whether or not such differences could be accounted for by sampling error alone.

D.C.J.S. VIOLENT FELONY REPORT - FEB., 1982

ERRATA

1. page 27, line 7 - insert "than" after "more".
2. page 61, line 23 - "pre-" should read "predicate".
3. page 120, line 4 - insert "be" after "to".
4. page 123, line 4 - "This" should read "The".
5. page 125, line 9 - "proseccion" should read "prosecution".
6. page 142, line 12 - insert "forms" after "statistical".

COMPLIANCE & MONITORING PROGRAM

II Findings

A. Criminal Court Outcomes

Comparing the Criminal Court outcomes of the 616 pre-law cases that completed Criminal Court processing (16 are open) to the 468 post-law cases that completed Criminal Court processing (12 are open) reveals that after the gun law, defendants charged with 265.02-04 were significantly more likely to be indicted (63.5%) than prior to the gun law (40.7%), an increase in the indictment rate of 22.8%. This translates into a 56% increase in the likelihood of an arraigned 265.02-04 arrest resulting in an indictment (i.e. pre-law approximately 41 of 100 cases were indicted while post-law almost 64 of 100 cases were indicted).

Conversely, pre-law cases were significantly more likely to plead guilty in the Criminal Court (30.2%) than post-law cases (7.9%). In neither group was any defendant tried and found guilty in the Criminal Court.

The non-conviction rate in Criminal Court (dismissed, dismissed at the Grand Jury, acquitted) remained virtually unchanged (29% pre-law v. 28.6% post-law).

Thus, under the gun law, Criminal Court is essentially used to screen cases completely from the system that are not acceptable for felony prosecution in the Supreme Court and is no longer being used for the acceptance of pleas to reduced charges.

B. Convictions

Examining total convictions (both Criminal and Supreme Court), reveals changes that flow directly from the post-law increase in the indictment rate.

Of the 359 pre-law convictions only 44.5% were to felonies. This is significantly lower than the 81.1% felony conviction rate registered on the 233 post-law convictions. Thus, a defendant arraigned on possession of a loaded weapon, if convicted, was almost twice as likely to be convicted of a felony after the gun law went into effect.

The significance of this fact can not be stressed too much, for even if such convictions did not necessarily lead to tougher sentences in these instant cases, any future arrests for these defendants that lead to felony convictions will bring about the automatic imposition of the more severe predicate felony sentencing statutes in a much higher proportion of post-law cases than pre-law.

It should also be noted that no statistically significant change in the overall likelihood of conviction to any crime was observed (the pre-law overall conviction rate was 61.4% on 585 total dispositions v. a post-law rate of 55.9% on 418 total dispositions).

C. Sentences

Post-law defendants convicted and sentenced on any charge were significantly more likely to receive some type of incarcerative sentence (47.9% or 102 of 213 sentenced) than defendants in the pre-law group (34.5% or 121 of 351 sentences).

Alternatively, the pre-law group of sentenced defendants were significantly more likely to receive a sentence of conditional discharge or fine (30.2%) than the post-law group (14.1%).

Since the sentencing structure was changed only with regard to adults (youthful offender (YO) provisions were unaffected) it is important to look at their sentencing pattern.

The overall incarceration rate on adults convicted of any charge (arrived at by subtracting out the YO's) did increase, and it was statistically significant (50% or 97 of 194 post-law sentences v. 36.7% or 116 of 316 pre-law sentences). This proportion of post-law adults sentenced to jail terms of one-year and greater (39.2%) on any conviction was significantly higher statistically than for the pre-law group (21.5% one-year or greater).

III Conclusion

The findings cited above concretely demonstrate a significant change in the manner in which top charge Criminal Possession of a Loaded Firearm arraignments are being processed in the New York City courts after the implementation of the 1980 gun statutes.

Essentially, these statutes, with regard to this particular offense, demand that the criminal justice system treat these cases more seriously as felonies, and this is exactly what has happened. The indictment rate jumped from 40.7% pre-law to 63.5% post-law, with the Criminal Court now serving to screen out weak cases and not as a forum to accept pleas to reduced charges.

As a direct consequence of this change, the probability that the conviction charge will be a felony, rose from 44.5% pre-law to 81.1% post-law. This change in turn led to the increased probability of incarceration. However, even if through the use of mitigating factor the likelihood of incarceration in these cases does not increase at the same rate as the likelihood of a felony conviction, the increase in felony convictions will serve as a powerful deterrent, since any reconviction to a felony by these individuals in the future will lead to mandatory minimum state prison time in excess of one year.

I. Mitigating Circumstances (1981)

A. Introduction

This section presents an analysis of the court minutes submitted to DCJS for 1981 hearings under Sections 70.02 of the Penal Law and 720.10 of the Criminal Procedure Law.

Section 70.02 of the Penal Law specifies that, any person indicted for an Armed Felony who pleads guilty to a Class D Violent Felony, may be eligible for a sentence other than an indeterminate sentence of imprisonment if, one or more of the following factors exist:

1. mitigating circumstances that bear directly upon the manner in which the crime was committed; or
2. where the defendant was not the sole participant in the crime and the defendant's participation was relatively minor; or
3. possible deficiencies in proof of the defendant's commission of an armed felony.

Additionally, the 1980 firearm statutes extended this provision to those defendants convicted of 265.02 (4) and (5), attempt 265.02 (4) and (5), and 265.12, if they have had a prior Class A misdemeanor conviction within 5 years. Under this provision, if mitigating circumstances are demonstrated the defendant need not be sentenced to one year in prison.

Section 720.10 of the Criminal Procedure Law provides that a youth (16 to 19 years old) who has been convicted of an Armed Felony

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PROGRAM

is eligible for youthful offender treatment if one or more of the following factors exist:

1. mitigating circumstances that bear directly upon the manner in which the crime was committed; or
2. where the defendant was not the sole participant in the crime; the defendant's participation was relatively minor although not so minor as to constitute a defense to the prosecution.

If the court does sentence a defendant under these provisions, a transcript of the statement detailing the mitigating circumstances being applied must be forwarded to the Division of Criminal Justice Services.

B. Analysis

During 1981, statewide, DCJS has received minutes of mitigating circumstances for 678 cases*. Of these cases, 235 (34.7%) received youthful offender treatment under CPL 720.10 and 443 (65.3%) were sentenced under the Armed Felony Offender provisions of PL 70.02.

Overall, Criminal Possession of a Weapon 3° indictments accounted for 45.6% of the total cases in which mitigating factors were cited. The second most common indictment charge, Robbery 1° accounted for 20.4%; Robbery 2° for 10.9% and indictments for CPW 2° represent 6.0% of the cases.

In the Armed Felony Offender category (PL 70.02), of the minutes received, the three most common indictment charges were: CPW 3° (57.6%), Robbery 1° (12.0%) and Robbery 2° (8.1%). In the youthful offender category (CPL 720.10), Robbery 1° constituted

*DCJS continues to identify those cases for which the case data indicates minutes should have been sent but were not received. The Office of Court Administration is notified of these cases and, upon confirmation, takes appropriate action to see that the statements are forwarded to us.

36.2% of the cases; followed by CPW 3° (23.0%), with Robbery 2° accounting for 16.2% of the cases.

DCJS provides two tables which show the specific mitigating circumstances cited, by indictment charge. Table A reflects circumstances which the court deemed mitigating for those cases in which youthful offender status was granted (720.10), and Table B for those sentenced as Armed Felony Offenders (70.02).

Table A reveals that 19.1% of the youthful offender sentences were mitigated by circumstances which bore directly upon the manner in which the crime was committed. These circumstances included: lack of intent to injure a specific party, possession of an unloaded or imitation gun, and incidents arising out of family disputes. In addition, 14.5% of the defendants sentenced as youthful offenders received this treatment due to the fact that their participation in the crime was minimal.

Other categories of mitigating circumstances have also been cited in compliance with this section. In 11.1% of the transcripts received, the court granted youthful offender treatment based on the fact that the defendant had no prior record.

An additional 10.2% of the sentences were used on favorable probation reports. Since the Division of Criminal Justice Services does not receive copies of probation reports, we have no knowledge of the specific factors contained in any given report which may have prompted the court to apply Article 720.10.

Deficiency of proof was specifically stated in 9.4% of the YO minutes received, even though there is no specific provision under Section 720.10 of the Criminal Procedure Law for this.

No specific factor was cited or could be ascertained in the material sent to DCJS in 27.7% of the cases. An additional 6.4% of the cases simply state that a mitigated sentence would be unduly harsh without detailing specific reasons. However, the court did clearly indicate that mitigating circumstances were found in these cases.

Table B presents the mitigating circumstances stated in the 443 transcripts filed under Section 70.02 of the Penal Law. This Section provides for the additional mitigating circumstance of the possible deficiency of proof in the commission of an Armed Felony.

Of those sentenced as Armed Felony Offenders, 21.2% received this treatment because the one-year sentence would constitute undue harshness. Manner of commission was cited in 19.6% of the cases. The third most commonly cited mitigating circumstance was the absence of a prior record accounting for 19.2% of the cases received.

In 16% of the minutes forwarded, such circumstances as: minor participation, deficiency of proof, a favorable probation report or the DA's recommendation was cited as the reason. No specific reason was cited or ascertained in 24% of the 443 case minutes received.

Focusing on the minutes received under both Sections for the 353 defendants charged with any of the criminal possession of a weapon offenses (CPW 2°, CPW 3°, and their attempts) reveals the following mitigating factor: (1) the one-year sentence would be unduly harsh (28.6%); (2) no prior record (23.8%); (3) the manner of commission (19.5%); (4) the probation report (4.5%); and, (5) deficiency of proof (2.8%). No specific factor was cited or could be ascertained in 19.8% of the minutes submitted.

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Table A
 1981 Statewide
 Circumstances Cited as Mitigating Under 720.10 CPL
 (Youthful Offenders)

Indictment Charge	Manner of Commission	Minor Participation	Deficiency Of Proof	No Priors	Unduly Harsh	Probation Report	D.A.'s Recommend:	No Reason Cited	Total	%
Att. Murder 1°						1			1	.4
Att. Murder 2°	1	1						1	3	1.3
Manslaughter 1°				1					1	.4
Robbery 1°	15	18	8	6		10	3	25	85	36.2
Att. Robbery 1°	1	3	1			1		5	11	4.7
Robbery 2°	6	6	6	3		2		15	38	16.2
Att. Robbery 2°	1	3		2		1		2	9	3.8
Burglary 1°			2						2	.9
Burglary 2°				1				1	2	.9
Crim. use Firearm 1°	2	1				1			4	1.7
CPW 2°	2				1			2	5	2.1
CPW 3°	11	1	1	12	12	7	1	9	54	23.0
Assault 1°	2								2	.9
Assault 2°	1		2						3	1.3
Unknown	3	1	2	1	2	1		5	15	6.4
Total	45	34	22	26	15	24	4	65	235	100%
%	19.1	14.5	9.4	11.1	6.4	10.2	1.7	27.7	100%	

Table B
 1981 Statewide
 Circumstances Cited as Mitigating Under 70.02 CPL
 (Armed Felony Offenders)

Indictment Charge	Manner Of Commission	Minor Participation	Deficiency Of Proof	NO Priors	Unduly Harsh	Probation Report	D.A.'s Recommend.	No Reason Cited	Total	%
Murder 2°		1							1	.2
Att. Murd 2°	7			1				3	11	2.5
Kidnapping 1°							1		1	.2
Sodomy 1°								1	1	.2
Robbery 1°	6	16	2	4	1	2	3	19	53	12.0
Att. Robbery 1°	1			1				2	4	.9
Robbery 2°	6	7	4	4		2		13	36	8.1
Att. Robb. 2°			1			3		1	5	1.1
Burglary 1°	1								1	.2
Burglary 2°		1	1					1	3	.7
Crim. Use Firearm 2°		1		2		1		3	7	1.6
CPW 2°	9	1	4	7	5	1		9	36	8.1
CPW 3°	47		5	65	82	8		48	255	57.6
Att CPW 3°					1			2	3	.7
Assault 1°	6				3	1		2	12	2.7
Att. Assault 1°						1			1	.2
Assault 2°	4	1	1	1	2	1		1	11	2.5
Unknown						1		1	2	.5
Total	87	28	18	85	94	21	4	106	443	100%
%	19.6	6.3	4.1	19.2	21.2	4.7	.9	24.0	100%	

II. Improper VFO Pleas (3/1/81 - 8/31/81)

This is DCJS's latest report on compliance with CPL 220.10 Subdivision 5 (2), the original VFO plea restrictions, for the six month period from 3/1/81 - 8/31/81.* This provision states: "where the indictment charges a Class A felony, other than those defined in article 220 of the Penal Law; or charges a Class B or Class C Violent Felony Offense as defined in subdivision 1 of Section 70.02 of the Penal Law, then a plea of guilty entered pursuant to subdivision 3 or 4 must include a plea of guilty to a Violent Felony Offense".

Initially, DCJS developed a computer listing of 320 pleas for investigation. This listing, covering 46 counties, was subjected to intensive field verification. DCJS staff visited 11 counties, had extensive written and telephonic communication with 35 counties. All available court and district attorney records were checked.

Of the 320 pleas examined, 148 were determined to be not in compliance with CPL 220.10 Sub. 5. The 172 pleas which were screened out were determined to be proper dispositions for one or more of the following reasons: (1) date of incident, (2) dismissal of the VFO count, (3) incorrect disposition type, (4) incorrect conviction charge, and (5) incorrect indictment charge. The dismissal of the VFO count was the most frequent reason.

The volume and frequency of improper VFO pleas has declined steadily over the three years (9/1/78 - 8/31/81) that DCJS has monitored compliance.

*For compliance with new plea restrictions see the plea analysis section of the firearm report.

Improper Pleas as a Percent of All
Violent Felony Pleas

	Period 1 (9/1/78-2/29/80) Percent Improper	Period 2 (3/1/80-2/28/81) Percent Improper	Period 3 (3/1/81-8/31/81) Percent Improper
Statewide	6.7%	4.5%	3.0%
NYC	6.2%	3.6%	2.7%
Suburban	2.4%	4.4%	1.7%
Upstate	11.1%	8.0%	5.3%

Overall, the statewide improper plea rate improved by 55%, dropping from 6.7% to 3.0% during the three year period. This improvement is a function of a number of factors including: (1) the routinization of the legislative provisions; (2) the extension of VFO designation to certain crimes (i.e., Criminal Possession of a Weapon 3°); and (3) the concern and cooperation of the prosecutors and courts in addressing the problem as identified by DCJS.

Despite the consensus of the participants that these improper pleas are essentially violations of formal procedures and not violations of legislative intent, continued efforts by the appropriate offices to ensure compliance with the procedures should result in the further decline of improper pleas.

Improper Pleas By County
(3/1/81 - 8/31/81)

	<u># Improper Pleas</u>	<u># VFO Pleas</u>	<u>% Improper</u>
<u>NYC</u>			
Bronx	31		
Kings	23		
New York	39		
Queens	5		
Richmond	3		
Sub-Total	<u>101</u>	<u>3,723</u>	<u>2.7%</u>
<u>Suburban NYC</u>			
Nassau	1		
Rockland	2		
Suffolk	4		
Westchester	3		
Sub-Total	<u>10</u>	<u>587</u>	<u>1.7%</u>
<u>Upstate</u>			
Albany	3		
Broome	2		
Chautauqua	1		
Columbia	2		
Dutchess	1		
Erie	8		
Herkimer	2		
Monroe	1		
Niagara	4		
Oneida	1		
Onondaga	2		
Orange	2		
Saratoga	1		
Seneca	1		
Steuben	1		
Sullivan	3		
Warren	1		
Wayne	1		
Sub-Total	<u>37</u>	<u>703</u>	<u>5.3%</u>
<u>Statewide - Total</u>	<u>148</u>	<u>5,003</u>	<u>3.0%</u>

III. LONG-TERM DETAINEE POPULATION IN NEW YORK CITY

A. INTRODUCTION

This section presents an analysis of the long-term detainee population in New York City as of 12/31/81. D.C.J.S. has periodically monitored this population since 1976.

A long-term detainee (LTD) is defined by D.C.J.S., as any defendant charged with a felony, and incarcerated for a continuous period of at least six months awaiting disposition. If the defendant is returned on a Bench or Arrest Warrant, Appellate Division Reversal, or from Mental Hygiene, defendant's incarceration period starts from the return date.

Using the New York City Department of Corrections revised printout as a starting point, D.C.J.S. staff verified the data with county court personnel, (Bronx, and Queens only). Final verifications were made in all the counties through the examination of the District Attorney's records, and Court records including O.C.A.'s Offender Based Transaction System.

As of December 31, 1981, D.C.J.S. verified a total 900 long-term detainees in New York City*. The 900 detainees had 1108 indictments pending against them. This represents a 43% rise in the long-term detainee population in the last twelve months from the 631 reported as of 1/1/81. Kings County had the sharpest 12-month increase (85.1%) followed by the Bronx (38.6%), Queens (31.7%), and New York (16.4%).

* Please note that certain recently published long-term detention population figures include defendants already convicted but awaiting sentence.

D.C.J.S.'s reports continue to reflect a rise (+120%) in the long-term detainee population over the last 48 months. During the past 36 months under the Violent Felony Law, the number of long-term detainees grew by 81%. Excluding Class A violent crimes, cases charging Violent Felonies now account for 74% of the long-term detainee population. Class A violent crimes represent 30.1% of population. There are now 667 Violent Felony Offense long-term detainee cases. Twenty-four months ago, the figure was 378.

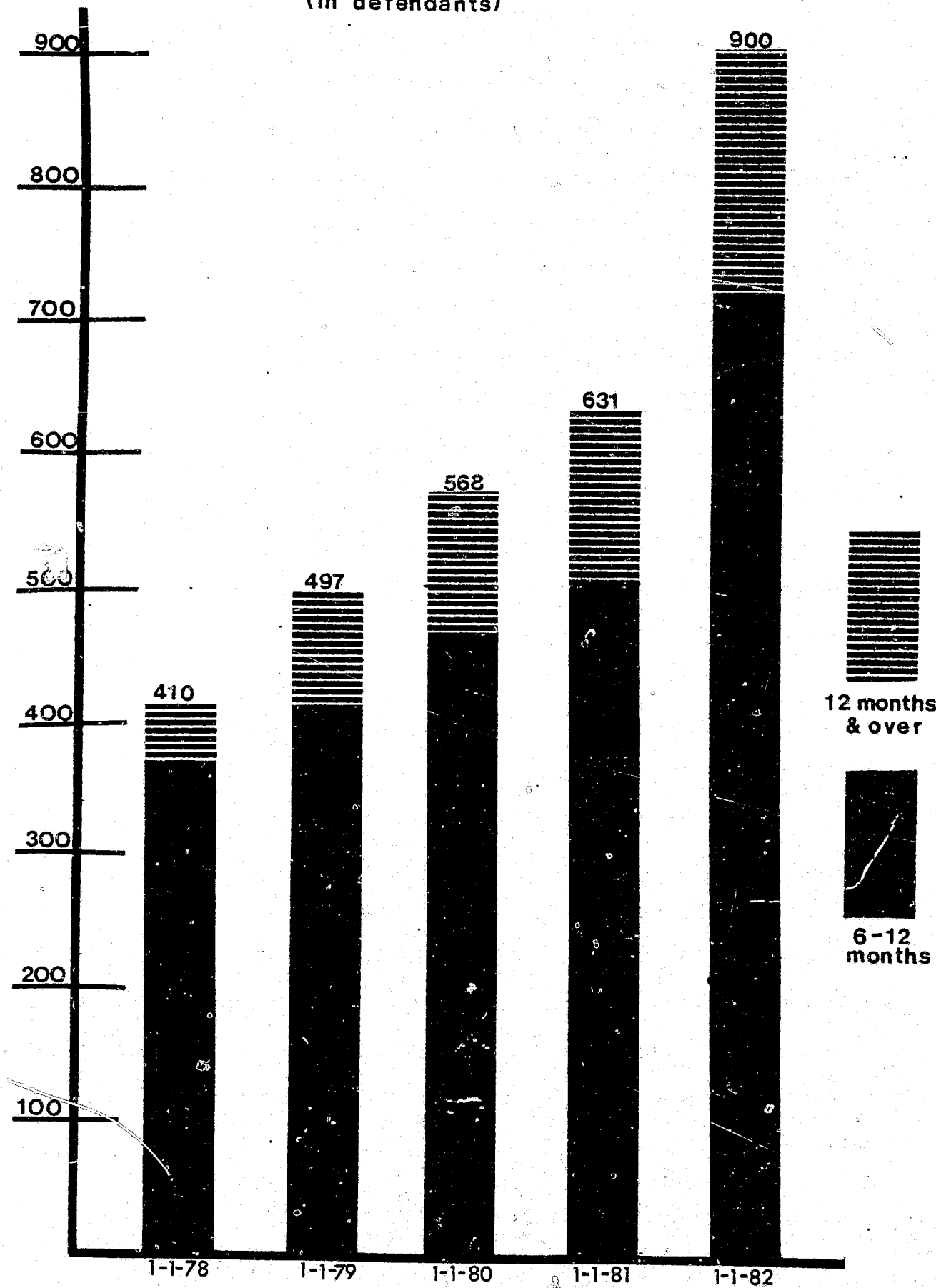
The overall pending caseload in N.Y.C. has exhibited accelerated growth due to the Violent Felony Law, the new Gun Law, and their effect on processing times. Since processing times have been extended, the overall growth in the LTD population has been increasing.

Long-term detainees are categorized by three case age ranges: 6-9 months; 9-12 months; and 12 months or longer.

Of the 900 LTD defendants, 176 defendants (19.6%) have been detainees 12 months or longer. The bulk of these year and older detainees are pending in Kings County (75 defendants or 42.6%). Queens County accounted for 23.2% (41), followed by Bronx (34 defendants or 19.3%), and New York (26 defendants or 14.8%). The one year and older category showed a 53% increase since the last report (115 defendants on December 31, 1980, and 176 defendants on December 31, 1981).

N.Y.C. LONG-TERM DETENTION POPULATION

(in defendants)



Kings County experienced the greatest increase in one year and older detainees, rising from 26 to 75 defendants. The number of Bronx defendants rose from 18 to 34. The disturbing fact about these increases is they reflect an inability to dispose of defendants who have been LTD's six months or longer. New York and Queens both showed slight decreases; 29 to 26 defendants and 42 to 41 defendants respectively.

The 9-12 month category accounted for 223 detainees (24.8%). Of these, 30.5% are pending in Kings, 24.7% in Queens, 24.2% in the Bronx and 20.6% in New York. There was a 28.9% increase in the 9-12 month category citywide, since the last report (173 defendants). Kings County registered the sharpest gain, (113%), followed by Bronx (17.4%), New York (9.5%), and Queens (5.8%).

The majority of LTD's fall within the 6-9 month category (55.7% or 501 defendants). In this category, Kings represents 30.9% of these defendants, Queens 23.9%, New York and Bronx 22.6%. Citywide, 6-9 month category showed 45.6% increase from 12/31/80.

An important characteristic of long-term detainees is the extremely high concentration of serious felony charges.

Citywide, 73.6% of all LTD indictments charge an A or B felony. This proportion basically holds true in each case age category. Robbery, Murder and Gun Offenses accounted for 77.5% of all LTD indictments (Robbery, 37.2%, Murder, 33.7%, and Gun

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Offenses 6.8%). These very serious charges are an important factor in the defendant's initial incarceration, and generally, the more severe the charges, the longer the case processing. Often, these LTD's represent serious cases in which the prosecution will not plea bargain to the satisfaction of the defendant, thereby resulting in a high trial rate (this is confirmed by the high trial activity in the NYC detainee parts and long processing times). Additionally, LTD's have a higher proportion of multiple indictment defendants, i.e., individuals with a number of cases pending against them, than the felony population as a whole. These cases complicate matters considerably. Our past reports have also shown that LTD cases suffer from delays created by psychiatric examinations and changes of defense attorneys.

Due to the special problems associated with some long-term detainee cases, a given number of felony cases, at any one time, will always form a hard-core nucleus of detainees not amenable to a timely disposition. However, the persistent growth of the LTD population over the last few years reflects the inevitable spillover effect created by the elongation and increasing complexities of Violent Felony processing and the new Gun Law as noted in this report. Since LTD population growth is related to system-wide factors, any long-term solution to the problem must lie in an overall strategy to reduce processing times and to increase the disposition rate for all felony cases.

LONG TERM DETAINEE POPULATION

December 31, 1981

CITYWIDE

COUNTY	6-9 MONTHS	9-12 MONTHS	OVER 12 MONTHS	TOTAL	COUNTY% TOTAL
NEW YORK	113 (141)*	46 (57)	26 (28)	185 (226)	20.6% (20.4%)
BRONX	113 (133)	54 (60)	34 (40)	201 (233)	22.3% (21.0%)
KINGS	155 (184)	68 (79)	75 (96)	298 (359)	33.1% (32.4%)
QUEENS	120 (160)	55 (71)	41 (59)	216 (290)	24.0% (26.2%)
RICHMOND	N/A	N/A	N/A	N/A	N/A
CITYWIDE	501 (618)	223 (267)	176 (223)	900 (1108)	100% (100%)

* () = Defendant/Indictment Count

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LONG TERM DETAINEE
COUNTY
BY
INDICTMENT CHARGE
December 31, 1981

CITYWIDE

CHARGES	NEW YORK	BRONX	KINGS	QUEENS	TOTAL
A FELONIES					
125. Homicide Offenses	58	66	98	71	293
135. Kidnapping		3	1		4
150. Arson			2		2
220. Drug Offenses	22	5	4	3	34
B FELONIES					
125. Homicide Offenses	11	29	17	23	80
130. Sex Offenses	5	12	18	8	43
135. Kidnapping				4	4
140. Burglary	2	3	3	3	11
150. Arson	3	1	2		6
160. Robbery	69	63	101	86	319
220. Drug Offenses	3	5	3	7	18
265. Gun Offenses	1		1		2
C FELONIES					
120. Assault	1	2	4	2	9
130. Sex Offenses	1	1	2	1	5
140. Burglary		1	4	3	8
160. Robbery	18	11	35	15	79
265. Gun Offenses	5	1	5		11
Other Offenses		1	6	1	8
D FELONIES					
120. Assault Offenses	4	4	7	5	20
140. Burglary Offenses	6	7	9	15	37
160. Robbery Offenses	2	1	2	9	14
265. Gun Offenses	11	9	24	17	61
Other Offenses		6	6	11	23
E FELONIES					
Other Offenses	5	2	4	6	17
TOTALS					
A FELONIES	80	74	105	74	333
B FELONIES	93	113	146	131	483
C FELONIES	25	17	56	22	120
D FELONIES	23	27	48	57	155
E FELONIES	5	2	4	6	17
GRAND TOTAL	226	233	359	290	1,108

LONG TERM DETAINEE
CASE AGE BY
FELONY CLASS

December 31, 1981

CITYWIDE

NEW YORK	6-9 Months	9-12 Months	Over 12 Months	TOTAL
A Felonies				
A Felonies	50	16	14	80
B Felonies				
B Felonies	59	27	7	93
C Felonies				
C Felonies	14	8	3	25
D Felonies				
D Felonies	16	3	4	23
E Felonies				
E Felonies	2	3		5
TOTAL	141	57	28	226
BRONX				
A Felonies				
A Felonies	44	18	12	74
B Felonies				
B Felonies	60	36	17	113
C Felonies				
C Felonies	9	3	5	17
D Felonies				
D Felonies	18	3	6	27
E Felonies				
E Felonies	2	-	-	2
TOTAL	133	60	40	233
KINGS				
A Felonies				
A Felonies	41	18	46	105
B Felonies				
B Felonies	76	39	31	146
C Felonies				
C Felonies	34	14	8	56
D Felonies				
D Felonies	30	7	11	48
E Felonies				
E Felonies	3	1	-	4
TOTAL	184	79	96	359
QUEENS				
A Felonies				
A Felonies	31	18	25	74
B Felonies				
B Felonies	80	35	16	131
C Felonies				
C Felonies	13	7	2	22
D Felonies				
D Felonies	31	11	15	57
E Felonies				
E Felonies	5	-	1	6
TOTAL	160	71	59	290
CITYWIDE				
A Felonies				
A Felonies	166	70	97	333
B Felonies				
B Felonies	275	137	71	483
C Felonies				
C Felonies	70	32	18	120
D Felonies				
D Felonies	95	24	36	155
E Felonies				
E Felonies	12	4	1	17
TOTAL	618	267	223	1,108

LONG TERM DETAINEE
 *VIOLENT FELONY OFFENDER CASES
 BY CASE AGE AND FELONY CLASS

December 31, 1981

FELONY CLASS	CITYWIDE			TOTAL
	6-9 MONTHS	9-12 MONTHS	OVER 12 MONTHS	
	VFO	VFO	VFO	VFO
A FELONIES				
B FELONIES	261	135	69	465
C FELONIES	67	32	18	117
D FELONIES	49	13	23	85
E FELONIES				
TOTALS	377	180	110	667

*Cases pertaining to the Violent Felony Offender Law which began September 1, 1978.

IV. New York City Court Part Activity

The 21 State funded parts in New York City include 11 Violent Felony parts, plus the existing 10 Long-Term Detainee parts. These LTD parts were federally funded until March of 1978. As indicated in past reports, the VFO parts are not capable of handling all the Violent Felony indictments filed in New York City. In addition, the LTD parts do not handle all the LTD cases pending. However, a major portion of the caseload processed in these specified parts is composed of these types of cases.

The data herein highlights the activity in these 21 parts from January 1, 1981 to December 31, 1981. The data was collected manually from court calendars except for Kings and Queens Counties. Kings and Queens data was taken from OCA's J.C. 153 statistical

It should be noted, that Queens county showed significant increases in calendar cases and dispositions. There was also a decrease in trial activity. These changes were brought about as a result of arraignment parts being designated as VFO and LTD parts for part of the reporting period.

The activity in the original 10 detainee parts and in the 11 VFO parts is presented separately.

A. Activity in the 11 VFO Parts 1/1/80 - 12/31/81

The 11 Violent Felony Parts are accommodating the increasing number of VFO cases reaching the trial stage. During this period, the 11 VFO parts disposed of 769 cases, of which 622 (80.9%) defendants pled guilty or were convicted after trial.

Program

Of the total of 2,206 judge days in these parts, 1,433 (65%) were spent on trial activity, and 222 days (10.1%) were spent on hearings.

Two hundred and sixteen (216) trials commenced in these parts, of which 179 reached completion. These trials resulted in 236 verdicts. Of these 236, 182 (77.1%) defendants were convicted.

B. Activity in the 10 LTD Parts 1/1/81 - 12/31/82

The ten LTD parts operated a total of 2,193 judge days during this period, 1,403 were spent on trial (64.0%) and 225 (10.3%) were spent on hearings.

A total of 1,888 cases were disposed during this period. Two hundred and eleven (211) trials were commenced during this period. Of these, 10 or 4.7% resulted in mistrials or hung juries. Within the 178 trials which reached completion, 203 defendants' cases were disposed with 137 defendants (67.5%) being convicted.

The overall conviction rate for these parts was 79.7%.

V. Suburban and Upstate Court Part Activity

A. Erie County

Erie County has two Violent Felony court parts. During the period January 1, 1981 through December 31, 1981, these parts operated a total of 415 judge days. The total number of days on trial (152) indicates that 36.6% of the judge days were spent actively on trial.

One hundred and eighty-three (183) dispositions occurred in these two parts during the period. Of these, 50.3% were disposed of by pleas to felony counts, 13.7% by pleas to misdemeanors, 10.4% were dismissed and 9.9% resulted in convictions after trial. This is a conviction rate of 73.9%. During this 12 month period, 177 defendants were sentenced in these two VFO parts.

B. Monroe County

Monroe County has been allocated one Violent Felony court part under the Violent Felony Legislation. The Administrative Judge of Monroe County, along with the administrative staffs of other criminal justice agencies deemed it necessary to designate an additional Supreme Court part to handle Violent Felony cases only. These two parts have been in operation since January 1, 1980. A third Supreme Court part is designated whenever there is a heavy backlog of Violent Felony cases. However, for consistency, only the two permanent VF court parts are utilized in the data within.

During the 12 month period, January 1, 1981 to December 31, 1981, these two parts operated a total of 436 judge days. A total of 285 days were spent on trial (65.7%).

A total of 221 Violent Felony dispositions occurred in these parts. Of the 221 dispositions, 118 defendants pled to felonies. Fifty-nine defendants were convicted after trial (26.7%), and 19 cases were dismissed (8.6%). The overall conviction rate was 80.1%.

C. Onondaga County

Onondaga County has one Violent Felony part which, during the 12 month period, January 1, 1981 through December 31, 1981, operated a total of 216 judge days. Seventy-five of these judge days were spent on trial (34.7%).

Court part activity shows that a total of 231 dispositions occurred in the one Violent Felony court part. Of these cases 166 (71.9%) defendants pled to felonies. There were 13 misdemeanor pleas (5.6%). Eleven defendants were convicted after trial (4.7%). The overall conviction rate was 82.2%. Additionally, during 1981, 255 VFO defendants were sentenced.

D. Suffolk County

Suffolk County has two Violent Felony parts which operated a total of 383 judge days during the past 12 month period (January 1, 1981 through December 31, 1981). One hundred and fifty-two of these 383 (40.0%) days were spent on trial.

A total of 209 dispositions occurred in these two parts during the period. Of these cases, 169 defendants (80.9%) pled to felonies, 8 pled to misdemeanors, 10 were convicted after trial and 15 were dismissed. Suffolk shows an overall conviction rate of 89.5%.

E. Westchester County

Westchester County has been allocated funding for three Violent Felony court parts. During the 12 month period, January 1, 1981 through December 31, 1981, these parts operated a total of 549 judge days, or an average of 183 days per part. Three hundred and seventy-five or 68.3% of these days were spent on trial.

In total, these three parts disposed of 127 cases. Of these 127 cases, 67 defendant (52.8%) pled to felonies. Forty-three defendants were convicted after trial (33.9%). The overall conviction rate was 90.7%.

Program

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MAJOR VIOLENT FELONY OFFENDER PART ACTIVITY

VFO PARTS
1/1/81 - 12/31/81

PART ACTIVITY TYPE	NEW YORK	BRONX	KINGS	QUEENS	CITYWIDE
COURT PARTS	4	3	3	1	11
JUDGE DAYS	774	626	572	234	2,206
JUDGE DAYS PER PART	194	209	191	234	201
DAYS ON TRIAL	477	411	437	108	1,433
DAYS ON HEARING	73	113	29	7	222
CALENDARED CASES	3,469	2,007	2,529	6,640	14,645
ADJOURNMENTS	2,198	1,224	N/A	N/A	3,422
BENCH WARRANTS ISSUED	47	4	35	126	212
DISPOSITIONS	189	157	215	207	768
TRIAL INFORMATION:					
TRIALS COMMENCED	49	66	71	30	216
TRIALS COMPLETED	72	52	54	1	179
MISTRIAL & HUNG JURY	5	10	0	0	15
HEARING INFORMATION:					
WADE	13	28	N/A	36	77
HUNTLEY	13	9	N/A	24	46
OTHER	43	43	59	17	162
TOTAL	69	80	59	77	285
TRANSFERS	199	119	N/A	N/A	318
SENTENCES	628	116	142	221	1,107

MAJOR VIOLENT FELONY OFFENDER PART ACTIVITY

LTD PARTS
1/1/81 - 12/31/81

PART ACTIVITY TYPE	NEW YORK	BRONX	KINGS	QUEENS	CITYWIDE
COURT PARTS	3	3	3	1	10
JUDGE DAYS	687	650	613	243	2,193
JUDGE DAYS PER PART	229	217	204	243	219
DAYS ON TRIAL	427	408	400	88	1,323
DAYS ON HEARING	60	102	44	19	225
CALENDARED CASES	4,866	2,281	2,492	10,557	20,196
ADJOURNMENTS	3,482	1,514	N/A	N/A	4,996
BENCH WARRANTS ISSUED	51	15	2	57	144
DISPOSITIONS	220	164	213	291	1,151
TRIAL INFORMATION:					
TRIALS COMMENCED	46	65	84	16	211
TRIALS COMPLETED	47	58	60	13	178
MISTRIAL & HUNG JURY	1	5	4	0	10
HEARING INFORMATION:					
WADE	15	16	N/A	N/A	31
HUNTLEY	22	7	N/A	N/A	29
OTHER	17	49	68	17	151
TOTAL	55	72	68	31	226
TRANSFERS	320	105	N/A	N/A	425
SENTENCES	454	147	163	207	971

Program

Appendix

MAJOR VIOLENT FELONY OFFENDER DISPOSITIONS

VFO PARTS
1/1/81 - 12/31/81

DISPOSITION TYPE	NEW YORK	BRONX	KINGS	QUEENS	CITYWIDE TOTAL
FELONY PLEAS	89	82	119	140	430
MISDEMEANOR PLEAS	5	0	2	3	10
FOUND GUILTY: FELONY	56	52	56	13	177
FOUND GUILTY: MISD.	1	0	4	0	5
COVERED BY PLEAS	2	3	0	4	9
DISMISSALS	11	8	18	25	62
ACQUITTALS	25	6	16	7	54
OTHER DISPOSITIONS	0	6	0	15	21
TOTAL DISPOSITIONS	189	157	215	207	768

MAJOR VIOLENT FELONY OFFENDER DISPOSITIONS

LTD PARTS
1/1/81 - 12/31/81

DISPOSITION TYPE	NEW YORK	BRONX	KINGS	QUEENS	CITYWIDE TOTAL
FELONY PLEAS	146	88	105	221	560
MISDEMEANOR PLEAS	0	0	2	9	11
FOUND GUILTY: FELONY	38	39	49	4	130
FOUND GUILTY: MISD.	0	0	2	5	7
COVERED BY PLEAS	8	3	0	27	38
DISMISSALS	11	6	35	14	66
ACQUITTALS	10	28	20	6	64
OTHER DISPOSITIONS	7	0	0	5	12
TOTAL DISPOSITIONS	220	164	213	291	888

MAJOR VIOLENT FELONY OFFENDER PART ACTIVITY

VFO PARTS
(By County)

1/1/81 - 12/31/81

PART ACTIVITY TYPE	ERIE	MONROE	ONONDAGA	SUFFOLK	WESTCHESTER
COURT PARTS	2	2	1	2	3
JUDGE DAYS	415	436	216	383	549
JUDGE DAYS PER PART	208	218	216	192	183
DAYS ON TRIAL	152	285	75	152	375
DAYS ON HEARING	36	73	21	91	96
CALENDARED CASES	2420	2331	2599	3457	2116
ADJOURNMENTS	N/A	N/A	2266	N/A	N/A
BENCH WARRANTS ISSUED	28	37	51	69	7
DISPOSITIONS	183	221	231	209	127
TRIAL INFORMATION:					
TRIALS COMMENCED	32	78	15	17	75
TRIALS COMPLETED	32	71	14	12	64
MISTRIAL & HUNG JURY	0	1	1	1	7
HEARING INFORMATION:					
WADE	0	19	10	N/A	6
HUNTLEY	0	23	0	N/A	21
OTHER	0	37	6	N/A	50
TOTAL	N/A	79	16	38	77
TRANSFERS	N/A	8	8	0	5
SENTENCES	177	175	255	208	99

MAJOR VIOLENT FELONY OFFENDER DISPOSITIONS

VFO PARTS
(By County)

1/1/81 - 12/31/81

DISPOSITION TYPE:	ERIE	MONROE	ONONDAGA	SUFFOLK	WESTCHESTER
FELONY PLEAS	92	118	166	169	67
MISDEMEANOR PLEAS	25	0	13	8	5
FOUND GUILTY: FELONY	14	56	7	10	40
FOUND GUILTY: MISD.	4	3	4	0	3
COVERED BY PLEAS	11	11	0	1	0
DISMISSALS	19	19	26	15	2
ACQUITTALS	12	12	11	1	7
OTHER DISPOSITIONS	6	2	4	5	3
TOTAL DISPOSITIONS	183	221	231	209	127

A. INTRODUCTION

In October, 1978, the New York State Legislature and Governor Hugh L. Carey recognized the need to assist criminal justice agencies in executing violent felony bench, arrest or parole warrants by establishing the Statewide Violent Felony Warrant Enforcement Program. This program seeks to coordinate the warrant enforcement efforts of the State's major criminal justice agencies by providing funding for several different program components. Among these are the increased staffing of police, probation, and parole agencies dedicated to the apprehension of violent felony offenders; the expansion of the Statewide warrant notification system; the establishment of a parole registrant system; the improvement of the State's fingerprint facsimile transmission capabilities; as well as the hiring of staff to monitor and evaluate the program. The goal of all these efforts is to identify and apprehend violent felony offenders who fail to appear in court when required.

In addition to violent felony offenses, the Commissioner of the Division of Criminal Justice Services has directed that all felony offenses against persons who are 60 years of age or older, 12 years of age or younger--or who suffer from an observable physical infirmity rendering them more vulnerable to criminal victimization--shall be considered as priority offenses within this program.

B. IMPLEMENTATION AND ORGANIZATION

Pursuant to the legislative mandate, the Division of Criminal Justice Services (DCJS) has been charged with administering this program and with providing coordination, technical

assistance, and resources to the participating State and local agencies. Among the agencies identified by DCJS as having significant responsibility for the enforcement of warrants in New York State are the New York City Police Department Warrant Division, the New York State Police, the New York State Division of Parole, the New York State Division of Probation and the New York City Department of Probation.

1. NEW YORK CITY POLICE DEPARTMENT WARRANT ENFORCEMENT PROGRAM

Funding has been provided to the New York City Police Department to support up to 142 police officers and seven supervisors for assignment to warrant enforcement duties in the Warrant Division during 1981.* Specifically, these officers were assigned in the following manner:

- a. A total of 130 police officers and 12 supervisors have been assigned to the four Borough Commands of the Warrant Division.
- b. Fourteen police officers have been assigned to the Major Offender Units within the Borough Commands, to pursue warrants identified by the five District Attorneys' offices as priority or "most wanted" cases.
- c. Until July, 1981 twenty police officers have been assigned to ten patrol precincts within the five boroughs.

*As of April 1, 1980 this support has been reduced from the 100% State funding level since October 1, 1978, to a 50% funding level, with New York City providing the remaining 50% of funding.

- d. Additionally, the Police Department hired up to twenty-seven civilian aides, to review and validate all warrants issued within the City of New York.

2. NEW YORK STATE POLICE

The New York State Police have assigned up to thirty-eight investigators to violent felony warrant squads across the State as support for various State and local law enforcement agencies in executing violent felony and felony narcotic warrants. These squads, including one in New York City, handle violent felony warrants, by request, where the investigation is outside of the jurisdiction of the requesting agency. In addition, these investigators transport prisoners between local law enforcement agencies when a subject has been arrested on a warrant and the wanting agency lacks the resources to pick up the individual.

3. DIVISION OF PAROLE

The State Division of Parole is responsible for identifying individuals who have either absconded from supervision or violated a condition of parole, and for whom a warrant has been issued. Parole notifies DCJS and accepts primary responsibility for investigating the warrant. A specialized absconder search unit has been established consisting of one senior parole officer and up to 15 parole officers that have been assigned to offices in New York City, Albany, Buffalo, Hempstead, Poughkeepsie, Rochester and Syracuse.

4. PAROLE REGISTRANT SYSTEM

DCJS, in cooperation with the Division of Parole, implemented a computerized system to provide for the registration of all individuals currently on parole in New York State. On-line computer terminals have been installed in the Division of Parole Central Office in Albany and in the New York City Area Office. DCJS immediately notifies the Division of Parole when a parolee has been rearrested.

5. DIVISION OF PROBATION

The State Division of Probation provided support to the New York City Probation Department, to develop and administer a five-man Warrant Enforcement Program. This support was withdrawn on March 31, 1981 and the program was terminated. This unit provided liaison with the New York City Police Department's Warrant Division. Probation warrant liaison officers functioned primarily as the link between the probation officer who directly supervised the case and the police warrant officer whose function was to apprehend and arrest the probationer.

6. STATEWIDE WARRANT SYSTEM IMPROVEMENT

Along with maintaining fingerprint/criminal history records, DCJS also keeps warrant data files on persons "wanted" in New York State. In order to ensure that the various law enforcement agencies charged with warrant enforcement are provided with warrant data and criminal history information in the most expedient manner, DCJS has continued to implement technological improvements and to increase the number of personnel assigned within this program.

During the initial stages of this program five computer terminals were provided to selected user agencies, to provide direct entry of warrant data into the statewide warrant data system. Among the agencies selected for on-line data entry were the New York City Police Department, and the Warren County and Syracuse Probation Offices. In addition, program changes have been made to the warrant system to provide improved service to user agencies and to enhance the search capabilities of the system.

C. MAJOR ACCOMPLISHMENTS

1. New York City Police Department (NYPD) Violent Felony Warrant Enforcement

The following tables reflect the activities of the Warrant Division for the period January 1, 1981 through December 31, 1981. Included are the warrants received and executed by the four Borough Warrant Squads, the five District Attorney's Major Offender Units, and the twenty officers assigned to ten precincts throughout the city. The reader is cautioned not to compare total warrants received with warrants cleared,* since the latter are not necessarily the same warrants that were received during a particular period. While it is true that the majority of cases cleared occur within three months of receipt, a significant number of clearances can be for warrants outstanding for a period of several months or even years.

*A "clearance" means that a felon is arrested on the warrant, voluntarily surrenders, the court or prosecuting attorney no longer seeks his/her appearance at court, or the felon is already in custody.

Therefore, these tables should be examined as activity indicators only. For example, in Table I the Borough Warrant Squads received a total of 6,256 violent felony and 11,743 felony warrants during the period. At the same time, the Borough Squads cleared 3,494 violent felony and 7,498 felony cases (Table II). Of the total 10,992 cases cleared, the 3,494 violent felonies represented 31.8%. The Borough Warrant Squads cleared 5,869 cases by arrest, while the remaining 5,123 were cleared by such means as voluntary surrender, incarceration for another crime, or an investigation which revealed that the wanted person was, for example, no longer living.

TABLE I: WARRANTS RECEIVED BY BOROUGH WARRANT SQUADS 1981

1981	TOTAL WARRANTS RECEIVED BY BOROUGH SQUADS	VIOLENT FELONY	FELONY
January	1650	724	926
February	1275	453	822
March	1442	527	915
April	1455	568	887
May	1121	375	746
June	1150	426	724
July	1405	490	915
August	1553	514	1039
September	1551	460	1091
October	2666	625	2041
November	1030	456	574
December	1701	638	1063
TOTAL	17,999	6,256	11,743

TABLE II: WARRANTS CLEARED BY BOROUGH WARRANT SQUADS 1981

1981	TOTAL WARRANTS CLEARED BY BOROUGH SQUADS	VIOLENT FELONY	FELONY
January	872	317	555
February	861	330	531
March	933	332	601
April	953	356	597
May	734	253	481
June	797	293	504
July	599	212	387
August	735	234	501
September	810	271	539
October	1968	382	1586
November	878	259	619
December	852	255	597
TOTAL	10,992	3,494	7,498

A close examination of Table I reveals that in October the Borough Squads received a total of 2,666 warrants while in November they received only 1,030. This is a difference of 1,636 warrants and may be due, in part, to the seasonal activities of the Courts. The average for the period was 1,500 warrants received per month.

Table II reflects the number of warrants executed during the twelve month period. While the average clearance rate was 916 per month, May shows a noticeable reduction below the average with a total of only 734.

If one compares the similar twelve month period for 1980 to this reporting period, we see that both the total number of warrants and especially the violent felony warrants received and cleared has increased noticeably. (Table III)

TABLE III: TWELVE MONTH COMPARISON

	<u>TOTAL WARRANTS RECEIVED BY BOROUGH WARRANT SQUADS</u>	<u>VIOLENT FELONY</u>	<u>FELONY</u>
1980	14,844	4,550	10,294
1981	17,999	6,256	11,743
	<u>TOTAL WARRANTS CLEARED BY BOROUGH WARRANT SQUADS</u>	<u>% CLEARED VIOLENT FELONY</u>	<u>FELONY</u>
1980	9,229	62.1	6,441
1981	10,992	61.2	7,498

TABLE IV: COMPARISON OF CLEARANCES/ARRESTS

	<u>CLEARED</u>	<u>CLEARED BY ARREST</u>	<u>CLEARED BY OTHER MEANS</u>
1980	9,229	5,067	4,162
1981	10,992	5,869	5,123

Total warrants received in 1981 increased by 3,155 from the 1980 level or a 21% increase; however, violent felony warrants increased by 1,706 from the 1980 level or a 38% increase. Clearance rates increased also from the 1980 level (up 19% overall) and violent felony clearances were up twenty-five percent. Arrests were also up (16%) but it would appear from the data, that the Police Department, while improving its performance from previous years is receiving violent felony and felony warrants from the courts at an increasing rate.

Tables V and VI reflect the activities of the Major Offender Units, which investigate cases designated as "high priority" by the District Attorneys as well as those cases assigned by the Borough Warrant Squads. As indicated by Table V, the District Attorneys' offices identified 756 violent felony and 101 felony offenders as priority cases for this twelve month period.

At the same time, the Major Offender Unit cleared (Table VI) a total of 427 of the DA assigned violent felony and 88 DA assigned felony cases for a clearance rate of 56% and 87% respectively. A more thorough breakdown of program activities of the Borough Squads and the Major Offender Units can be found in Attachment A, Tables I through X.

TABLE V: WARRANTS RECEIVED BY MAJOR OFFENDER UNITS 1981

	<u>VIOLENT FELONY WARRANTS</u>		<u>FELONY WARRANTS</u>	
	<u>District Attorney Assigned Cases</u>	<u>Borough Unit Assigned Cases</u>	<u>District Attorney Assigned Cases</u>	<u>Borough Unit Assigned Cases</u>
January	66	8	12	6
February	50	10	11	3
March	59	8	10	1
April	88	23	6	1
May	58	4	9	0
June	60	26	11	1
July	80	3	6	2
August	56	3	20	3
September	65	6	3	3
October	60	2	6	1
November	47	9	3	9
December	67	2	4	7
TOTAL	756	104	101	37

TABLE VI: WARRANTS CLEARED BY MAJOR OFFENDER UNITS 1981

	<u>VIOLENT FELONY WARRANTS</u>		<u>FELONY WARRANTS</u>	
	District Attorney Assigned Cases	Borough Unit Assigned Cases	District Attorney Assigned Cases	Borough Unit Assigned Cases
January	26	9	12	14
February	31	10	10	11
March	45	2	9	10
April	38	7	6	4
May	39	3	5	0
June	41	4	8	4
July	41	0	4	6
August	30	11	14	1
September	40	5	8	2
October	38	2	3	4
November	30	4	4	2
December	<u>28</u>	<u>4</u>	<u>5</u>	<u>12</u>
TOTAL	427	61	88	70

Table VII reflects the activities of the 20 police officers assigned to precincts throughout the five boroughs. It should be noted that these figures reflect both felony and misdemeanor warrants. These precinct units were discontinued effective July 1, 1981 and are no longer part of the Statewide Violent Felony Warrant Enforcement Program. The twenty positions were reassigned to the Borough Warrant Squads.

TABLE VII: PROGRAM PRECINCT WARRANT REPORT 1981

	<u>TOTAL FELONY AND MISDEMEANOR CASES RECEIVED</u>	<u>TOTAL FELONY AND MISDEMEANOR CASES CLEARED</u>
January	615	287
February	652	284
March	456	286
April	477	268
May	580	256
June	<u>358</u>	<u>258</u>
TOTAL	3138	1639

For further information on violent felony and felony warrants by Borough, see Attachment A Tables I through X.

NEW YORK STATE POLICE (NYSP)

The thirty-eight member warrant enforcement unit within the State Police pursues violent felony and narcotic offenders throughout the state, and, when necessary, provides transportation of wanted persons between counties. In addition, members of the Unit expend time on special assignments such as homicide or escape investigations. The Unit includes one lieutenant, five senior investigators and 32 investigators who are assigned throughout the State.

The following narrative/statistical breakdown reflects State Police activities for January 1, 1981 through December 31, 1981. (For a more detailed examination see Attachments BI - BIV).

WARRANTS RECEIVED - CLOSED BY ARREST

During this reporting period, 883 Felony Warrants were received by the various Violent Felony Warrant Squads throughout the State, of which 756 were for Violent Felonies. During this same period, 694 warrant cases were closed by arrest, of which 578 were for Violent Felonies. Among the Violent Felony arrests were 24 Murder, 123 Robbery, 74 Burglary, 100 Assault, 68 Escape or Absconding and 63 Fugitive cases.

WARRANTS CLOSED BY INVESTIGATION

Between January 1, 1981 and December 31, 1981, 202 Felony Warrant cases were closed by investigation, of which 188 were Violent Felony Warrant cases. When a case is listed as "Closed by Investigation" it means that a particular Violent Felony Warrant Squad conducted an investigation at the request of a local police department (such as checking a former address) and that the subject was not located and/or arrested by the squad. In these cases, the warrant is returned to the local police department along with the results of the investigation. The warrant remains active, and only the State police case is closed by investigation.

PENDING CASES

As of January 1, 1982, the NYSP Violent Felony Warrant Enforcement Unit has 208 pending felony warrant cases, of which 188 are Violent Felony Warrants.

CLEARANCE RATE

Of the total cases closed during the period by the NYSP Violent Felony Warrant Squad, 694 or 77% percent were closed by arrest and 202 or 23% percent were closed by investigation.

PRISONER TRANSPORTS

A total of 178 prisoners were transported by the Violent Felony Warrant Squad during the period from the point of arrest to the "wanting" agency.

Several times during the year, the Division of Criminal Justice Services assisted the unit with ongoing warrant (mostly prison escape cases) investigations. During the course of several investigations, VFW Squad investigators learned the names and approximate ages of individuals who were traveling with, or otherwise associated with wanted persons. After being supplied with this limited information, DCJS was able to positively identify several individuals which, in some cases, led to the arrests of the wanted persons.

3. DIVISION OF PAROLE

The Division of Parole has placed major emphasis on strengthening supervision of parolees convicted of violent crimes and on creating a special unit to execute warrants against parole violators. Also, Parole and DCJS have jointly created a system, known as the Parole Registrant System, which detects newly-arrested parolees and notifies the appropriate authorities.

ABSCONDER SEARCH UNIT

The Division has assigned one senior parole officer and nine parole officers to the New York area office, as well as one parole officer to each of the Albany, Buffalo, Hempstead, Poughkeepsie, Rochester and Syracuse area offices to enforce warrants for persons wanted for parole violation.

PAROLE STATISTICS

Between January 1, 1981 and December 31, 1981, the Unit was assigned 832 cases. Of this total, 414 (50%) were intensely monitored special supervision violent felony cases; 135 (16%) were long term violent felony offender cases; and 283 (34%) were non-violent felony offender cases (see attachments C1 - C4).

Cases closed during this period totalled 776, or 93% of the 832 assigned cases. Of the cases closed, 702 (90%) were closed by arrest and 74 (10%) by other means. Of the 702 arrests during the period, 301 (43%) were special supervision offenders and 121 (17%) were long-term violent felony cases.

4. NEW YORK STATE DIVISION OF PROBATION

The State Division of Probation provided funds to the New York City Probation Department to administer a five-Man Warrant Liaison Unit for the period January 1, 1981, through March 31, 1981. At that time the program was discontinued. The Unit consisted of five (5) probation officers and four (4) clerks and was administered by the New York City Department of Probation and monitored by both State Probation and DCJS.

PROBATION STATISTICS

During the period January through March, the New York City Department of Probation received 583 warrants. In the following table they are broken down by borough:

<u>COUNTY</u>	<u>TOTAL</u>
Bronx	99
Brooklyn	159
Manhattan	194
Queens	111
Staten Island	<u>20</u>
	583

The Probation Warrant Liaison Unit has assisted the City Police Department Warrant Squad in making the following arrests for violations of probation during the three month period.

<u>COUNTY</u>	<u>TOTAL</u>
Bronx	15
Brooklyn	36
Manhattan	28
Queens	34
Staten Island	<u>10</u>
	123

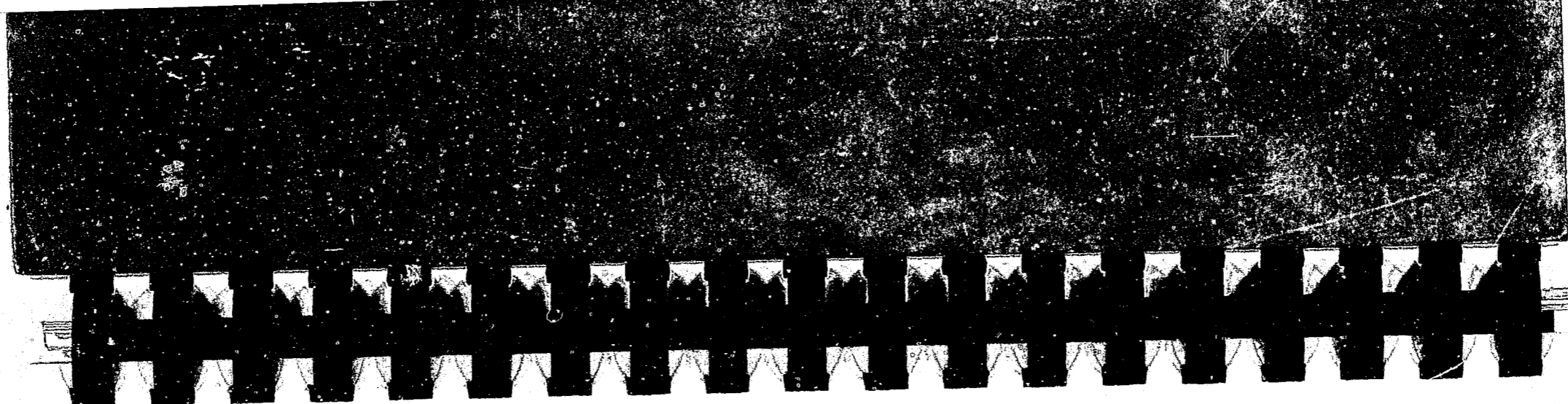
In an effort to bring about the voluntary surrender of absconders, Probation's Warrant Liaison Unit sent out notices that appearance was overdue at the Warrant Liaison Office. This was followed up by a residence visit. In addition, the Warrant Liaison Unit daily examined records of arrests for the previous day, to identify probationers arrested for a new crime, and to see if any outstanding warrants were registered against them. The warrants were then lodged against them in jail. Data on voluntary surrenders and warrants lodged during this 3 month period are presented in the following table:

<u>COUNTY</u>	<u>VOLUNTARY SURRENDERS</u>	<u>LODGINGS</u>
Bronx	10	18
Brooklyn	33	36
Manhattan	39	30
Queens	18	48
Staten Island	<u>6</u>	<u>3</u>
TOTALS	106	135

D. Conclusion

The violent felony warrant program is a concerted effort by the State and local law enforcement agencies to ensure that persons wanted for violent felony and felony offenses are brought to trial. The efforts of the three major enforcement units of the program, the New York City Police Department, the New York State Police and the New York State Division of Parole combined, cleared a total of 12,664 cases during 1981. A total of 7,265 warrants have been cleared by the arrest of wanted persons, while 5,399 cases have been cleared by such means as voluntary surrender or closed by investigation. A total of 4,734 violent felony cases have been cleared during the period; 2,800 of these by arrest of the wanted person.

While earlier evaluations of the program noted that there are no clear trends to suggest an improvement in warrant enforcement between 1980 and 1979, it appears that in 1981 New York City has shown a 19% increase in warrants cleared for the similar twelve month period of 1980. If such is the case, then we may begin to see even more improvement in 1982; however, the rate of increase in warrants issued (especially violent felony warrants) may not reflect the improved performance of the enforcement units.



SUMMARY TABLE
VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM

PERIOD: January - December 1981

AGENCY	TOTAL VIOLENT & FELONY CASES ASSIGNED	VIOLENT FELONY CASES ASSIGNED	TOTAL CASES CLEARED	VIOLENT FELONY CASES CLEARED	TOTAL ARREST
NEW YORK CITY BOROUGH WARRANTS	17,999	6,256	10,992	3,494	5,869
NEW YORK STATE POLICE	883	756	896	766	694
NEW YORK STATE DIVISION OF PAROLE	832	549	776	474	702
TOTAL	19,714	7,561	12,664	4,734	7,265

BROUGH WARRANT SQUADS

1981
 VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A. I.
 MONTHLY TRACKING SUMMARY

Boro City-wide

MONTH	1 TOTAL FELONY WARRANTS RECEIVED AT C.W.U.	2 TOTAL FELONY WARRANTS FORWARDED TO BORO SQUAD	3 WARRANTS RECEIVED												13 WARRANTS REFERRED TO STATE POLICE
			4a, b PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)						5 PRIORITY 1 WARRANTS (OTHER FELONY OFFENSE CASES)						
			TOTAL 1 A's	6 H.O.U.		7 EVENT CHARACTERISTICS			TOTAL 1's	8 H.O.U.		9 EVENT CHARACTERISTICS			
				D.A.	BORO	RECID.	SPECIAL VICTIMS	OTHER THAN 5 or 6		D.A.	BORO	RECID.	SPECIAL VICTIMS	OTHER THAN 10 or 11	
JANUARY	2066	1650	724	66	8	145	0	506	926	12	6	148	0	762	3
FEBRUARY	1550	1275	453	50	10	115	1	278	822	11	3	213	1	594	0
MARCH	1769	1442	527	59	8	184	1	268	915	10	1	237	0	669	2
APRIL	1699	1455	568	88	23	147	1	312	887	6	1	203	0	677	9
MAY	1323	1121	375	58	4	77	1	235	746	9	0	117	0	621	6
JUNE	1379	1150	426	60	26	68	0	276	724	11	1	110	0	602	3
JULY	1513	1405	490	80	3	95	0	312	915	6	2	133	0	774	1
AUGUST	1784	1553	514	56	3	141	0	319	1039	20	3	272	0	747	0
SEPTEMBER	1720	1551	460	65	6	124	0	268	1091	3	3	204	0	884	1
OCTOBER	2894	2666	625	60	2	148	0	419	2041	6	1	244	0	1790	1
NOVEMBER	1222	1030	456	47	9	73	0	329	574	3	9	122	0	440	1
DECEMBER	1989	1701	638	67	2	162	0	405	1063	4	7	237	0	815	4
YEAR TOTAL	20908	17999	6256	756	104	1479	4	3930	11743	101	37	2240	1	9375	31

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1981

Boro Brooklyn

VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A, II
MONTHLY TRACKING SUMMARY

MONTH	1 TOTAL FELONY WARRANTS RECEIVED AT C.W.U.	2 TOTAL FELONY WARRANTS FORWARDED TO BORO SQUAD	WARRANTS RECEIVED											13 WARRANTS REFERRED TO STATE POLICE	
			3 4a, b PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)						8 9a, b PRIORITY 1 WARRANTS (OTHER FELONY OFFENSE CASES)						
			TOTAL 1 A's	M.O.U.		EVENT CHARACTERISTICS			TOTAL 1's	M.O.U.		EVENT CHARACTERISTICS			
				D.A.	BORO	RECID.	SPECIAL VICTIMS	OTHER THAN 5 or 6		D.A.	BORO	RECID.	SPECIAL VICTIMS		OTHER THAN 10 or 11
JANUARY	760	609	292	24	1	65	0	202	317	3	0	48	0	266	0
FEBRUARY	504	407	150	20	10	39	0	81	257	3	0	42	1	211	0
MARCH	611	517	191	24	6	80	1	70	326	6	0	72	0	248	0
APRIL	632	539	206	28	21	40	1	116	333	2	0	66	0	265	0
MAY	442	363	118	30	0	24	1	63	245	5	0	31	0	209	0
JUNE	500	399	137	13	23	25	0	76	262	10	0	30	0	222	0
JULY	629	532	179	26	3	68	0	82	353	0	0	50	0	303	0
AUGUST	651	566	171	16	0	65	0	90	395	4	0	129	0	262	0
SEPTEMBER	727	638	156	26	4	49	0	77	482	0	0	61	0	421	0
OCTOBER	674	582	178	22	0	45	0	111	404	0	0	70	0	334	0
NOVEMBER	395	321	217	26	7	21	0	163	104	0	2	34	0	68	0
DECEMBER	608	532	216	15	1	43	0	157	316	0	2	74	0	240	0
YEAR TOTAL	7133	6005	2211	270	76	564	3	1288	3794	31	4	707	1	3049	0

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Appendix

1981
 VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A. III;
 MONTHLY TRACKING SUMMARY

Boro Manhattan

MONTH	1 TOTAL FELONY WARRANTS RECEIVED AT C.W.U.	2 TOTAL FELONY WARRANTS FORWARDED TO BORO SQUAD	3 WARRANTS RECEIVED 4a, b 5 6 7 8 9a, b 10 11 12 PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)									PRIORITY 1 WARRANTS (OTHER FELONY OFFENSE CASES)					13 WARRANTS REFERRED TO STATE POLICE
			TOTAL 1 A's	M.O.U.		EVENT CHARACTERISTICS			TOTAL 1's	M.O.U.		EVENT CHARACTERISTICS					
				D.A.	BORO	RECID.	SPECIAL VICTIMS	OTHER THAN 5 or 6		D.A.	BORO	RECID.	SPECIAL VICTIMS	OTHER THAN 10 or 11			
JANUARY	529	405	165	19	0	11	0	136	240	7	0	15	0	220	1		
FEBRUARY	400	323	109	6	0	33	0	71	214	6	0	72	0	136	0		
MARCH	507	395	153	15	0	54	0	87	242	3	0	73	0	168	0		
APRIL	465	402	155	20	0	43	0	95	247	3	0	62	0	182	2		
MAY	336	273	98	6	0	12	0	81	175	2	0	17	0	157	1		
JUNE	319	269	129	17	2	15	0	99	140	1	0	26	0	113	0		
JULY	318	355	136	20	0	1	0	115	219	5	0	5	0	208	0		
AUGUST	452	396	146	17	0	27	0	107	250	13	0	66	0	174	0		
SEPTEMBER	424	381	136	16	0	28	0	95	245	3	0	84	0	160	0		
OCTOBER	771	718	241	13	0	52	0	180	477	4	0	69	0	404	1		
NOVEMBER	312	250	106	10	0	16	0	82	144	2	0	29	0	113	1		
DECEMBER	541	418	152	12	0	39	0	101	266	1	0	58	0	207	0		
YEAR TOTAL	5374	4585	1726	171	2	331	0	1249	2859	50	0	577	0	2242	6		

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1981
VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A. IV
MONTHLY TRACKING SUMMARY

Boro Bronx

MONTH	1 TOTAL FELONY WARRANTS RECEIVED AT C.W.U.	2 TOTAL FELONY WARRANTS FORWARDED TO BORO SQUAD	3 WARRANTS RECEIVED 4a, b 5 6 7 PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)						8 9a, b 10 11 12 PRIORITY 1 WARRANTS (OTHER FELONY OFFENSE CASES)						13 WARRANTS REFERRED TO STATE POLICE
			TOTAL 1 A's	M.O.U.		EVENT CHARACTERISTICS			TOTAL 1's	M.O.U.		EVENT CHARACTERISTICS			
				D.A.	BORO	RECID.	SPECIAL VICTIMS	OTHER THAN 5 or 6		D.A.	BORO	RECID.	SPECIAL VICTIMS	OTHER THAN 10 or 11	
JANUARY	445	362	177	23	7	49	0	98	185	0	3	63	0	119	0
FEBRUARY	329	272	107	21	0	29	0	57	165	0	1	53	0	111	0
MARCH	319	251	102	19	0	26	0	57	149	0	0	54	0	95	0
APRIL	357	313	145	40	0	44	0	61	168	1	1	48	0	118	0
MAY	284	255	106	22	3	28	0	53	149	2	0	46	0	101	5
JUNE	266	224	102	29	1	22	0	50	122	0	1	38	0	83	2
JULY	303	285	106	34	0	13	0	59	179	1	2	59	0	117	1
AUGUST	343	315	111	23	3	30	0	55	204	3	3	55	0	143	0
SEPTEMBER	326	312	111	23	2	30	0	56	201	0	3	39	0	159	1
OCTOBER	1204	1154	147	25	2	36	0	84	1007	2	1	79	0	925	0
NOVEMBER	300	269	75	11	2	15	0	47	194	1	7	33	0	153	0
DECEMBER	554	521	175	40	1	55	0	79	346	3	5	77	0	261	4
YEAR TOTAL	5030	4533	1464	310	21	377	0	756	3069	13	27	644	0	2385	13

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Appendix

1981

Boro Queens

VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A, V;
MONTHLY TRACKING SUMMARY

MONTH	WARRANTS RECEIVED															WARRANTS REFERRED TO STATE POLICE			
	1			2			3						4a, b						
	TOTAL FELONY WARRANTS RECEIVED AT C.W.U.			TOTAL FELONY WARRANTS FORWARDED TO BORO SQUAD			PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)						PRIORITY 1 WARRANTS (OTHER FELONY OFFENSE CASES)						
	TOTAL 1's			TOTAL 1's			EVENT CHARACTERISTICS			EVENT CHARACTERISTICS			EVENT CHARACTERISTICS						
						M.O.U.			M.O.U.			M.O.U.							
						D.A. BORO			D.A. BORO			D.A. BORO							
						RECID.			RECID.			RECID.							
						SPECIAL VICTIMS			SPECIAL VICTIMS			SPECIAL VICTIMS							
						OTHER THAN 5 or 6			OTHER THAN 5 or 6			OTHER THAN 10 or 11							
JANUARY	332	274	90	0	0	20	0	70	184	2	3	22	0	157	2				
FEBRUARY	317	273	87	3	0	14	1	69	186	2	2	46	0	136	0				
MARCH	332	279	81	1	2	24	0	54	198	1	1	38	0	158	2				
APRIL	245	201	62	0	2	20	0	40	139	0	0	27	0	112	7				
MAY	261	230	53	0	1	13	0	38	177	0	0	23	0	154	0				
JUNE	294	258	58	1	0	6	0	51	200	0	0	16	0	184	1				
JULY	263	233	69	0	0	13	0	56	164	0	0	18	0	146	0				
AUGUST	338	276	86	0	0	19	0	67	190	0	0	22	0	168	0				
SEPTEMBER	243	220	57	0	0	17	0	40	163	0	0	20	0	144	0				
OCTOBER	245	212	59	0	0	15	0	44	153	0	0	26	0	127	0				
NOVEMBER	215	190	58	0	0	21	0	37	132	0	0	26	0	106	0				
DECEMBER	286	230	95	0	0	25	0	71	135	0	0	28	0	107	0				
YEAR TOTAL	3371	2876	855	5	5	207	1	637	2021	5	6	312	0	1699	12				

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Revised 2/80

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VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A, .VI.
MONTHLY ACTIVITY SUMMARY
Tally Sheet

Boro City-Wide

MONTH	WARRANTS CLEARED													WARRANTS LODGED	WARRANTS CLEARED BY STATE POLICE
	TOTAL WARRANTS EXECUTED	PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)							PRIORITY 1 WARRANTS (OTHER FELONY OFFENSE CASES)						
		TOTAL 1A's	M.O.U.		RECID.	SPECIAL VICTIMS	OTHER THAN 4 or 5	TOTAL 1's	M.O.U.		RECID.	SPECIAL VICTIMS	OTHER THAN 9 or 10		
D.A.	BORO	D.A.	BORO												
January	872	317	26	9	73	0	214	555	12	14	100	2	429	69	0
February	861	330	31	10	76	1	213	531	10	11	128	1	412	59	0
March	933	332	45	2	93	1	194	601	9	10	136	0	449	110	0
April	953	356	38	7	90	1	223	597	6	4	149	1	439	94	0
May	734	253	39	3	68	1	144	481	5	0	79	0	397	57	0
June	797	293	41	4	63	0	186	504	8	4	94	0	398	36	2
July	599	212	41	0	54	0	122	387	4	6	72	0	306	21	4
August	735	234	30	11	78	0	116	501	14	1	114	0	379	46	0
September	810	271	40	5	55	0	175	539	8	2	107	2	427	66	0
October	1968	382	38	2	82	0	263	1586	3	4	152	0	1429	81	0
November	878	259	30	4	56	0	171	619	4	2	108	0	506	59	2
December	852	255	28	4	48	0	179	597	5	12	84	0	498	68	0
YEAR TOTAL	10922	3494	427	61	836	4	2200	7498	88	70	1323	6	6069	766	8

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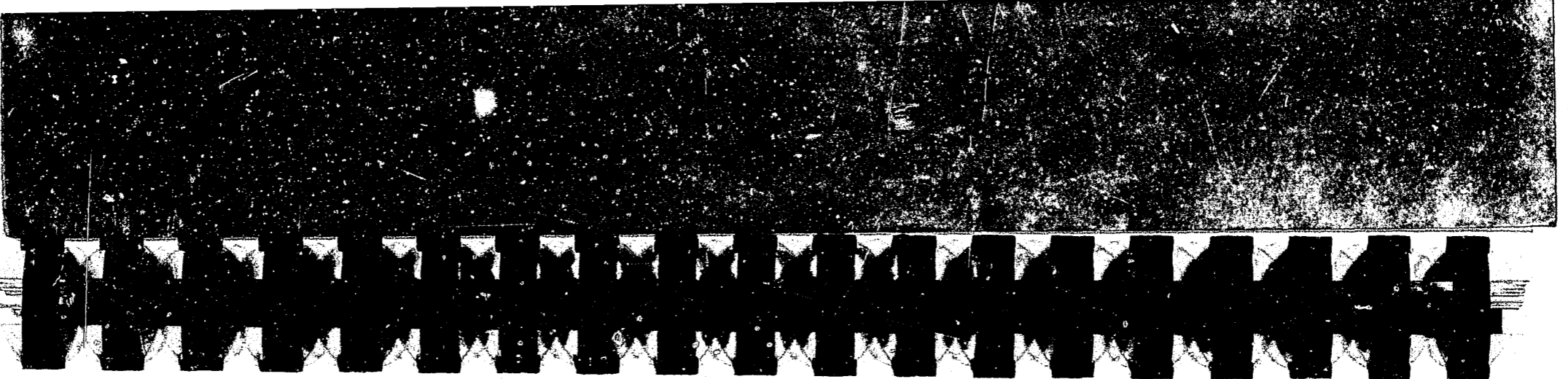
Appendix

1981

VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A, VII.
MONTHLY ACTIVITY SUMMARY
Tally Sheet

Boro Brooklyn

MONTH	WARRANTS CLEARED													12 WARRANTS LODGED	13 WARRANTS CLEARED BY STATE POLICE
	2 PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)							7 PRIORITY 1 WARRANTS (OTHER FELONY OFFENSE CASES)							
	1 TOTAL WARRANTS EXECUTED	3a,b TOTAL 1A's	4 M.O.U.		5 RECID.	6 SPECIAL VICTIMS	OTHER THAN 4 or 5	8a, b TOTAL 1's	9 M.O.U.		10 RECID.	11 SPECIAL VICTIMS	OTHER THAN 9 or 10		
		D.A.	BORO					D.A.	BORO						
January	216	82	9	1	19	0	53	131	3	0	21	0	107	32	0
February	237	96	16	3	22	0	55	133	4	0	26	1	133	29	0
March	282	92	13	0	26	1	52	184	4	0	20	0	160	44	0
April	262	96	9	6	15	1	65	163	3	0	17	1	142	44	0
May	217	67	19	0	16	1	31	149	3	0	12	0	134	28	0
June	212	74	11	2	11	0	50	137	5	0	16	0	116	0	0
July	136	41	19	0	13	0	10	95	0	0	13	0	82	0	0
August	201	56	15	0	36	0	5	145	9	0	40	0	103	17	0
September	235	67	12	2	13	0	40	168	0	0	25	0	143	29	0
October	257	63	9	0	27	0	27	194	0	0	20	0	174	0	0
November	192	49	8	2	7	0	32	143	0	2	11	0	130	21	0
December	230	66	7	0	5	0	54	164	0	2	14	0	148	31	0
YEAR TOTAL	2677	849	147	16	210	3	474	1806	31	4	235	2	1572	275	0



1981

VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A. VIII
 MONTHLY ACTIVITY SUMMARY
 Tally Sheet

Boro Manhattan

MONTH	WARRANTS CLEARED													12 WARRANTS LODGED	13 WARRANTS CLEARED BY STATE POLICE
	1 TOTAL WARRANTS EXECUTED	2 3a,b 4 5 6 7 PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)						8a,b 9 10 11 PRIORITY 1 WARRANTS (OTHER FELONY OFFENSE CASES)							
		2 TOTAL 1A's	3a,b M.O.U. D.A. BORO		4 RECID.	5 SPECIAL VICTIMS	6 OTHER THAN 4 or 5	7 TOTAL 1's	8a,b M.O.U. D.A. BORO		9 RECID.	10 SPECIAL VICTIMS	11 OTHER THAN 9 or 10		
January	232	82	8	0	19	0	59	150	8	3	30	0	111	12	0
February	272	97	6	0	19	0	73	175	3	0	52	0	120	9	0
March	275	87	7	0	27	0	56	188	4	2	56	0	129	26	0
April	307	115	12	0	41	0	65	192	3	1	60	0	130	29	0
May	171	67	6	0	19	0	44	104	2	0	19	0	83	14	0
June	199	78	13	0	20	0	45	121	2	0	30	0	89	11	0
July	171	68	11	0	21	0	40	103	4	0	22	0	78	7	0
August	213	74	2	0	17	0	56	139	4	0	33	0	102	11	0
September	185	77	15	0	14	0	52	108	8	0	40	0	65	8	0
October	603	173	9	0	25	0	142	430	2	1	52	0	377	36	0
November	237	93	15	1	20	0	59	144	4	0	48	0	93	10	1
December	211	68	9	2	18	0	43	143	3	6	31	0	105	5	0
YEAR TOTAL	3076	1079	113	3	260	0	734	1997	47	13	473	0	1482	178	1

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1981
 VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A IX
 MONTHLY ACTIVITY SUMMARY
 Tally Sheet

Boro Bronx

MONTH	WARRANTS CLEARED														12 WARRANTS LODGED	13 WARRANTS CLEARED BY STATE POLICE
	1 TOTAL WARRANTS EXECUTED	2 3a, b 4 5 6 7 PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)						8a, b 9 10 11 PRIORITY 1 WARRANTS (OTHER FELONY OFFENSE CASES)								
		TOTAL 1A's	M.O.U.		SPECIAL VICTIMS	OTHER THAN 4 or 5	TOTAL 1's	M.O.U.		SPECIAL VICTIMS	OTHER THAN 9 or 10					
D.A.	BORO	RECID.	D.A.	BORO				RECID.								
January	224	106	9	6	23	0	69	114	0	8	35	1	70	14	0	
February	211	92	9	5	22	0	56	113	1	7	37	0	68	9	0	
March	204	96	22	1	33	0	40	99	1	4	39	0	55	21	0	
April	210	92	17	1	22	0	52	118	0	3	45	0	70	13	0	
May	189	84	14	3	22	0	45	101	0	0	30	0	71	12	0	
June	203	82	16	2	21	0	43	120	1	4	36	0	79	14	1	
July	141	60	11	0	11	0	38	81	0	6	25	0	50	5	4	
August	173	70	13	11	19	0	27	103	1	1	34	0	67	8	0	
September	194	75	13	3	19	0	40	119	0	2	26	2	91	13	0	
October	887	99	20	2	18	0	59	788	1	3	51	0	733	37	0	
November	254	69	7	1	11	0	50	185	0	0	24	0	161	16	1	
December	254	60	12	2	14	0	32	194	2	4	34	0	154	21	0	
YEAR TOTAL	3144	985	163	37	235	0	551	2135	7	42	416	3	1669	183	6	

1981

VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT A X.
MONTHLY ACTIVITY SUMMARY
Tally Sheet

Boro Queens

MONTH	WARRANTS CLEARED														
	1 TOTAL WARRANTS EXECUTED	2 3a, b 4 5 6 7 PRIORITY 1A WARRANTS (VIOLENT FELONY OFFENSE CASES)						8a, b 9 10 11 PRIORITY I WARRANTS (OTHER FELONY OFFENSE CASES)						12 WARRANTS LODGED	13 WARRANTS CLEARED BY STATE POLICE
		TOTAL 1A's	M.O.U.		SPECIAL VICTIMS	OTHER THAN 4 or 5	TOTAL 1's	M.O.U.		SPECIAL VICTIMS	OTHER THAN 9 or 10				
D.A.	BORO	RECID.	D.A.	BORO			RECID.								
January	207	47	0	2	12	0	33	160	1	3	14	1	141	11	0
February	156	45	0	2	13	1	29	110	2	4	13	0	91	12	0
March	189	57	3	1	7	0	46	130	0	4	21	0	105	19	0
April	178	53	0	0	12	0	41	124	0	0	27	0	97	8	0
May	162	35	0	0	11	0	24	127	0	0	18	0	109	3	0
June	185	59	1	0	11	0	48	126	0	0	12	0	114	11	1
July	151	43	0	0	9	0	34	108	0	0	12	0	96	9	0
August	148	34	0	0	6	0	28	114	0	0	7	0	107	10	0
September	196	52	0	0	9	0	43	144	0	0	16	0	128	16	0
October	221	47	0	0	12	0	35	174	0	0	29	0	145	8	0
November	195	48	0	0	18	0	30	147	0	0	25	0	122	12	0
December	157	61	0	0	11	0	50	96	0	0	5	0	91	11	0
YEAR TOTAL	2145	581	4	5	131	1	441	1560	3	11	199	1	1346	130	1

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Appendix

NYSP VIOLENT FELONY WARRANT SQUAD
 CONSOLIDATED MONTHLY ACTIVITIES FOR 1981

ATTACHMENT B-I

ALL WARRANTS

ROOP	PENDING WARRANTS AT BEGINNING OF PERIOD	ALL WARRANTS RECEIVED DURING PERIOD	ALL WARRANTS CLOSED BY ARREST	ALL WARRANTS CLOSED BY INVESTIGATION	WARRANTS PENDING AT END OF PERIOD
A	29	30	25	4	30
B	36	28	47	3	14
C	12	52	35	16	13
D	17	131	131	12	5
E	21	118	79	30	30
F	26	59	59	21	5
G	9	131	108	8	24
K	22	59	53	8	20
L	-	68	41	16	11
NYC	49	207	116	84	56
TOTAL	221	883	694	202	208

NYSP VIOLENT FELONY WARRANT SQUAD
 CONSOLIDATED MONTHLY ACTIVITIES FOR: 1981

ATTACHMENT B-II

VIOLENT FELONY OFFENSE WARRANTS

ROOP	PENDING WARRANTS AT BEGINNING OF PERIOD	ALL WARRANTS RECEIVED DURING REPORTING PERIOD	ALL WARRANTS CLOSED BY ARREST	ALL WARRANTS CLOSED BY INVESTIGATION	WARRANTS PENDING AT END OF PERIOD
A	26	28	24	4	26
B	25	27	36	3	13
C	11	38	23	15	11
D	14	116	115	10	5
E	20	110	74	29	27
F	25	53	55	19	4
G	9	120	97	8	24
K	21	42	39	7	17
L	0	43	26	11	6
NYC	47	179	89	82	55
TOTAL	198	756	578	188	188

Appendix

ATTACHMENT B.III

CONSOLIDATED MONTHLY ACTIVITIES FOR:

1981

MAJOR OFFENSE WARRANTS *

TROOP	PENDING WARRANTS AT BEGINNING OF PER.	ALL WARRANTS RECEIVED DURING REPORTING PERIOD	ALL WARRANTS CLOSED BY ARREST	ALL WARRANTS CLOSED BY INVESTIGATION	WARRANTS PENDING AT END OF PER
A	3	2	1	-	4
B	11	1	11	-	1
C	1	14	12	1	2
D	3	15	16	2	-
E	1	8	5	1	3
F	1	6	4	2	1
G	-	11	11	-	-
K	1	17	14	1	3
L	-	25	15	5	5
NYC	2	28	27	2	1
TOTALS	23	127	116	14	20

* includes those warrants previously carried as Priority Warrants prior to establishment of Major Offense Police Program

NEW YORK STATE POLICE
VIOLENT FELONY WARRANT SQUAD
YEARLY ACTIVITY

ATTACHMENT B-IV

TROOP STATEWIDE CONSOLIDATED

YEAR 1981

CLASSIFICATION OF OFFENSES	TIME SPENT ON INVEST	CASES PENDING BEGINNING	CASES RECEIVED DURING '81	CASES CLOSED ARREST	CASES CLOSED INVEST	CASES PENDING EI OF 1/1/82
MURDER		8	47	24	22	9
KIDNAPPING		-	6	4	1	1
ARSON		-	5	3	-	2
RAPE		4	30	20	7	7
ROBBERY		40	159	123	41	35
SODOMY		-	8	6	1	1
BURGLARY		19	81	74	11	15
WEAPONS OFFENSES		6	47	32	13	8
ASSAULT		32	107	100	18	21
SEXUAL ABUSE		1	6	5	2	0
PAROLE/PROBATION		14	67	56	7	18
ESCAPE/ABSCONDING		64	93	68	40	49
FUGITIVES		10	100	63	25	22
MAJOR OFFENDER		23	127	116	14	20
TOTALS		221	883	694	202	208

STATE OF NEW YORK - EXECUTIVE DEPARTMENT - DIVISION OF PAROLE

ABSCONDER SEARCH UNIT
VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM ATTACHMENT C1

MONTHLY STATISTICAL ANALYSIS

January 1981 -
PERIOD December 1981

Consolidated Cases

OFFICE	CASES PENDING BEGINNING OF PERIOD	CASES ASSIGNED DURING PERIOD	CASES CLOSED BY ARREST	CASES CLOSED OTHER CAUSES	CASES PENDING END OF PERIOD
ALBANY	16	19	18	1	16
BUFFALO	34	82	79	6	31
HEMPSTEAD	38	26	24	2	38
NEW YORK	505	564	429	46	594
POUGHKEEPSIE	56	63	62	11	46
ROCHESTER	67	42	53	5	51
SYRACUSE	31	36	37	3	27
TOTALS	747	832	702	74	803

CASES PENDING BEGINNING OF PERIOD 747
 CASES ASSIGNED DURING PERIOD 832
 CASES CLOSED BY ARREST 702
 CASES CLOSED OTHER CAUSES 74
 CASES PENDING END OF PERIOD 803

STATE OF NEW YORK - EXECUTIVE DEPARTMENT - DIVISION OF CRIME

ABSCONDER SEARCH UNIT
VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM

ATTACHMENT C2

MONTHLY STATISTICAL ANALYSIS

January 1981 -
PERIOD December 1981

Special Supervision					
OFFICE	CASES PENDING BEGINNING OF PERIOD	CASES ASSIGNED DURING PERIOD	CASES CLOSED BY ARREST	CASES CLOSED OTHER CAUSES	CASES PENDING END OF PERIOD
ALBANY	2	6	4	0	4
BUFFALO	4	16	13	0	7
GENESEE	2	11	7	0	6
NEW YORK	197	339	239	29	268
ROCHESTER	3	21	19	2	3
SARASOTA	6	12	14	0	4
SYRACUSE	1	9	5	0	5
TULSA	215	414	301	31	297

CASES PENDING BEGINNING OF PERIOD 215
 CASES ASSIGNED DURING PERIOD 414
 CASES CLOSED BY ARREST 301
 CASES CLOSED OTHER CAUSES 31
 CASES PENDING END OF PERIOD 297

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Appendix

STATE OF NEW YORK - EXECUTIVE DEPARTMENT - DIVISION OF PAROLE

ABSCONDER SEARCH UNIT
VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM

ATTACHMENT C3

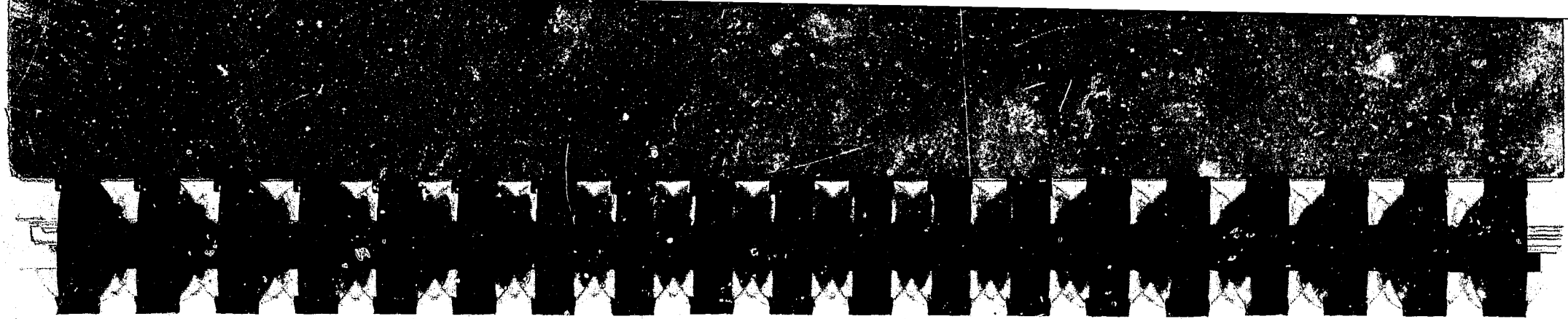
MONTHLY STATISTICAL ANALYSIS

PERIOD January 1981 -
December 1981

Long Term Violent Felony Offender Cases

OFFICE	CASES PENDING BEGINNING OF PERIOD	CASES ASSIGNED DURING PERIOD	CASES CLOSED BY ARREST	CASES CLOSED OTHER CAUSES	CASES PENDING END OF PERIOD
ALBANY	4	4	2	0	6
BUFFALO	8	13	15	1	5
HEMPSTEAD	13	5	7	1	10
NEW YORK	303	97	72	10	318
POUGHKEEPSIE	27	9	12	3	21
ROCHESTER	17	1	5	4	9
SYRACUSE	15	6	8	2	11
TOTALS	387	135	121	21	380

CASES PENDING BEGINNING OF PERIOD 387
 CASES ASSIGNED DURING PERIOD 135
 CASES CLOSED BY ARREST 121
 CASES CLOSED OTHER CAUSES 21
 CASES PENDING END OF PERIOD 380



ABSCONDER SEARCH UNIT
VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM

ATTACHMENT-C4

MONTHLY STATISTICAL ANALYSIS

Long Term Non Violent Felony Offender Cases
PERIOD January 1981 - December 1981

OFFICE	CASES PENDING BEGINNING OF PERIOD	CASES ASSIGNED DURING PERIOD	CASES CLOSED BY ARREST	CASES CLOSED OTHER CAUSES	CASES PENDING END OF PERIOD
ALBANY	10	9	12	1	6
BUFFALO	22	53	51	5	19
HEMPSTEAD	23	10	10	1	22
NEW YORK	5	128	117	8	8
ROCKY HILLS	26	33	31	6	22
ROCHESTER	44	29	34	1	38
SYRACUSE	15	21	23	2	11
TOTALS	145	283	278	24	126

CASES PENDING BEGINNING OF PERIOD 145
 CASES ASSIGNED DURING PERIOD 283
 CASES CLOSED BY ARREST 278
 CASES CLOSED OTHER CAUSES 24
 CASES PENDING END OF PERIOD 126

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Appendix

TABLE #

DESCRIPTION - 1981 VFO PROCESSING

1.	VFO ARRESTS BY CHARGE
2.	VFO ARRESTS BY COUNTY
3.	VFO INDICTMENTS BY CHARGE
4.	VFO INDICTMENTS BY COUNTY
5.	DEFENDANT STATUS STATEWIDE
6.	DEFENDANT STATUS BY AREA
7.	VICTIM AGE BY CHARGE
8.	STATEWIDE DEFENDANT AGE VS VICTIM AGE
9.	NYC DEFENDANT AGE VS VICTIM AGE
10.	SUBURBAN DEFENDANT AGE VS VICTIM AGE
11.	UPSTATE DEFENDANT AGE VS VICTIM AGE
12.	STATEWIDE RECAP
13.	NYC RECAP
14.	SUBURBAN RECAP
15.	UPSTATE RECAP
16.	STATEWIDE DISPOSITIONS BY CHARGE
17.	NYC DISPOSITIONS BY CHARGE
18.	SUBURBAN DISPOSITIONS BY CHARGE
19.	UPSTATE DISPOSITIONS BY CHARGE
20.	STATEWIDE INDICTED VS CONVICTED OFFENSE
21.	NYC INDICTED VS CONVICTED OFFENSE
22.	SUBURBAN INDICTED VS CONVICTED OFFENSE
23.	UPSTATE INDICTED VS CONVICTED OFFENSE
24.	STATEWIDE INDICTED VS CONVICTED OFFENSE (PLEA ONLY)
25.	NYC INDICTED VS CONVICTED OFFENSE (PLEA ONLY)
26.	SUBURBAN INDICTED VS CONVICTED OFFENSE (PLEA ONLY)
27.	UPSTATE INDICTED VS CONVICTED OFFENSE (PLEA ONLY)
28.	STATEWIDE SENTENCES BY INDICTMENT CHARGE
29.	NYC SENTENCES BY INDICTMENT CHARGE
30.	SUBURBAN SENTENCES BY INDICTMENT CHARGE
31.	UPSTATE SENTENCES BY INDICTMENT CHARGE
32.	STATEWIDE NON YO SENTENCES BY INDICTMENT CHARGE
33.	NYC NON YO SENTENCES BY INDICTMENT CHARGE
34.	SUBURBAN NON YO SENTENCES BY INDICTMENT CHARGE
35.	UPSTATE NON YO SENTENCES BY INDICTMENT CHARGE
36.	STATEWIDE SENTENCES BY CONVICTION CHARGE
37.	NYC SENTENCES BY CONVICTION CHARGE
38.	SUBURBAN SENTENCES BY CONVICTION CHARGE
39.	UPSTATE SENTENCES BY CONVICTION CHARGE
40.	STATEWIDE NON YO SENTENCES BY CONVICTION CHARGE
41.	NYC NON YO SENTENCES BY CONVICTION CHARGE
42.	SUBURBAN NON YO SENTENCES BY CONVICTION CHARGE
43.	UPSTATE NON YO SENTENCES BY CONVICTION CHARGE
44.	STATEWIDE NON YO MINIMUM TERMS
45.	NYC NON YO MINIMUM TERMS
46.	SUBURBAN NON YO MINIMUM TERMS
47.	UPSTATE NON YO MINIMUM TERMS
48.	STATEWIDE NON YO MAXIMUM TERMS
49.	NYC NON YO MAXIMUM TERMS
50.	SUBURBAN NON YO MAXIMUM TERMS
51.	UPSTATE NON YO MAXIMUM TERMS
52.	STATEWIDE PROCESSING TIMES
53.	NYC PROCESSING TIMES
54.	SUBURBAN PROCESSING TIMES
55.	UPSTATE PROCESSING TIMES

TABLE I
ADULT VFO ARREST
1981

	NYC	SUB-URBAN	UP-STATE	TOTAL	%
CLASS A FELONIES					
125.25 MURDER 2ND	1,029	97	135	1,261	2.5
135.25 KIDNAPPING 1ST	110	2	5	117	.2
150.20 ARSON 1ST	19	0	4	23	**
CLASS B FELONIES					
120.11 AGG ASSAULT ON POLICE OFF	4	0	2	6	**
125.20 MANSLAUGHTER 1ST	28	9	17	54	.1
130.35 RAPE 1ST	1,045	176	429	1,650	3.2
130.50 SODOMY 1ST	221	46	182	449	.8
130.70 AGG SEXUAL ABUSE	7	1	5	13	**
135.20 KIDNAPPING 2ND	186	14	46	246	.4
140.30 BURGLARY 1ST	351	113	106	570	1.1
150.15 ARSON 2ND	322	34	188	474	.9
160.15 ROBBERY 1ST	7,680	716	679	9,075	18.0
265.04 POSS WEAPON 1ST	66	6	11	83	.1
265.09 CRIM USE FIREARM 1ST	407	0	4	411	.8
125.25 ATT MURDER 2ND	1,227	66	33	1,326	2.6
135.25 ATT KIDNAPPING 1ST	7	0	0	7	**
150.20 ATT ARSON 1ST	3	6	0	9	**
CLASS C FELONIES					
120.10 ASSAULT 1ST	1,374	156	392	1,922	3.8
140.25 BURGLARY 2ND	2,501	828	1,357	4,686	9.3
160.10 ROBBERY 2ND	5,898	485	616	6,999	13.9
265.03 POSS WEAPON 2ND	1,349	55	104	1,508	3.0
265.08 CRIM USE FIREARM 2ND	143	0	6	149	.2
120.11 ATT AGG ASSAULT ON POLICE OFF	0	0	0	0	**
125.20 ATT MANSLAUGHTER 1ST	1	0	0	1	**
130.35 ATT RAPE 1ST	155	30	32	217	.6
130.50 ATT SODOMY 1ST	27	6	2	35	**
130.70 ATT AGG SEXUAL ABUSE	0	0	0	0	**
135.20 ATT KIDNAPPING 2ND	8	0	0	8	**
140.30 ATT BURGLARY 1ST	29	2	8	39	*
150.15 ATT ARSON 2ND	53	10	11	74	.1
160.15 ATT ROBBERY 1ST	840	46	40	926	1.8
265.04 ATT POSS WEAPON 1ST	0	0	0	0	**
265.09 ATT CRIM USE FIREARM 1ST	0	0	0	0	**
CLASS D FELONIES					
120.05 ASSAULT 2ND	8,877	1,375	2,238	12,490	24.9
130.65 SEXUAL ABUSE 1ST	226	108	252	586	1.1
265.02.04 POSS FIREARM	2,607	179	436	3,222	6.4
265.02.05 POSS FIREARM	72	1	0	73	.1
265.12 CRIMINAL SALE FIREARM 1ST	1	0	0	1	**
120.10 ATT ASSAULT 1ST	71	5	7	83	.1
140.25 ATT BURGLARY 2ND	355	57	39	451	.8
160.10 ATT ROBBERY 2ND	742	47	57	846	1.6
265.03 ATT POSS WEAPON 2ND	3	1	0	4	**
265.08 ATT CRIM USE FIREARM 2ND	-	-	-	-	-
CLASS E FELONIES					
265.11 CSF 2ND	5	10	30	45	*
TOTAL	38,048	4,687	7,404	50,139	
PERCENT	75.8	9.3	14.7	100%	

**Less than .1%

TABLE 2
COUNTY VIOLENT FELONY ARRESTS
1981

COUNTY	TOTAL FELONY ARRESTS	PERCENT
Albany	535	1.1
Allegany	19	*
Broome	136	.3
Bronx	6,972	13.9
Cattaraugus	64	.1
Cayuga	37	.1
Chautauqua	100	.2
Chemung	100	.2
Chenango	26	.1
Clinton	90	.2
Columbia	54	.1
Cortland	40	.1
Delaware	27	.1
Dutchess	258	.5
Erie	1,608	3.2
Essex	59	.1
Franklin	40	.1
Fulton	35	.1
Genesee	35	.1
Greene	42	.1
Hamilton	3	*
Herkimer	27	.1
Jefferson	67	.1
Kings	12,463	24.9
Lewis	9	*
Livingston	24	*
Madison	47	.1
Monroe	930	1.9
Montgomery	21	*
Nassau	1,429	2.9
New York	12,955	25.8
Niagara	291	.6
Oneida	188	.4
Onondaga	752	1.5
Ontario	45	.1
Orange	387	.8
Orleans	44	.1
Oswego	61	.1
Otsego	47	.1
Putnam	78	.2
Queens	4,850	9.7
Rensselaer	190	.4
Richmond	808	1.6
Rockland	249	.5
St. Lawrence	82	.2
Saratoga	123	.2
Schenectady	111	.2
Schoharie	18	*
Schuyler	11	*
Seneca	18	*
Steuben	54	.1
Suffolk	1,561	3.1
Sullivan	202	.4
Tioga	23	*
Tompkins	57	.1
Ulster	154	.3
Warren	51	.1
Washington	45	.1
Wayne	92	.2
Westchester	1,258	2.5
Wyoming	23	*
Yates	14	*
TOTAL	50,139	100%

*Less than .1

TABLE 3
1981
VIOLENT FELONY INDICTMENTS

INDICTMENT CHARGE	NYC	SUB	UPSTATE	TOTAL	%
CLASS A FELONIES					
125.25 MURDER 2ND	748	69	101	918	4.9
125.27 MURDER 1ST	7	0	4	11	.1
125.27 ATT MURDER 1ST	63	4	6	73	.4
135.25 KIDNAPPING 1ST	37	1	0	38	.2
150.20 ARSON 1ST	6	1	4	11	.1
CLASS B FELONIES					
120.11 AGG ASSAULT ON POLICE OFF	1	0	0	1	*
125.20 MANSLAUGHTER 1ST	178	5	19	202	1.1
130.35 RAPE 1ST	328	93	152	573	3.1
130.50 SODOMY 1ST	78	42	99	219	1.2
130.70 AGG SEXUAL ABUSE	7	0	5	12	.1
135.20 KIDNAPPING 2ND	18	11	7	36	.2
140.30 BURGLARY 1ST	132	57	58	247	1.3
150.15 ARSON 2ND	99	19	36	154	.8
160.15 ROBBERY 1ST	4,076	502	276	4,854	26.1
265.04 POSS WEAPON 1ST	3	0	4	7	*
265.09 CRIM USE FIREARM 1ST	25	1	3	29	.2
125.25 ATT MURDER 2ND	478	37	31	546	2.9
135.25 ATT KIDNAPPING 1ST	0	0	0	0	0
150.20 ATT ARSON 1ST	2	0	2	4	*
CLASS C FELONIES					
120.10 ASSAULT 1ST	232	56	113	401	2.2
140.25 BURGLARY 2ND	788	456	535	1,779	9.6
160.10 ROBBERY 2ND	2,112	213	215	2,540	13.7
265.03 POSS WEAPON 2ND	278	23	27	328	1.8
265.08 CRIM USE FIREARM 2ND	190	1	1	192	1.0
120.11 ATT AGG ASSAULT ON POLICE OFF	0	0	0	0	0
125.20 ATT MANSLAUGHTER 1ST	0	0	1	1	*
130.35 ATT RAPE 1ST	31	10	19	60	.3
130.50 ATT SODOMY 1ST	6	4	6	16	.1
130.70 ATT AGG SEXUAL ABUSE	0	0	0	0	0
135.20 ATT KIDNAPPING 2ND	2	0	0	2	*
140.30 ATT BURGLARY 1ST	7	0	2	9	*
150.15 ATT ARSON 2ND	6	7	10	23	.1
160.15 ATT ROBBERY 1ST	379	51	22	452	2.4
265.04 ATT POSS WEAPON 1ST	0	0	0	0	0
265.09 ATT CRIM USE FIREARM 1ST	1	0	0	1	*
CLASS D FELONIES					
120.05 ASSAULT 2ND	347	205	350	902	4.8
130.65 SEXUAL ABUSE 1ST	38	38	76	152	.8
265.02.04 POSS FIREARM	2,984	158	90	3,232	17.4
265.02.05 POSS FIREARM	1	4	4	9	*
265.12 CRIMINAL SALE FIREARM 1ST	0	0	0	0	0
120.10 ATT ASSAULT 1ST	28	6	5	39	.2
140.25 ATT BURGLARY 2ND	45	26	23	94	.5
160.10 ATT ROBBERY 2ND	345	26	38	409	2.2
265.03 ATT POSS WEAPON 2ND	2	0	0	2	*
265.08 ATT CRIM USE FIREARM 2ND	2	0	0	2	*
CLASS E FELONIES					
265.02.04 ATT POSS FIREARM	20	1	6	27	.1
265.02.05 ATT POSS FIREARM	0	0	0	0	0
TOTAL	14,130	2,127	2,350	18,607	100%
PERCENT	75.9	11.4	12.6	100%	**

*--Less than .1

**--Totals may not add to 100% due to rounding

TABLE 4
1981
VIOLENT FELONY INDICTMENTS

COUNTY	INDICTMENTS	# OF TOTAL INDICTMENTS
Albany	136	.7
Allegany	6	*
Broome	75	.4
Bronx	2,927	15.7
Cattaraugus	11	.1
Cayuga	18	.1
Chautauqua	46	.2
Chemung	98	.5
Chenango	11	.1
Clinton	23	.1
Columbia	14	.1
Cortland	13	.1
Delaware	6	*
Dutchess	41	.2
Erie	261	1.4
Essex	8	*
Franklin	25	.1
Fulton	14	.1
Genesee	12	.1
Greene	16	.1
Hamilton	1	*
Herkimer	16	.1
Jefferson	55	.3
Kings	4,384	23.6
Lewis	1	*
Livingston	39	.2
Madison	17	.1
Monroe	258	1.4
Montgomery	19	.1
Nassau	808	4.3
New York	4,181	22.5
Niagara	97	.5
Oneida	111	.6
Onondaga	302	1.6
Ontario	29	.2
Orange	82	.4
Orleans	36	.2
Oswego	20	.1
Otsego	9	*
Putnam	24	.1
Queens	2,400	12.9
Rensselaer	76	.4
Richmond	229	1.2
Rockland	55	.3
St. Lawrence	29	.2
Saratoga	19	.1
Schenectady	60	.3
Schoharie	1	*
Schuyler	11	.1
Seneca	4	*
Steuben	31	.2
Suffolk	701	3.8
Sullivan	28	.2
Tioga	23	.1
Tompkins	20	.1
Ulster	29	.2
Warren	7	*
Washington	21	.1
Wayne	30	.2
Westchester	563	3.0
Wyoming	6	*
Yates	5	*
Special Narcotics	4	*
Special Prosecutor NYC	5	*
Total	18,607	100%

*--less than .1

TABLE 5

DEFENDANT STATUS AT SUPREME COURT INTAKE

INDICTMENT CHARGE	STATEWIDE					
	JAIL	BAIL	ROR	FUG.	TOTAL	%
CLASS A FELONIES						
125.25 Murder 2nd	1379	77	40	26	1522	3.7
125.27 Murder 1st	15	-	-	1	16	*
125.27 Att. Murder 1st	52	3	-	1	56	.1
135.25 Kidnapping 1st	31	12	3	1	47	.1
150.20 Arson	5	5	-	3	13	*
SUB-TOTAL	1482	97	43	32	1654	4.1
CLASS B FELONIES						
125.20 Manslaughter 1st	335	38	22	6	401	1.0
130.35 Rape 1st	1057	392	146	32	1627	4.0
130.50 Sodomy 1st	365	155	42	7	569	1.4
130.70 Agg. Sexual Abuse	4	3	1	2	10	*
135.20 Kidnapping 2nd	60	20	5	3	88	.2
140.30 Burglary 1st	294	127	59	8	488	1.2
150.15 Arson 2nd	246	91	63	18	418	1.0
160.15 Robbery 1st	6682	1552	1076	158	9478	23.3
265.04 Poss. Weapon 1st	12	8	1	2	23	.1
265.09 Crim. Use Firearm 1st	1990	246	203	33	2472	6.1
125.25 Att. Murder 1st	770	194	101	15	1080	2.7
150.20 Att. Arson 1st	1	2	-	-	3	*
135.25 Kidnapping 1st	2	2	-	-	4	*
SUB-TOTAL	11,818	2830	1719	294	16,661	41.0
CLASS C FELONIES						
120.10 Assault 1st	522	425	268	24	1239	3.0
140.25 Burglary 2nd	1590	1018	581	58	3247	8.0
160.10 Robbery 2nd	3572	1060	1007	111	5850	14.4
265.03 Poss. Weapon 2nd	1187	296	169	40	1692	4.2
265.08 Crim. Use Firearm 2nd	780	117	164	41	1102	2.7
125.20 Att. Manslaughter 1st	8	-	-	-	8	*
130.35 Att. Rape 1st	118	62	21	1	202	.5
130.50 Att. Sodomy 1st	18	12	4	1	35	.1
140.30 Att. Burglary 1st	12	3	1	-	16	*
150.15 Att. Arson 2nd	31	20	4	-	55	.1
160.15 Att. Robbery 1st	657	168	128	14	967	2.4
265.09 Att. Crim. Use Fire. 1st	7	-	-	-	7	*
135.20 Att. Kidnapping 2nd	5	-	-	-	5	*
SUB-TOTAL	8607	3181	2347	290	14,425	35.5
CLASS D FELONIES						
120.05 Assault 2nd	730	871	553	48	2202	5.4
130.65 Sexual Abuse 1st	128	158	67	10	363	.9
265.02.04 Poss. Firearm	1997	1051	985	134	4167	10.2
265.02.05 Poss. Firearm	4	3	1	-	8	*
265.12 Crim. Sale Fire. 1st	-	-	-	-	-	-
120.10 Att. Assault 1st	67	37	10	1	115	.3
140.25 Att. Burglary 2nd	88	41	28	1	158	.4
160.10 Att. Robbery 2nd	498	189	180	10	877	2.2
265.03 Att. Poss. Weap. 2nd	6	2	1	-	9	*
265.08 Att. Crim. Use Fire. 2nd	5	-	-	-	5	*
265.12 Crim. Sale Fire. 1st	1	-	-	-	1	*
SUB-TOTAL	3524	2352	1825	204	7905	19.4
CLASS E FELONIES						
265.02.04 Att. Poss. Firearm	5	9	6	-	20	*
265.02.05 Att. Poss. Firearm	4	3	1	-	8	*
SUB-TOTAL	9	12	7	-	28	.1
TOTAL	25,440	8472	5941	820	40,673	
PERCENT	62.5	20.8	14.6	2.0	100.0%	100.0%

* Less than .1%

TABLE 6

DEFENDANT STATUS AT SUPREME COURT INTAKE

INDICTMENT CHARGE	SUBURBAN				
	JAIL	BAIL	ROR	FUG.	TOTAL
CLASS A FELONIES					
SUB-TOTAL	141	12	1	0	154
%	91.6	7.8	.6	-	100%
CLASS B FELONIES					
SUB-TOTAL	937	715	148	28	1828
%	51.3	39.1	8.1	1.5	100%
CLASS C FELONIES					
SUB-TOTAL	607	853	292	25	1777
%	34.2	48.0	16.4	1.4	100%
CLASS D FELONIES					
SUB-TOTAL	209	502	165	25	901
%	23.2	55.7	18.3	2.8	100%
CLASS E FELONIES					
SUB-TOTAL	-	-	-	-	-
TOTAL	1894	2082	606	78	4660
PERCENT	40.6	44.7	13.0	1.7	100%
NEW YORK CITY					
CLASS A FELONIES					
SUB-TOTAL	1144	61	41	28	1275
%	89.7	4.8	3.2	2.3	100%
CLASS B FELONIES					
SUB-TOTAL	9874	1555	1478	242	13149
%	75.1	11.8	11.2	1.8	100%
CLASS C FELONIES					
SUB-TOTAL	7151	1422	1817	230	10620
%	67.3	13.4	17.1	2.2	100%
CLASS D FELONIES					
SUB-TOTAL	2926	1221	1501	160	5808
%	50.4	21.0	25.8	2.8	100%
CLASS E FELONIES					
SUB-TOTAL	8	7	6	-	21
%	38.1	33.3	28.6	-	100%
TOTAL	21,103	4266	4843	661	30,873
PERCENT	68.4	13.8	15.7	2.1	100%
UPSTATE					
CLASS A FELONIES					
SUB-TOTAL	197	24	1	3	225
%	87.6	10.7	.4	1.3	100%
CLASS B FELONIES					
SUB-TOTAL	1007	560	93	24	1684
%	59.8	33.3	5.5	1.4	100%
CLASS C FELONIES					
SUB-TOTAL	849	906	238	35	2028
%	41.9	44.7	11.7	1.7	100%
CLASS D FELONIES					
SUB-TOTAL	389	629	159	19	1196
%	32.5	52.6	13.3	1.6	100%
CLASS E FELONIES					
SUB-TOTAL	1	5	1	-	7
%	14.3	71.4	14.3	-	100%
TOTAL	2443	2124	492	81	5140
PERCENT	47.5	41.3	9.6	1.6	100%

TABLE 7

VICTIM AGE FOR VIOLENT FELONY INDICIMENTS STATEWIDE

9/1/78 - 12/31/81

INDICIMENT CHARGE	Under 13	13-15	16-20	21-30	31-40	41-50	51-60	Over 60	Total Age Known Vict.
CLASS A FELONIES									
125.25 Murder 2nd	42	33	179	374	252	150	127	139	1296
125.27 Murder 1st	-	-	-	5	8	3	1	-	17
125.27 Att. Murder 1st	1	-	1	23	19	4	2	1	51
135.25 Kidnapping 1st	3	4	5	16	6	2	1	8	45
150.20 Arson 1st	-	-	-	-	3	-	-	-	3
SUBTOTAL	46	37	185	418	288	159	131	148	1412
CLASS B FELONIES									
125.20 Manslaughter 1st	9	6	50	120	69	52	21	26	353
130.35 Rape 1st	175	296	427	415	115	38	28	34	1528
130.50 Sodomy 1st	225	74	127	80	26	5	8	6	551
130.70 Agg. Sexual Abuse	-	3	4	3	-	-	-	-	10
135.20 Kidnapping 2nd	15	7	8	23	10	4	3	0	70
140.30 Burglary 1st	9	7	28	154	68	39	32	92	429
150.15 Arson 2nd	11	5	7	33	27	22	6	8	119
160.15 Robbery 1st	92	433	1739	2764	1707	1065	817	755	9372
265.04 Poss. Weapon 1st	2	-	1	2	1	2	-	0	8
265.09 Crim. Use Firearm 1st	17	101	466	780	447	298	169	129	2407
125.25 Att. Murder 2nd	22	55	195	359	219	89	56	45	1040
135.25 Att. Kidnapping 1st	-	-	-	1	1	-	-	-	2
150.20 Att. Arson 1st	-	-	-	-	-	-	-	-	0
SUBTOTAL	577	987	3052	4734	2690	1614	1140	1095	15,889
CLASS C FELONIES									
120.10 Assault 1st	33	45	259	386	216	105	50	42	1136
140.25 Burglary 2nd	9	22	140	503	471	266	212	268	1891
160.10 Robbery 2nd	50	323	935	1366	770	686	554	860	5544
265.03 Poss. Weapon 2nd	11	33	245	459	284	132	63	37	1264
265.08 Crim. Use Firearm 2nd	13	54	247	364	181	93	84	55	1091
125.20 Att. Manslaughter 1st	1	-	-	3	3	-	-	-	7
130.35 Att. Rape 1st	22	26	39	59	17	9	4	5	181
130.50 Att. Sodomy 1st	5	2	7	9	2	0	1	1	27
135.20 Att. Kidnapping 2nd	-	2	-	-	2	2	-	-	6
140.30 Att. Burglary 1st	-	-	2	4	1	2	-	1	10
150.15 Att. Arson 2nd	3	-	3	7	4	5	-	7	29
160.15 Att. Robbery 1st	10	20	143	270	179	129	85	76	912
265.04 Att. Poss. Weapon 1st	-	-	-	-	-	-	-	-	-
265.09 Att. Crim. Use Fire 1st	-	-	1	-	2	-	-	-	3
SUBTOTAL	157	527	2020	3431	2132	1429	1053	1352	12,101
CLASS D FELONIES									
120.05 Assault 2nd	58	49	309	661	344	138	83	44	1686
130.65 Sexual Abuse 1st	184	26	49	44	13	3	2	2	323
265.02.04 Poss. Firearm	6	8	68	137	75	49	32	22	397
265.02.05 Poss. Firearm	-	-	-	1	-	-	-	-	1
120.10 Att. Assault 1st	1	-	12	33	31	7	2	2	88
140.25 Att. Burglary 2nd	-	-	5	26	14	18	12	13	88
160.10 Att. Robbery 2nd	3	30	111	207	124	80	80	111	746
265.03 Att. Poss. Weap. 2nd	-	-	-	3	3	-	1	2	9
265.08 Att. Crim. Use Fire 2nd	-	-	-	-	2	-	-	2	4
SUBTOTAL	252	113	554	1112	606	295	212	198	3342
CLASS E FELONIES									
265.02.04 Att. Poss. Firearm	-	-	1	2	1	-	-	-	4
SUBTOTAL	-	-	1	2	1	-	-	-	4
TOTAL	1032	1664	5812	9697	5717	3497	2536	2793	32,748
PERCENT OF KNOWN	3.2	5.1	17.7	29.6	17.5	10.7	7.7	8.5	100%

TABLE 8
REPORTED VICTIMIZATION
DEFENDANT AGE VS. VICTIM AGE
IN VFO INDICTMENTS
 January 1, 1981 - December 31, 1981

STATEWIDE

		VICTIM AGE									
		UNDER 13	13-15	16-20	21-30	31-40	41-50	51-60	OVER 60	TOTAL	%
DEFENDANT AGE	13-15	26 (5.4)	61 (12.6)	94 (19.4)	102 (21.0)	82 (16.9)	26 (5.4)	32 (6.6)	62 (12.8)	485	4.1
	16-20	76 (1.5)	284 (5.7)	1150 (22.9)	1359 (27.0)	744 (14.8)	549 (10.9)	392 (7.8)	473 (9.4)	5027	42.4
	21-30	99 (2.2)	96 (2.1)	678 (15.1)	1582 (35.3)	843 (18.8)	465 (10.4)	346 (7.7)	376 (8.4)	4485	37.8
	31-40	70 (5.1)	36 (2.6)	162 (11.9)	430 (31.5)	325 (23.8)	144 (10.6)	92 (6.7)	106 (7.8)	1365	11.5
	41-50	22 (6.3)	12 (3.5)	37 (10.7)	83 (23.9)	76 (21.9)	57 (16.4)	37 (10.7)	23 (6.6)	347	2.9
	51-60	10 (9.1)	3 (2.7)	6 (5.5)	26 (23.6)	27 (24.6)	13 (11.8)	14 (12.7)	11 (10.0)	110	.9
	OVER 60	6 (17.1)	1 (2.9)	3 (8.6)	7 (20.0)	4 (11.4)	3 (8.6)	6 (17.1)	5 (14.3)	35	.3
	TOTAL	309	493	2130	3589	2101	1257	919	1056	11854	
	%	2.6	4.2	18.0	30.3	17.7	10.6	7.7	8.9		100

CONTINUED

3 OF 4

TABLE 9
REPORTED VICTIMIZATION
DEFENDANT AGE VS. VICTIM AGE
IN VFO INDICTMENTS

NEW YORK CITY

January 1, 1981 - December 31, 1981

		VICTIM AGE							TOTAL	%	
		UNDER 13	13-15	16-20	21-30	31-40	41-50	51-60	OVER 60		
DEFENDANT AGE	13-15	19 (4.3)	48 (10.9)	89 (20.2)	101 (23.0)	74 (16.8)	26 (5.9)	26 (5.9)	57 (13.0)	440	4.5
	16-20	53 (1.3)	238 (5.7)	899 (22.0)	1145 (27.4)	645 (15.5)	471 (11.3)	328 (7.9)	393 (9.4)	4,172	43.1
	21-30	61 (1.7)	68 (1.8)	547 (14.9)	1291 (35.2)	717 (19.5)	391 (10.6)	289 (7.9)	307 (8.4)	3,671	37.9
	31-40	33 (3.1)	22 (2.1)	118 (11.2)	338 (32.1)	254 (24.1)	127 (12.1)	78 (7.4)	83 (7.9)	1,053	10.9
	41-50	11 (4.3)	6 (2.3)	20 (7.8)	62 (24.2)	59 (23.1)	43 (16.8)	33 (12.9)	22 (8.6)	256	2.6
	51-60	2 (2.8)	3 (4.2)	2 (2.8)	20 (27.8)	18 (25.0)	10 (13.9)	9 (12.5)	8 (11.1)	72	.7
	OVER 60	0	1 (5.6)	1 (5.6)	4 (22.2)	3 (16.7)	2 (11.1)	3 (16.7)	4 (22.2)	18	.2
	TOTAL	179	386	1676	2961	1770	1070	766	874	9,682	
	%	1.9	3.9	17.3	30.6	18.3	11.1	7.9	9.0		100

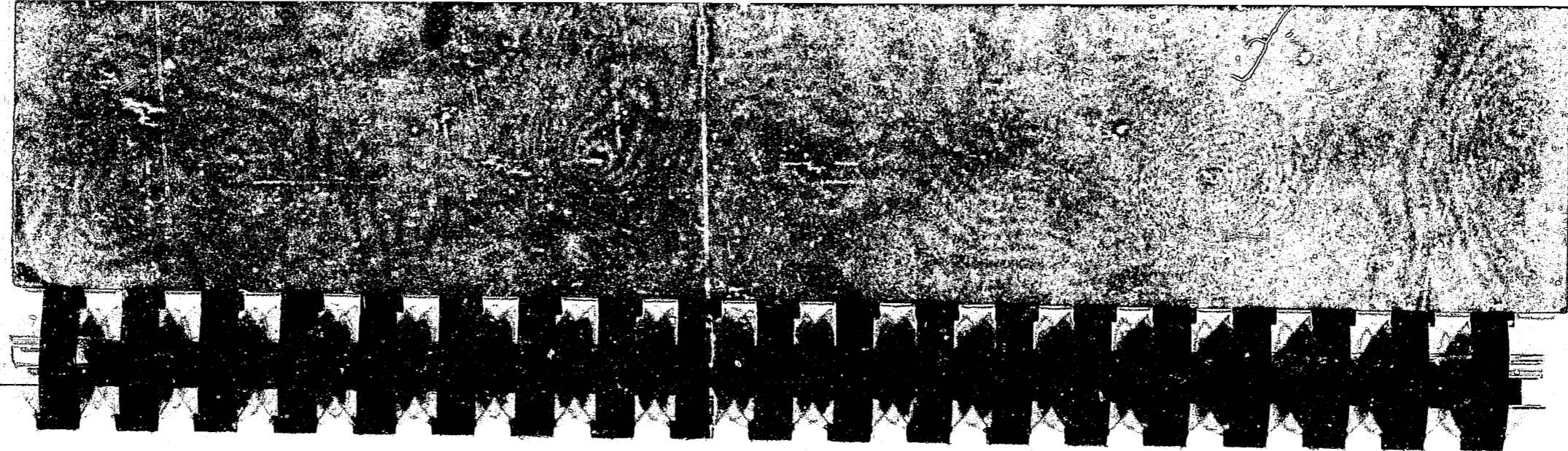


TABLE 10
REPORTED VICTIMIZATION SUBURBAN
DEFENDANT AGE VS. VICTIM AGE
IN VFO INDICTMENTS
 January 1, 1981 - December 31, 1981

		VICTIM AGE									
		UNDER 13	13-15	16-20	21-30	31-40	41-50	51-60	OVER 60	TOTAL	%
DEFENDANT AGE	13-15	5 (18.5)	9 (33.3)	4 (14.8)	0	4 (14.8)	0	4 (14.8)	1 (3.7)	27	2.3
	16-20	12 (2.3)	33 (6.5)	144 (28.1)	126 (24.6)	66 (12.9)	55 (10.7)	39 (7.6)	37 (7.2)	512	43.9
	21-30	5 (1.2)	14 (3.4)	76 (18.4)	124 (29.9)	79 (19.1)	47 (11.4)	39 (9.4)	30 (7.2)	414	35.5
	31-40	16 (10.4)	6 (3.9)	25 (16.2)	49 (31.8)	30 (19.5)	10 (6.5)	7 (4.5)	11 (7.1)	154	13.2
	41-50	0	3 (7.5)	10 (25.0)	9 (22.5)	7 (17.5)	8 (20.0)	3 (7.5)	0	40	3.4
	51-60	0	0	2 (15.4)	0	5 (38.5)	1 (7.7)	2 (15.4)	3 (23.1)	13	1.1
	OVER 60	1 (16.6)	0	1 (16.6)	1 (16.6)	1 (16.6)	0	1 (16.6)	1 (16.6)	6	.5
	TOTAL	39	65	262	309	192	121	95	83	1,166	
	%	3.3.	5.6	22.5	26.5	16.5	10.4	8.2	7.1		100

TABLE 11

REPORTED VICTIMIZATION
DEFENDANT AGE VS. VICTIM AGE
IN VFO INDICTMENTS

UPSTATE

January 1, 1981 - December 31, 1981

		VICTIM AGE							TOTAL	%	
		UNDER 13	13-15	16-20	21-30	31-40	41-50	51-60			OVER 60
DEFENDANT AGE	13-15	2 (11.1)	4 (22.2)	1 (5.6)	1 (5.6)	4 (22.2)	0	2 (11.1)	4 (22.2)	18	1.8
	16-20	11 (3.2)	13 (3.8)	107 (31.2)	88 (25.7)	33 (9.6)	23 (6.7)	25 (7.3)	43 (12.5)	343	34.1
	21-30	33 (8.2)	14 (3.5)	55 (13.7)	167 (41.7)	47 (11.8)	27 (6.8)	18 (4.5)	39 (9.8)	400	39.7
	31-40	21 (13.3)	8 (5.1)	19 (12.0)	43 (27.2)	41 (26.0)	7 (4.4)	7 (4.4)	12 (7.6)	158	15.7
	41-50	11 (21.6)	3 (5.9)	7 (13.7)	12 (23.5)	10 (19.6)	6 (11.8)	1 (2.0)	1 (2.0)	51	5.1
	51-60	8 (32.0)	0	2 (8.0)	6 (24.0)	4 (16.0)	2 (8.0)	3 (12.0)	0	25	2.5
	OVER 60	5 (45.5)	0	1 (9.0)	2 (18.2)	0	1 (9.0)	2 (18.2)	0	11	1.1
	TOTAL	91	42	192	319	139	66	58	99	1,006	
	%	9.1	4.2	19.1	31.7	13.8	6.6	5.8	9.8		100

RECAP OF VIOLENT FELONY CASES FROM 09-31-73 TO 12-31-81 * FOR NEW YORK STATE

TYPE OF ACTION - COMPLETED CASES	
INDICTMENT	14607
SUPERIOR COURT	853
DIS. TO BILL	912
TO LOWER COURT	46
REN. FAM. CT.	10
TOTAL	16430

ALL CASES	
OPEN	11701
COMPLETED	16430
TOTAL	28131

DISPOSITION	TOTAL	PRE-TRIAL	NON-JURY TRIAL	JURY TRIAL
CONVICTED - VERDICT	1841	0	207	1634
CONVICTED - PLEA	10477	10317	19	141
PLEA TO ANOTHER CASE	217	210	0	1
ACQUITTED	786	0	127	659
DIS. - ALKIT OF CASE	1233	1211	5	17
DISMISSED OTHER	619	597	4	18
ABATED BY DEATH	95	82	2	11
OTHER COURT ACTION	174	172	2	0
NOT GUILTY-INSANITY	20	0	10	10
REN. TO FAMILY COURT	0	0	0	0
TOTAL	15462	12595	376	2491

TABLE 12

SENTENCE	TOTAL	VERDICT	PLEA	TOTAL	VERDICT	PLEA	TOTAL	VERDICT	PLEA	TOTAL	VERDICT	PLEA
IMPRISONMENT - STATE	7132	1557	5625	5548	0	5548	152	127	5	1502	1450	72
IMPRISONMENT - LOCAL	1694	119	1575	1545	0	1545	40	35	5	109	84	25
INTERMITTENT IMPRISONMENT	41	6	35	34	0	34	1	1	0	6	5	1
IMPRISONMENT & PROBATION	710	49	661	548	0	648	9	6	3	53	43	10
PROBATION	2499	97	2402	2367	0	2367	43	37	6	89	60	29
PROBATION & OVAS COMMITMENT	1	0	1	1	0	1	0	0	0	0	0	0
CONDITIONAL DISCHARGE	139	7	130	129	0	129	1	1	0	9	8	1
FINE ONLY	25	1	24	24	0	24	0	0	0	1	1	0
UNCONDITIONAL DISCHARGE	18	0	18	16	0	16	0	0	0	2	0	2
OTHER	7	3	6	5	0	5	0	0	0	4	3	1
REMOVED TO FAMILY COURT	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	12518	1841	10477	10517	0	10517	226	207	19	1775	1634	141

* INDICTMENTS BETWEEN 09-31-73 AND 12-31-73 CONTROLLED FOR POST 07-01-76 ARREST DATE

RECAP OF VIOLENT FELONY CASES FROM 09-01-73 TO 12-31-73 DISPOSED OF BY 12-31-73 * FOR NEW YORK CITY

TYPE OF ACTION - COMPLETED CASES	
INDICTMENT	11225
SUPERIOR COURT	240
DIS. TO BILL	461
TO LOWER COURT	25
REL. FAM. CT.	8
TOTAL	12928

ALL CASES	
OPEN	9360
COMPLETED	12023
TOTAL	21383

DISPOSITION	TOTAL	PRE-TRIAL	NOV-JURY TRIAL	JURY TRIAL
CONVICTED - VERDICT	1330	9	144	1186
CONVICTED - PLEA	7733	7585	19	129
PLEA TO ANOTHER CASE	140	139	0	1
ACQUITTED	622	0	110	512
DIS. - MERIT OF CASE	1127	1109	4	14
DISMISSED OTHER	367	356	4	7
ABATED BY DEATH	82	70	2	10
OTHER COURT ACTION	133	132	1	0
NOT GUILTY-INSANITY	0	0	0	0
REL. TO FAMILY COURT	0	0	0	0
TOTAL	11534	9371	264	1859

SENTENCE	TOTAL VERDICT PLEA			TOTAL VERDICT PLEA			TOTAL VERDICT PLEA			TOTAL VERDICT PLEA		
IMPRISONMENT - STATE	5475	1128	4367	4278	0	4298	94	89	5	1105	1039	64
IMPRISONMENT - LOCAL	1141	85	1056	1023	0	1020	31	26	5	32	54	23
INTERMITTENT IMPRISONMENT	25	4	21	20	0	20	1	1	0	4	3	1
IMPRISONMENT & PROBATION	373	50	343	330	0	330	5	2	3	38	28	10
PROBATION	1925	74	1851	1818	0	1818	32	26	6	75	48	27
PROBATION & JUVENILE COMMITMENT	1	0	1	1	0	1	0	0	0	0	0	0
CONDITIONAL DISCHARGE	66	5	61	60	0	60	0	0	0	6	5	1
FINE ONLY	13	1	12	12	0	12	0	0	0	1	1	0
UNCONDITIONAL DISCHARGE	17	0	17	15	0	15	0	0	0	2	0	2
OTHER	7	3	4	5	0	5	0	0	0	4	3	1
REMOVED TO FAMILY COURT	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	7053	1330	7733	7360	0	7365	163	144	19	1315	1186	129

TABLE 13

* INDICTMENTS DATED 09-01-73 AND 12-31-73 CONTROLLED FOR POST 09-01-76 ARREST DATE

REC'D OF VIOLENT FLDJNY CASES FROM 09-01-78 TO 12-31-81 DISPOSED OF BY 12-31-81 * FOR SUBURBAN NYC

TYPE OF ACTION - COMPLETED CASES	
INDICTMENT	1295
SUPERIOR COURT	415
DIS. NO BILL	152
TO LOWER COURT	15
REL. FAM. CT.	3
TOTAL	1878

ALL CASES	
OPEN	1120
COMPLETED	1878
TOTAL	2998

DISPOSITION	TOTAL	PRE-TRIAL	NON-JURY TRIAL	JURY TRIAL
CONVICTED - VERDICT	179	0	18	161
CONVICTED - PLEA	1320	1517	0	3
PLEA TO ANOTHER CASE	20	20	0	0
ACQUITTED	45	0	4	41
D.S. - ALRIT OF CASE	34	34	0	0
DISMISSED OTHER	91	91	0	0
ABATED BY DEATH	4	4	0	0
OTHER COURT ACTION	16	16	0	0
NOT GUILTY-INSANITY	4	3	2	2
REL. TO FAMILY COURT	0	0	0	0
TOTAL	1713	1432	24	207

TABLE 14

SENTENCE	TOTAL VERDICT PLEA			TOTAL VERDICT PLEA			TOTAL VERDICT PLEA			TOTAL VERDICT PLEA		
IMPRISONMENT - STATE	756	161	595	594	0	594	14	14	0	143	147	1
IMPRISONMENT - LOCAL	259	6	253	253	0	253	1	1	0	5	5	0
INTERMITTENT IMPRISONMENT	3	0	3	3	0	3	0	0	0	0	0	0
IMPRISONMENT & PROBATION	177	6	171	171	0	171	2	2	0	4	4	0
PROBATION	230	6	274	272	0	272	1	1	3	7	5	2
PROBATION & DDAS COMMITMENT	0	3	0	0	0	0	0	0	0	0	0	0
CONDITIONAL DISCHARGE	19	0	19	19	0	19	0	0	0	0	0	0
FINE ONLY	4	3	4	4	0	4	0	0	0	0	0	0
UNCONDITIONAL DISCHARGE	1	3	1	1	0	1	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0	0
REMOVED TO FAMILY COURT	0	0	0	0	0	0	0	3	3	0	0	0
TOTAL	1479	177	1320	1517	0	1517	18	18	3	164	161	3

* INDICTMENTS BETWEEN 09-01-78 AND 12-31-78 CONTROLLED FOR POST 09-01-78 ARREST DATE

RECAP OF VIOLENT FLEET CASES FROM 07-01-73 TO 12-31-73 DISPOSED OF BY 12-31-73 * FOR UPSTATE COUNTIES

TYPE OF ACTION - COMPLETED CASES	
INDICTMENT	2023
SUPERIOR COURT	187
DIS. TO BILL	277
TO LOWER COURT	3
REL. FAM. CT.	2
TOTAL	2524

ALL CASES	
OPEN	1221
COMPLETED	2524
TOTAL	3745

DISPOSITION	TOTAL	PRE-TRIAL	NOT-JURY TRIAL	JURY TRIAL
CONVICTED - VERDICT	332	0	45	287
CONVICTED - PLEA	1424	1415	0	9
PLEA TO ANOTHER CASE	57	57	0	0
ACQUITTED	119	0	13	106
DIS. - MERIT OF CASE	72	58	1	3
DISMISSED OTHER	161	150	0	11
ADMITTED BY DEATH	9	8	0	1
OTHER COURT ACTION	25	24	1	0
NOT GUILTY-INSANITY	16	3	8	8
REL. TO FAMILY COURT	0	0	0	0
TOTAL	2215	1722	68	425

TABLE 15

SENTENCE	TOTAL VERDICT PLEA			TOTAL VERDICT PLEA			TOTAL VERDICT PLEA			TOTAL VERDICT PLEA		
IMPRISONMENT - STATE	231	260	663	656	3	656	24	24	0	251	244	7
IMPRISONMENT - LOCAL	294	26	266	266	0	266	8	8	0	22	20	2
INTERMITTENT IMPRISONMENT	13	2	11	11	0	11	0	0	0	2	2	0
IMPRISONMENT & PROBATION	150	15	147	147	0	147	2	2	0	11	11	0
PROBATION	294	17	277	277	0	277	10	10	0	7	7	0
PROBATION & OJAS COMMITMENT	0	0	0	0	0	0	0	0	0	0	0	0
CONDITIONAL DISCHARGE	54	4	50	50	0	50	1	1	0	3	3	0
FIVE ONLY	3	3	8	8	0	8	0	0	0	0	0	0
UNCONDITIONAL DISCHARGE	0	0	0	0	0	0	0	0	0	0	0	0
OTHER	2	3	2	2	0	2	0	0	0	0	0	0
REMOVED TO FAMILY COURT	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	1756	332	1424	1415	0	1415	45	45	0	296	287	9

* INDICTMENTS BETWEEN 07-01-73 AND 12-31-73 CONTROLLED FOR POST 07-01-73 ARREST DATE



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RECAP OF VIOLENT FELONY CASES FROM 09-31-78 TO 12-31-81 DISPOSED OF BY 12-31-81 * FOR UPSTATE COUNTIES

TYPE OF ACTION - COMPLETED CASES		ALL CASES	
INDICTMENT	2023	OPEN	1221
SUPERIOR COURT	187	COMPLETED	2524
DIS. TO BILL	279	TOTAL	3745
TO LOWER COURT	3		
REL. FAM. CT.	2		
TOTAL	2524		

DISPOSITION	TOTAL	PRE-TRIAL	NOT-JURY TRIAL	JURY TRIAL
CONVICTED - VERDICT	352	0	45	287
CONVICTED - PLEA	1424	1415	0	9
PLEA TO ANOTHER CASE	57	57	0	0
ACQUITTED	119	0	13	106
DIS. - MERIT OF CASE	72	56	1	3
DISMISSED OTHER	161	150	0	11
ADMITTED BY DEATH	9	8	0	1
OTHER COURT ACTION	25	24	1	0
NOT GUILTY-INSANITY	16	0	8	8
REL. TO FAMILY COURT	0	0	0	0
TOTAL	2215	1722	63	425

TABLE 15

SENTENCE	TOTAL VERDICT PLEA			TOTAL VERDICT PLEA			TOTAL VERDICT PLEA			TOTAL VERDICT PLEA		
IMPRISONMENT - STATE	231	260	663	656	0	656	24	24	0	251	244	7
IMPRISONMENT - LOCAL	274	26	266	264	0	264	3	3	0	22	20	2
INTERMITTENT IMPRISONMENT	13	2	11	11	0	11	0	0	0	2	2	0
IMPRISONMENT & PROBATION	160	15	147	147	0	147	2	2	0	11	11	0
PROBATION	294	17	277	277	0	277	10	10	0	7	7	0
PROBATION & CCAS COMMITMENT	0	0	0	0	0	0	0	0	0	0	0	0
CONDITIONAL DISCHARGE	54	4	50	50	0	50	1	1	0	3	3	0
FIVE ONLY	3	0	3	3	0	3	0	0	0	0	0	0
UNCONDITIONAL DISCHARGE	0	0	0	0	0	0	0	0	0	0	0	0
OTHER	2	0	2	2	0	2	0	0	0	0	0	0
REMOVED TO FAMILY COURT	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	1756	352	1424	1415	0	1415	45	45	0	296	287	9

* INDICTMENTS BETWEEN 09-31-78 AND 12-31-78 CONTROLLED FOR POST 09-31-78 ARREST DATE

DISPOSITIONS OF VIOLIFT FELONY INDICTMENTS
 VIOLIFT FELONY INDICTMENTS FROM 09-01-78 THRU 12-31-81 DISPOSED OF FROM 01-01-81 THRU 12-31-81 *
 NEW YORK STATE

INDICTMENT CHARGE CLASS	TOTALS	OTHER			DISMISSED		ACQUITTED		PLEA CONVICTED		TOTAL
PL 125.25 A	956	31	3.2%	97	10.1%	101	10.6%	399	41.7%	328	34.3%
PL 125.25 F ATT.	537	20	3.9%	64	12.6%	55	10.8%	268	52.9%	100	19.7%
PL 125.27 A	16			8	50.0%	1	6.3%			7	43.8%
PL 125.27 A ATT.	54	2	3.7%	9	16.7%	1	1.9%	22	40.7%	20	37.0%
PL 175.25 A	31	3	9.7%	5	16.1%	1	3.2%	13	41.9%	9	29.0%
PL 155.25 P ATT.											
PL 150.20 A	5	1	20.0%					3	60.0%	1	20.0%
PL 150.20 P ATT.	2					1	50.0%	1	50.0%		
PL 123.11 P	1							1	100.0%		
FL 120.11 C ATT.	1									1	100.0%
FL 125.20 B	173	4	2.2%	16	9.0%	19	10.7%	108	66.7%	31	17.4%
FL 125.20 C ATT.	2							1	50.0%	1	50.0%
FL 130.35 P	554	23	4.2%	108	19.5%	50	9.0%	255	46.0%	118	21.3%
PL 130.35 C ATT.	76	3	3.9%	9	11.8%	6	7.9%	48	63.2%	10	13.2%
PL 130.50 B	227	15	6.6%	20	8.8%	22	9.7%	129	56.8%	41	18.1%
PL 130.50 C ATT.	13	1	7.7%	1	7.7%	1	7.7%	9	69.2%	1	7.7%
PL 130.70 P	0			3	33.3%			6	66.7%		
FL 130.70 C ATT.											
PL 135.20 E	37			9	24.3%	2	5.4%	15	40.5%	11	29.7%
PL 135.20 C ATT.	5							5	100.0%		
PL 140.30 B	191	5	2.6%	41	21.5%	9	4.7%	94	49.2%	42	22.0%
PL 140.30 C ATT.	5							4	80.0%	1	20.0%
PL 150.15 B	143	3	2.1%	25	17.5%	11	7.7%	71	49.7%	33	23.1%
PL 150.15 C ATT.	13			2	15.4%	1	7.7%	8	61.5%	2	15.4%
FL 140.15 F	4382	123	2.8%	660	10.5%	197	4.5%	3056	69.7%	546	12.5%
PL 140.15 C ATT.	449	15	3.3%	54	12.1%	9	2.0%	329	73.4%	41	9.2%
PL 265.04 B	2							6	75.0%	2	25.0%
PL 265.04 C ATT.											
FL 265.09 P	15	1	6.7%			1	6.7%	13	86.7%		
FL 265.09 C ATT.											

TABLE 16 (1 OF 2)

FL 12.17	C	417	5	1.2%	58	13.8%	49	11.7%	238	56.9%	69	16.5%
FL 12.18	D ATT.	59	2	5.1%	4	10.3%	2	5.1%	28	71.8%	3	7.7%
FL 14.25	C	1255	48	3.9%	65	5.2%	21	1.7%	1039	84.1%	62	5.0%
FL 14.25	D ATT.	59	3	5.1%	3	5.1%	1	1.7%	46	78.0%	6	10.2%
FL 14.17	C	2285	67	2.9%	206	9.0%	71	3.1%	1805	79.0%	136	6.0%
FL 14.17	D ATT.	351	5	1.4%	26	7.4%	9	2.6%	291	83.5%	18	5.1%
FL 245.03	C	272	12	4.4%	29	9.9%	17	5.8%	194	67.1%	38	13.0%
FL 245.07	D ATT.	5							5	100.0%		
FL 245.09	C	77	2	2.1%	20	20.6%	6	6.2%	63	64.9%	6	6.2%
FL 245.09	D ATT.											
FL 245.05	D	864	24	3.0%	119	13.8%	72	8.3%	568	65.7%	79	9.1%
FL 245.05	D	147	5	3.4%	15	10.2%	12	8.2%	107	72.8%	8	5.4%
FL 245.02.04	D	1741	61	3.5%	375	21.3%	58	3.3%	1197	68.0%	69	3.9%
FL 245.02.04	D ATT.	23							23	100.0%		
FL 245.02.05	D	6			1	16.7%			4	66.7%	1	16.7%
FL 245.02	D	1							1	100.0%		
CLASS A		1362	37	2.7%	119	11.2%	104	9.8%	437	41.1%	365	34.4%
CLASS B		2254	194	8.6%	746	11.9%	367	5.9%	4123	44.3%	924	14.8%
CLASS C		4491	153	3.4%	444	9.1%	181	4.0%	3745	76.6%	368	7.5%
CLASS D		2232	102	4.6%	543	16.8%	154	4.8%	2249	69.6%	184	5.7%
CLASS		23							23	100.0%		
TOTAL		11452	484	4.2%	1852	12.0%	806	5.2%	10477	67.8%	1841	11.9%

TABLE 16 (2 OF 2)

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDEX IS 12-14, 15-17-74 AND 17-19-75 CONTROLLED FOR POST 02-01-74 ARREST DATE

DISPOSITIONS OF VIOL AT FELONY INDICTMENTS
 VIOL AT F ELONY INDICTMENTS FROM 01-01-77 THRU 12-31-81 DISPOSED OF FROM 01-01-81 THRU 12-31-81 *
 NEW YORK CITY

INDICTMENT CHARGE CLASS	TOTALS	OTHER	DISMISSED		ACQUITTED		PLEA CONVICTED		TRIAL	
PL 125.25 A	753	27 3.6%	90 10.6%	90 11.9%	320 42.2%	241 31.8%				
PL 125.25 H ATT.	435	13 4.1%	59 15.6%	49 11.3%	229 52.6%	80 18.4%				
PL 125.27 A	14		8 57.1%				6 42.9%			
PL 125.27 A ATT.	42	2 4.8%	9 21.4%	1 2.4%	15 35.7%	15 35.7%				
PL 145.25 A	25	2 8.0%	4 16.0%	1 4.0%	11 44.0%	7 28.0%				
PL 145.25 H ATT.					2 66.7%	1 33.3%				
PL 150.20 A	3			1 50.0%	1 50.0%					
PL 150.20 P ATT.	2				1 100.0%					
PL 170.11 H	1						1 100.0%			
PL 120.11 C ATT.	1									
PL 125.20 B	151	4 2.6%	14 9.3%	12 7.9%	98 64.9%	23 15.2%				
PL 125.20 C ATT.	1						1 100.0%			
PL 130.25 B	343	11 3.2%	81 23.6%	37 10.8%	142 41.4%	72 21.0%				
PL 130.25 C ATT.	33	1 3.0%	5 15.2%	2 6.1%	21 63.6%	4 12.1%				
PL 130.50 P	104	3 2.9%	12 11.5%	13 12.5%	59 56.7%	17 16.3%				
PL 130.50 C ATT.	4			1 25.0%	2 50.0%	1 25.0%				
PL 130.70 B	4				3 75.0%					
PL 130.70 C ATT.				2 100.0%			3 20.0%			
PL 135.20 P	15				10 66.7%					
PL 135.20 C ATT.	4				4 100.0%					
PL 140.30 P	95	2 2.1%	23 24.2%	4 4.2%	46 48.4%	20 21.1%				
PL 140.30 C ATT.	4				3 75.0%	1 25.0%				
PL 150.15 P	97	5 5.3%	11 12.2%	9 8.9%	39 43.3%	29 32.2%				
PL 150.15 C ATT.	4				2 50.0%	2 50.0%				
PL 160.15 B	3450	105 2.9%	414 11.3%	172 4.7%	2516 68.9%	443 12.1%				
PL 160.15 C ATT.	383	13 3.4%	50 12.9%	8 2.1%	267 74.0%	30 7.7%				
PL 265.04 H	4				2 50.0%	2 50.0%				
PL 265.04 C ATT.										
PL 265.09 P	14	1 7.1%		1 7.1%	12 85.7%					
PL 265.09 C ATT.										

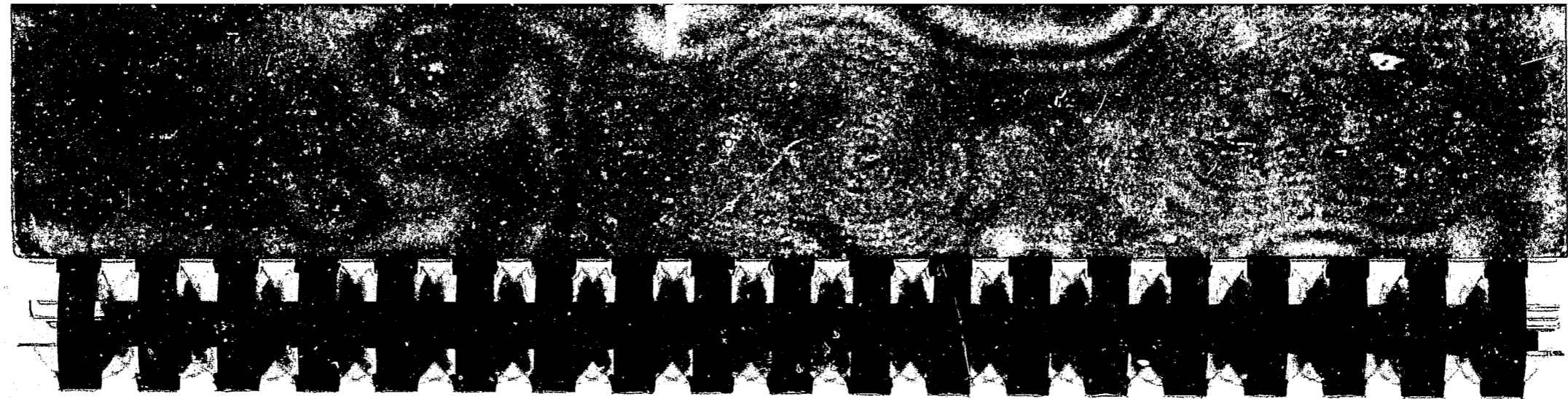
TABLE 17 (1 OF 2)

FL 127.10	C	267	2	.7%	38	14.2%	37	13.9%	151	56.6%	39	14.6%
FL 127.11	D ATT.	28	2	7.1%	4	14.3%	2	7.1%	17	60.7%	3	10.7%
PL 141.27	C	492	16	3.3%	30	6.2%	9	1.9%	399	82.8%	28	5.8%
FL 141.28	D ATT.	22	1	4.5%	2	9.1%			15	68.2%	4	18.2%
PL 141.31	C	1912	56	2.9%	164	9.6%	52	2.7%	1534	80.2%	106	5.5%
PL 141.32	D ATT.	774	5	1.4%	21	7.4%	9	3.2%	236	82.8%	14	4.9%
PL 265.12	C	259	10	3.9%	27	10.5%	15	5.8%	172	66.7%	34	13.2%
FL 265.13	D ATT.	3							1	100.0%		
PL 265.28	C	97	2	2.1%	20	20.6%	6	6.2%	63	64.9%	6	6.2%
FL 265.28	D ATT.											
FL 137.65	D	333	11	3.3%	46	13.8%	35	10.5%	211	63.4%	30	9.0%
PL 137.65	D	41			5	12.2%	4	9.8%	28	68.3%	4	9.8%
PL 265.12.04	D	1599	58	3.6%	64	22.8%	53	3.3%	1061	66.4%	63	3.9%
FL 265.12.04	D ATT.	17							17	100.0%		
FL 265.12.05	D											
FL 265.12.05	D ATT.											
FL 265.12	D	1							1	100.0%		
CLASS A		962	31	3.7%	101	12.0%	92	10.9%	348	41.3%	270	32.1%
CLASS B		4218	147	3.0%	617	12.0%	297	6.1%	3158	74.3%	689	14.0%
CLASS C		3456	100	2.9%	334	9.7%	130	3.8%	2638	76.4%	253	7.3%
CLASS D		2317	77	3.3%	442	19.1%	103	4.5%	1572	68.0%	118	5.1%
CLASS		17							17	100.0%		
TOTAL		11536	355	3.1%	1494	13.0%	622	5.4%	7733	67.0%	1330	11.5%

TABLE 17 (2 OF 2)

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICT IS TOTAL 12-31-78 AND 12-31-78 CONTROLLED FOR POST 09-01-78 ARREST DATE



DISPOSITIONS OF VIOLENT FELONY INDICTMENTS
 VIOLENT FELONY INDICTMENTS FROM 09-01-78 THRU 12-31-81 DISPOSED OF FROM 01-01-81 THRU 12-31-81 *
 SUBURBAN NEW YORK

INDICTMENT CHARG. CLASS	TOTALS	OTHER	DISMISSED	ACQUITTED	CONVICTED		TRIAL
					PLA		
PL 125.25 A	57	1 1.5%	6 9.0%	5 7.5%	25 37.3%	30 44.8%	
PL 125.25 B ATT.	32		3 9.4%	2 6.3%	16 50.0%	11 34.4%	
PL 125.27 A	1					1 100.0%	
PL 125.27 A ATT.	4				2 50.0%	2 50.0%	
PL 125.25 A	4	1 25.0%	1 25.0%		2 50.0%		
FL 125.25 F ATT.							
PL 150.20 A	1				1 100.0%		
FL 150.20 E ATT.							
PL 120.11 E							
PL 120.11 C ATT.							
FL 125.20 B	3			3 37.5%	2 25.0%	3 37.5%	
PL 125.20 C ATT.							
PL 130.35 F	73	4 5.1%	7 9.0%	5 6.4%	42 53.8%	20 25.6%	
PL 130.35 C ATT.	11	1 9.1%	1 9.1%		7 63.6%	2 18.2%	
PL 130.50 B	36	1 2.8%	2 5.6%	2 5.6%	25 69.4%	6 16.7%	
FL 130.50 C ATT.	4	1 25.0%			3 75.0%		
PL 130.70 D	1				1 100.0%		
FL 130.70 C ATT.							
PL 135.20 B	11		3 27.3%	1 9.1%	2 18.2%	5 45.5%	
PL 135.20 C ATT.							
PL 140.30 B	40		8 20.0%	2 5.0%	21 52.5%	9 22.5%	
FL 140.30 C ATT.							
PL 150.15 D	17		6 33.3%		11 61.1%	1 5.6%	
PL 150.15 C ATT.	2		1 50.0%		1 50.0%		
PL 160.15 P	457	10 2.2%	23 5.0%	11 2.4%	369 80.9%	43 9.4%	
PL 160.15 C ATT.	34	2 5.6%	3 8.3%	1 2.8%	25 69.4%	5 13.9%	
PL 265.04 P							
PL 265.04 C ATT.							
PL 265.09 D							
PL 265.09 C ATT.							

TABLE 18 (1 OF 2)

PL 120.10	C	47	2	4.3%	11	23.4%		22	46.8%	12	25.5%	
PL 120.10	D ATT.	5						5	100.0%			
PL 140.25	C	320	4	1.3%	11	3.4%	1	.3%	295	92.2%	9	2.9%
PL 140.25	D ATT.	21			1	4.8%		18	85.7%	2	9.5%	
PL 160.10	C	165	4	2.4%	12	7.3%	1	.6%	142	86.1%	6	3.6%
PL 160.10	D ATT.	31			2	6.5%		28	90.3%	1	3.2%	
PL 265.03	C	16	1	6.3%	1	6.3%	1	6.3%	12	75.0%	1	6.3%
PL 265.03	D ATT.	1						1	100.0%			
PL 265.08	C											
PL 265.08	D ATT.											
PL 120.05	D	155	6	3.9%	17	11.0%	7	4.5%	119	76.8%	6	3.9%
PL 130.65	D	36	1	2.8%	2	5.6%	6	16.7%	26	72.2%	1	2.8%
PL 265.02.04	D	103	1	1.0%	3	2.9%	1	1.0%	95	92.2%	3	2.9%
PL 265.02.04	E ATT.	1						1	100.0%			
PL 265.02.05	D	2			1	50.0%		1	50.0%			
PL 265.02.05	E ATT.											
PL 265.12	DD											

CLASS A		77	2	2.6%	7	9.1%	5	6.5%	30	39.0%	33	42.7%
CLASS B		680	15	2.2%	52	7.6%	26	3.8%	489	71.9%	98	14.4%
CLASS C		601	15	2.5%	40	6.7%	4	.7%	507	84.4%	35	5.8%
CLASS D		354	8	2.3%	26	7.3%	14	4.0%	293	82.8%	13	3.7%
CLASS E		1						1	100.0%			
TOTAL		1713	40	2.3%	125	7.3%	49	2.9%	1320	77.1%	179	10.4%

TABLE 18 (2 OF 2)

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDEX 15 14 02-01-78 41 12-11-73 CONTROLLED FOR POST 09-01-78 ADJUST DATE

DISPOSITIONS OF VIOLENT FELONY INDICTMENTS
 VIOLENT FELONY INDICTMENTS FROM 09-01-78 THRU 12-31-81 DISPOSED OF FROM 01-01-81 THRU 12-31-81 *

INDICTMENT CHARGE CLASS	TOTALS	UPSTATE					TRIAL
		OTHER	DISMISSED	ACQUITTED	FLEA CONVICTED		
FL 125.25 A	131	3 2.3%	11 8.4%	6 4.6%	54 41.2%	57 43.5%	
FL 125.25 B ATT.	49	2 5.0%	2 5.0%	4 10.0%	23 57.5%	9 22.5%	
PL 125.27 A	1			1 100.0%			
PL 125.27 A ATT.	4				5 62.5%	3 37.5%	
PL 135.25 A	2					2 100.0%	
FL 135.25 B ATT.							
FL 150.70 A	1	1 100.0%					
PL 150.20 B ATT.							
PL 120.11 B							
PL 120.11 C ATT.							
FL 125.20 B	19		2 10.5%	4 21.1%	8 42.1%	5 26.3%	
PL 125.20 C ATT.	1				1 100.0%		
PL 130.35 P	133	8 6.0%	20 15.0%	8 6.0%	71 53.4%	26 19.5%	
PL 130.35 C ATT.	32	1 3.1%	3 9.4%	4 12.5%	20 62.5%	4 12.5%	
FL 130.50 B	97	11 12.6%	6 6.9%	7 8.0%	45 51.7%	18 20.7%	
PL 130.50 C ATT.	5		1 20.0%		4 80.0%		
PL 130.70 H	4			2 50.0%	2 50.0%		
PL 150.70 C ATT.							
PL 135.20 D	11		4 36.4%	1 9.1%	5 27.3%	3 27.3%	
PL 135.20 C ATT.	1				1 100.0%		
FL 140.30 H	56	3 5.4%	10 17.9%	3 5.4%	27 48.2%	13 23.2%	
PL 140.30 C ATT.	1				1 100.0%		
FL 150.15 P	35		6 22.9%	3 8.6%	21 60.0%	3 8.6%	
FL 150.15 C ATT.	7		1 14.3%	1 14.3%	5 71.4%		
PL 160.15 B	276	8 2.9%	23 8.3%	14 5.1%	171 62.0%	60 21.7%	
FL 160.15 C ATT.	24		1 4.2%		17 70.8%	6 25.0%	
FL 265.04 H	4				4 100.0%		
FL 265.04 C ATT.							
PL 265.09 F	1				1 100.0%		
PL 265.09 C ATT.							

TABLE 19 (1 OF 2)

FL 120.10	C	105	1	1.0%	9	8.6%	12	11.4%	65	61.9%	18	17.1%
FL 120.10	D ATT.	6							6	100.0%		
FL 140.25	C	433	28	6.5%	24	5.5%	11	2.5%	345	79.7%	25	5.8%
FL 140.25	D ATT.	16	2	12.5%			1	6.3%	13	81.3%		
FL 160.10	C	218	7	3.4%	30	14.4%	18	8.7%	129	62.0%	24	11.5%
FL 160.10	D ATT.	35			3	8.6%			29	82.9%	3	8.6%
FL 265.03	C	18	1	5.6%	1	5.6%	1	5.6%	12	66.7%	3	16.7%
FL 265.03	D ATT.	1							1	100.0%		
FL 265.08	C											
FL 265.08	D ATT.											
FL 120.05	D	376	9	2.4%	56	14.9%	30	8.0%	238	63.3%	43	11.4%
FL 130.65	D	70	4	5.7%	8	11.4%	2	2.9%	53	75.7%	3	4.3%
FL 265.02.04	D	58	2	3.4%	8	13.8%	4	6.9%	41	70.7%	3	5.2%
FL 265.02.04	E ATT.	5							5	100.0%		
FL 265.02.05	D	4							3	75.0%	1	25.0%
FL 265.02.05	E ATT.											
FL 265.12	DD											

CLASS A		143	4	2.8%	11	7.7%	7	4.9%	59	41.3%	62	43.4%
CLASS B		666	32	4.8%	77	11.6%	44	6.6%	376	56.5%	137	20.6%
CLASS C		835	32	4.6%	70	8.4%	47	5.6%	603	71.9%	80	9.6%
CLASS D		564	17	3.0%	75	13.3%	37	6.5%	384	67.8%	53	9.4%
CLASS E		5							5	100.0%		
TOTAL		2215	91	4.1%	233	10.5%	135	6.1%	1424	64.3%	332	15.0%

TABLE 19 (2 OF 2)

DIVISION OF CRIMINAL JUSTICE SERVICES

* SUBJECTS RELEASED 12-01-77 AND 12-31-78 CONTROLLED FOR POST 09-01-78 ARREST DATE

VIOLENT FELONY INDICTED OFFENSES VS CONVICTED OFFENSES
 NEW YORK STATE
 VIOLENT FELONY INDICTMENTS FROM 09-01-78 THRU 12-31-81 SENTENCED FROM 01-01-81 THRU 12-31-81

CONVICTED OFFENSE	INDICTED OFFENSE					TOTALS
	CLASS A	CLASS B	CLASS C	CLASS D	CLASS E	
SAME OFFENSE	179 22.3%	1425 34.7%	1163 28.2%	1075 44.2%	22 95.7%	4261 34.6%
VIOLENT FELONY	555 49.2%	2654 57.7%	2523 61.3%	498 29.5%		6429 52.2%
CLASS A	134 13.0%	1 0.0%				105 0.9%
CLASS B	363 44.9%	165 4.3%				528 4.3%
CLASS C	61 7.5%	1660 33.6%	62 1.5%	1 0.0%		1783 14.5%
CLASS D	31 3.9%	1027 22.3%	2437 59.3%	89 3.7%		3584 29.1%
CLASS E		3 0.1%	21 0.5%	40 16.8%		432 3.5%
MISDEMEANOR						
OTHER						
NON-VIOLENT FEL	44 9.5%	266 5.4%	433 10.5%	863 35.3%	1 4.3%	1628 13.2%
CLASS A	2 0.2%	4 0.1%				6 0.0%
CLASS B	3 0.4%	2 0.3%		5 0.2%		10 0.1%
CLASS C	12 4.0%	19 3.4%	9 0.2%	6 0.2%		65 0.5%
CLASS D	7 0.9%	101 2.0%	141 3.4%	33 1.4%		282 2.3%
CLASS E	13 1.4%	62 1.3%	141 3.4%	505 20.8%	1 4.3%	722 5.9%
MISDEMEANOR	11 1.4%	7 1.4%	142 3.5%	309 12.7%		540 4.4%
OTHER			1 0.0%	2 0.1%		3 0.0%
TOTALS	992	4947	6113	2453	23	12319

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 09-01-78 AND 12-31-78 CONTROLLED FOR POST 09-01-78 ARREST DATE

TABLE 20

VIOLENT FELONY INDICTED OFFENSES VS CONVICTED OFFENSES

NEW YORK CITY

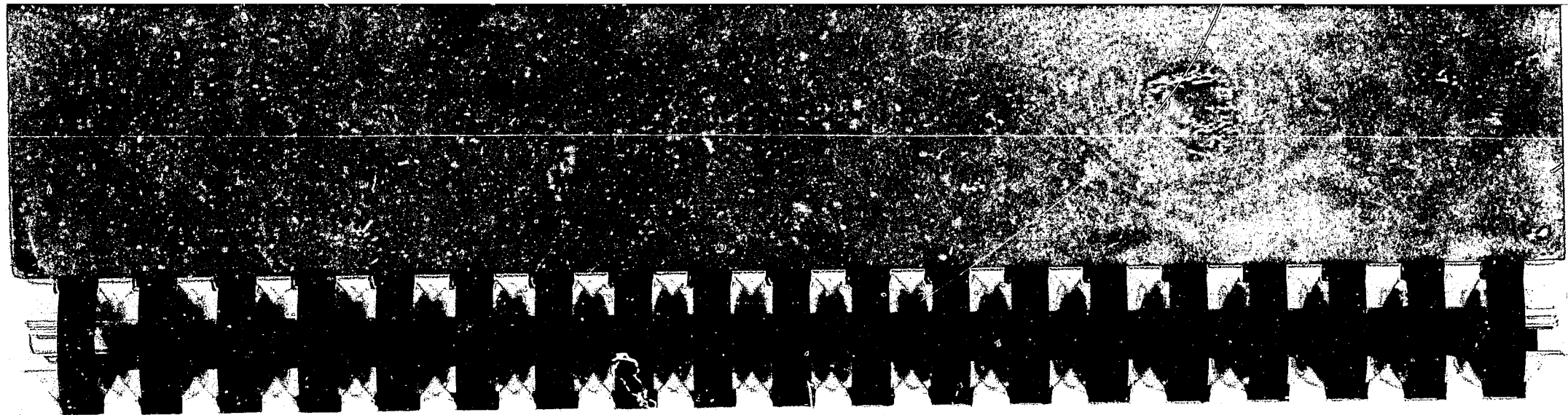
VIOLENT FELONY INDICTMENTS FROM 01-01-78 THRU 12-31-81 SENTENCED FROM 01-01-81 THRU 12-31-81

CONVICTED OFFENSE	INDICTED OFFENSE					TOTALS
	CLASS A	CLASS B	CLASS C	CLASS D	CLASS E	
SAME OFFENSE	123 19.9%	140 36.5%	76 26.7%	76 45.0%	16 94.1%	371 13.9%
VIOLENT FELONY	445 72.0%	225 59.4%	187 64.8%	457 27.0%		506 55.8%
CLASS A	75 12.1%					75 0.8%
CLASS B	276 47.0%	127 3.3%				423 4.7%
CLASS C	49 7.9%	138 35.7%	4 1.7%	1 0.1%		167 1.8%
CLASS D	26 4.2%	775 20.1%	190 62.6%	71 4.2%		2691 29.6%
CLASS E		3 0.1%	19 0.7%	385 22.9%		407 4.5%
MISDEMEANOR						
OTHER						
NON VIOLENT FEL	50 8.1%	150 4.1%	24 8.6%	473 28.0%	1 5.9%	931 10.3%
CLASS A	1 0.2%	1 0.3%				2 0.0%
CLASS B	1 0.2%	2 0.1%		4 0.2%		7 0.1%
CLASS C	22 3.6%	11 0.4%	4 0.2%	6 0.4%		45 0.5%
CLASS D	4 1.0%	59 1.5%	92 2.8%	16 0.9%		163 1.8%
CLASS E	2 1.5%	35 1.2%	81 2.8%	346 20.5%	1 5.9%	471 5.2%
MISDEMEANOR	11 1.8%	51 1.3%	70 2.7%	103 5.9%		241 2.7%
OTHER			1 0.0%	1 0.1%		2 0.0%
TOTALS	519	3947	2991	1690	17	9365

TABLE 21

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 01-01-78 AND 12-31-78 CONTROLLED FOR POST 01-01-78 ARREST DATE



VIOLENT FELONY INDICTED OFFENSES VS CONVICTED OFFENSES
 SUDDURY NYC
 VIOLENT FELONY INDICTMENTS FROM 09-01-78 THRU 12-31-81 SENTENCED FROM 01-01-81 THRU 12-31-81

CONVICTED OFFENSE	INDICTED OFFENSE					TOTALS
	CLASS A	CLASS B	CLASS C	CLASS D	CLASS E	
SAME OFFENSE	25 36.5%	249 42.4%	127 21.4%	96 31.4%	1 100.0%	496 33.1%
VIOLENT FELONY	57 58.7%	304 51.9%	367 47.7%	29 9.5%		717 149.2%
CLASS A	9 14.3%					9 0.6%
CLASS B	21 33.3%	12 2.0%				33 2.2%
CLASS C	4 6.3%	158 25.7%	9 1.5%			170 11.3%
CLASS D	3 4.8%	134 22.4%	357 65.9%	10 3.3%		504 33.6%
CLASS E			2 0.4%	19 6.2%		21 1.4%
MISDEMEANOR						
OTHER						
NON VIOLENT FEL	3 4.9%	34 5.9%	49 8.0%	181 59.2%		266 17.7%
CLASS A		1 1.7%				1 0.1%
CLASS B				1 0.3%		1 0.1%
CLASS C	2 3.2%	2 3.3%	1 0.2%			5 0.3%
CLASS D		11 1.9%	10 1.8%	7 2.3%		29 1.9%
CLASS E	1 1.6%	15 2.6%	21 3.9%	81 26.5%		118 7.9%
MISDEMEANOR		5 0.9%	14 3.0%	91 29.7%		112 7.5%
OTHER				1 0.3%		1 0.1%
TOTALS	63	587	542	306	1	1499

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 09-01-78 AND 12-31-78 CONTROLLED FOR POST 09-01-78 ARREST DATE

TABLE 22

VIOLENT FELONY INDICTED OFFENSES VS CONVICTED OFFENSES

UPSTATE COUNTIES

VIOLENT FELONY INDICTMENTS FROM 01-01-78 THRU 12-31-81 SENTENCED FROM 01-01-81 THRU 12-31-81

CONVICTED OFFENSE	INDICTED OFFENSE					TOTALS
	CLASS A	CLASS B	CLASS C	CLASS D	CLASS E	
SAME OFFENSE	33 27.4%	173 35.7%	264 39.8%	219 50.1%	5 100.0%	694 39.5%
VIOLENT FELONY	75 60.3%	267 52.0%	279 41.0%	12 2.7%		633 35.9%
CLASS A	20 16.5%	1 0.2%				21 1.2%
CLASS B	43 35.5%	26 5.1%				69 3.9%
CLASS C	9 7.4%	122 25.3%	2 1.2%			133 7.9%
CLASS D	2 1.7%	119 25.3%	271 39.9%	8 1.9%		400 22.7%
CLASS E				4 0.9%		4 0.2%
MISDEMEANOR						
OTHER						
NON VIOLENT FEL	15 12.4%	75 14.2%	137 20.1%	206 47.1%		433 24.5%
CLASS A	1 0.8%	2 0.4%				3 0.2%
CLASS B	2 1.7%					2 0.1%
CLASS C	4 3.3%	4 1.2%	1 0.1%			9 0.5%
CLASS D	1 0.8%	31 6.0%	49 7.2%	13 2.3%		94 5.2%
CLASS E	7 5.7%	12 2.4%	49 7.2%	74 17.8%		142 7.6%
MISDEMEANOR		22 4.3%	47 6.9%	119 27.0%		188 10.6%
OTHER						
TOTALS	121	51%	693	437	5	1756

TABLE 23

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 01-01-78 AND 12-31-78 CONTROLLED FOR POST 01-01-78 ARREST DATE

CONVICTED BY PLEA
 VIOLENT FELONY INDICTED OFFENSES VS CONVICTED OFFENSES
 NEW YORK STATE
 VIOLENT FELONY INDICTMENTS FROM 09-01-78 THRU 12-31-81 SENTENCED FROM 01-01-81 THRU 12-31-81

CONVICTED OFFENSE	INDICTED OFFENSE					TOTALS
	CLASS A	CLASS B	CLASS C	CLASS D	CLASS E	
SAME OFFENSE	38 0.7%	1237 33.7%	953 25.4%	962 42.8%	22 95.7%	3209 30.6%
VIOLENT FELONY	372 85.1%	2616 65.0%	2441 65.2%	489 21.7%		5917 56.5%
CLASS A	21 4.8%					21 0.2%
CLASS B	224 65.0%	104 2.6%				328 3.1%
CLASS C	49 11.0%	1525 37.9%	51 1.4%	1 0.0%		1625 15.5%
CLASS D	19 4.3%	984 26.5%	2240 47.3%	81 3.6%		3454 32.0%
CLASS E		3 0.1%	21 0.4%	406 18.1%		430 4.1%
MISDEMEANOR						
OTHER						
NON VIOLENT FEL	27 6.2%	170 4.2%	356 9.5%	799 35.5%	1 4.3%	1351 12.9%
CLASS A	1 0.2%	3 0.1%				4 0.0%
CLASS B	2 0.5%			6 0.2%		6 0.1%
CLASS C	11 2.5%	10 0.2%	4 0.2%	5 0.3%		35 0.3%
CLASS D	5 1.1%	76 1.9%	126 3.4%	31 1.4%		239 2.3%
CLASS E	5 1.1%	63 1.6%	125 3.3%	500 22.2%	1 4.3%	674 6.4%
MISDEMEANOR	3 0.7%	36 0.9%	97 2.6%	256 11.4%		394 3.8%
OTHER				2 0.1%		2 0.0%
TOTALS	437	4023	3745	2249	23	10677

TABLE 24

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 09-01-78 AND 12-31-78 CONTROLLED FOR POST 09-01-78 ARREST DATE

CONVICTED BY PLEA

VIOLENT FELONY INDICTED OFFENSES VS CONVICTED OFFENSES

NEW YORK CITY

VIOLENT FELONY INDICTMENTS FROM 09-01-78 THRU 12-31-81 SENTENCED FROM 04-01-81 THRU 12-31-81

CONVICTED OFFENSE	INDICTED OFFENSE					TOTALS
	CLASS A	CLASS B	CLASS C	CLASS D	CLASS E	
SAME OFFENSE	22 6.3%	958 30.4%	428 23.8%	681 43.3%	16 96.1%	2105 22.8%
VIOLENT FELONY	137 88.2%	2103 66.6%	1912 68.0%	449 28.6%		4677 63.5%
CLASS A	15 4.3%					15 0.2%
CLASS B	241 55.7%	79 2.5%				320 4.1%
CLASS C	37 10.6%	127 4.0%	47 1.5%	1 0.1%		1356 17.5%
CLASS D	14 4.0%	743 21.5%	1757 66.7%	65 4.1%		2581 33.4%
CLASS E		3 0.1%	19 0.7%	383 24.4%		405 5.2%
MISDEMEANOR						
OTHER						
NON VIOLENT FEL	12 5.5%	97 8.1%	192 7.3%	442 29.1%	1 5.0%	751 9.7%
CLASS A	1 0.7%	1 0.0%				2 0.0%
CLASS B				3 0.2%		3 0.0%
CLASS C	7 2.0%	6 0.2%	5 0.2%	6 0.4%		24 0.3%
CLASS D	5 1.4%	42 1.3%	74 2.7%	16 1.0%		134 1.7%
CLASS E	3 0.9%	22 0.7%	42 1.6%	343 21.9%	1 5.9%	417 5.7%
MISDEMEANOR	3 0.9%	26 0.8%	42 1.6%	73 4.6%		150 1.9%
OTHER				1 0.1%		1 0.0%
TOTALS	340	3158	2670	1572	17	7733

TABLE 25

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 09-01-78 AND 12-31-78 CONTROLLED FOR POST 09-01-78 ARREST DATE

CONVICTED BY PLF
 VIOLENT FELONY INDICTED OFFENSES VS CONVICTED OFFENSES
 SUPERMAN NYC
 VIOLENT FELONY INDICTMENTS FROM 07-01-78 THRU 12-31-81 SENTENCED FROM 01-01-81 THRU 12-31-81

CONVICTED OFFENSE	INDICTED OFFENSE					TOTALS
	CLASS A	CLASS B	CLASS C	CLASS D	CLASS E	
SAVE OFFENSE	7 23.3%	185 37.2%	136 20.5%	90 30.7%	1 100.0%	387 29.7%
VIOLENT FELONY	22 71.1%	282 57.7%	350 70.8%	27 9.2%		690 52.7%
CLASS A	1 3.1%					1 0.1%
CLASS B	14 46.7%	11 2.2%				25 1.9%
CLASS C	4 13.3%	141 28.9%	4 1.2%			151 11.4%
CLASS D	3 10.0%	130 26.6%	351 69.7%	8 2.7%		492 37.3%
CLASS E			2 0.4%	19 6.6%		21 1.6%
MISDEMEANOR OTHER						
NON VIOLENT FEL	1 3.1%	22 4.5%	44 8.7%	176 60.1%		243 18.4%
CLASS A				1 0.3%		1 0.1%
CLASS B						
CLASS C		1 0.2%	1 0.2%			2 0.2%
CLASS D		9 1.8%	9 1.8%	7 2.4%		25 1.9%
CLASS E	1 3.1%	10 2.0%	20 3.9%	81 27.6%		112 8.5%
MISDEMEANOR OTHER		2 0.4%	14 2.8%	86 29.4%	1 0.3%	102 7.7%
TOTALS	33	499	507	293	1	1320

TABLE 26

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 07-01-78 AND 12-31-78 CONTROLLED FOR POST 09-01-78 ARREST DATE

CONVICTED BY PLEA
 VIOLENT FELONY INDICTED OFFENSES VS CONVICTED OFFENSES
 UPSTATE COUNTIES
 VIOLENT FELONY INDICTMENTS FROM 09-01-78 THRU 12-31-81 SENTENCED FROM 01-01-81 THRU 12-31-81

CONVICTED OFFENSE	INDICTED OFFENSE											
	CLASS A		CLASS B		CLASS C		CLASS D		CLASS E		TOTALS	
SAME OFFENSE	9	15.2%	94	25.0%	212	36.3%	191	47.7%	5	100.0%	517	34.3%
VIOLENT FELONY	43	72.9%	231	61.4%	264	44.0%	12	3.1%			550	39.6%
CLASS A	5	8.5%									5	0.4%
CLASS B	29	49.2%	14	3.7%							43	3.0%
CLASS C	7	11.9%	106	29.2%	5	0.8%					118	8.3%
CLASS D	2	3.4%	111	29.5%	259	43.2%	5	2.1%			387	26.7%
CLASS E							4	1.0%			4	0.3%
MISDEMEANOR												
OTHER												
NON VIOLENT FEL	7	11.9%	51	13.4%	112	19.7%	181	47.1%			351	25.1%
CLASS A			2	0.5%							2	0.1%
CLASS B	2	3.4%									2	0.1%
CLASS C	4	6.8%	3	0.8%							7	0.5%
CLASS D			25	6.6%	44	7.7%	8	2.1%			77	5.5%
CLASS E	1	1.7%	11	2.9%	37	6.2%	76	19.8%			125	8.9%
MISDEMEANOR			10	2.7%	35	5.8%	97	25.3%			142	10.0%
OTHER												
TOTALS	50		376		533		384		5		1424	

TABLE 27

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 09-01-78 AND 12-31-78 CONTROLLED FOR POST 09-01-78 ARREST DATE

SENTENCES FOR CONVICTIONS OF VIOLENT FELONY CHARGES
 VIOLENT FELONY INDICTMENTS FROM 01-01-70 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *

NEW YORK STATE

INDICTIVE IT CHARGE	CLASS	TOTAL CONVICTED	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	ACC. TO COURT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25	A	727		1 .1%		14 1.9%	12 1.7%	699 95.1%	1 .1%
PL 125.25	A ATT.	349			1 .3%	52 14.1%	15 4.1%	300 81.5%	
PL 125.27	A	7						7 100.0%	
PL 125.27	A ATT.	42				1 2.4%	1 2.4%	40 95.2%	
PL 135.25	A	22				5 22.7%	2 9.1%	15 68.2%	
PL 135.25	B ATT.							2 50.0%	
PL 150.27	A	6							
PL 150.27	B ATT.	1					1 100.0%		
PL 120.11	B	1					1 100.0%		
PL 120.11	C ATT.	1				1 100.0%			
PL 125.27	B	139		1 .7%		12 13.7%	6 4.3%	117 81.3%	
PL 125.27	C ATT.	2						2 100.0%	
PL 130.35	B	373		4 1.1%		54 14.5%	32 15.2%	277 74.1%	
PL 130.35	C ATT.	52		1 1.7%		7 12.1%	3 5.2%	46 79.3%	1 1.7%
PL 130.35	B	173		2 1.2%		24 16.5%	20 11.5%	120 79.4%	
PL 130.35	C ATT.	17				2 20.0%	2 20.0%	6 60.0%	
PL 130.73	B	6				1 16.7%	1 50.0%	2 33.3%	
PL 130.73	C ATT.								
PL 135.23	B	26				5 19.2%	4 15.4%	17 65.4%	
PL 135.23	C ATT.	5				1 20.0%	1 20.0%	1 40.0%	
PL 140.13	B	136				14 13.2%	16 11.8%	102 75.0%	
PL 140.13	C ATT.	5				2 40.0%		3 60.0%	
PL 150.15	B	104		2 1.9%		31 29.8%	10 9.6%	61 59.7%	
PL 150.15	C ATT.	10		1 10.0%		3 30.0%	1 30.0%	3 30.0%	
PL 140.15	B	3602	2 .1%	9 .2%		511 14.2%	224 6.2%	2854 79.1%	
PL 140.15	C ATT.	373	4 1.1%	1 .3%		89 23.8%	56 15.1%	221 59.7%	
PL 265.04	B	2				1 12.5%	2 25.0%	5 62.5%	
PL 265.04	C ATT.								
PL 265.07	B	13				4 30.8%	1 7.7%	8 61.5%	
PL 265.09	C ATT.								

TABLE 28 (1 OF 2)

PL 120.10	C	307	1	.3%	2	.7%	108	35.2%	4	15.2%	167	47.8%	1	.3%
PL 120.10	D ATT.	31					20	44.5%	4	17.4%	7	22.6%		
PL 140.25	C	1101	1	.1%	11	1.0%	418	38.0%	185	17.2%	429	41.5%	3	.3%
PL 140.25	D ATT.	52					24	46.2%	14	26.9%	14	26.9%		
PL 160.10	C	1741	2	.1%	13	.7%	656	37.8%	51	13.1%	215	47.3%	1	.1%
PL 160.10	D ATT.	311	1	.3%	4	1.3%	149	47.9%	64	20.6%	57	20.0%		
PL 265.03	C	234			8	3.4%	75	32.1%	41	17.5%	109	46.7%	1	.4%
PL 265.03	D ATT.	5					3	60.0%	1	20.0%	1	20.0%		
PL 265.08	C	42			4	1.4%	26	37.8%	14	20.3%	28	40.6%		
PL 265.08	D ATT.													
PL 120.05	D	647	3	.5%	36	5.4%	287	44.4%	154	27.8%	150	24.4%	2	1.2%
PL 130.65	D	115			6	5.2%	58	50.4%	19	16.5%	37	27.4%		
PL 265.02.04	D	1266	4	.3%	36	2.8%	519	41.0%	408	42.2%	211	22.2%	18	1.4%
PL 265.02.04	D ATT.	23					15	65.2%	5	21.7%	7	13.0%		
PL 265.02.05	D	5					1	20.0%	2	40.0%	2	40.0%		
PL 265.02.05	D ATT.													
PL 265.12	D	1												

CLASS A NON VFL
 CLASS B NON VFL
 CLASS C NON VFL
 CLASS D NON VFL
 CLASS E NON VFL

MISDEMEANORS

VIOL. INTERACTIONS

VFL CLASS A	832			1	.1%										
VFL CLASS B	4047	2	.0%	10	.4%	1	.0%	22	2.7%	15	1.9%	763	95.1%	1	.1%
VFL CLASS C	4115		.2%	10	.9%			724	14.6%	341	6.5%	3961	78.3%		
VFL CLASS D	2477	3	.7%	87	3.4%			1397	33.7%	704	17.2%	1265	47.9%	7	.2%
VFL CLASS E	25							1061	43.6%	666	27.4%	590	24.2%	26	1.1%
TOTAL VFL	25							15	65.2%	5	21.7%	7	13.0%		
TOTAL NON VFL	12317	18	.1%	139	1.1%	1	.0%	3209	26.1%	1735	14.1%	7182	59.3%	34	.3%
TOTAL	12317	18	.1%	139	1.1%	1	.0%	3209	26.1%	1735	14.1%	7182	59.3%	34	.3%

DCJS -- DIVISION OF CRIMINAL JUSTICE SERVICES

TABLE 28 (2 OF 2)

SENTENCES FOR CONVICTIONS OF VIOLENT FELONY CHARGES
 VIOLENT FELONY INDICTMENTS FROM 01-01-78 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81
 NEW YORK CITY

INDICTMENT CHARGE	CLASS	TOTAL CONVICTS	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE		BACC COMMITMENT	PROBATION		LOCAL PRISON		STATE PRISON		OTHER		
				1	.2%		11	2.0%	10	1.8%	539	96.1%			
PL 125.25	A	561				1	.2%	48	15.5%	12	3.9%	248	80.1%		
PL 125.25	A ATT.	507										6	100.0%		
PL 125.27	A	4								1	3.3%	29	96.7%		
PL 125.27	A ATT.	50						4	22.2%	1	5.6%	13	72.2%		
PL 135.25	A	18													
PL 135.25	A ATT.							1	33.3%			2	66.7%		
PL 150.27	A	3								1	100.0%				
PL 150.27	A ATT.	1								1	100.0%				
PL 170.21	B	1						1	100.0%						
PL 170.21	C ATT.	1						18	14.9%	2	1.7%	100	82.4%		
PL 175.27	B	121				1	.8%					1	100.0%		
PL 125.27	C ATT.	1						37	17.3%	16	7.5%	160	76.2%		
PL 170.25	B	214				1	.5%	4	16.0%			19	76.0%	1	4.0%
PL 170.25	C ATT.	25				1	4.0%	13	17.1%	5	6.6%	57	75.0%		
PL 170.25	B	75				1	1.3%	1	33.3%			2	66.7%		
PL 170.25	C ATT.	3								2	66.7%	1	33.3%		
PL 170.27	B	1													
PL 150.27	C ATT.							4	30.8%	3	23.1%	6	46.2%		
PL 175.27	B	13						1	25.0%	1	25.0%	2	50.0%		
PL 175.27	C ATT.	4						8	12.1%	4	6.1%	54	81.8%		
PL 140.27	B	45						1	25.0%			3	75.0%		
PL 140.27	C ATT.	4						17	25.0%	7	10.3%	43	63.2%		
PL 150.15	B	60				1	1.5%			1	25.0%	2	50.0%		
PL 150.15	C ATT.	4				1	25.0%								
PL 140.15	B	2750	2	.1%		9	.3%	424	14.3%	159	5.4%	2366	80.0%		
PL 140.15	C ATT.	317	4	1.3%		1	.3%	76	24.0%	47	14.9%	189	59.8%		
PL 140.15	C ATT.	4								1	25.0%	3	75.0%		
PL 265.04	B	4													
PL 265.04	C ATT.							4	33.3%	1	8.3%	7	58.3%		
PL 265.07	B	12													
PL 265.07	C ATT.							75	39.5%	28	14.7%	85	44.7%	1	.5%

TABLE 29 (1 OF 2)

PL 120.10	C	190	1	.1%			75	39.5%	25	16.7%	15	44.7%	1	.5%
PL 120.10	D ATT.	20					14	70.0%	2	10.0%	4	20.0%		
PL 140.25	C	422	1	.2%	1	.2%	122	29.6%	50	12.4%	243	54.0%	1	.2%
PL 140.25	D ATT.	19					4	21.1%	5	26.3%	10	52.6%		
PL 160.10	C	1640	2	.1%	11	.7%	571	34.8%	280	17.6%	764	44.7%	1	.1%
PL 160.10	D ATT.	258	1	.4%	2	.8%	118	47.2%	51	20.4%	75	29.2%		
PL 265.03	C	276			6	2.9%	67	22.5%	37	14.0%	59	49.1%	1	.5%
PL 265.03	D ATT.	3					3	100.0%						
PL 265.08	C	62			1	1.4%	26	37.7%	14	20.7%	28	40.6%		
PL 265.08	D ATT.													
PL 120.05	D	241	2	1.2%	7	2.9%	116	48.1%	44	19.1%	66	29.2%	1	.4%
PL 130.65	D	32			1	3.1%	20	67.5%	5	15.6%	6	18.9%		
PL 265.02.04	D	1124	2	.3%	21	1.9%	477	42.4%	55	31.6%	254	22.4%	14	1.2%
PL 265.02.04	D ATT.	17					12	70.6%	4	23.5%	1	5.9%		
PL 265.02.05	D													
PL 265.02.05	D ATT.													
PL 265.12	D	1									1	100.0%		

CLASS A NON VFL
 CLASS B NON VFL
 CLASS C NON VFL
 CLASS D NON VFL
 CLASS E NON VFL
 MISDEMEANORS
 VIOL. : INFRACTIONS

VFL CLASS A		618			1	.2%	16	2.6%	12	1.9%	589	95.3%		
VFL CLASS B		3847	2	.1%	12	.3%	573	14.9%	214	5.6%	3045	70.2%		
VFL CLASS C		2891	0	.3%	23	.8%	945	32.7%	472	16.3%	1439	49.0%	5	.2%
VFL CLASS D		1691	7	.4%	31	1.8%	752	44.5%	464	27.5%	421	24.0%	15	.9%
VFL CLASS E		17					12	70.6%	4	23.5%	1	5.9%		
TOTAL VFL		9063	17	.2%	66	.7%	2298	25.4%	1166	12.9%	5455	60.4%	20	.2%
TOTAL NON VFL														
TOTAL		9063	17	.2%	66	.7%	2298	25.4%	1166	12.9%	5455	60.4%	20	.2%

DCJS -- DIVISION OF CRIMINAL JUSTICE SERVICES

TABLE 29 (2 OF 2)

SENTENCES FOR CONVICTIONS OF VIOLENT FELONY CHARGES
 VIOLENT FELONY INDICTMENTS FROM 09-01-78 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81
 SUPERIOR NYC

INDICTMENT CHARGE	CLASS	TOTAL CONVICTED	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	DACC COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25	A	55				1 1.8%	1 1.8%	53 96.4%	
PL 125.25	A ATT.	27				3 11.1%	2 7.4%	22 81.5%	
PL 125.27	A	1						1 100.0%	
PL 125.27	A ATT.	4					1 50.0%	4 100.0%	
PL 135.25	A	2						1 50.0%	
PL 135.25	A ATT.					1 100.0%			
PL 150.27	A	1							
PL 150.27	A ATT.								
PL 120.11	B								
PL 120.11	C ATT.						2 40.0%	3 60.0%	
PL 125.29	B	5							
PL 125.29	C ATT.					10 16.1%	8 12.9%	44 71.0%	
PL 130.15	B	62				1 11.1%		8 89.9%	
PL 170.25	C ATT.	9				7 22.4%	2 6.5%	22 71.0%	
PL 140.53	B	11				1 35.3%		2 66.7%	
PL 130.53	C ATT.	3				1 100.0%			
PL 170.71	B	1							
PL 170.71	C ATT.					1 14.3%		6 85.7%	
PL 175.23	B	7							
PL 175.23	C ATT.					2 6.7%	2 6.7%	26 96.7%	
PL 140.77	B	50							
PL 140.77	C ATT.					5 41.7%	2 16.7%	5 41.7%	
PL 150.15	B	12				1 100.0%			
PL 150.15	C ATT.	1				62 15.0%	42 10.2%	30 74.0%	
PL 140.15	B	412				5 16.7%	7 21.3%	18 60.0%	
PL 140.15	C ATT.	10							
PL 265.04	B								
PL 265.04	C ATT.								
PL 265.03	B								
PL 265.03	C ATT.								

TABLE 30 (1 OF 2)

PL 120.10	C	34			10	29.4%								
PL 120.10	D ATT.	5			3	60.0%	1	20.0%	1	20.0%				
PL 140.25	C	304			146	48.0%	51	19.1%	110	37.0%				
PL 140.25	D ATT.	20			12	60.0%	6	30.0%	2	10.0%				
PL 160.10	C	148			51	34.5%	41	27.7%	56	37.8%				
PL 160.10	D ATT.	29		1	17	58.6%	6	20.7%	5	17.2%				
PL 265.03	C	13		2	15.4%		3	23.1%	5	38.5%				
PL 265.03	D ATT.	1						1	100.0%					
PL 265.08	C													
PL 265.08	D ATT.													
PL 120.05	D	125		4	3.2%	66	52.8%	34	27.2%	19	15.2%	2	1.6%	
PL 130.65	D	27		2	7.4%	16	59.3%	4	14.8%	5	18.5%			
PL 265.02.04	D	98	1	1.0%	10	10.2%	32	32.7%	35	35.7%	18	18.4%	2	2.0%
PL 265.02.04	D ATT.	1							1	100.0%				
PL 265.02.05	D	1									1	100.0%		
PL 265.02.05	D ATT.													
PL 265.12	D													
CLASS A NON VFL														
CLASS B NON VFL														
CLASS C NON VFL														
CLASS D NON VFL														
CLASS E NON VFL														
MISDEMEANORS														
VIOL. INTERACTIONS														
VFL CLASS A		63			2	3.2%	2	3.2%	59	93.7%				
VFL CLASS B		587			91	15.5%	60	10.2%	436	74.7%				
VFL CLASS C		542		2	.4%	219	40.2%	112	20.7%	210	39.7%			
VFL CLASS D		306	1	.3%	17	5.6%	146	47.7%	87	28.4%	51	16.7%	4	1.3%
VFL CLASS E		1							1	100.0%				
TOTAL VFL		1499	1	.1%	17	1.1%	457	30.5%	262	17.5%	756	50.6%	4	.3%
TOTAL NON VFL														
TOTAL		1499	1	.1%	19	1.3%	457	30.5%	262	17.5%	756	50.6%	4	.3%

DCJS -- DIVISION OF CRIMINAL JUSTICE SERVICES

TABLE 30 (2 OF 2)

SENTENCES FOR CONVICTIONS OF VIOLENT FELONY CHARGES
 VIOLENT FELONY INDICTMENTS FROM 07-01-78 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *

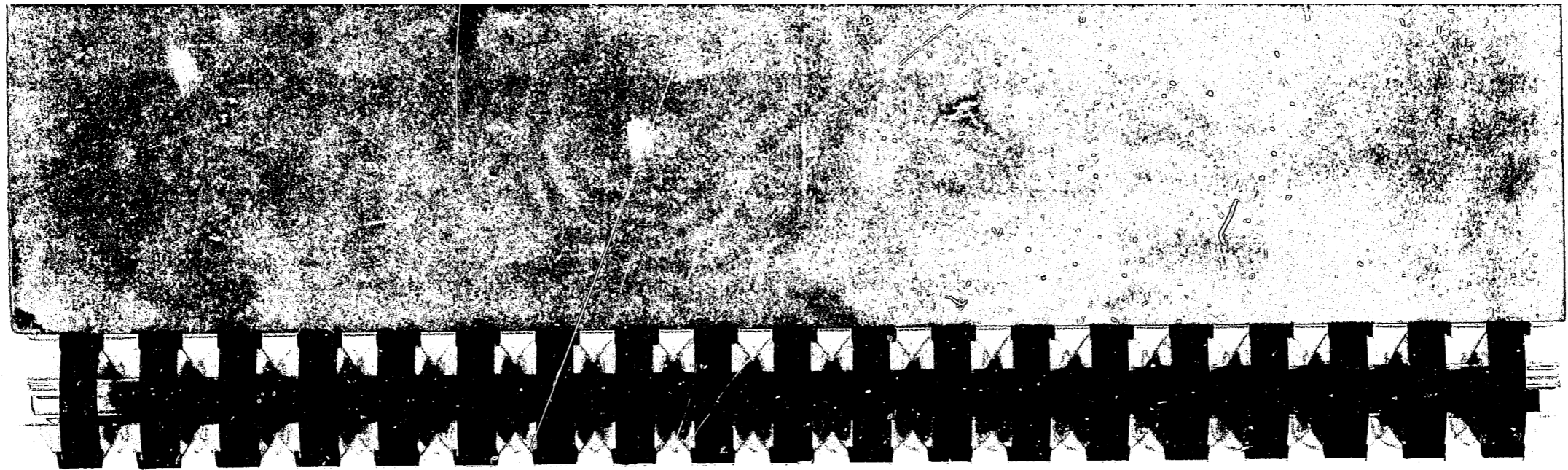
INDICTMENT CHARGE	CLASS	TOTAL CONVICTED	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	JAIL COMMITMENT	PROBATION		LOCAL PRISON		STATE PRISON		OTHER	
						2	1.8%	1	.9%	107	96.4%	1	.9%
PL 125.25	A	111				1	3.1%	1	3.1%	30	93.8%		
PL 125.25	H ATT.	72											
PL 125.27	A					1	12.5%			7	87.5%		
PL 125.27	A ATT.	8				1	50.0%			1	50.0%		
PL 135.25	A	2											
PL 135.25	B ATT.												
PL 150.23	A												
PL 150.23	B ATT.												
PL 120.11	B												
PL 123.11	C ATT.					1	7.7%	2	15.4%	10	76.9%		
PL 125.23	B	13								1	100.0%		
PL 125.24	C ATT.	1				7	7.2%	14	14.4%	73	75.3%		
PL 130.15	B	97		1	3.1%	2	8.3%	3	12.5%	19	79.2%		
PL 130.15	C ATT.	24				8	12.7%	13	20.6%	41	65.1%		
PL 150.51	B	4%		1	1.6%			2	50.0%	2	50.0%		
PL 150.51	C ATT.	4						1	50.0%	1	50.0%		
PL 130.23	B	2											
PL 150.23	C ATT.							1	16.7%	5	83.3%		
PL 135.21	B	5								1	100.0%		
PL 135.21	C ATT.	1						10	25.0%	22	55.0%		
PL 140.13	B	40				1	100.0%						
PL 140.13	C ATT.	1				9	37.5%	1	4.2%	13	54.2%		
PL 150.15	B	24		1	4.2%	2	40.0%	2	40.0%	1	20.0%		
PL 150.15	C ATT.	5				25	10.8%	23	10.6%	182	78.6%		
PL 150.15	B	231		1	.4%	7	30.4%	2	8.7%	14	60.9%		
PL 150.15	C ATT.	23				1	25.0%	1	25.0%	2	50.0%		
PL 265.04	B	4											
PL 265.04	C ATT.									1	100.0%		
PL 265.09	B	1											
PL 265.09	C ATT.												

TABLE 31 (1 OF 2)

PL 120.10	C	83	2	2.4%	25	27.7%	17	20.5%	41	49.4%		
PL 120.10	D ATT.	6			3	50.0%	1	16.7%	2	33.3%		
PL 140.25	C	370	10	2.7%	150	40.5%	77	19.5%	136	36.0%	2	.5%
PL 140.25	D ATT.	13			8	61.5%	3	23.1%	2	15.4%		
PL 160.10	C	155	2	1.3%	34	22.2%	21	13.7%	54	34.7%		
PL 160.10	D ATT.	32	1	3.1%	14	43.8%	7	21.9%	10	31.3%		
PL 265.03	C	15			5	33.3%	5	33.3%	5	33.3%		
PL 265.03	D ATT.	1							1	100.0%		
PL 265.08	C											
PL 265.08	D ATT.											
PL 120.05	D	281	25	8.9%	105	37.4%	74	26.3%	72	25.4%	5	1.8%
PL 130.65	D	56	3	5.4%	22	39.3%	10	17.9%	21	37.5%		
PL 265.02.04	D	44	5	11.4%	10	22.7%	15	34.1%	9	20.5%	2	4.5%
PL 265.02.04	D ATT.	5			3	60.0%			2	40.0%		
PL 265.02.05	D	4			1	25.0%	2	50.0%	1	25.0%		
PL 265.02.05	D ATT.											
PL 265.12	D											
CLASS A NON VFL												
CLASS B NON VFL												
CLASS C NON VFL												
CLASS D NON VFL												
CLASS E NON VFL												
MISDEMEANORS												
VIOL. INTERACTIONS												
VFL CLASS A		121			4	3.3%	1	.8%	115	95.0%	1	.8%
VFL CLASS B		513	6	1.2%	60	11.7%	67	12.1%	380	74.1%		
VFL CLASS C		680	14	2.1%	224	32.0%	124	18.2%	316	46.5%	2	.3%
VFL CLASS D		437	34	7.8%	163	37.3%	115	26.3%	118	27.0%	7	1.6%
VFL CLASS E		5			3	60.0%			2	40.0%		
TOTAL VFL		1756	54	3.1%	454	25.0%	307	17.5%	931	53.0%	10	.6%
TOTAL NON VFL												
TOTAL		1756	54	3.1%	454	25.0%	307	17.5%	931	53.0%	10	.6%

TABLE 31 (2 OF 2)

DCJS - DIVISION OF CRIMINAL JUSTICE SERVICES



NEW YORK STATE
 DEPT. OF CORRECTIONS
 JUVENILE FELONY OFFENDERS FROM 01-01-74 THRU 12-31-91 DISPOSED OF 01-01-91 THRU 12-31-91

CONVICTION CHARGE CLASS	TOTAL CONVICTS	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	DECC COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25 A	723		1 .1%	1 .1%	11 1.5%	12 1.7%	698 96.5%	1 .1%
PL 125.25 B ATT.	348				37 10.6%	14 4.0%	256 75.1%	
PL 125.27 A	7				1 2.4%	1 2.4%	40 95.2%	
PL 125.27 A ATT.	42				4 19.0%	2 9.5%	15 71.4%	
PL 135.25 A	21							
PL 135.25 B ATT.					1 50.0%		1 50.0%	
PL 150.20 A	2					1 100.0%		
PL 150.20 B ATT.	1					1 100.0%		
PL 120.11 B	1				1 100.0%			
PL 120.11 C ATT.	1				15 11.3%	6 4.5%	111 83.5%	
PL 125.20 B	135		1 .7%				2 100.0%	
PL 125.20 C ATT.	2				40 11.6%	12 9.3%	270 78.3%	
PL 130.35 B	345		3 .9%		5 8.9%	3 5.4%	46 82.1%	1 1.8%
PL 130.35 C ATT.	56		1 1.8%		22 13.9%	20 12.7%	114 72.2%	
PL 130.50 B	158		2 1.3%		2 20.0%	2 20.0%	6 60.0%	
PL 130.50 C ATT.	10				1 25.0%	1 25.0%	2 50.0%	
PL 130.70 B	4							
PL 130.70 C ATT.					5 20.8%	3 12.5%	16 66.7%	
PL 135.20 B	24				1 20.0%	1 20.0%	3 60.0%	
PL 135.20 C ATT.	5				11 8.7%	14 11.1%	111 90.2%	
PL 140.30 B	126				1 25.0%		3 75.0%	
PL 140.30 C ATT.	4				24 25.3%	9 9.5%	10 63.2%	
PL 150.15 B	95		2 2.1%		2 22.2%	3 33.3%	3 33.3%	
PL 150.15 C ATT.	3		1 11.1%		274 8.4%	182 5.6%	275 95.7%	
PL 160.15 B	5240	1 .0%	7 .2%		48 15.2%	45 15.6%	215 69.3%	
PL 160.15 C ATT.	315	1 1.0%				2 28.6%	5 71.4%	
PL 265.04 B	7							
PL 265.04 C ATT.						1 11.1%	8 88.9%	
PL 265.09 B	9							
PL 265.09 C ATT.								

TABLE 32 (1 OF 2)

PL 120.10	C	283	1	.4%	2	.7%	90	51.8%	40	16.7%	14%	50.5%	1	.4%
PL 120.10	D ATT.	27					17	63.0%	3	11.1%	7	25.9%		
PL 140.25	C	846	1	.1%	5	.7%	214	25.3%	159	18.3%	474	54.8%	5	.4%
PL 140.25	D ATT.	38					12	31.6%	12	31.6%	14	36.8%		
PL 160.10	C	1525	1	.1%	10	.7%	356	23.3%	209	13.7%	959	63.0%	1	.1%
PL 160.10	D ATT.	230	1	.4%	1	.4%	85	37.0%	52	22.6%	51	22.4%		
PL 265.03	C	225			8	3.6%	70	31.1%	41	18.2%	115	46.7%	1	.4%
PL 265.03	D ATT.	4					2	50.0%	1	25.0%	1	25.0%		
PL 265.08	C	59			1	1.7%	18	30.5%	13	22.0%	27	45.9%		
PL 265.08	D ATT.													
PL 120.05	D	589	3	.5%	32	5.4%	241	40.9%	148	25.1%	157	26.7%	0	1.4%
PL 130.65	D	105			6	5.7%	50	47.6%	18	17.1%	31	29.5%		
PL 265.02.04	D	1182	3	.3%	36	3.0%	444	37.6%	398	33.7%	270	23.4%	10	1.5%
PL 265.02.04	D ATT.	23					15	65.2%	5	21.7%	3	13.0%		
PL 265.02.05	D	5					1	20.0%	2	40.0%	2	40.0%		
PL 265.02.05	D ATT.													
PL 265.12	D	1									1	100.0%		

CLASS A NON VFL
CLASS B NON VFL
CLASS C NON VFL
CLASS D NON VFL
CLASS E NON VFL
MISDEMEANORS

VIOL. INTERACTIONS

VFL CLASS A		795			1	.1%	17	2.1%	15	1.9%	761	95.7%	1	.1%
VFL CLASS B		4500	1	.0%	15	.3%	429	9.5%	286	6.4%	3785	83.7%		
VFL CLASS C		3340	6	.2%	28	.8%	609	24.2%	616	19.4%	1575	56.1%	7	.2%
VFL CLASS D		2181	7	.3%	71	3.4%	656	39.2%	634	29.1%	583	26.7%	26	1.2%
VFL CLASS E		23					15	65.2%	5	21.7%	3	13.0%		
TOTAL VFL		10839	14	.1%	113	1.1%	2125	19.6%	1556	14.4%	6250	64.5%	34	.3%
TOTAL NON VFL		10839	14	.1%	113	1.1%	2125	19.6%	1556	14.4%	6250	64.5%	34	.3%

OCJS - DIVISION OF CRIMINAL JUSTICE SERVICES

TABLE 32 (2 OF 2)

SENTENCES FOR CONV. OF VIOLENT FELONY INDICTMENTS VERSUS YOUTHFUL OFFENDERS
 VIOLENT FELONY INDICTMENTS FROM 01-01-72 THRU 12-31-91 DISPOSED OF 01-01-91 THRU 12-31-91
 NEW YORK CITY

INDICTMENT CHARGE	CLASS	TOTAL CONVICT	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	DECC COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25	A	557		1 .2%		8 1.4%	10 1.8%	538 96.6%	
PL 125.25	H ATT.	291			1 .3%	34 11.7%	11 3.8%	245 84.2%	
PL 125.27	A	5							
PL 125.27	A ATT.	33					1 3.3%	29 96.7%	
PL 135.25	A	17				3 17.6%	1 5.9%	13 76.5%	
PL 135.25	B ATT.							1 100.0%	
PL 150.21	A	1							
PL 150.21	H ATT.	1					1 100.0%		
PL 120.11	B	1					1 100.0%		
PL 120.11	C ATT.	1				1 100.0%			
PL 125.21	B	115		1 .9%		14 12.2%	2 1.7%	98 85.2%	
PL 125.21	C ATT.	1						1 100.0%	
PL 150.15	B	195		1 .5%		26 13.3%	14 7.1%	155 79.1%	
PL 150.15	C ATT.	23		1 4.3%		2 8.7%		19 82.6%	1 4.3%
PL 157.11	B	73		1 1.4%		10 14.3%	5 7.1%	54 77.1%	
PL 157.51	C ATT.	5				1 33.3%		2 66.7%	
PL 150.71	B	1						1 100.0%	
PL 150.71	C ATT.								
PL 155.21	B	12				4 33.3%	2 16.7%	4 50.0%	
PL 155.21	C ATT.	4				1 25.0%	1 25.0%	2 50.0%	
PL 140.51	B	61				6 9.8%	2 3.3%	53 86.9%	
PL 143.51	C ATT.	3						3 100.0%	
PL 150.15	B	45		1 1.5%		15 23.1%	6 9.2%	43 46.2%	
PL 150.15	C ATT.	4		1 25.0%			1 25.0%	2 50.0%	
PL 163.11	B	2697	1 .0%	4 .2%		234 8.7%	130 4.8%	2316 86.2%	
PL 140.15	C ATT.	279	3 1.1%			42 15.6%	42 15.6%	183 67.8%	
PL 265.04	B	4					1 25.0%		
PL 265.04	C ATT.								
PL 265.07	B	3					1 12.5%	7 97.5%	
PL 265.07	C ATT.								

TABLE 33 (1 OF 2)

PL 120.10	C	173	1	.6%			41	24.2%	27	15.6%	36	20.8%	1	.6%
PL 120.10	D ATT.	18					12	66.7%	2	11.1%	4	22.2%		
PL 140.25	C	379	1	.3%	1	.3%	85	22.4%	53	14.0%	229	62.6%	1	.3%
PL 140.25	D ATT.	19					4	21.1%	5	26.3%	10	52.6%		
PL 160.10	C	1294	1	.1%	7	.7%	317	24.5%	250	19.3%	716	55.7%	1	.1%
PL 160.10	D ATT.	190	1	.5%	1	.5%	67	35.3%	45	23.7%	76	40.7%		
PL 265.03	C	199			6	3.0%	63	31.7%	33	16.6%	96	48.2%	1	.5%
PL 265.03	D ATT.	2					2	100.0%						
PL 265.08	C	59			1	1.7%								
PL 265.08	D ATT.						18	30.5%	13	22.0%	27	45.8%		
PL 120.05	D	222	3	1.4%	7	3.2%								
PL 130.65	D	30			1	3.3%	100	45.0%	44	19.8%	67	30.2%	1	.5%
PL 265.02.04	D						19	60.0%	5	16.7%	6	20.0%		
PL 265.02.04	D ATT.	1048	2	.2%	21	2.0%	414	39.5%	145	12.9%	252	24.0%	14	1.3%
PL 265.02.05	D	17					12	70.6%	4	23.5%	1	5.9%		
PL 265.02.05	D ATT.													
PL 265.12	D	1											1	100.0%
CLASS A NON VFL														
CLASS B NON VFL														
CLASS C NON VFL														
CLASS D NON VFL														
CLASS E NON VFL														
MISDEMEANORS														
VIOL. - INFRACTIONS														

VFL CLASS A														
VFL CLASS B		611			1	.2%			11	1.8%	12	2.0%	517	84.1%
VFL CLASS C		3517	1	.0%	10	.3%	1	.0%	343	9.8%	176	5.0%	2941	84.0%
VFL CLASS D		2415	6	.2%	19	.8%			590	24.5%	420	17.4%	1377	56.9%
VFL CLASS E		1550	6	.4%	31	2.0%			617	40.3%	446	29.2%	416	27.2%
TOTAL VFL		17							12	70.6%	4	23.5%	1	5.9%
TOTAL NON VFL		8083	13	.2%	61	.7%	1	.0%	1573	19.5%	1054	13.1%	5355	66.7%
TOTAL		8083	13	.2%	61	.7%	1	.0%	1573	19.5%	1054	13.1%	5355	66.7%

TABLE 33 (2 OF 2)

SENTENCES FOR CONV. OF VIOLENT FELONY INDICTMENTS MINUS YOUTHFUL OFFENDERS
 VIOLENT FELONY INDICTMENTS FROM 09-01-75 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81
 SUPERMAN NYC

CONVICTION CHARGE CLASS	TOTAL CONVICTS	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	DECC COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25 A	55				1 1.8%	1 1.8%	53 96.4%	
PL 125.25 B ATT.	25				2 8.0%	2 8.0%	21 84.0%	
PL 125.27 A	1						1 100.0%	
PL 125.27 A ATT.	4						4 100.0%	
PL 135.25 A	2					1 50.0%	1 50.0%	
PL 135.25 B ATT.					1 100.0%			
PL 150.20 A	1							
PL 150.20 B ATT.								
PL 120.11 B								
PL 120.11 C ATT.						2 40.0%	3 60.0%	
PL 125.20 B	5							
PL 125.20 C ATT.								
PL 130.35 B	57				7 12.3%	7 12.3%	43 75.4%	
PL 130.35 C ATT.	9				1 11.1%		8 88.9%	
PL 130.50 B	28				5 17.9%	2 7.1%	21 75.0%	
PL 130.50 C ATT.	3				1 33.3%		2 66.7%	
PL 130.70 B	1				1 100.0%			
PL 130.70 C ATT.								
PL 135.20 B	6				1 16.7%		5 83.3%	
PL 135.20 C ATT.								
PL 140.30 B	30				2 6.7%	2 6.7%	26 86.7%	
PL 140.30 C ATT.								
PL 150.15 B	11				4 36.4%	2 18.2%	5 45.5%	
PL 150.15 C ATT.	1				1 100.0%			
PL 160.15 B	102				25 7.2%	13 3.9%	251 83.4%	
PL 160.15 C ATT.	25				2 8.0%	1 2.0%	15 72.0%	
PL 265.04 B								
PL 265.04 C ATT.								
PL 265.09 B								
PL 265.09 C ATT.								

TABLE 34 (1 OF 2)

PL 120.10	C	31				9	29.0%	1	3.2%	17	54.7%			
PL 120.10	D ATT.	5				3	60.0%	1	20.0%	1	20.0%			
PL 140.25	C	209				65	30.1%	49	23.4%	97	46.4%			
PL 140.25	D ATT.	11				4	36.4%	5	45.5%	2	18.2%			
PL 160.10	C	107				23	21.1%	32	29.4%	54	49.5%			
PL 160.10	D ATT.	20				11	55.0%	4	20.0%	5	25.0%			
PL 265.03	C	12		2	16.7%	2	16.7%	3	25.0%	5	41.7%			
PL 265.03	D ATT.	1						1	100.0%					
PL 265.08	C													
PL 265.08	D ATT.													
PL 120.05	D	108		4	3.7%	52	48.1%	32	29.6%	18	16.7%	2	1.9%	
PL 130.65	D	24		2	8.3%	13	54.2%	4	16.7%	5	20.8%			
PL 265.02.04	D	91	1	1.1%	10	11.0%	25	27.5%	35	38.5%	15	16.6%	2	2.2%
PL 265.02.04	D ATT.	1						1	100.0%					
PL 265.02.05	D	1								1	100.0%			
PL 265.02.05	D ATT.													
PL 265.12	D													
CLASS A NON VFL														
CLASS B NON VFL														
CLASS C NON VFL														
CLASS D NON VFL														
CLASS E NON VFL														
MISDEMEANORS														
VIOL. & INFRACTIONS														

VFL CLASS A		63				2	3.2%	2	3.2%	56	88.7%			
VFL CLASS B		517				47	9.2%	50	9.7%	415	81.1%			
VFL CLASS C		399		2	.5%	102	25.6%	92	23.1%	203	50.9%			
VFL CLASS D		261	1	.4%	16	6.1%	108	41.4%	92	35.4%	50	19.2%	4	1.5%
VFL CLASS E		1						1	100.0%					
TOTAL VFL		1236	1	.1%	18	1.5%	259	21.0%	227	19.4%	727	58.9%	4	.3%
TOTAL NON VFL														
TOTAL		1236	1	.1%	18	1.5%	259	21.0%	227	19.4%	727	58.9%	4	.3%

DCJS - DIVISION OF CRIMINAL JUSTICE SERVICES

TABLE 34 (2 OF 2)



SENTENCES FOR CONV. OF VIOLENT FELONY INDICTMENTS MINUS YOUTHFUL OFFENDERS
 VIOLENT FELONY INDICTMENTS FROM 09-01-74 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81
 UPSTATE COUNTIES

INDICTMENT CHARGE	CLASS	TOTAL CONVICTS	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	JACC COMMITMENT	PROBATION		LOCAL PRISON		STATE PRISON		OTHER	
							%		%		%		%
PL 125.25	A	111				2	1.8%	1	.9%	107	96.4%	1	.9%
PL 125.25	A ATT.	52				1	3.1%	1	3.1%	50	93.8%		
PL 125.27	A					1	12.5%			7	87.5%		
PL 125.27	A ATT.	4				1	50.0%			1	50.0%		
PL 135.25	A	2											
PL 135.25	B ATT.												
PL 150.23	A												
PL 150.23	B ATT.												
PL 120.11	B												
PL 120.11	C ATT.												
PL 125.23	A	15				1	7.7%	2	15.4%	10	76.9%		
PL 125.23	C ATT.	1								1	100.0%		
PL 130.35	B	92		2	2.2%	7	7.6%	11	12.0%	22	28.3%		
PL 130.35	C ATT.	24				2	8.3%	3	12.5%	19	79.2%		
PL 130.43	B	43		1	1.7%	7	11.7%	13	21.7%	39	55.0%		
PL 130.43	C ATT.	4						2	50.0%	2	50.0%		
PL 130.71	B	2						1	50.0%	1	50.0%		
PL 130.71	C ATT.							1	16.7%	5	83.3%		
PL 135.23	B	4								1	100.0%		
PL 135.23	C ATT.	1								22	62.0%		
PL 140.33	B	15											
PL 140.33	C ATT.	1											
PL 140.71	C ATT.	1											
PL 150.15	B	17		1	5.9%								
PL 150.15	C ATT.	4											
PL 160.15	B	213		1	.5%								
PL 160.15	C ATT.	23											
PL 265.04	B	1											
PL 265.04	C ATT.												
PL 265.09	B	1											
PL 265.09	C ATT.												

TABLE 35 (1 OF 2)

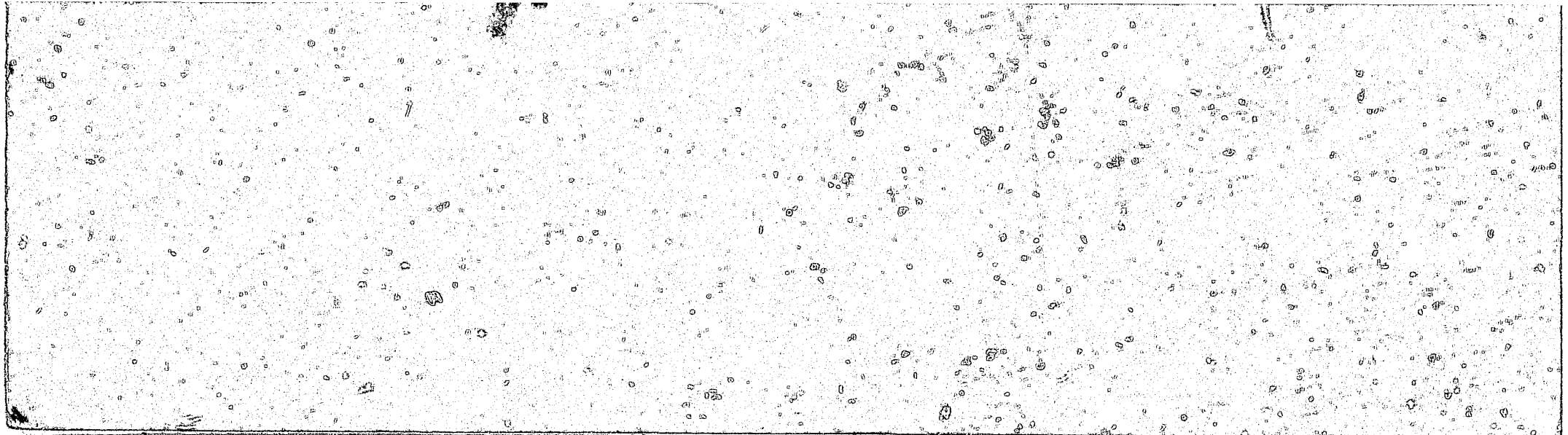
PL 120.10	C	21	2	2.4%	21	24.4%	16	2.1%	40	11.5%		
PL 120.10	D ATT.	4			2	50.0%			2	50.0%		
PL 140.25	C	258	4	1.6%	66	25.6%	57	22.1%	129	50.3%	2	.8%
PL 140.25	D ATT.	8			4	50.0%	2	25.0%	2	25.0%		
PL 160.10	C	122	1	.8%	16	13.1%	17	13.9%	88	72.1%		
PL 160.10	D ATT.	20			7	35.0%	3	15.0%	10	50.0%		
PL 265.03	C	14			5	35.7%	5	35.7%	4	28.6%		
PL 265.03	D ATT.	1							1	100.0%		
PL 265.08	C											
PL 265.08	D ATT.											
PL 120.05	D	250	21	8.4%	89	35.4%	72	27.4%	72	27.9%	5	1.9%
PL 130.65	D	51	3	5.9%	19	37.3%	9	17.6%	21	39.2%		
PL 265.02.04	D	43	5	11.6%	9	20.9%	18	41.5%	9	20.9%	2	4.7%
PL 265.02.04	D ATT.	5			3	60.0%			2	40.0%		
PL 265.02.05	D	4			1	25.0%	2	50.0%	1	25.0%		
PL 265.02.05	D ATT.											
PL 265.12	D											

CLASS A NON VFL
 CLASS B NON VFL
 CLASS C NON VFL
 CLASS D NON VFL
 CLASS E NON VFL
 MISDEMEANORS
 VIOL. & INFRACTIONS

VFL CLASS A	121				4	3.3%	1	.8%	115	95.0%	1	.8%
VFL CLASS B	476	5	1.1%		39	8.2%	40	12.4%	372	78.2%		
VFL CLASS C	528	7	1.3%		116	22.0%	104	19.7%	250	47.4%	2	.4%
VFL CLASS D	301	27	7.4%		131	33.6%	106	27.2%	117	29.0%	7	1.8%
VFL CLASS E	5				3	60.0%			2	40.0%		
TOTAL VFL	1521	61	2.7%		293	19.3%	271	17.8%	905	59.5%	10	.7%
TOTAL NON VFL												
TOTAL	1521	61	2.7%		293	19.3%	271	17.8%	905	59.5%	10	.7%

DCJS - DIVISION OF CRIMINAL JUSTICE SERVICES

TABLE 35 (2 OF 2)



SENTENCES FOR CONVICTIONS OF VIOLENT FELONY CHARGES
 VIOLENT FELONY INDICTMENTS FROM 01-01-74 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *
 NEW YORK STATE

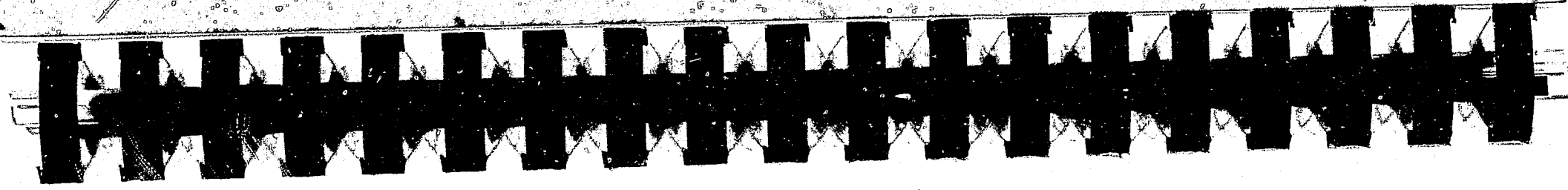
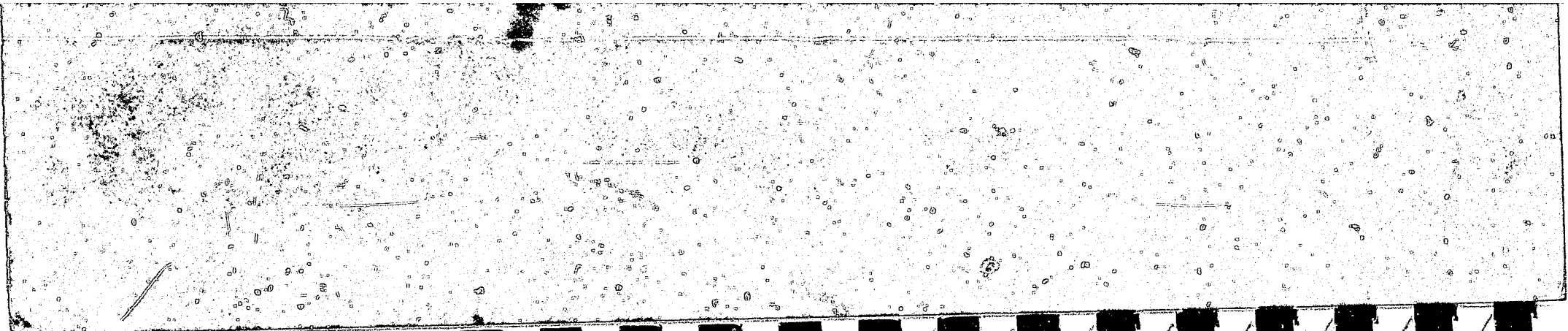
CONVICTION CHARGE	CLASS	TOTAL (CONVICT)	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	DECC COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25	A	266						266	100.0%
PL 125.25	B ATT.	132						132	100.0%
PL 125.27	A	1						1	100.0%
PL 125.27	A ATT.	10						10	100.0%
PL 135.25	A	4						4	100.0%
PL 135.25	B ATT.	1						1	100.0%
PL 150.20	A								
PL 150.20	B ATT.								
PL 120.11	B	2						2	100.0%
PL 120.11	C ATT.	2						2	100.0%
PL 125.20	B	360				2	.6%	358	99.4%
PL 125.20	C ATT.	77				1	1.3%	76	98.7%
PL 130.35	B	162				4	2.5%	156	96.3%
PL 130.35	C ATT.	78				5	6.4%	70	89.7%
PL 130.50	B	86				7	8.1%	79	91.9%
PL 130.50	C ATT.	20				1	5.0%	19	95.0%
PL 130.70	B	2						2	100.0%
PL 130.70	C ATT.								
PL 135.20	B	13				1	7.7%	12	92.3%
PL 135.20	C ATT.	5						5	100.0%
PL 140.30	B	75				5	6.7%	69	92.0%
PL 140.30	C ATT.	10				2	20.0%	8	80.0%
PL 150.15	B	31				4	12.9%	26	83.9%
PL 150.15	C ATT.	28				5	17.9%	23	82.1%
PL 160.15	B	1485				66	4.4%	1400	94.2%
PL 160.15	C ATT.	751				64	8.5%	671	89.3%
PL 265.04	B	6				1	16.7%	5	83.3%
PL 265.04	C ATT.	1						1	100.0%

TABLE 36 (1 OF 2)

PL 120.10	C	165		1	.67			7	4.27	7	1.77	154	91.57			
PL 120.10	D ATT.	102						53	52.07	17	11.87	37	36.37			
PL 140.25	C	334		5	1.57			85	25.47	74	7.27	270	65.07			
PL 140.25	D ATT.	684		3	.47			279	40.87	129	15.07	271	79.67	2	.37	
PL 160.10	C	1358	1	.17	3	.27		202	14.97	46	3.47	1105	81.47	1	.17	
PL 160.10	D ATT.	2247	4	.27	7	.37		899	40.07	509	22.77	828	36.47			
PL 265.03	C	114						10	8.87	4	3.57	110	27.77			
PL 265.03	D ATT.	107						51	47.77	15	14.07	11	38.37			
PL 265.08	C	3						1	33.77			2	66.77			
PL 265.08	D ATT.	2						1	50.07	1	50.07					
PL 120.05	D	555	1	.27	2	.47	1	.27	229	39.47	119	21.47	217	38.27		
PL 130.65	D	238							96	40.37	51	21.47	89	37.47		
PL 265.02.04	D	451	1	.27	6	1.37			147	32.67	148	32.67	148	32.67	1	.27
PL 265.02.04	D ATT.	420	1	.27	8	1.97			202	48.17	127	36.77	81	19.77	2	.57
PL 265.02.05	D	1									1	100.17				
PL 265.02.05	D ATT.	1									1	100.17				
PL 265.12	D															
CLASS A NON VFL		13														
CLASS B NON VFL		85									1	7.77	17	92.37		
CLASS C NON VFL		1169	3	.37	19	1.67		23	27.17	13	15.37	48	56.57			
CLASS D NON VFL		131	1	.87	2	1.57		480	41.17	293	25.17	365	31.67	5	.47	
CLASS E NON VFL		523	5	1.07	80	15.37		47	35.97	28	21.47	52	39.77	1	.87	
MISDEMEANORS		3	1	33.37				238	45.57	175	33.57	4	.87	21	4.07	
VIOL. INFRACOCTIONS											1	33.37		1	33.37	
VFL CLASS A		281										281	100.07			
VFL CLASS J		2359						90	3.87	16	.77	2257	85.57			
VFL CLASS C		2946	1	.07	9	.37		383	13.07	95	3.27	2457	83.47	1	.07	
VFL CLASS D		4387	6	.17	20	.57	1	.07	1746	39.87	785	22.57	1724	37.17	3	.17
VFL CLASS L		421	1	.27	8	1.97			202	48.07	128	33.47	80	10.07	2	.57
TOTAL VFL		10394	8	.17	37	.47	1	.07	2421	23.37	1224	11.87	7657	64.47	5	.17
TOTAL NON VFL		1924	10	.57	102	5.37			789	41.17	511	26.67	415	25.27	28	1.57
TOTAL		12318	18	.17	139	1.17	1	.07	3209	26.17	1735	14.17	7172	59.47	34	.37

TABLE 36 (2 OF 2)

OCJS -- DIVISION OF CRIMINAL JUSTICE SERVICES



SENTENCES FOR CONVICTIONS OF VIOLENT FELONY CHARGES
 VIOLENT FELONY INDICTMENTS FROM JANUARY 1, 1975 THROUGH DECEMBER 31, 1991 DISPOSED OF JANUARY 1, 1992 THROUGH DECEMBER 31, 1992
 NEW YORK CITY

CONVICTION CHARGE CLASS	TOTAL CONVICTED	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	JUDICIAL COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON		OTHER	
							186	100.0Y		
PL 125.25 A	186						186	100.0Y		
PL 125.25 B ATT.	110						110	100.0Y		
PL 125.27 A	1						1	100.0Y		
PL 125.27 A ATT.	5						5	100.0Y		
PL 135.25 A	4						4	100.0Y		
PL 135.25 B ATT.	1						1	100.0Y		
PL 150.20 A							2	100.0Y		
PL 150.20 B ATT.							1	100.0Y		
PL 120.11 B	2						2	100.0Y		
PL 120.11 C ATT.	1				2	.7Y	291	20.7Y		
PL 125.20 B	293				1	1.5Y	67	20.5Y		
PL 125.20 C ATT.	68				3	3.1Y	93	25.2Y		
PL 130.35 B	97				4	9.8Y	1	2.4Y	36	27.5Y
PL 130.35 C ATT.	41				3	7.1Y	39	27.0Y		
PL 130.50 B	42				1	10.0Y	0	20.0Y		
PL 130.50 C ATT.	10						2	100.0Y		
PL 130.70 B	2								4	100.0Y
PL 130.70 C ATT.									3	100.0Y
PL 135.20 B	4								41	25.3Y
PL 135.20 C ATT.	3				2	4.7Y	5	100.0Y		
PL 140.30 B	43								24	85.7Y
PL 140.30 C ATT.	5				3	10.7Y	1	3.6Y	14	87.5Y
PL 150.15 B	28				2	12.5Y			1145	25.3Y
PL 150.15 C ATT.	16				52	4.3Y	5	.4Y	576	20.0Y
PL 160.15 B	1202				53	8.3Y	11	1.7Y	3	100.0Y
PL 160.15 C ATT.	640								1	100.0Y
PL 265.04 B	3								3	100.0Y
PL 265.04 C ATT.	1									
PL 265.09 B	3									
PL 265.09 C ATT.										

TABLE 37 (1 OF 2)

PL 120.10	C	107					5	4.7%	1	.9%	101	94.4%		
PL 120.10	D ATT.	82					44	53.7%	10	12.2%	28	34.1%		
PL 140.25	C	122					15	12.3%	3	2.5%	104	85.2%		
PL 140.25	D ATT.	293					92	31.4%	43	14.7%	158	53.9%		
PL 160.10	C	1126	1	.1%	2	.2%	170	15.1%	34	3.0%	918	81.5%	1	.1%
PL 160.10	D ATT.	1925	4	.2%	6	.3%	766	40.8%	414	21.5%	715	37.1%		
PL 265.03	C	103					7	6.8%	2	1.9%	94	91.3%		
PL 265.03	D ATT.	98					48	49.0%	12	12.2%	38	38.8%		
PL 265.08	C	3					1	33.3%			2	66.7%		
PL 265.08	D ATT.													
PL 120.05	D	293	1	.3%			137	45.1%	50	17.1%	109	37.2%		
PL 130.65	D	95					52	54.7%	14	14.7%	29	30.5%		
PL 265.02.04	D	409	1	.2%	3	.7%	135	33.0%	131	32.0%	138	33.7%	1	.2%
PL 265.02.04	D ATT.	395	1	.3%	5	1.3%	194	49.1%	118	29.9%	75	19.0%	2	.5%
PL 265.02.05	D	1							1	100.0%				
PL 265.02.05	D ATT.													
PL 265.12	D													
CLASS A NON VFL									1	12.5%	7	87.5%		
CLASS B NON VFL		8												
CLASS C NON VFL		60					20	33.3%	7	11.7%	33	55.0%		
CLASS D NON VFL		817	3	.4%	13	1.6%	347	42.5%	206	25.2%	245	30.0%	3	.4%
CLASS E NON VFL		82	1	1.2%	1	1.2%	29	35.4%	17	20.7%	34	41.5%		
MISDEMEANORS		231	4	1.7%	36	15.6%	95	41.1%	81	35.1%	3	1.3%	12	5.2%
VIOL. INTRACIOUS		2	1	50.0%									1	50.0%
VFL CLASS A		196									196	100.0%		
VFL CLASS J		1830					65	3.6%	9	.5%	1756	96.0%		
VFL CLASS C		2246	1	.0%	2	.1%	259	11.5%	52	2.3%	1931	86.0%	1	.0%
VFL CLASS D		3196	6	.2%	9	.3%	1289	40.3%	675	21.1%	1215	38.0%	1	.0%
VFL CLASS L		395	1	.3%	5	1.3%	194	49.1%	118	29.9%	75	19.0%	2	.5%
TOTAL VFL		7863	8	.1%	16	.2%	1807	23.0%	854	10.9%	5173	65.8%	4	.1%
TOTAL NON VFL		1200	9	.8%	50	4.2%	491	40.9%	312	26.0%	322	26.8%	16	1.3%
TOTAL		9063	17	.2%	66	.7%	2298	25.4%	1166	12.9%	5495	60.6%	20	.2%

TABLE 37 (2 OF 2)

DCJS - DIVISION OF CRIMINAL JUSTICE SERVICES

SENTENCE AND CONVICTIONS OF VIOLENT FELONY CHARGES
 NUMBER OF FELONY INDICTMENTS FROM 12-31-79 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81
 SUBURBAN NYC

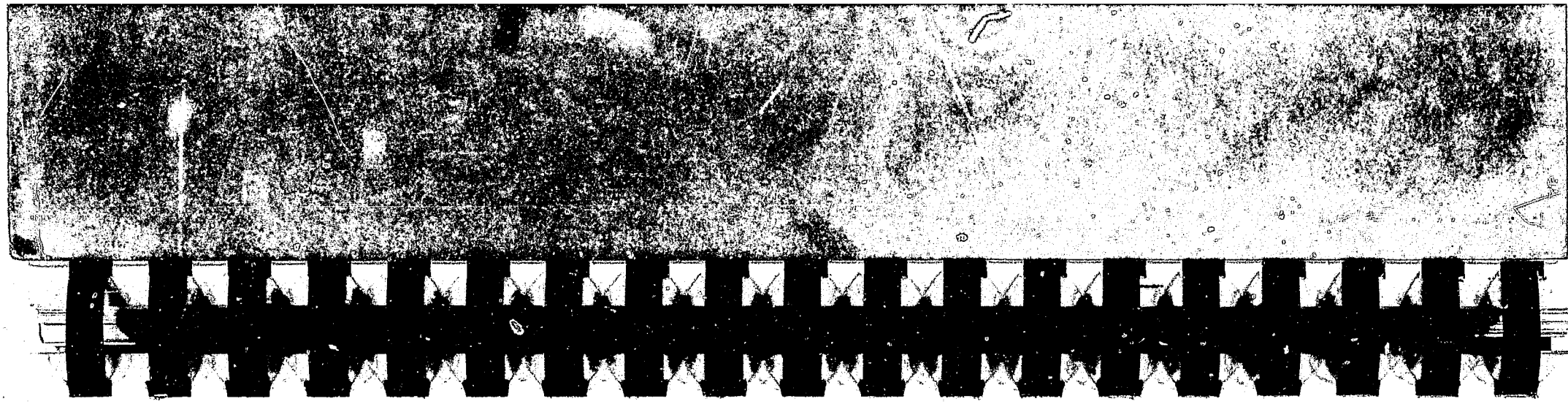
CONVICTION CHARGE	LOW CLASS	TOTAL INDICTMENTS	CONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	ACC. COVAILMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25	A	30						30	100.0%
PL 125.25	B ATT.	9						9	100.0%
PL 125.27	A							2	100.0%
PL 125.27	A ATT.	2							
PL 135.25	A								
PL 135.25	B ATT.								
PL 150.20	A								
PL 150.20	B ATT.								
PL 120.11	B								
PL 120.11	C ATT.							19	100.0%
PL 125.20	B	19						3	100.0%
PL 125.20	C ATT.	3				1	2.9%	1	2.9%
PL 130.35	B	34				2	14.3%	7	100.0%
PL 130.35	C ATT.	7						12	85.7%
PL 130.50	B	14						4	100.0%
PL 130.50	C ATT.	4							
PL 130.70	B								
PL 130.70	C ATT.							3	100.0%
PL 135.20	B	3							
PL 135.20	C ATT.								
PL 140.30	B	19				2	10.5%	17	89.5%
PL 140.30	C ATT.	2				1	50.0%	1	50.0%
PL 150.15	B								
PL 150.15	C ATT.	3				1	33.3%	2	66.7%
PL 160.15	B	185				10	5.4%	4	2.2%
PL 160.15	C ATT.	84				11	13.1%	4	4.8%
PL 265.04	B								
PL 265.04	C ATT.								
PL 265.09	B								
PL 265.09	C ATT.								

TABLE 38 (1 OF 2)

PL 120.10	C	23			1	4.3%			27	95.7%
PL 120.10	D ATT.	6			4	66.7%			2	33.3%
PL 140.25	C	65			15	23.1%	6	9.2%	44	67.7%
PL 140.25	D ATT.	222			118	53.2%	48	21.6%	56	25.2%
PL 160.10	C	102			17	16.7%	2	2.0%	83	81.4%
PL 160.10	D ATT.	208			71	34.1%	71	34.1%	66	31.7%
PL 265.03	C	5			1	20.0%	1	20.0%	3	60.0%
PL 265.03	D ATT.	6			2	33.3%	3	50.0%	1	16.7%
PL 265.08	C							1	100.0%	
PL 265.08	D ATT.	1			27	39.7%	20	29.4%	21	30.9%
PL 120.05	D	68			21	43.8%	9	18.8%	18	37.5%
PL 130.65	D	48			7	31.8%	11	50.0%	3	13.6%
PL 265.02.04	D	22	1	4.5%	5	25.0%	9	45.0%	3	15.0%
PL 265.02.04	D ATT.	20	3	15.0%						
PL 265.02.05	D									
PL 265.02.05	D ATT.									
PL 265.12	D									
CLASS A NON VFL									2	100.0%
CLASS B NON VFL		2							3	75.0%
CLASS C NON VFL		4					1	25.0%	39	25.8%
CLASS D NON VFL		151	1	.7%	68	45.0%	43	28.5%	9	45.0%
CLASS E NON VFL		20	1	5.0%	6	30.0%	4	20.0%		
MISDEMEANORS		107	1	.9%	13	12.1%	23	21.5%	4	5.7%
VIOL. INFRACCTIONS							1	100.0%		
VFL CLASS A		32							32	100.0%
VFL CLASS B		283			15	5.3%	5	1.8%	263	92.9%
VFL CLASS C		298			47	15.8%	13	4.4%	238	79.9%
VFL CLASS D		581	1	.2%	250	43.0%	163	28.1%	167	28.7%
VFL CLASS E		20	3	15.0%	5	25.0%	9	45.0%	3	15.0%
TOTAL VFL		1214	4	.3%	317	26.1%	190	15.7%	703	57.9%
TOTAL NON VFL		285	1	.4%	140	49.1%	72	25.3%	53	18.6%
TOTAL		1499	1	.1%	19	1.3%	457	30.5%	756	50.4%

TABLE 38 (2 OF 2)

DCJS - DIVISION OF CRIMINAL JUSTICE SERVICES



SENTENCE AND CONVICTIONS OF VIOLENT FELONY CHARGES
 WHICH FELONY INDICTMENTS WERE FILED FROM 12-31-81 THRU 12-31-81
 UPSTATE COUNTIES

CONVICTION CHARGE CLASS	TOTAL CONVICTS	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	DAY COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25 A	50						50 100.0%	
PL 125.25 B ATT.	13						13 100.0%	
PL 125.27 A								
PL 125.27 A ATT.	3						3 100.0%	
PL 135.25 A								
PL 135.25 B ATT.								
PL 150.20 A								
PL 150.20 B ATT.								
PL 120.11 B								
PL 120.11 C ATT.	1						1 100.0%	
PL 125.20 B	48						48 100.0%	
PL 125.20 C ATT.	6						6 100.0%	
PL 130.35 B	31						31 100.0%	
PL 130.35 C ATT.	30				1 3.3%	2 6.7%	27 90.0%	
PL 130.50 B	30				2 6.7%		28 93.3%	
PL 130.50 C ATT.	6						6 100.0%	
PL 130.70 B								
PL 130.70 C ATT.								
PL 135.20 B	6				1 16.7%		5 83.3%	
PL 135.20 C ATT.	2						2 100.0%	
PL 140.30 B	13				1 7.7%	1 7.7%	11 84.6%	
PL 140.30 C ATT.	3				1 33.3%		2 66.7%	
PL 150.15 B	3				1 33.3%		2 66.7%	
PL 150.15 C ATT.	9				2 22.2%		7 77.8%	
PL 160.15 B	96				4 4.1%	1 1.0%	93 94.9%	
PL 160.15 C ATT.	27					1 3.7%	26 96.3%	
PL 265.04 B	3				1 33.3%		2 66.7%	
PL 265.04 C ATT.								
PL 265.09 B	1						1 100.0%	
PL 265.09 C ATT.								

TABLE 39 (1 OF 2)

CONTINUED



PL 120.10	C	35	1	2.9%	1	2.9%	1	2.9%	32	91.4%			
PL 120.10	D	ATT.	14		5	35.7%	2	14.3%	7	50.1%			
PL 140.25	C		147	5	3.4%	55	37.4%	15	10.2%	72	49.0%		
PL 140.25	D	ATT.	169	3	1.8%	69	40.8%	38	22.5%	57	33.7%	2	1.2%
PL 160.10	C		130	1	.8%	15	11.5%	10	7.7%	104	80.0%		
PL 160.10	D	ATT.	114	1	.9%	42	36.8%	24	21.1%	47	41.2%		
PL 265.03	C		6		2	33.3%	1	16.7%	3	50.0%			
PL 265.03	D	ATT.	3		1	33.3%			2	66.7%			
PL 265.08	C												
PL 265.08	D	ATT.	1		1	100.0%							
PL 120.05	D		194	2	1.1%	61	31.4%	49	25.3%	82	42.3%		
PL 130.65	D		95	2	2.1%	23	24.2%	28	29.5%	42	44.2%		
PL 265.02.04	D		20	2	10.0%	5	25.0%	6	30.0%	7	35.0%		
PL 265.02.04	D	ATT.	5		3	60.0%			2	40.0%			
PL 265.02.05	D												
PL 265.02.05	D	ATT.	1					1	100.0%				
PL 265.12	D												
CLASS A NON VFL													
CLASS B NON VFL		3							3	100.0%			
CLASS C NON VFL		21	1	4.8%	3	14.3%	5	23.8%	12	57.1%			
CLASS D NON VFL		201	5	2.5%	65	32.3%	44	21.9%	85	42.3%	2	1.0%	
CLASS E NON VFL		29			12	41.4%	7	24.1%	9	31.0%	1	3.4%	
MISDEMEANORS		185	31	16.8%	77	41.6%	71	38.4%	1	.5%	5	2.7%	
VIOL. & INTRUCTIONS													
VFL CLASS A		53							53	100.0%			
VFL CLASS B		246			10	4.1%	2	.8%	234	95.1%			
VFL CLASS C		402	7	1.7%	77	19.2%	30	7.5%	288	71.6%			
VFL CLASS D		610	10	1.6%	207	33.9%	147	24.1%	244	40.0%	2	.3%	
VFL CLASS E		6			3	50.0%	1	16.7%	2	33.3%			
TOTAL VFL		1317	17	1.3%	297	22.6%	180	13.7%	821	62.3%	2	.2%	
TOTAL NON VFL		439	37	8.4%	157	35.8%	127	28.9%	110	25.1%	8	1.8%	
TOTAL		1756	54	3.1%	454	25.9%	307	17.5%	931	53.0%	10	.6%	

TABLE 39 (2 OF 2)

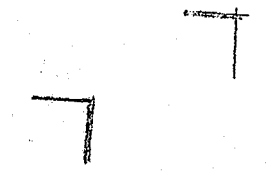
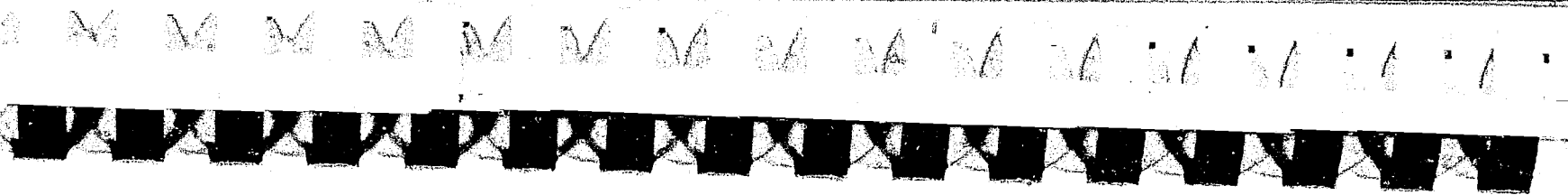
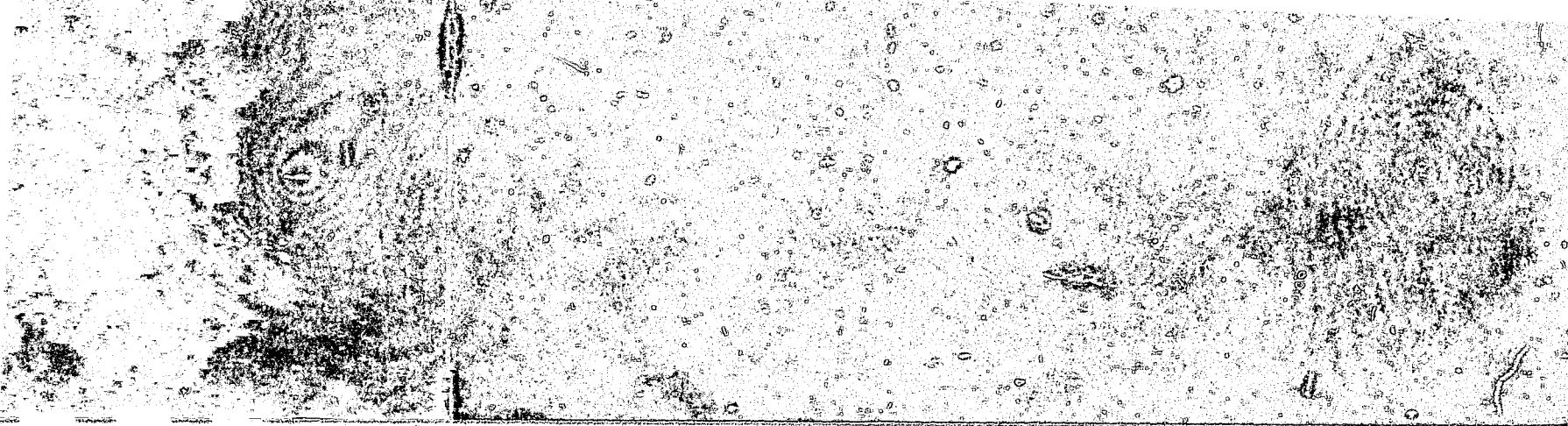
DCJS -- DIVISION OF CRIMINAL JUSTICE SERVICES



SENTENCES FOR INDICTMENTS OF FELONY CHARGES MINUS YOUTHFUL OFFENDERS
 VIOLENT FELONY INDICTMENTS FROM 09-01-74 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *
 NEW YORK STATE

CONVICTION CHARGE	CLASS	TOTAL CONVICTS	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	JAIL COMMITMENT	PROBATION		LOCAL PRISON		STATE PRISON		OTHER
										266	100.0%	
PL 125.25	A	265								132	100.0%	
PL 125.25	A ATT.	132								1	100.0%	
PL 125.27	A	1								10	100.0%	
PL 125.27	A ATT.	13								4	100.0%	
PL 135.25	A	6								1	100.0%	
PL 135.25	A ATT.	1										
PL 150.23	A											
PL 150.29	B ATT.									2	100.0%	
PL 120.11	B	2								2	100.0%	
PL 120.11	C ATT.	2										
PL 125.23	B	357								357	100.0%	
PL 125.23	C ATT.	75								75	100.0%	
PL 130.15	B	155				1	.6%			154	99.4%	
PL 130.15	C ATT.	72				2	2.8%	1	1.4%	69	95.8%	
PL 130.15	B	77				3	3.9%			74	96.1%	
PL 130.15	C ATT.	19								19	100.0%	
PL 130.23	B											
PL 130.23	C ATT.											
PL 135.23	B	12				1	8.3%			11	91.7%	
PL 135.23	C ATT.	5								5	100.0%	
PL 140.13	B	71				1	1.4%	1	1.4%	69	97.2%	
PL 140.13	C ATT.	9								9	100.0%	
PL 150.15	B	27				2	7.4%			25	92.6%	
PL 150.15	C ATT.	22								22	100.0%	
PL 160.15	B	1484				7	.5%	2	.1%	1377	99.4%	
PL 160.15	C ATT.	591				15	2.2%	6	.9%	660	96.9%	
PL 265.04	B	5								5	100.0%	
PL 265.04	C ATT.	1								1	100.0%	
PL 265.09	B	4								4	100.0%	
PL 265.09	C ATT.											

TABLE 40 (1 OF 2)



PL 120.13	C	157		1	.6%			4	2.5%	1	.6%	151	94.2%			
PL 120.13	D ATT.	99						41	45.6%	12	12.1%	77	41.1%			
PL 140.25	C	235						14	6.0%	10	4.3%	211	90.6%			
PL 140.25	D ATT.	547		3	.6%			155	28.7%	115	21.3%	275	49.1%	2	.4%	
PL 160.17	C	1707		1	.1%			39	3.5%	12	1.1%	1045	95.3%	1	.1%	
PL 160.17	D ATT.	1814	3	.2%	5	.3%		581	31.7%	455	24.8%	790	43.1%			
PL 265.03	C	111						9	8.1%	4	3.6%	98	88.3%			
PL 265.03	D ATT.	101						45	44.6%	15	14.9%	41	40.6%			
PL 265.03	F	2										100.0%				
PL 265.09	D ATT.	2						1	50.0%	1	50.0%					
PL 170.05	D	503	1	.2%		1	.2%	182	36.2%	112	22.3%	207	41.3%			
PL 170.05	F	219				2	.9%	81	37.0%	45	21.0%	89	40.2%			
PL 265.02.34	D	421	1	.2%	6	1.4%		120	28.5%	146	34.7%	147	34.9%	1	.2%	
PL 265.02.34	F ATT.	396	1	.3%	8	2.0%		179	45.4%	125	31.7%	79	20.1%	2	.5%	
PL 265.02.35	D	1								1	100.0%					
PL 265.02.35	F ATT.	1								1	100.0%					
PL 265.12	D															
NON-VFL																
CLASS A NON VFL																
CLASS B NON VFL		13								1	7.7%	12	92.3%			
CLASS C NON VFL		94				1	1.2%	22	26.2%	13	15.5%	49	57.1%			
CLASS D NON VFL		1362	2	.2%	18	1.7%		382	36.7%	273	26.2%	567	54.7%	5	.5%	
CLASS E NON VFL		121				1	.8%	41	33.9%	28	23.1%	50	41.3%	1	.8%	
MISFEASORS		473	5	1.1%	73	15.4%		198	41.9%	172	36.4%	4	.8%	21	4.4%	
VIOL. OF INTERACTIONS		3	1	33.3%						1	33.3%			1	33.3%	
VFL CLASS A		291										281	100.0%			
VFL CLASS B		2229						15	.7%	7	.3%	2211	99.2%			
VFL CLASS C		2487				2	.1%	82	3.3%	54	1.4%	2349	95.2%	1	.0%	
VFL CLASS D		3711	5	.1%	15	.4%	1	.0%	1206	32.5%	905	24.4%	1579	42.4%	3	.1%
VFL CLASS E		325	1	.3%	2	2.0%		179	45.3%	126	31.0%	70	70.0%	2	.5%	
TOTAL VFL		9104	6	.1%	24	.3%	1	.0%	1492	16.3%	1061	11.7%	6514	71.6%	6	.1%
TOTAL NON VFL		1734	9	.5%	93	5.4%		643	37.0%	481	27.1%	476	27.4%	24	1.4%	
TOTAL		10838	14	.1%	117	1.1%	1	.0%	2125	19.6%	1546	14.4%	6990	64.5%	34	.3%

TABLE 40 (2 OF 2)

DCJS - DIVISION OF CRIMINAL JUSTICE SERVICES

* INTERACTIONS BETWEEN 6:00 PM AND 12:01 AM CONTROLLED FOR POST 12:01 AM ARREST DATE



SENTENCES FOR INDICTMENTS OF FELONY CHARGES MINUS YOUTHFUL OFFENDERS
 VIOLENT FELONY INDICTMENTS FROM 01-01-75 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81
 NEW YORK CITY

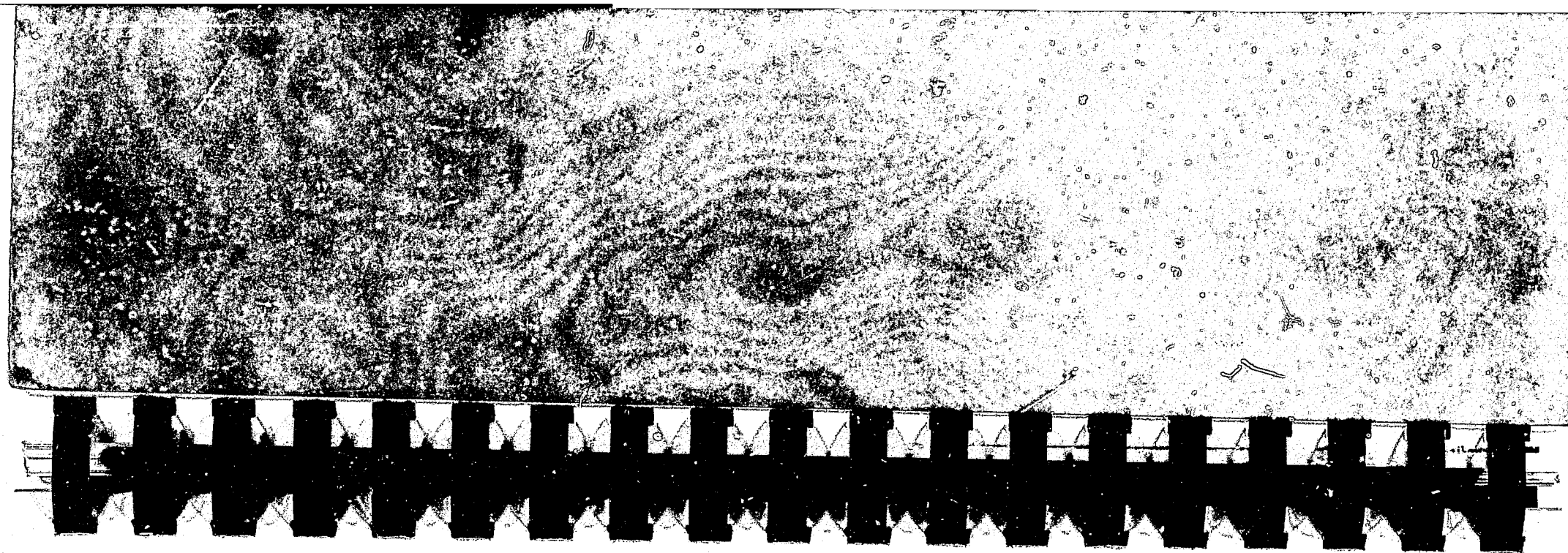
CONVICTION CHARGE	CLASS	TOTAL CONVICTS	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	DECC COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25	A	145						145	100.0%
PL 125.25	B ATT.	110						110	100.0%
PL 125.27	A	1						1	100.0%
PL 125.27	A ATT.	5						5	100.0%
PL 135.25	A	4						4	100.0%
PL 135.25	B ATT.	1						1	100.0%
PL 150.20	A								
PL 150.20	B ATT.								
PL 120.10	B	2						2	100.0%
PL 120.11	C ATT.	1						1	100.0%
PL 125.20	B	270						270	100.0%
PL 125.20	C ATT.	75				1	1.1%	61	98.9%
PL 130.35	B	92				1	2.8%	35	97.2%
PL 130.35	C ATT.	36				1	2.6%	37	97.4%
PL 130.50	B	88						6	100.0%
PL 130.50	C ATT.	7							
PL 130.70	B								
PL 130.70	C ATT.								
PL 135.20	B	4						4	100.0%
PL 135.20	C ATT.	1						3	100.0%
PL 140.30	B	61						41	100.0%
PL 140.30	C ATT.	5						5	100.0%
PL 150.15	B	25				2	8.0%	27	97.0%
PL 150.15	C ATT.	14						14	100.0%
PL 160.15	B	1133				6	.5%	1126	99.4%
PL 160.15	C ATT.	570				11	1.9%	557	97.8%
PL 265.04	B	3						3	100.0%
PL 265.04	C ATT.	1						1	100.0%
PL 265.09	B	3						3	100.0%
PL 265.09	C ATT.								

TABLE 41 (1 OF 2)

PL 120.10	C	171					2	2.0%			99	98.1%		
PL 120.10	D ATT.	73					35	47.9%	10	13.7%	28	38.4%		
PL 140.25	C	178					5	4.6%	2	1.9%	161	93.5%		
PL 140.25	D ATT.	255					61	23.9%	38	14.9%	156	61.2%		
PL 160.10	C	911					34	3.7%	8	.9%	869	95.3%	1	.1%
PL 160.10	D ATT.	1582	3	.2%	5	.3%	513	32.4%	378	23.9%	663	42.2%		
PL 265.03	C	171					6	6.0%	2	2.1%	97	97.0%		
PL 265.03	D ATT.	93					43	46.2%	12	12.9%	38	40.9%		
PL 265.08	C	2									2	100.0%		
PL 265.08	D ATT.													
PL 120.05	D	266	1	.4%			111	41.7%	46	17.3%	107	40.2%		
PL 130.65	D	86					43	50.0%	14	16.3%	29	33.7%		
PL 265.02.04	D	382	1	.3%	3	.8%	111	29.1%	129	33.8%	137	35.9%	1	.3%
PL 265.02.04	D ATT.	369	1	.3%	5	1.4%	171	46.3%	116	31.4%	74	20.1%	2	.5%
PL 265.02.05	D	1							1	100.0%				
PL 265.02.05	D ATT.													
PL 265.12	D													
CLASS A NON VFL		8							1	12.5%	7	87.5%		
CLASS B NON VFL		59					19	32.2%	7	11.9%	33	55.9%		
CLASS C NON VFL		745	2	.3%	13	1.7%	293	39.3%	193	25.9%	241	32.3%	3	.4%
CLASS D NON VFL		77					26	33.8%	17	22.1%	33	42.9%		
CLASS E NON VFL		211	4	1.9%	33	15.6%	78	37.0%	81	38.4%	3	1.4%	12	5.7%
MISDEMEANORS		2	1	50.0%									1	50.0%
VIOL. INTERACTIONS														
VFL CLASS A		196									196	100.0%		
VFL CLASS B		1742					10	.6%	1	.1%	1731	99.4%		
VFL CLASS C		1936					59	3.0%	14	.7%	1862	96.2%	1	.1%
VFL CLASS D		2738	5	.2%	8	.3%	917	33.5%	628	22.9%	1178	43.0%	1	.0%
VFL CLASS E		369	1	.3%	5	1.4%	171	46.3%	116	31.4%	74	20.1%	2	.5%
TOTAL VFL		6981	6	.1%	13	.2%	1157	16.6%	759	10.9%	5041	72.2%	4	.1%
TOTAL NON VFL		1112	7	.6%	47	4.3%	416	37.2%	299	27.1%	317	28.8%	16	1.5%
TOTAL		8083	13	.2%	60	.7%	1573	19.5%	1058	13.1%	5358	66.3%	20	.2%

TABLE 41 (2 OF 2)

DCJS -- DIVISION OF CRIMINAL JUSTICE SERVICES



SENTENCES FOR INDICATORS OF FELONY CHARGES MINUS YOUTHFUL OFFENDERS
 VIOLENT FELONY INDICATORS FROM 01-01-79 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81
 SUPERMAN NYC

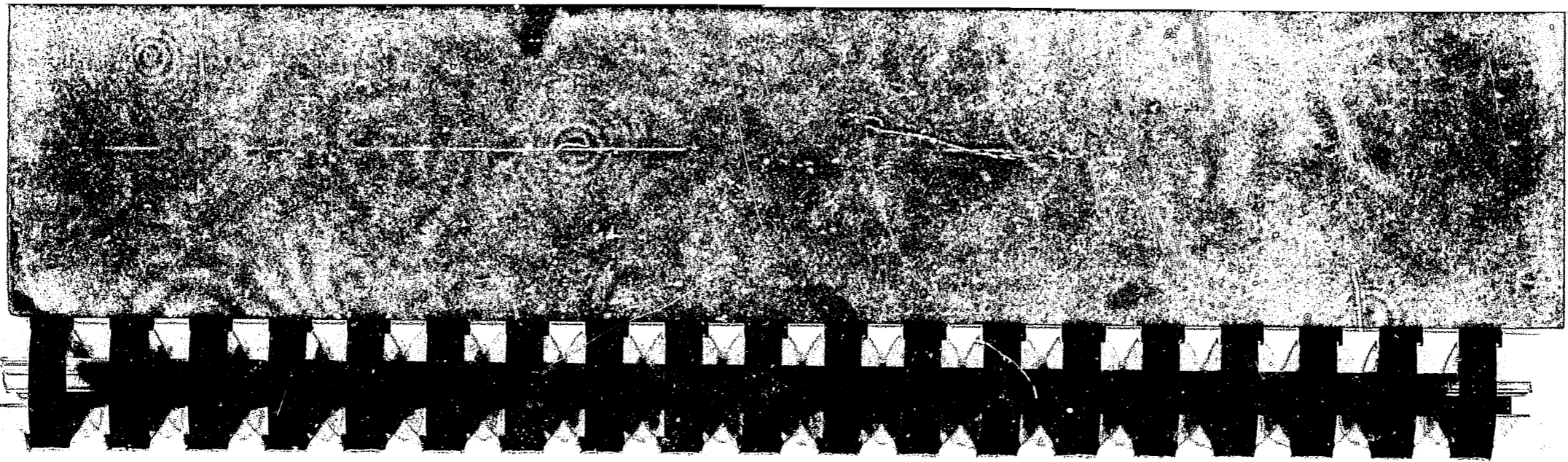
CONVICTION CHARGE CLASS	TOTAL CONVICTED	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	PLAC COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25 A	31						30 100.0%	
PL 125.25 B ATT.	2						2 100.0%	
PL 125.27 A								
PL 125.27 A ATT.	2						2 100.0%	
PL 135.25 A								
PL 135.25 B ATT.								
PL 150.20 A								
PL 150.20 B ATT.								
PL 120.11 B								
PL 120.11 C ATT.								
PL 125.20 B	19						19 100.0%	
PL 125.20 C ATT.	3						3 100.0%	
PL 130.35 B	32						32 100.0%	
PL 130.35 C ATT.	7						7 100.0%	
PL 130.50 B	11						11 100.0%	
PL 130.50 C ATT.	4						4 100.0%	
PL 130.70 B								
PL 130.70 C ATT.								
PL 135.20 B	2						2 100.0%	
PL 135.20 C ATT.								
PL 140.30 B	18				1 5.6%		17 94.4%	
PL 140.30 C ATT.	1						1 100.0%	
PL 150.15 B								
PL 150.15 C ATT.	2						2 100.0%	
PL 160.15 B	141					1 .6%	140 99.4%	
PL 160.15 C ATT.	76				4 5.3%	3 3.9%	69 90.8%	
PL 265.04 B								
PL 265.04 C ATT.								
P 5.09 B								

TABLE 42 (1 OF 2)

PL 120.10	C	22			1	4.5%			21	95.5%
PL 120.10	D ATT.	6			4	66.7%			2	33.3%
PL 140.25	C	42			2	4.8%	4	9.5%	40	95.2%
PL 140.25	D ATT.	151			54	36.0%	42	28.0%	54	36.0%
PL 160.10	C	90			1	1.3%			79	88.0%
PL 160.10	D ATT.	161			41	25.5%	51	31.7%	69	42.8%
PL 265.03	C	5			1	20.0%	1	20.0%	3	60.0%
PL 265.03	D ATT.	5			1	20.0%	3	60.0%	1	20.0%
PL 265.08	C									
PL 265.08	D ATT.	1					1	100.0%		
PL 120.05	D	54			21	38.9%	19	35.2%	14	25.9%
PL 130.65	D	65			18	27.7%	9	13.8%	18	27.7%
PL 265.02.04	D	19	1	5.3%	4	21.1%	11	57.5%	3	15.8%
PL 265.02.04	D ATT.	21	2	9.5%	5	23.8%	9	42.9%	3	14.3%
PL 265.02.05	D									
PL 265.02.05	D ATT.									
PL 265.12	D									
CLASS A NON VFL		2							2	100.0%
CLASS B NON VFL		4					1	25.0%	3	75.0%
CLASS C NON VFL		122	1	.8%	43	35.2%	39	32.0%	29	23.8%
CLASS D NON VFL		19			6	31.6%	4	21.1%	9	47.3%
CLASS E NON VFL		91	1	1.1%	17	18.7%	21	23.1%	44	48.2%
MISDEMEANORS		1					1	100.0%		
VIOL. & INTERACTIONS		1								
VFL CLASS A		32							32	100.0%
VFL CLASS J		252			1	.4%	1	.4%	250	99.2%
VFL CLASS C		249			9	3.6%	8	3.2%	232	93.2%
VFL CLASS D		445	1	.2%	143	32.1%	143	32.1%	158	35.6%
VFL CLASS E		27	2	7.4%	5	18.5%	9	33.3%	7	25.9%
TOTAL VFL		222	4	1.8%	158	71.2%	161	72.5%	675	304.1%
TOTAL NON VFL		238	1	.4%	101	42.4%	66	27.7%	52	21.9%
TOTAL		1234	1	.1%	259	21.0%	227	18.4%	727	58.9%

TABLE 42 (2 OF 2)

DCJS -- DIVISION OF CRIMINAL JUSTICE SERVICES



SENTENCES FOR INDICTMENTS OF FELONY CHARGES MINUS YOUTHFUL OFFENDERS
 VIOLENT FELONY INDICTMENTS FROM 01-01-75 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81
 UPSTATE COUNTIES

CONVICTION CHARGE	CLASS	TOTAL CONVICT	UNCONDITIONAL DISCHARGE	CONDITIONAL DISCHARGE	100% COMMITMENT	PROBATION	LOCAL PRISON	STATE PRISON	OTHER
PL 125.25	A	50						50	100.0%
PL 125.25	B ATT.	13						13	100.0%
PL 125.27	A								
PL 125.27	A ATT.	3						3	100.0%
PL 135.25	A								
PL 135.25	B ATT.								
PL 150.20	A								
PL 150.20	B ATT.								
PL 120.11	B								
PL 120.11	C ATT.	1						1	100.0%
PL 125.20	B	43						43	100.0%
PL 125.20	C ATT.	6						6	100.0%
PL 130.35	B	31						31	100.0%
PL 130.35	C ATT.	29				1	3.4%	27	93.1%
PL 130.50	B	28				2	7.1%	26	92.9%
PL 130.50	C ATT.	6						6	100.0%
PL 130.70	B								
PL 130.70	C ATT.								
PL 135.20	B	6				1	16.7%	5	83.3%
PL 135.20	C ATT.	2						2	100.0%
PL 140.30	B	12						11	91.7%
PL 140.30	C ATT.	2						2	100.0%
PL 150.15	B	2						2	100.0%
PL 150.15	C ATT.	6						6	100.0%
PL 160.15	B	92				1	1.1%	91	98.9%
PL 160.15	C ATT.	26						25	96.2%
PL 265.04	B	2						2	100.0%
PL 265.04	C ATT.								
PL 265.09	B	1						1	100.0%
PL 265.09	C ATT.								

TABLE 43 (1 OF 2)

PL 120.10	C	34	1	2.9%	1	2.9%	1	2.9%	31	91.2%		
PL 120.10	D ATT.	11			2	18.2%	2	18.2%	7	63.6%		
PL 140.25	C	78			7	9.0%	4	5.1%	67	85.9%		
PL 140.25	D ATT.	135	3	2.2%	40	29.6%	35	25.9%	55	40.7%	2	1.5%
PL 160.10	C	106	1	.9%	3	2.8%	4	3.8%	98	92.5%		
PL 160.10	D ATT.	91			27	29.7%	19	20.9%	45	49.5%		
PL 265.03	C	6			2	33.3%	1	16.7%	3	50.0%		
PL 265.03	D ATT.	3			1	33.3%			2	66.7%		
PL 265.08	C											
PL 265.08	D ATT.	1			1	100.0%						
PL 120.05	D	179			50	27.9%	47	26.3%	82	45.8%		
PL 130.65	D	88	2	2.3%	20	22.7%	25	28.4%	41	46.6%		
PL 265.02.04	D	20	2	10.0%	5	25.0%	6	30.0%	7	35.0%		
PL 265.02.04	D ATT.	5			3	60.0%			2	40.0%		
PL 265.02.05	D											
PL 265.02.05	D ATT.	1					1	100.0%				
PL 265.12	D											
CLASS A NON VFL												
CLASS B NON VFL		3							3	100.0%		
CLASS C NON VFL		21	1	4.8%	3	14.3%	5	23.8%	12	57.1%		
CLASS D NON VFL		175	4	2.3%	46	26.3%	41	23.4%	82	46.9%	2	1.1%
CLASS E NON VFL		26			9	34.6%	7	26.9%	9	34.6%	1	3.8%
MISDEMEANORS		171	27	15.8%	68	39.8%	70	40.9%	1	.6%	5	2.9%
VIOL. & INFRACTIONS												
VFL CLASS A		53							53	100.0%		
VFL CLASS B		235			4	1.7%	1	.4%	230	97.9%		
VFL CLASS C		302	2	.7%	14	4.6%	12	4.0%	274	90.7%		
VFL CLASS D		528	7	1.3%	146	27.7%	134	25.4%	239	45.3%	2	.4%
VFL CLASS E		6			3	50.0%	1	16.7%	2	33.3%		
TOTAL VFL		1124	9	.8%	167	14.9%	148	13.2%	798	71.0%	2	.2%
TOTAL NON VFL		396	32	8.1%	126	31.8%	123	31.1%	107	27.0%	8	2.0%
TOTAL		1520	41	2.7%	293	19.3%	271	17.8%	905	59.5%	10	.7%

TABLE 43 (2 OF 2)

DCJS - DIVISION OF CRIMINAL JUSTICE SERVICES

MINIMUM SENTENCE (MONTHS) TO STATE PRISON FOR NON-YOUTHFUL OFFENDER VIOLENT FELONY INDICTMENTS
 FOR ALL PROCEEDINGS
 VIOLENT FELONY INDICTMENTS FROM 09-31-73 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *
 NEW YORK STATE

CONVICTION CHARGE	CLASS	TOTAL	12 - 17	18 - 23	24 - 35	36 - 47	48 - 71	72 - 119	120 - 179	180 - 239	> 239	INDF/TIME
PL 125.25	A	266		.4X	.4X		1.5X	1.1X		34.6X	62.0X	
PL 125.25	J ATT.	152			16.7X	12.9X	21.2X	27.3X	16.7X	.8X	4.5X	
PL 125.27	A	1									100.0X	
PL 125.27	A ATT.	10								30.0X	70.0X	
PL 135.25	A	4								75.0X	25.0X	
PL 135.25	B ATT.	1						100.0X				
PL 150.20	A											
PL 150.20	B ATT.											
PL 120.11	B	2					100.0X					
PL 120.11	C ATT.	2			50.0X		50.0X					
PL 125.20	J	357	.3X	.5X	14.0X	12.9X	29.4X	36.7X	5.9X	.3X	.3X	
PL 125.20	C ATT.	75		26.7X	24.0X	39.7X	14.7X	1.3X	1.5X	1.5X		
PL 150.55	B	154	.6X		13.3X	12.3X	27.9X	27.9X	13.6X	1.3X	3.2X	
PL 150.55	C ATT.	69		20.3X	15.9X	23.2X	29.0X	10.1X		1.4X		
PL 150.50	J	74	1.4X		20.5X	8.1X	16.9X	37.8X	17.6X			
PL 150.50	C ATT.	19		26.3X	31.6X	15.8X	15.8X	10.5X				
PL 150.70	B											
PL 150.70	C ATT.											
PL 155.20	B	11			18.2X		18.2X	36.4X	27.3X			
PL 155.20	C ATT.	5					40.0X	60.0X				
PL 140.50	J	69		2.9X	23.2X	10.1X	26.1X	27.5X	8.7X		1.4X	
PL 140.50	C ATT.	8		12.5X	50.0X	37.5X						
PL 150.15	J	25			12.0X	12.0X	24.0X	48.0X	4.0X			
PL 150.15	C ATT.	22	4.5X	50.0X	7.1X	18.2X	13.6X	4.5X				
PL 150.15	J	1577	.9X	.7X	39.3X	12.4X	23.7X	24.4X	7.3X		.4X	
PL 160.15	C ATT.	660	1.8X	43.9X	18.0X	15.0X	15.6X	5.5X	.2X			
PL 265.04	B	5		20.0X	40.0X			40.0X				
PL 265.04	C ATT.	1					100.0X					
PL 265.09	B	4			50.0X	25.0X		25.0X				
PL 265.09	C ATT.											

TABLE 44 (1 OF 2)

PL 120.10	C	151	1.3%	25.2%	13.5%	21.9%	25.2%	7.9%		
PL 120.10	D ATT.	37	43.2%	10.3%	21.6%	15.5%	5.4%	2.7%	2.7%	
PL 140.25	C	211	1.4%	24.6%	21.8%	25.1%	18.0%	8.5%		.5%
PL 140.25	D ATT.	265	33.2%	7.5%	51.7%	7.2%		.4%		
PL 160.10	C	1045	2.8%	39.1%	21.1%	15.9%	17.1%	4.7%	.4%	
PL 160.10	D ATT.	790	49.6%	3.4%	34.7%	5.6%	1.1%	.6%		
PL 265.03	C	98		34.7%	25.5%	18.4%	16.3%	5.1%		
PL 255.05	D ATT.	41	51.2%	7.3%	31.7%	9.8%				
PL 265.04	C	2		50.0%	50.0%					
PL 265.03	D ATT.									
PL 120.05	D	207	26.6%	12.1%	43.0%	15.9%	1.4%	1.0%		
PL 130.65	D	83	34.1%	15.9%	40.9%	8.0%	1.1%			
PL 255.02.04	D	147	32.7%	11.6%	36.1%	17.7%		.7%		1.4%
PL 255.02.04	D ATT.	79	7.6%	60.8%	31.6%					
PL 265.02.05	D									
PL 255.02.05	D ATT.									
PL 265.12	D									
CLASS A NON VFL										
CLASS B NON VFL		12	56.7%		8.3%	16.7%		8.3%		
CLASS C NON VFL		43	25.0%	2.1%	14.6%	14.6%	37.5%	6.3%		
CLASS D NON VFL		362	26.2%	27.3%	40.1%	4.7%	.8%	.8%		
CLASS E NON VFL		50	36.0%	30.0%	24.0%		4.0%	4.0%	2.0%	
MISDEMEANORS		4	25.0%		25.0%		50.0%			
VIOL. & INFRACTIONS										
VFL CLASS A		261		.4%	.6%		1.4%	1.1%	34.9%	61.9%
VFL CLASS B		2211	.7%	.6%	24.3%	12.2%	24.5%	27.7%	9.5%	.2%
VFL CLASS C		2363	2.0%	36.3%	20.3%	17.7%	17.5%	5.7%	.3%	.1%
VFL CLASS D		1975	41.3%	9.5%	38.7%	3.8%	1.0%	.6%	.1%	.1%
VFL CLASS E		77	7.6%	60.8%	31.6%					
TOTAL VFL		5514	11.0%	16.5%	25.6%	12.7%	15.0%	11.7%	3.0%	1.6%
TOTAL NON VFL		476	21.2%	24.2%	34.7%	5.5%	5.3%	1.9%	.2%	2.9%
TOTAL		5990	12.2%	17.0%	26.2%	12.2%	14.3%	11.0%	2.8%	1.5%

TABLE 44 (2 OF 2)

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 09-01-74 AND 12-31-74 CONTROLLED FOR POST 09-01-78 ARREST DATE

MINIMUM SENTENCE (MONTHS) TO STATE PRISON FOR NON-YOUTHFUL OFFENDER VIOLENT FELONY INDICTMENTS
 FOR ALL PROCEEDINGS
 VIOLENT FELONY INDICTMENTS FROM 07-01-73 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81
 NEW YORK CITY

CONVICTION CHARGE CLASS	TOTAL	12 - 17	18 - 23	24 - 35	36 - 47	48 - 71	72 - 119	120 - 179	180 - 239	> 239	INDF/TIME
PL 125.25 A	136		.5X			1.6X					
PL 125.25 J ATT.	110			13.2X	13.6X	20.0X	27.3X	15.5X			
PL 125.27 A	1										
PL 125.27 A ATT.	5								40.0X		60.0X
PL 135.25 A	4										
PL 135.25 B ATT.	1										
PL 150.20 A											
PL 150.20 J ATT.									100.0X		
PL 120.11 J	2										
PL 120.11 C ATT.	1										
PL 125.20 J	290	.3X	.3X	14.8X	14.1X	29.5X	34.5X	5.9X	.3X		.3X
PL 125.20 C ATT.	66		30.5X	25.8X	30.3X	12.1X		1.5X			
PL 130.35 B	91	1.1X		12.1X	14.3X	25.3X	28.6X	15.4X	1.1X		2.2X
PL 130.35 C ATT.	35		25.7X	22.9X	22.9X	20.0X	8.6X				
PL 130.50 J	37			15.5X	16.2X	18.7X	40.5X	10.8X			
PL 130.50 C ATT.	9		11.1X	44.4X	22.2X		22.2X				
PL 130.70 J											
PL 130.70 C ATT.											
PL 135.20 B	4			50.3X		25.0X	25.0X				
PL 135.20 C ATT.	5					33.3X	66.7X				
PL 140.30 B	41		2.4X	24.4X	17.1X	31.7X	17.1X	4.9X			2.4X
PL 140.30 C ATT.	5		20.0X	40.0X	40.0X						
PL 150.15 J	23			15.0X	15.0X	21.7X	52.2X				
PL 150.15 C ATT.	14	7.1X	57.1X	7.1X	14.3X	14.3X					
PL 160.15 B	1126	.9X	.4X	30.7X	13.1X	24.1X	24.1X	6.5X			.2X
PL 160.15 C ATT.	566	1.4X	46.5X	18.4X	15.5X	14.0X	4.1X	.2X			
PL 265.04 B	3			33.3X							
PL 265.04 C ATT.	1										
PL 265.09 B	5			33.3X	33.3X		33.3X				
PL 265.09 C ATT.											

TABLE 45 (1 OF 2)

PL 120.10	C	99	2.0%	24.2%	22.2%	23.2%	22.2%	6.1%		
PL 120.10	D AFF.	24	42.9%	14.5%	17.9%	10.7%	7.1%	3.6%	5.6%	
PL 140.25	C	101	2.0%	17.8%	22.8%	25.7%	22.8%	8.9%		
PL 140.25	D AFF.	150	52.1%	7.1%	56.4%	4.5%				
PL 150.10	C	393	2.3%	42.1%	20.5%	15.8%	14.7%	4.1%	.5%	
PL 150.10	D AFF.	683	49.2%	8.6%	34.8%	5.4%	1.2%	.7%		
PL 255.33	C	92		34.8%	26.1%	19.6%	15.7%	4.4%		
PL 255.33	D AFF.	33	55.0%	7.9%	31.6%	10.5%				
PL 255.33	C	2		50.0%	50.0%					
PL 255.33	D AFF.									
PL 120.05	D	107	20.2%	14.0%	45.8%	9.3%	2.8%	1.9%		
PL 150.55	D	29	34.5%	24.1%	31.0%	10.3%				
PL 255.32.04	D	157	52.8%	11.7%	35.9%	17.5%		.7%	1.5%	
PL 255.32.04	D AFF.	74	6.6%	60.3%	52.4%					
PL 255.02.05	D									
PL 255.32.35	D AFF.									
PL 255.12	D									
CLASS A NON VFL										
CLASS B NON VFL		7	71.4%			14.5%		14.5%		
CLASS C NON VFL		55	24.2%	5.0%	18.2%	12.1%	36.4%	6.1%		
CLASS D NON VFL		241	23.2%	27.3%	37.3%	5.4%	.8%	.4%		
CLASS E NON VFL		55	53.3%	30.3%	21.2%		6.1%	6.1%	5.0%	
MISDEMEANORS		3			33.3%		66.7%			
VIOL. INTRUCTIONS										
VFL CLASS A		174		.5%			1.5%	1.5%	38.3%	58.2%
VFL CLASS B		1751	.7%	.4%	25.5%	13.5%	24.8%	26.9%	7.4%	.6%
VFL CLASS C		1402	1.8%	59.3%	20.6%	17.5%	15.4%	4.6%	.3%	
VFL CLASS D		1175	42.4%	9.8%	34.2%	7.5%	1.1%	.8%	.1%	.2%
VFL CLASS E		74	6.8%	60.8%	32.4%					
TOTAL VFL		5141	10.9%	13.1%	25.3%	12.9%	14.5%	11.1%	2.7%	1.6%
TOTAL NON VFL		517	29.0%	24.6%	32.3%	5.7%	5.7%	1.9%	.3%	
TOTAL		5658	12.0%	18.4%	24.2%	12.4%	14.0%	10.6%	2.5%	1.5%

TABLE 45 (2 OF 2)

DEPARTMENT OF CRIMINAL JUSTICE SERVICES

* INDICATED BY DASH 07-01-73 AND 12-31-73 CONTROLLED FOR POST 07-01-73 ARREST DATE

MINIMUM SENTENCE (MONTHS) TO STATE PRISON FOR NON-YOUTHFUL OFFENDER VIOLENT FELONY INDICTMENTS
 FOR ALL PROCEEDINGS
 VIOLENT FELONY INDICTMENTS FROM 07-01-78 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *
 SUNDAY NEW YORK

CONVICTION CHARGE CLASS	TOTAL	12 - 17	18 - 23	24 - 35	36 - 47	48 - 71	72 - 119	120 - 179	180 - 239	> 239	INDF/TIME
PL 125.25 A	30			3.3X					25.3X	73.3X	
PL 125.25 J ATT.	9			11.1X	11.1X	55.5X	22.2X	22.2X			
PL 125.27 A											
PL 125.27 A ATT.	2								50.0X	50.0X	
PL 155.25 A											
PL 155.25 J ATT.											
PL 150.20 A											
PL 150.20 J ATT.											
PL 120.11 B											
PL 120.11 C ATT.											
PL 125.20 J	19			21.1X	10.5X	15.8X	56.8X	15.8X			
PL 125.20 C ATT.	3			33.3X	33.3X	33.3X					
PL 150.55 J	32			12.5X	6.3X	28.1X	51.3X	15.6X		6.3X	
PL 150.55 C ATT.	7										
PL 150.50 J	11			27.3X		9.1X	45.5X	13.2X			
PL 150.50 C ATT.	4		50.0X	50.0X							
PL 150.70 J											
PL 150.70 C ATT.											
PL 155.20 B	2						100.0X				
PL 155.20 C ATT.											
PL 140.50 J	17		5.9X	35.3X		5.9X	47.1X	5.9X			
PL 140.50 C ATT.	1			100.0X							
PL 150.15 J											
PL 150.15 C ATT.	2		100.0X								
PL 160.15 J	160	1.3X	2.5X	35.6X	9.4X	21.3X	19.4X	10.0X		.6X	
PL 160.15 C ATT.	69	4.3X	34.8X	17.4X	10.1X	21.7X	11.6X				
PL 265.04 J											
PL 265.04 C ATT.											
PL 265.09 J											
PL 265.09 C ATT.											

TABLE 46 (1 OF 2)

PL 120.10	C	21		28.6%	4.3%	23.8%	33.3%	9.5%		
PL 120.10	D ATT.	2			50.0%	50.0%				
PL 140.25	C	43		30.2%	16.3%	30.2%	16.3%	7.0%		
PL 140.25	D ATT.	54	40.7%	3.7%	40.7%	13.0%		1.9%		
PL 160.10	C	77	5.1%	24.1%	24.1%	13.9%	25.3%	7.6%		
PL 150.10	D ATT.	62	45.5%	9.7%	38.7%	6.5%	1.6%			
PL 200.35	C	5		33.3%			66.7%			
PL 255.05	D ATT.	1	100.0%							
PL 265.08	C									
PL 255.04	D ATT.									
PL 120.05	D	18	27.8%	16.7%	44.4%	11.1%				
PL 130.05	D	13	33.3%	11.1%	50.0%		5.6%			
PL 265.02.04	D	3			66.7%	33.3%				
PL 265.02.04	D ATT.	3	33.3%	66.7%						
PL 255.02.05	D									
PL 265.02.35	D ATT.									
PL 265.12	D									
CLASS A NOV VFL		2				50.0%				
CLASS J NOV VFL		3		33.3%		33.3%	33.3%			
CLASS C NOV VFL		39	23.1%	25.6%	43.6%	5.1%	2.6%			
CLASS D NOV VFL		3	37.5%	37.5%	25.0%					
MISDEMEANORS										
VIOL. & INFRACTIONS										
VFL CLASS A		37			5.1%				25.0%	71.9%
VFL CLASS B		250		2.0%	30.0%	3.0%	20.4%	26.0%	11.6%	1.2%
VFL CLASS C		232	3.0%	28.9%	18.5%	17.2%	23.3%	9.1%		
VFL CLASS D		153	33.6%	3.2%	41.8%	9.5%	1.3%	.6%		
VFL CLASS E		5	33.3%	66.7%						
TOTAL VFL		675	10.5%	12.7%	27.4%	11.1%	15.9%	12.9%	4.3%	3.9%
TOTAL NOV VFL		52	25.9%	25.0%	36.5%	7.7%	3.3%			
TOTAL		727	11.7%	13.3%	23.1%	10.9%	15.0%	12.0%	4.0%	3.6%

TABLE 46 (2 OF 2)

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICATES PERCENTAGE CONTROLLED FOR POST 09-01-78 ARREST DATE

MINIMUM SENTENCE (MONTHS) TO STATE PRISON FOR NON-YOUTHFUL OFFENDER VIOLENT FELONY INDICTMENTS
 FOR ALL PROCEEDINGS
 VIOLENT FELONY INDICTMENTS FROM 07-31-75 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *
 UPSTATE

CONVICTION CHARGE CLASS	TOTAL	12 - 17	18 - 23	24 - 35	36 - 47	48 - 71	72 - 119	120 - 179	180 - 239	> 239 INDEF/TIME
PL 125.25 A	50					2.0X			30.0X	68.0X
PL 125.25 J ATT.	13			7.7X	7.7X	23.1X	30.8X	23.1X		7.7X
PL 125.27 A										
PL 125.27 A ATT.	3									100.0X
PL 155.25 A										
PL 155.25 B ATT.										
PL 150.20 A										
PL 150.20 B ATT.										
PL 120.11 B										
PL 120.11 C ATT.	1			100.0X						
PL 125.20 J	43			6.3X	6.3X	35.4X	50.0X	2.1X		
PL 125.20 C ATT.	6				33.3X	33.3X	16.7X		16.7X	
PL 150.55 B	31			16.1X	12.9X	55.5X	22.6X	6.5X	3.2X	3.2X
PL 150.55 C ATT.	27		18.5X	11.1X	18.5X	40.7X	7.6X		3.7X	
PL 150.50 B	26	3.3X		26.9X		11.5X	30.8X	26.9X		
PL 150.50 C ATT.	6		35.3X		16.7X	50.0X				
PL 150.70 B										
PL 150.70 C ATT.										
PL 155.20 B	5					20.0X	20.0X	60.0X		
PL 155.20 C ATT.	2					50.0X	50.0X			
PL 140.50 B	11					36.4X	36.4X	27.3X		
PL 140.50 C ATT.	2			50.0X	50.0X					
PL 150.15 B	2					50.0X		50.0X		
PL 150.15 C ATT.	6		16.7X	16.7X	33.3X	16.7X	16.7X			
PL 160.15 B	91			15.4X	8.8X	23.1X	37.4X	13.2X		2.2X
PL 160.15 C ATT.	25	4.0X	12.0X	12.0X	16.0X	36.0X	20.0X			
PL 265.04 B	2		50.0X	50.0X						
PL 265.04 C ATT.										
PL 265.09 B	1			100.0X						
PL 265.09 C ATT.										

TABLE 47 (1 OF 2)

PL 120.10	C	51		25.8%	16.1%	16.1%	29.0%	12.9%		
PL 120.10	D ATT.	7	57.1%		28.6%	14.3%				
PL 140.25	C	67	1.5%	31.3%	25.9%	20.9%	11.9%	9.0%	1.5%	
PL 140.25	D ATT.	55	29.1%	12.7%	49.1%	7.1%				
PL 160.10	C	93	5.1%	14.3%	25.5%	18.4%	31.6%	7.1%		
PL 160.10	D ATT.	45	64.4%	20.2%	26.7%	6.7%				
PL 255.05	C	3		33.3%	33.3%			33.3%		
PL 265.05	D ATT.	2	50.0%		50.0%					
PL 265.08	C									
PL 265.08	D ATT.									
PL 120.05	D	32	26.8%	8.5%	39.0%	25.6%				
PL 150.65	D	41	34.1%	12.2%	43.2%	9.8%				
PL 265.02.04	D	7	42.9%	14.3%	28.6%	14.3%				
PL 265.02.04	D ATT.	2		50.0%	50.0%					
PL 265.02.05	D									
PL 265.02.05	D ATT.									
PL 265.12	D									
CLASS A NON VFL										
CLASS B NON VFL		5	60.7%		33.3%					
CLASS C NON VFL		12	25.0%		8.3%	16.7%	41.7%	8.3%		
CLASS D NON VFL		32	22.9%	26.9%	46.3%	2.4%		2.4%		
CLASS E NON VFL		9	44.4%	22.2%	33.3%					
MISDEMEANORS		1	100.0%							
VIOL. & INFRACTIONS										
VFL CLASS A		55				1.9%		28.3%	69.8%	
VFL CLASS B		250	.4%	.4%	13.9%	7.0%	26.5%	35.7%	13.9%	1.7%
VFL CLASS C		274	2.6%	20.1%	14.7%	19.0%	27.4%	10.2%	1.1%	
VFL CLASS D		257	57.2%	9.8%	59.5%	14.6%				
VFL CLASS E		2		50.0%	50.0%					
TOTAL VFL		795	12.2%	9.8%	22.7%	12.9%	17.2%	13.8%	4.0%	2.4%
TOTAL NON VFL		107	26.2%	22.4%	40.2%	3.7%	4.7%	2.8%		
TOTAL		902	15.8%	11.3%	24.3%	11.8%	15.7%	12.5%	3.5%	2.1%

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS DATED 07-01-73 AND 12-31-73 CONTROLLED FOR POST 09-01-78 ARREST DATE

TABLE 47 (2 OF 2)

MAXIMUM SENTENCE (MONTHS) TO STATE PRISON FOR NON-YOUTHFUL OFFENDER VIOLENT FELONY INDICTMENTS
 FOR ALL PROCEEDINGS
 VIOLENT FELONY INDICTMENTS FROM 01-01-73 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *
 NEW YORK STATE

02/03/82

CONVICTION CHARGE CLASS	TOTAL	15 - 36	37 - 53	54 - 71	72 - 75	96 - 107	108 - 143	144 - 180	> 180	LIFE	INDEX
PL 125.25 A	266						.4X	.4X	3.4X	95.9X	
PL 125.25 B ATT.	132				16.7X		16.7X	25.8X	35.6X	5.3X	
PL 125.27 A	1									100.0X	
PL 125.27 A ATT.	10									100.0X	
PL 135.25 A	4									100.0X	
PL 135.25 B ATT.	1								100.0X		
PL 150.20 A											
PL 150.20 B ATT.											
PL 120.11 B	2							100.0X			
PL 120.11 C ATT.	2				50.0X			50.0X			
PL 125.20 B	357	.5X		.6X	14.0X		15.7X	31.1X	37.8X	.6X	
PL 125.20 C ATT.	75		1.3X	25.7X	33.3X	4.0X	21.3X	10.7X	2.7X		
PL 133.35 B	154			.6X	12.1X	1.3X	16.2X	28.6X	38.3X	2.6X	
PL 133.35 C ATT.	69		2.2X	20.3X	15.9X	5.8X	27.5X	23.2X	2.9X	1.4X	
PL 133.35 B	74	1.4X			18.9X		12.2X	23.0X	44.6X		
PL 133.50 C ATT.	17			26.3X	31.6X	10.5X	10.5X	21.1X			
PL 130.70 B											
PL 133.70 C ATT.											
PL 135.20 B	11				18.2X			36.4X	45.5X		
PL 135.20 C ATT.	5						20.0X	60.0X		20.0X	
PL 140.30 B	69		1.4X		23.2X		17.4X	34.8X	21.7X	1.4X	
PL 140.30 C ATT.	3			12.5X	62.5X		25.0X				
PL 150.15 B	25				16.0X		16.0X	36.0X	32.0X		
PL 150.15 C ATT.	22	4.5X	4.5X	45.5X	13.6X	4.5X	18.2X	9.1X			
PL 160.15 B	1377	.4X	.6X	.9X	29.8X	1.1X	21.7X	27.7X	17.2X	.6X	
PL 160.15 C ATT.	660	.8X	1.7X	43.6X	27.1X	8.2X	9.1X	8.6X	.6X	.3X	
PL 235.04 B	5		20.0X	20.0X	20.0X				40.0X		
PL 265.04 C ATT.	1							100.0X			
PL 265.07 B	4				50.0X		25.0X	25.0X			
PL 265.09 C ATT.											

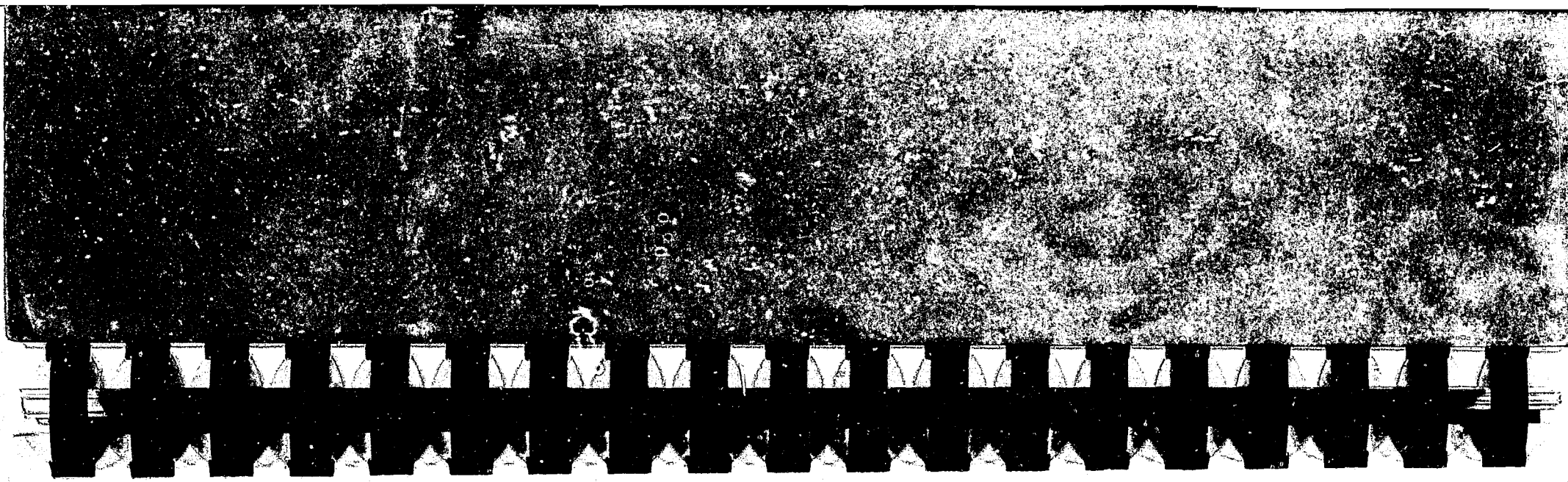
TABLE 48 (1 OF 2)

PL 120.10	C	151	1.3%		24.5%	25.2%	4.6%	20.5%	23.8%		
PL 120.10	D ATT.	37	45.9%	16.2%	10.4%	16.2%	2.7%		5.4%		2.7%
PL 140.25	C	211	.5%	3.8%	25.2%	37.4%	8.1%	11.8%	14.2%		.9%
PL 140.25	D ATT.	265	25.4%	45.3%	16.6%	14.0%		.4%	.4%		
PL 160.11	C	1045	2.0%	2.5%	37.2%	28.7%	6.4%	11.9%	10.6%	.3%	.4%
PL 150.10	D ATT.	770	42.7%	23.3%	20.3%	11.5%	.6%	1.0%	.4%		.3%
PL 265.15	C	98		3.1%	34.7%	30.6%	6.1%	15.3%	12.2%		
PL 255.05	D ATT.	41	45.3%	22.0%	17.1%	14.6%					
PL 255.08	C	2			50.0%	50.0%					
PL 255.03	D ATT.										
PL 120.05	D	207	19.4%	20.8%	21.7%	36.7%	.5%	.5%	1.0%		.5%
PL 130.55	D	83	26.1%	18.2%	18.2%	36.4%		1.1%			
PL 255.02.04	D	147	52.7%	21.1%	17.7%	25.9%		.7%			2.0%
PL 255.02.04	E ATT.	79	68.4%	29.1%	2.5%						
PL 255.02.05	D										
PL 255.02.05	E ATT.										
PL 255.12	D										
CLASS A NON VFL											
CLASS B NON VFL		12	50.0%			33.3%			16.7%		
CLASS C NON VFL		46	10.4%	3.3%	8.5%	10.4%	4.2%	22.9%	35.4%		
CLASS D NON VFL		362	41.7%	29.0%	11.3%	15.7%	.5%	.8%	.8%	.3%	
CLASS E NON VFL		50	41.0%	34.0%	3.0%			2.0%	6.0%	2.0%	
MISDEMEANORS		4	25.0%	25.0%					50.0%		
VIOL. & INFRACTIS											
VFL CLASS A		281						.4%	.4%	3.2%	96.1%
VFL CLASS B		2211	.4%	.5%	.7%	24.5%	.9%	19.4%	28.4%	24.5%	1.0%
VFL CLASS C		2363	1.5%	2.2%	35.9%	28.6%	6.7%	12.6%	11.9%	.5%	.4%
VFL CLASS D		1575	54.5%	26.0%	17.2%	13.2%	.4%	.8%	.5%		.4%
VFL CLASS E		77	58.4%	27.1%	2.5%						
TOTAL VFL		4514	3.3%	7.6%	17.7%	23.1%	2.8%	11.4%	14.1%	8.6%	4.7%
TOTAL NON VFL		476	57.3%	26.7%	13.5%	13.9%	.6%	5.2%	5.7%	.4%	
TOTAL		4990	11.6%	8.7%	17.4%	22.5%	2.7%	10.8%	13.5%	8.1%	4.4%

TABLE 48 (2 OF 2)

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS BETWEEN 09-01-73 AND 12-31-74 CONTROLLED FOR POST 07-01-76 ARREST DATE



MAXIMUM SENTENCE (MONTHS) TO STATE PRISON FOR NON-YOUTHFUL OFFENDER VIOLENT FELONY INDICTMENTS
 FOR ALL PROCEEDINGS
 VIOLENT FELONY INDICTMENTS FROM 01-01-73 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *
 NEW YORK CITY

02/05/82

CONVICTION CHARGE CLASS	TOTAL	33 - 36	37 - 53	54 - 71	72 - 95	96 - 107	108 - 143	144 - 180	> 180	LIFE	INDF
PL 125.25 A	136							.5X	.5X	98.9X	
PL 125.25 B ATT.	110				18.2X		18.2X	24.5X	33.6X	5.5X	
PL 125.27 A	1									100.0X	
PL 125.27 A ATT.	5									100.0X	
PL 135.25 A	4									100.0X	
PL 135.25 B ATT.	1								100.0X		
PL 150.20 A											
PL 150.20 B ATT.											
PL 120.11 B	2							100.0X			
PL 120.11 C ATT.	1							100.0X			
PL 125.20 B	290	.3X		.7X	14.8X		17.2X	31.7X	54.5X	.7X	
PL 125.20 C ATT.	66			50.3X	54.8X	4.5X	21.2X	7.6X	1.5X		
PL 150.55 D	91			1.1X	11.0X	2.2X	17.6X	26.4X	40.7X	1.1X	
PL 150.55 C ATT.	35		2.9X	25.7X	25.7X	5.7X	22.9X	14.3X	2.9X		
PL 150.50 B	57				13.5X		21.6X	29.7X	35.1X		
PL 150.50 C ATT.	9			11.1X	44.4X	11.1X	11.1X	22.2X			
PL 150.70 B											
PL 150.70 C ATT.											
PL 155.20 B	4				50.0X			50.0X			
PL 155.20 C ATT.	3						33.3X	33.3X		33.3X	
PL 140.50 B	41		2.4X		24.4X		26.8X	36.6X	7.3X	2.4X	
PL 140.50 C ATT.	5			20.0X	60.0X		20.0X				
PL 150.15 B	23				17.4X		17.4X	34.8X	50.4X		
PL 150.15 C ATT.	14	7.1X	7.1X	50.0X	14.3X	7.1X	14.3X				
PL 160.15 B	1126	.5X	.5X	.6X	50.1X	1.3X	22.2X	29.6X	14.6X	.5X	
PL 160.15 C ATT.	566	.5X	1.6X	46.1X	29.8X	8.0X	8.1X	5.3X	.7X	.4X	
PL 265.04 B	3		33.3X								
PL 265.04 C ATT.	1							100.0X			
PL 265.09 B	3				33.3X		33.3X	33.3X			
PL 265.09 C ATT.											

TABLE 49 (1 OF 2)

PL 120.10	C	99	2.0%		23.2%	28.3%	5.1%	22.2%	19.2%		
PL 120.10	J ATT.	28	66.4%	17.9%	19.7%	10.7%	3.6%				
PL 140.25	C	101	1.0%	4.0%	17.8%	59.6%	10.9%	11.9%	7.1%	3.6%	
PL 140.25	D ATT.	156	25.0%	45.5%	17.2%	9.6%		.6%			1.0%
PL 160.10	C	662	1.6%	2.5%	41.2%	28.5%	6.5%	11.5%	7.7%	.1%	.5%
PL 160.10	D ATT.	685	64.5%	22.1%	20.2%	10.7%	.6%	1.2%	.4%		.3%
PL 265.03	C	92		2.2%	34.8%	32.6%	4.3%	16.3%	9.8%		
PL 255.35	D ATT.	53	47.4%	18.4%	18.4%	15.8%					
PL 255.35	C	2			50.0%	50.0%					
PL 255.03	D ATT.										
PL 120.05	D	107	21.5%	20.6%	29.0%	24.3%	.9%	.9%	1.9%		.9%
PL 133.05	D	29	51.0%	17.2%	24.1%	27.6%					
PL 265.02.04	D	157	33.6%	19.7%	17.5%	26.3%		.7%			2.2%
PL 265.02.34	E ATT.	74	57.6%	29.7%	2.7%						
PL 255.32.35	D										
PL 265.02.35	E ATT.										
PL 255.12	D										
CLASS A NJ VFL											
CLASS B NJ VFL		7	71.4%			14.3%			14.3%		
CLASS C NJ VFL		33	15.2%	6.1%	9.1%	15.2%	5.0%	15.2%	36.4%		
CLASS D NJ VFL		241	45.2%	26.2%	11.6%	12.9%		1.2%	.8%		
CLASS E NJ VFL		35	51.5%	24.2%	9.1%			3.0%	9.1%	3.0%	
MISDEMEANORS		5		55.5%							
VIOL. & INFRACTIONS									66.7%		
VFL CLASS A		176									
VFL CLASS J		1751	.4%	.5%	.6%	25.1%	1.0%	20.8%	29.8%	21.0%	99.0%
VFL CLASS C		1307	1.1%	2.1%	37.5%	29.5%	6.9%	11.9%	8.4%	.4%	.4%
VFL CLASS D		1178	54.4%	24.4%	23.4%	14.2%	.5%	.9%	.6%		.6%
VFL CLASS L		74	57.6%	29.7%	2.7%						
TOTAL VFL		5041	13.5%	7.1%	17.5%	22.8%	5.0%	11.8%	15.5%	7.4%	4.5%
TOTAL NJ VFL		517	62.9%	24.7%	13.7%	11.7%	.3%	2.4%	6.3%	.3%	
TOTAL		5558	12.4%	8.1%	19.0%	22.2%	2.8%	11.2%	15.1%	7.0%	4.2%

TABLE 49 (2 OF 2)

* INDICENTS CONTROLLED 07-01-75 AND 12-31-81 CONTROLLED FOR POST 07-31-75 ARREST DATE

DIVISION OF CRIMINAL JUSTICE SERVICES

MAXIMUM SENTENCE (MONTHS) TO STATE PRISON FOR NON-YOUTHFUL OFFENDER VIOLENT FELONY INDICTMENTS
 FOR ALL PROCEEDINGS
 VIOLENT FELONY INDICTMENTS FROM 07-01-73 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *
 SUBURBAN NEW YORK

02/03/82

CONVICTION CHARGE	CLASS	TOTAL	13 - 36	37 - 53	54 - 71	72 - 95	96 - 107	108 - 143	144 - 180	> 180	LIFE	INQ#
PL 125.25	A	30								26.7X	73.3X	
PL 125.25	D ATT.	9				11.1X		11.1X	44.4X	33.3X		
PL 125.27	A											
PL 125.27	A ATT.	2									100.0X	
PL 135.25	A											
PL 135.25	J ATT.											
PL 150.20	A											
PL 150.20	B ATT.											
PL 120.11	D											
PL 120.11	C ATT.											
PL 125.20	D	19				21.1X		10.5X	15.8X	52.6X		
PL 125.20	C ATT.	3				66.7X			33.3X			
PL 130.35	D	32				12.5X		6.3X	34.4X	43.8X	3.1X	
PL 130.35	C ATT.	7				14.3X		57.1X	14.3X	14.3X		
PL 130.50	J	11				18.2X			27.3X	54.5X		
PL 130.50	C ATT.	4			50.0X	50.0X						
PL 130.70	J											
PL 130.70	C ATT.								50.0X	50.0X		
PL 135.20	D	2										
PL 135.20	C ATT.											
PL 140.30	D	17				35.3X			29.4X	35.3X		
PL 140.30	C ATT.	1				100.0X						
PL 150.15	B											
PL 150.15	C ATT.	2			100.0X							
PL 160.15	D	160		1.3X	5.1X	34.4X		20.6X	17.5X	23.1X		
PL 160.15	C ATT.	69	1.4X	2.9X	34.4X	20.5X	7.2X	13.0X	20.5X			
PL 265.04	B											
PL 265.04	C ATT.											
PL 265.09	D											
PL 265.09	C ATT.											

TABLE 50 (1 OF 2)

PL 120.10	C	21			28.6%	9.5%	4.8%	23.8%	33.3%		
PL 120.10	D ATT.	2			50.0%	50.0%					
PL 140.25	C	43			27.9%	32.6%	7.0%	18.6%	14.0%		
PL 140.25	D ATT.	34	29.6%	38.9%	9.3%	20.4%			1.9%		
PL 140.19	C	79	5.1%	1.3%	22.8%	27.8%	11.4%	12.7%	17.7%	1.3%	
PL 160.10	D ATT.	62	55.5%	24.2%	25.8%	12.9%	1.6%				
PL 265.35	C	3			33.3%				66.7%		
PL 255.35	D ATT.	1	100.0%								
PL 265.03	C										
PL 255.03	D ATT.										
PL 120.35	D	18	22.2%	11.1%	22.2%	44.4%					
PL 150.05	D	18	27.8%	11.1%	16.7%	38.9%		5.6%			
PL 265.02.04	D	3		66.7%		33.3%					
PL 265.02.04	E ATT.	3	100.0%								
PL 265.32.05	D										
PL 255.02.35	E ATT.										
PL 255.12	D										
CLASS A NON VFL											
CLASS B NON VFL		2	50.0%			50.0%					
CLASS C NON VFL		5		53.3%				33.3%	53.3%		
CLASS D NON VFL		39	53.5%	28.2%	10.3%	20.5%	2.6%				
CLASS E NON VFL		8	50.0%	37.5%	12.5%						
MISDEMEANORS											
VIOL. & INFRACTIONS											
VFL CLASS A		52							25.0%	75.0%	
VFL CLASS B		250		.5%	2.0%	28.8%		15.2%	22.0%	30.8%	.4%
VFL CLASS C		252	2.2%	1.3%	29.0%	25.0%	7.8%	15.5%	19.4%	.9%	
VFL CLASS D		158	30.4%	26.6%	13.4%	22.8%	.6%	.6%	.6%		
VFL CLASS E		3	100.0%								
TOTAL VFL		375	4.3%	7.0%	14.7%	24.6%	2.4%	11.1%	15.0%	12.9%	3.7%
TOTAL NON VFL		22	53.5%	23.4%	7.6%	17.3%	1.9%	1.9%	1.9%		
TOTAL		727	11.5%	6.5%	14.3%	24.1%	2.3%	10.5%	14.0%	12.0%	3.4%

TABLE 50 (2 OF 2)

DIVISION OF CRIMINAL JUSTICE SERVICES

* INDICTMENTS ENTERED 07-01-73 AND 12-31-73 CONTROLLED FOR POST 07-31-73 ARREST DATE

MAXIMUM SENTENCE (MONTHS) TO STATE PRISON FOR NEW YOUTHFUL OFFENDER VIOLENT FELONY INDICEMENTS
 FOR ALL PROCEEDINGS
 VIOLENT FELONY INDICEMENTS FROM 01-01-73 THRU 12-31-81 DISPOSED OF 01-01-81 THRU 12-31-81 *
 UPSTATE

02/03/82

CONVICTION CHARGE	CLASS	TOTAL	15 - 36	37 - 53	54 - 71	72 - 95	96 - 107	108 - 143	144 - 180	> 180	LIFE	INDF
PL 125.25	A	50						2.0X			98.0X	
PL 125.25	H ATT.	13				7.7X		7.7X	23.1X	55.8X	7.7X	
PL 125.27	A											
PL 125.27	A ATT.	3									100.0X	
PL 135.25	A											
PL 135.25	H ATT.											
PL 150.20	A											
PL 150.20	J ATT.											
PL 120.11	B											
PL 120.11	C ATT.	1				130.0X						
PL 125.20	D	48				6.3X		8.3X	33.3X	52.1X		
PL 125.20	C ATT.	6		16.7X				33.3X	33.3X	16.7X		
PL 150.55	B	31				16.1X		22.6X	29.0X	25.8X	6.5X	
PL 150.55	C ATT.	27		3.7X	13.5X	3.7X	7.4X	25.9X	37.0X		3.7X	
PL 150.50	H	26	5.8X			25.9X		3.9X	11.5X	55.8X		
PL 150.50	C ATT.	6			33.3X		16.7X	16.7X	33.3X			
PL 150.70	J											
PL 150.70	C ATT.											
PL 135.20	H	5							20.0X	80.0X		
PL 135.20	C ATT.	2							100.0X			
PL 140.30	J	11						9.1X	36.4X	54.5X		
PL 140.30	C ATT.	2				50.0X		50.0X				
PL 150.15	H	2							50.0X	50.0X		
PL 150.15	C ATT.	6			16.7X	16.7X		33.3X	33.3X			
PL 160.15	H	91				18.7X		17.6X	22.0X	39.6X	2.2X	
PL 150.15	C ATT.	25	4.0X		12.0X	3.0X	16.0X	20.0X	40.0X			
PL 255.04	H	2			50.0X	50.0X						
PL 265.04	C ATT.											
PL 265.09	H	1				170.0X						
PL 255.39	C ATT.											

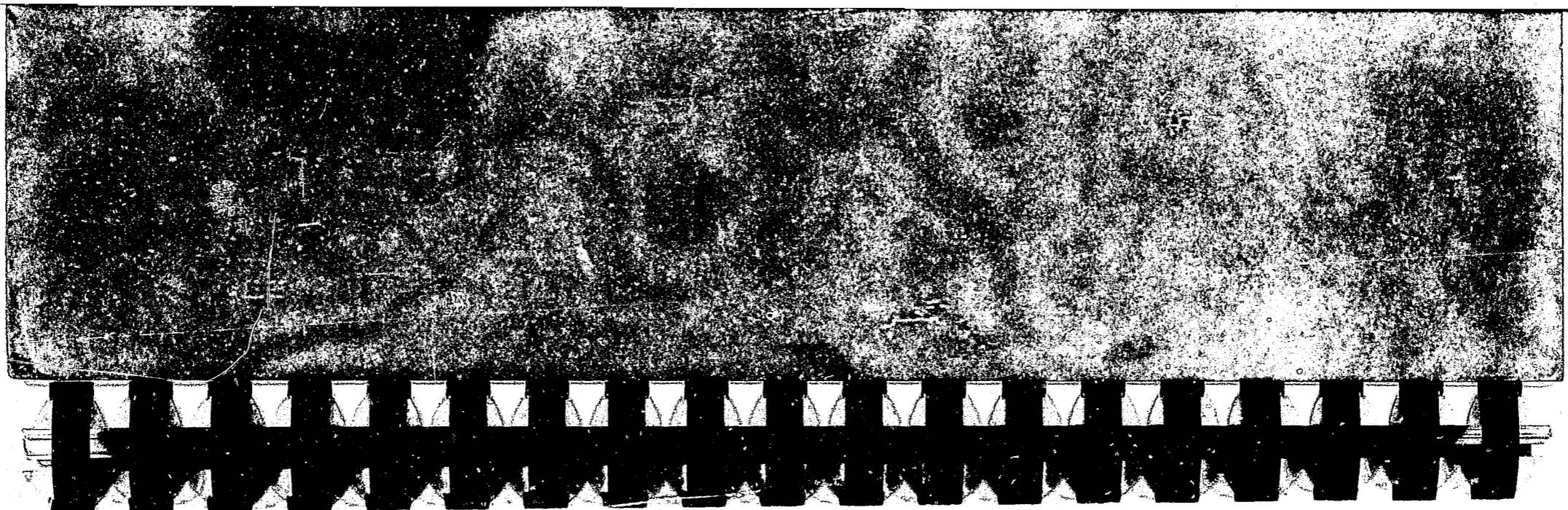
TABLE 51 (1 OF 2)

PL 120.11	C	51			25.9X	25.8X	3.2X	12.9X	32.3X		
PL 120.10	D ATT.	7	57.1X	14.3X		28.6X					
PL 140.25	C	67		6.0X	28.4X	37.3X	4.5X	7.5X	14.9X		1.5X
PL 140.25	D ATT.	55	12.7X	50.9X	16.4X	20.0X					
PL 160.10	C	98	3.1X	3.1X	13.3X	32.7X	2.0X	14.3X	30.6X	1.0X	
PL 160.10	D ATT.	45	24.4X	40.0X	13.3X	22.2X					
PL 255.03	C	3		33.5X	33.3X				33.3X		
PL 255.03	D ATT.	2		100.0X							
PL 255.08	C										
PL 255.08	D ATT.										
PL 120.05	D	82	13.4X	23.2X	12.2X	51.2X					
PL 130.65	D	41	22.0X	22.0X	14.6X	41.5X					
PL 255.02.04	D	7	28.6X	28.6X	28.6X	14.3X					
PL 265.02.04	E ATT.	2	50.0X	50.0X							
PL 265.02.05	D										
PL 255.02.05	E ATT.										
PL 265.12	J										
CLASS A NON VFL											
CLASS J NON VFL		3									
CLASS C NON VFL		12		8.3X	3.5X	66.7X			33.3X		
CLASS D NON VFL		32	32.9X	31.7X	11.0X	22.0X	8.3X	41.7X	33.3X		
CLASS E NON VFL		9	33.3X	66.7X					1.2X	1.2X	
MISDEMEANORS		1	100.0X								
VIOL. & INFRACTIONS											
VFL CLASS A		53									
VFL CLASS J		250	.4X					1.9X			98.1X
VFL CLASS C		274	1.5X	3.6X	19.0X	25.9X	4.7X	13.0X	24.8X	43.9X	2.2X
VFL CLASS D		239	13.4X	33.1X	13.9X	34.7X		15.0X	24.8X	.7X	.7X
VFL CLASS E		2	10.0X	50.0X							
TOTAL VFL		728	9.5X	11.5X	19.3X	23.7X	1.6X	9.0X	17.0X	12.9X	7.4X
TOTAL NON VFL		107	27.0X	30.3X	9.5X	13.7X	.9X	4.7X	5.6X	.9X	
TOTAL		835	9.0X	11.6X	19.6X	23.1X	1.5X	8.5X	15.7X	11.5X	6.5X

TABLE 51 (2 OF 2)

* INDICTMENTS DETAINED 09-31-73 AND 12-31-73 CONTROLLED FOR POST 09-01-78 ARREST DATE

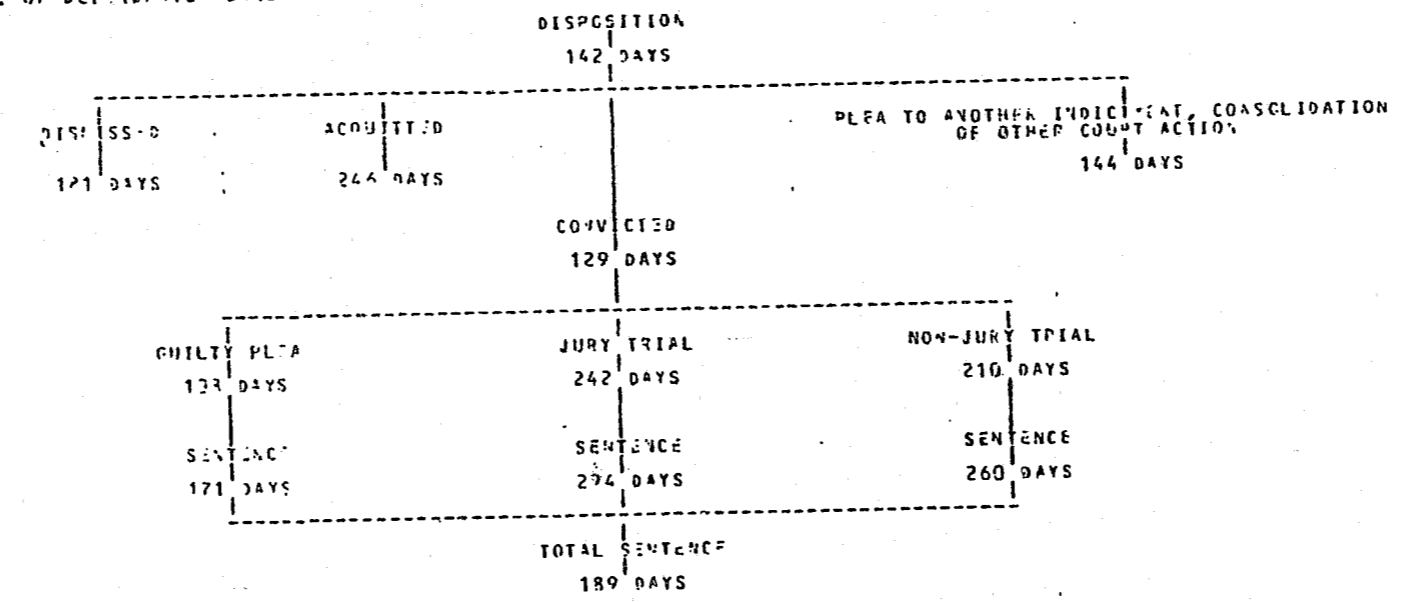
DIVISION OF CRIMINAL JUSTICE SERVICES



VIOLENT FELONY DEFENDANT PROCESSING TIME:
INDICTMENT TO DISPOSITION (MEDIAN DAYS)

NEW YORK STATE
NO. OF DEFENDANTS 15462

00J00000 1P00 03000000



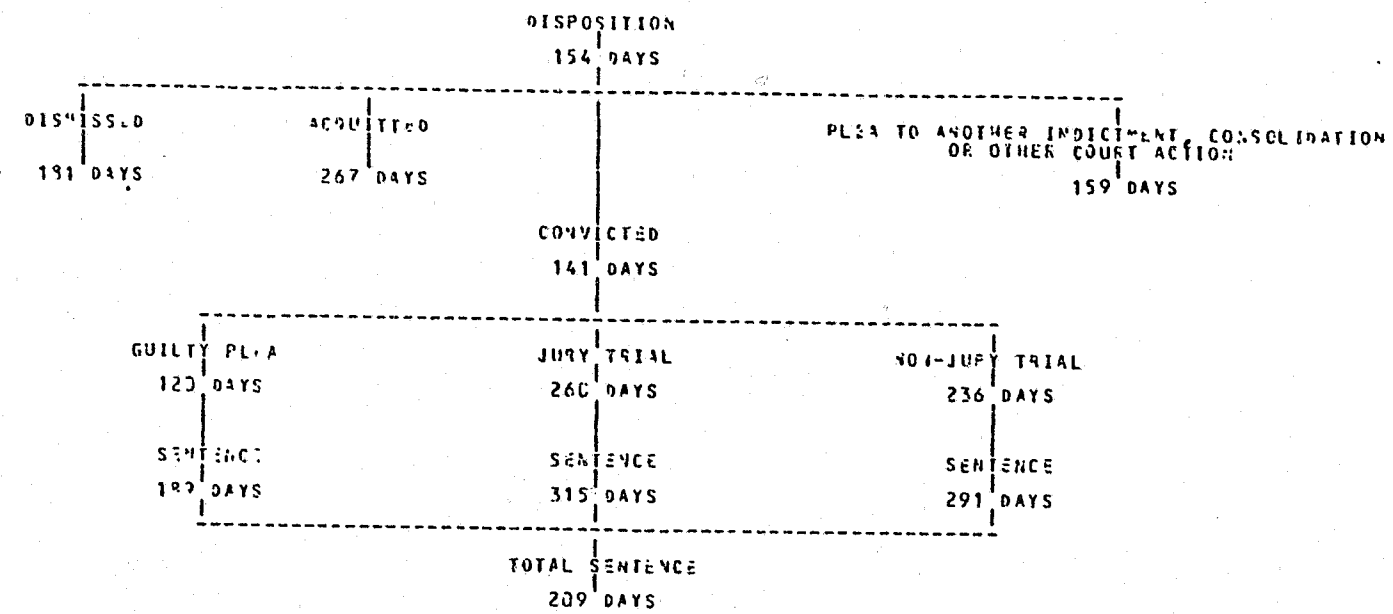
SUMMARY

	COUNT	AVERAGE	MEDIAN	MAXIMUM
DISMISSED	3	173	142	1175
ACQUITTED	227	181	1057	
CONVICTED	246	246	1175	
OTHER COURT ACTION	121	144	977	
GUILTY PLEA	164	129	1131	
JURY TRIAL	145	272	1131	
NON-JURY TRIAL	21	248	995	
SENTENCE	224	224	1186	
GUILTY PLEA	171	206	1159	
JURY TRIAL	328	328	186	
NON-JURY TRIAL	30	297	260	818

OCJS -- DIVISION OF CRIMINAL JUSTICE SERVICES

TABLE 52

VICTIM FELONY DEFENDANT PROCESSING TIME:
 INDICTMENT TO DISPOSITION (MEDIAN DAYS)
 NEW YORK CITY
 NO. OF DEFENDANTS 1154
 01/01/00 THRU 03/31/00

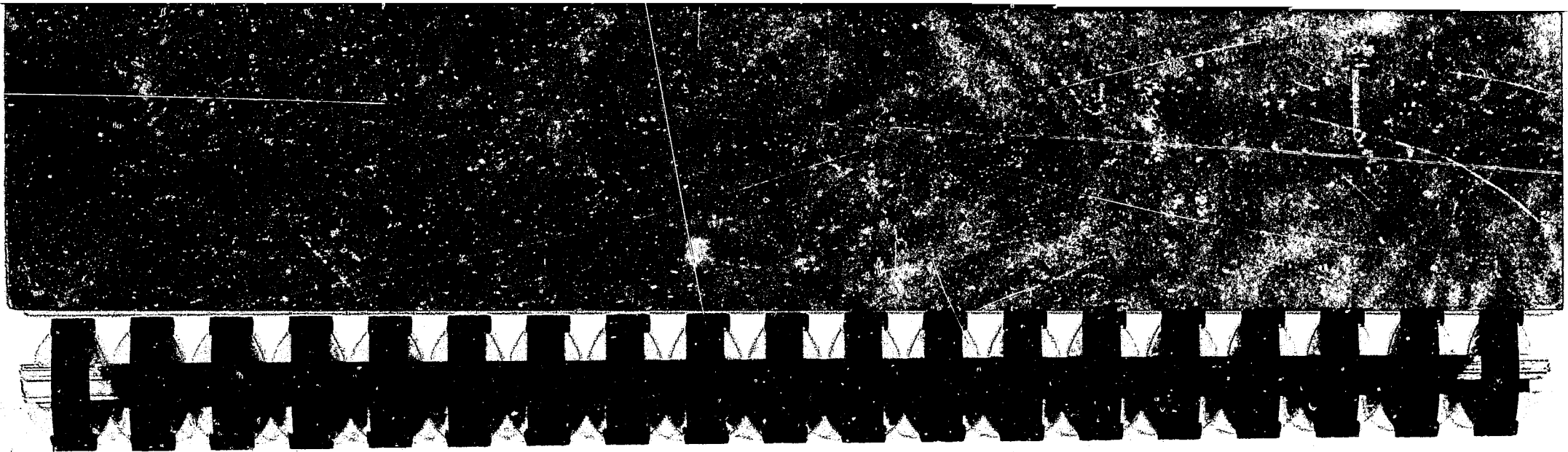


SUMMARY

	MINIMUM	AVERAGE	MEDIAN	MAXIMUM
DISPOSITION	0	191	154	1175
DISMISSED	0	227	181	1057
ACQUITTED	0	307	267	1175
OTH. COURT ACTION	0	200	159	977
CONVICTED	0	177	141	1131
GUILTY PLEA	0	158	120	1131
JURY TRIAL	0	288	260	995
NOT-JURY TRIAL	25	266	236	824
SENTENCE	0	243	239	1159
GUILTY PLEA	0	226	189	1159
JURY TRIAL	0	349	315	1051
NOT-JURY TRIAL	75	318	291	838

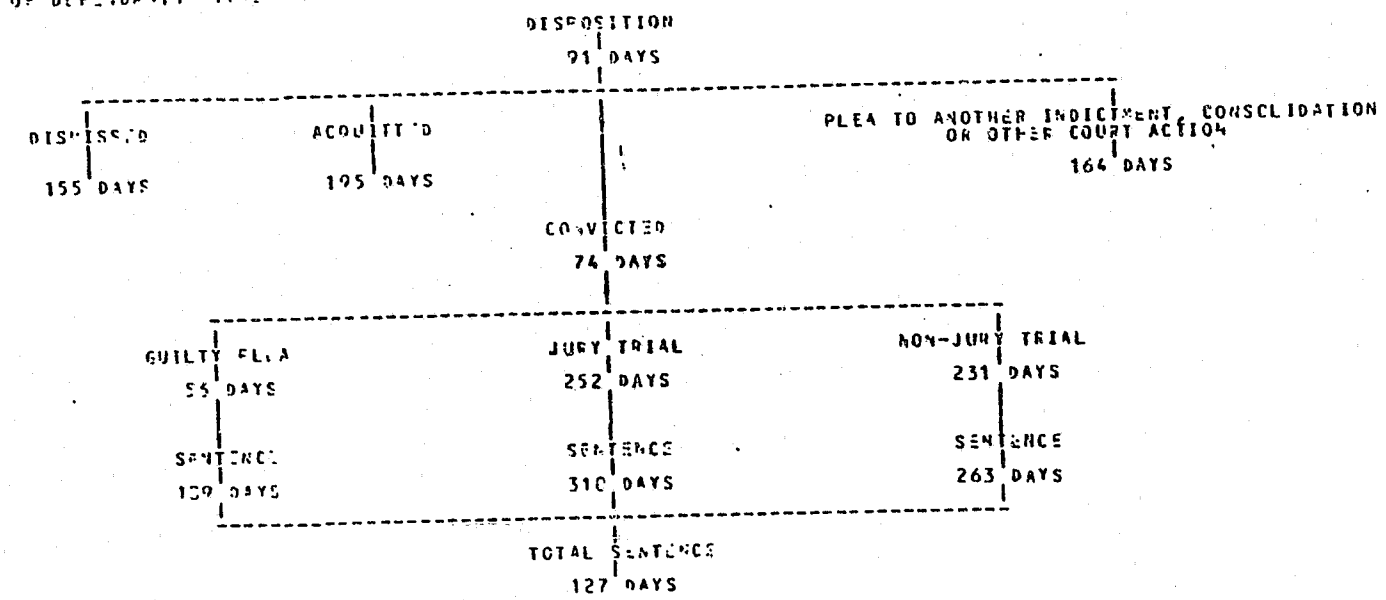
DCJS -- DIVISION OF CRIMINAL JUSTICE SERVICES

TABLE 53



VIOLENT FELONY DEFENDANT PROCESSING TIMES:
INDICTMENT TO DISPOSITION (MEDIAN DAYS)

SURUPRA NYC
NO. OF DEFENDANTS 1713



SUMMARY

	MINIMUM	AVERAGE	MEDIAN	MAXIMUM
DISPOSITION	0	129	91	1057
DISMISS'D	0	193	155	1057
ACQUITTED	0	219	195	533
OTHER COURT ACTION	0	176	164	631
CONVICTED	0	119	74	842
GUILTY PLEA	0	98	56	842
JURY TRIAL	57	278	252	757
NON-JURY TRIAL	102	249	231	430
SENTENCE	0	149	127	842
GUILTY PLEA	0	163	109	842
JURY TRIAL	109	326	310	802
NON-JURY TRIAL	151	302	263	563

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TABLE 54

VIOLENT FELONY DEFENDANT PROCESSING TIME:
 INDICENT TO DISPOSITION (MEDIAN DAYS)
 UPSTATE COURTS NO. OF DEF. DA. TS 2215
 COUNTY CODE 00000000000000000000

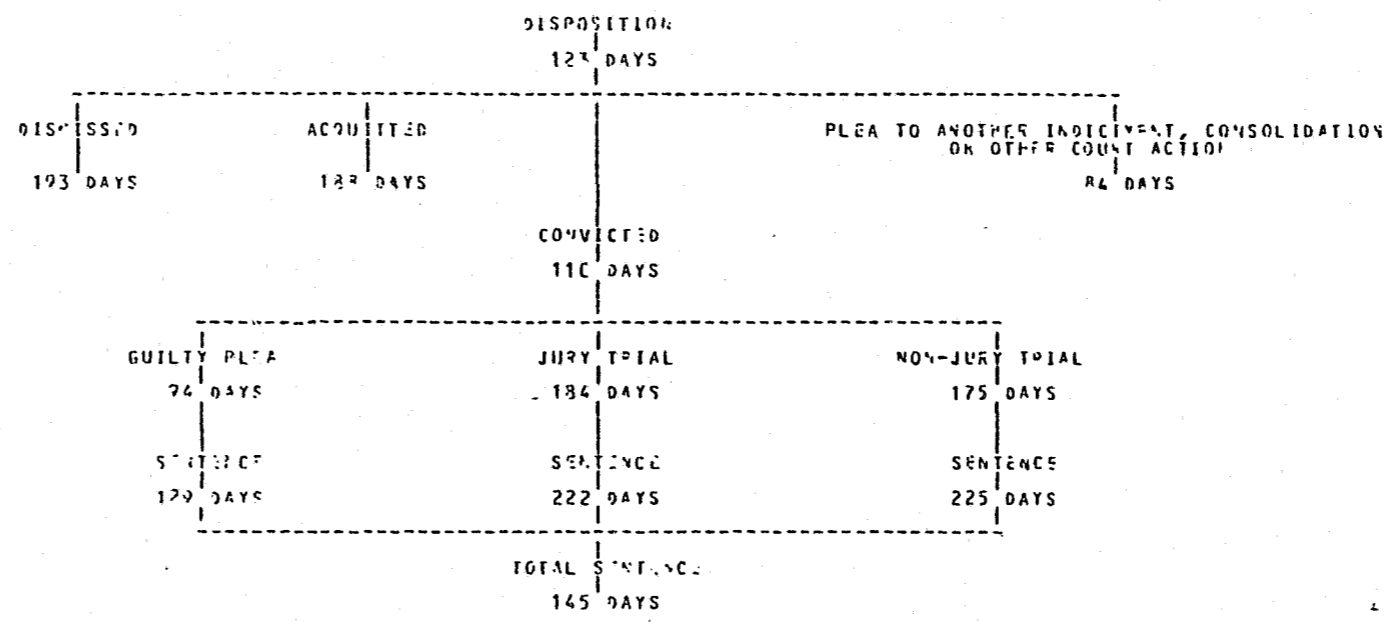


TABLE 55

SUMMARY

	MINIMUM	AVERAGE	MEDIAN	MAXIMUM
DISPOSITION	0	150	123	1009
DISMISSED	0	245	193	1009
ACQUITTED	0	212	138	1001
OTHER COURT ACTION	0	134	84	874
CONVICTED	0	172	110	922
GUILTY PLEA	0	203	144	780
JURY TRIAL	21	208	175	642
NON-JURY TRIAL	21	172	145	1126
SENTENCE	0	155	129	996
GUILTY PLEA	0	247	222	1126
JURY TRIAL	28	231	225	658
NON-JURY TRIAL	30			

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END