TRENDS IN MISDEMEANOR ARRESTS IN NEW YORK 1980 TO 2017

A REPORT OF
THE MISDEMEANOR JUSTICE PROJECT
JOHN JAY COLLEGE OF CRIMINAL JUSTICE

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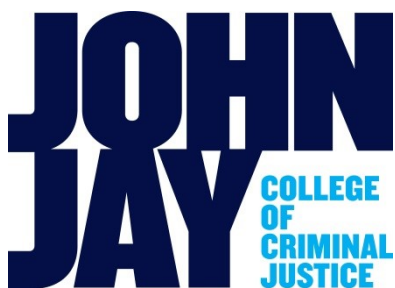**Trends in Misdemeanor Arrests in New York, 1980 to 2017**

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Acknowledgments

List of Figures

List of Tables

Contents

Executive Summary

Since the early 2010s, policymakers, academics, advocates and the public have increasingly focused on the role that enforcement of lower-level offenses plays in public safety, police-community relations, community health and well-being, and public confidence in the justice system and government as a whole. In New York, this conversation emerged in the context of falling crime rates and changing enforcement policies.[1] In New York City, in 2015, then New York City Police Department (NYPD) Commissioner William J. Bratton coined the term "the peace dividend" and reasoned that, in the context of declining crime rates and strained police-community relations, the NYPD would return a dividend to communities in the form of 1 million fewer enforcement actions, including significant reductions in pedestrian stops, misdemeanor arrests, and issuance of criminal summonses.[2,3,4] **This report, *Trends in Misdemeanor Arrests in New York: 1980 to 2017*, focuses on one element of the peace dividend – misdemeanor arrests. The report finds significant declines in recent years, as would be expected in New York City, but also examines less publicized declines in misdemeanor enforcement in other parts of New York State. Since 2010, there has been a 38.9 percent decrease in misdemeanor arrests in New York City and 32.1 percent decrease in Upstate Cities (Albany, Buffalo, Rochester, Syracuse, Yonkers). Nonetheless, the rates of enforcement in both New York City and the Upstate Cities were higher in 2017 than in 1980.**

In general, **New York City experienced the most dramatic variation in the rate of misdemeanor arrests as compared to Upstate Cities and the Rest of the State**. From 1980 to 2010, the rates of misdemeanor arrests in New York City surged from 1,389 to 4,351 per 100,000, a 213 percent increase. The misdemeanor arrest rate then decreased by 39 percent between 2010 and 2017, to a rate of 2,658 per 100,000 in New York City. In Upstate Cities, the rate of arrests varied less dramatically over the study period, starting at a misdemeanor arrest rate of 2,413 per 100,000 in 1980 and peaking at 4,892 in 1996, a 103 percent increase. The arrest rate then declined by 46 percent to 2,629 per 100,000 in 2017. The Rest of the State experienced even smaller fluctuations, starting with a rate of 1,766 per 100,000 in 1980, peaking at 2,593 in 1990 and ending with 1,941 in 2017; a 10 percent increase over the study period.

This report examines misdemeanor arrest trends over nearly four decades from a variety of angles. First, the report examines **trends in misdemeanor arrests by geographic area** including New York State as a whole and disaggregated by New York City, Upstate Cities, and the Rest of the State. We present these trends **as counts, proportions, and rates**. Second, the report analyzes misdemeanor arrest **rates by sex, age, and race/ethnicity in each geographic area.** Third, the report examines trends in the **count and proportion of misdemeanor arrests by charge type, disposition type and sentence type for the three geographic areas:** New York City, Upstate Cities, and the Rest of the State. Finally, the report provides a more **in-depth analysis of New York City trends by examining the interplay between various demographic factors**

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[1]Division of Criminal Justice Services. (2018). Index crimes reported to police by region: 2008-2017. Retrieved from http://www.criminaljustice.ny.gov/crimnet/ojsa/indexcrimes/Regions.pdf

[2]Max, B. (2015, November 09). 'Peace Dividend' Approach Continues, Bratton and De Blasio Say. *Gotham Gazette*. Retrieved December 18, 2018, from http://www.gothamgazette.com/government/5977-peace-dividend-approach-continues-bratton-and-de-blasio-say

[3]Parascandola, R., Tracy, T., & Mcshane, L. (2015, March 26). EXCLUSIVE: NYPD Commissioner Bratton predicts cops will have 1 million fewer law enforcement contacts with public in 2015. *New York Daily News*. Retrieved December 18, 2018, from https://www.nydailynews.com/new-york/nyc-crime/exclusive-bratton-predicts-nypd-public-contacts-fall-1m-article-1.2162742

[4]Bratton, W. J. (2016, January 20). The NYPD is winning the war on crime: Commissioner Bill Bratton lays out his strategy for curbing violence and healing police-community relations. *New York Daily News*. Retrieved December 18, 2018, from https://www.nydailynews.com/opinion/william-bratton-nypd-winning-war-crime-article-1.2502376

(e.g., rates of arrest for Black males in different age groups over time).

Report Highlights: Below we provide some highlights of the report. Note the highlights vary by geography (New York State versus disagregated by New York City, Upstate Cities, and the Rest of the State) to identify the most significant trends. Further, the start and end points for trends vary based on data availability.

1. <u>General Trends</u>: As noted above, **New York City, Upstate Cities, and the Rest of the State all experienced an increase in the number and rate of misdemeanor arrests during the study period along with declines in recent years.** In 2017, misdemeanor arrest rates in New York City and Upstate Cities were comparable at 2,658 and 2,629 per 100,000, respectively. In the Rest of the State in 2017, the rate was lower at 1,941 per 100,000.

2. <u>Age and Arrest Rates</u>: In New York State, different age groups experienced **dramatic shifts in rates of misdemeanor arrests between 1980 and 2017, with significant declines for 16-17 year-olds and 18-20 year-olds but steep increases for all age groups 21 and over.** From 1980 to 2017, the misdemeanor arrest rate for the two youngest age groups (16-17 and 18-20) decreased by 24.5 percent and 10.1 percent, respectively, with the sharpest decreases occurring between 2010 and 2017. In contrast, the misdemeanor arrest rate for 21-24 year-olds increased by 30.6 percent, while the arrest rate for 25-34 year-olds rose by 88.0 percent, and the rate for 35-65 year-olds increased substantially by 126.6 percent.

3. <u>Race and Arrest Rates</u>[5]: **Across all geographic areas, New York City, Upstate Cities, and the Rest of the State, the misdemeanor arrest rates for non-Hispanic Blacks were consistently highest, followed by Hispanics, and then non-Hispanic Whites.**

   - **In New York City and Upstate Cities, non-Hispanic Blacks and Hispanics experienced significant increases and then declines in rates of arrests for misdemeanors.** For example, in New York City, the arrest rate for non-Hispanic Blacks was higher in 2017 (5,571 per 100,000) than in 1990 (4,539 per 100,000) but far lower than the peak of 9,517 in 2010. In Upstate Cities, the arrest rate for non-Hispanic Blacks was lower in 2017 (4,962 per 100,000) than in 2002 (8,305 per 100,000).

   - **The difference between the rates of arrests for non-Hispanic Blacks and Hispanics compared to non-Hispanic Whites has changed little and has consistently been wider in New York City compared to Upstate Cities and the Rest of the State.** In 2017, non-Hispanic Blacks were 5.2 times more likely than non-Hispanic Whites to be arrested for a misdemeanor in New York City, 3.1 times more likely to be arrested for a misdemeanor in Upstate Cities and 4.1 times more likely to be arrested for a misdemeanor in the Rest of the State. In 2017, Hispanics were 3.0 times more likely than non-Hispanic Whites to be arrested for a misdemeanor in New York City, 1.5 times more likely to be arrested for a misdemeanor in Upstate Cities and 1.6 times more likely to be arrested for a misdemeanor in the Rest of the State.

4. <u>Young Non-Hispanic Black Males in New York City</u>: When examining the interplay of sex, age, and race, the arrest rates for young non-Hispanic Black males under the age of 25 increased dramatically between 1990 and 2010 before declining substantially through 2017. However, **the rates of arrest for 16-17 year-olds, 18-20 year-olds and 21-24 year-olds remained higher in 2017 than in 1990:**

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[5]The 1980 Census data do not allow us to determine race/ethnicity by our age groups. Therefore, we start the race/ethnicity calculations in 1990 in New York City. Due to the reliability of race/ethnicity data for arrests, trends for Upstate Cities and the Rest of the State start in 2002

Table 1: New York City Misdemeanor Arrest Rates for Young Black Males (per 100,000)

	1990	2010	2017
16-17 year-old Black Males	6,964	28,181	9,166
18-20 year-old Black Males	8,013	32,063	13,238
21-24 year-old Black Males	10,662	28,259	16,426

5. Charge Categories:

   - *Person-Related Charges*: **In all three geographic areas, the proportion of total misdemeanor arrests involving person-related charges, such as simple assault, increased during the study period.** In 1980, person-related charges constituted 11.4 percent (7,381) of misdemeanor arrests in New York City, 18.5 percent (3,092) of arrests in Upstate Cities and 13.6 percent (14,827) of arrests in the Rest of the State. By 2017, these types of charges constituted 28.1 percent (43,796) of the misdemeanor arrests in New York City, 31.0 percent (5,092) in Upstate Cities and 21.8 percent (28,708) in the Rest of the State.

   - *Misdemeanor Drug Charges*: **In all three geographic areas, the number of misdemeanor arrests for marijuana and drugs other than marijuana was higher in 2017 compared to 1980.** In 1980, marijuana arrests comprised 7.5 percent (4,849) of misdemeanor arrests in New York City. This percent increased dramatically to a peak of 27.3 percent (60,538) of misdemeanor arrests in 2000 before decreasing to 13.8 percent (21,574) in 2017. The trends for marijuana arrests were very different in other parts of the State. In Upstate Cities and the Rest of the State, the number of marijuana arrests increased but the proportion remained below 9 percent.

     Drugs other than marijuana showed a different pattern. In New York City, in 1980, drugs other than marijuana accounted for 7.8 percent (5,080) of all misdemeanor arrests. This increased and peaked to 29.9 percent (36,249) in 1989 before declining to 9.7 percent (15,158) in 2017. Upstate Cities also had an increase from 3.3 percent (551) in 1980 to 14.2 percent (2,336) in 2017. In the Rest of the State, the proportion of misdemeanor arrests for drugs other than marijuana rose from 2.4 percent (2,647) in 1980 to a high of 15.6 percent (20,523) of all misdemeanor arrests in 2017.

6. Case Dispositions: **In 2016, violation or infraction convictions constituted the highest proportion of dispositions for misdemeanor arrests in all three geographic areas.** In 2016, a violation or infraction conviction disposition accounted for 26.6 percent of all dispositions in New York City, 26.1 percent in Upstate Cities, and 30.0 percent in the Rest of the State.[6] In New York City, the percentage of misdemeanor arrests resulting in Adjournment in Contemplation of a Dismissal (ACD) increased from 16.7 percent to 25.9 percent in 2016 but stayed relatively similar in Upstate Cities and Rest of the State. At the same time, in New York City, the proportion of misdemeanor arrests resulting in a misdemeanor conviction declined by more than half from 34.4 percent in 1980 to 15.0 percent in 2016. This proportion increased by approximately 3.0 percent for Upstate Cities and the Rest of the State.

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[6]These trends end at 2016, due to the large number of arrests in 2017 (36.5 percent) that did not have final dispositions in the database.

7. <u>Sentence Types</u>:

- **In New York City and Upstate Cities, conditional discharge constituted the largest proportion of all sentences** (accounting for slightly more than 40 percent of sentences in both areas in 2016). **In the Rest of the State, fines consistently accounted for at least 40 percent of the sentences** for the entire study period, peaking at 67.4 percent in the mid-1980s and accounting for roughly half of all sentences in 2016.

- **The proportion of misdemeanor arrests resulting in jail sentences declined in New York City, but increased in Upstate Cities and the Rest of the State from 1980 to 2016.** The proportion of misdemeanor arrests in New York City resulting in jail sentences declined from 16.3 percent of arrests in 1980 to 13.9 percent of arrests in 2016. In Upstate Cities, the percentage of misdemeanor arrests resulting in jail increased from 16.6 percent in 1980 to 22.1 percent in 2016 and in the Rest of the State, this proportion increased from 8.4 percent to 14.0 percent over the same period.

The rest of this report presents a fuller picture of the shifting trends, many of them quite dramatic, in misdemeanor arrest patterns across the State, including patterns specific to particular geographic areas and for particular demographic groups. Just like all of the other Misdemeanor Justice Project reports, this report does not draw any conclusions as to what is driving or influencing the changes in misdemeanor arrest patterns over time (occasionally, the report does provide some limited information regarding big policy changes as context for the reader). Instead, this report provides nearly four decades of data about how misdemeanor enforcement has been operating around the State of New York to serve as an anchor for important, ongoing conversations surrounding public safety, as well as fairness and equity of the criminal justice system.

Background Trends in New York City

This report serves as a follow-up to the original *Trends in Misdemeanor Arrests in New York* report, which included data from 1980 to 2013. In that report, we provided some background context for New York City to display dramatic declines in reported crimes. Here, we update those trends as well as display fluctuations in several enforcement actions for New York City.

We display the numbers and rates of both reported non-violent and violent crime as well as the numbers and rates of misdemeanor and felony arrests, criminal summonses, and pedestrian stops. We include rates given that the New York City population increased by more than 1.3 million from 1980 to 2017.[7] Notably, for rates on reported crimes we include the full New York City population and for rates on enforcement actions we only include individuals 16 and older.

From 1980 to 2017, New York City experienced substantial declines in both reported non-violent crime (burglary, larceny, and motor vehicle theft) and violent crime (murder, rape, robbery and felony assault). Figures 1 and 2 illustrate the number and rate (per 100,000) of non-violent and violent crime in New York City. In 1980, the number of non-violent crimes was 456,292. This number declined to 60,909 in 2017. The number of violent crimes was 133,440 in 1980, peaked at 149,790 in 1990, and then declined to 35,749 in 2017. The rates of both non-violent and violent crime mirror this trend.

Figure 1: Number of Reported Non-Violent and Violent Crimes in New York City from 1980 to 2017
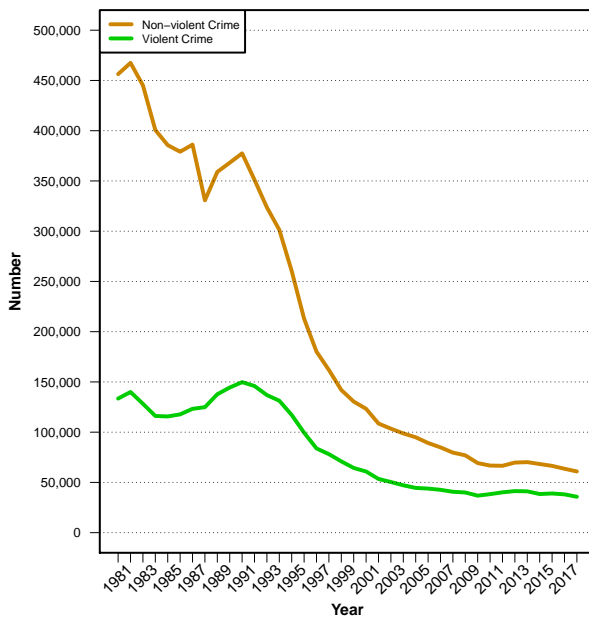
Figure 2: Rate of Reported Non-Violent and Violent Crime in New York City from 1980 to 2017
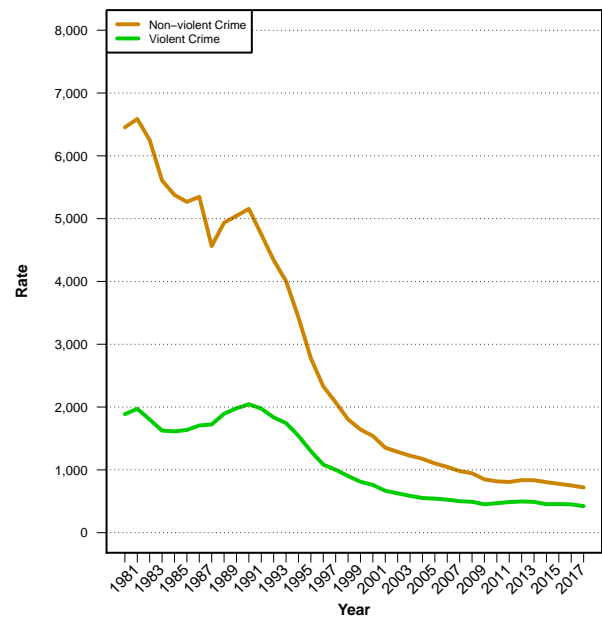
Data Source: New York City Police Department

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[7]The New York City population increased from 7,071,639 in 1980 to 8,401,147 in 2017.

Figure 3: Number of Enforcement Actions in New York City
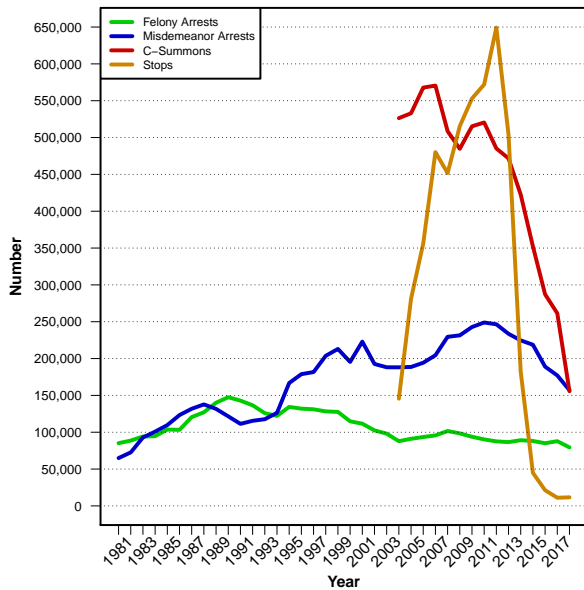
Data Sources: New York State Division of Criminal Justice Services (Arrests),
Office of Court Administration (Summonses), New York Police Department (Stops)
Note: 2017 Stops Data Includes All Ages

Figure 4: Enforcement Rates in New York City
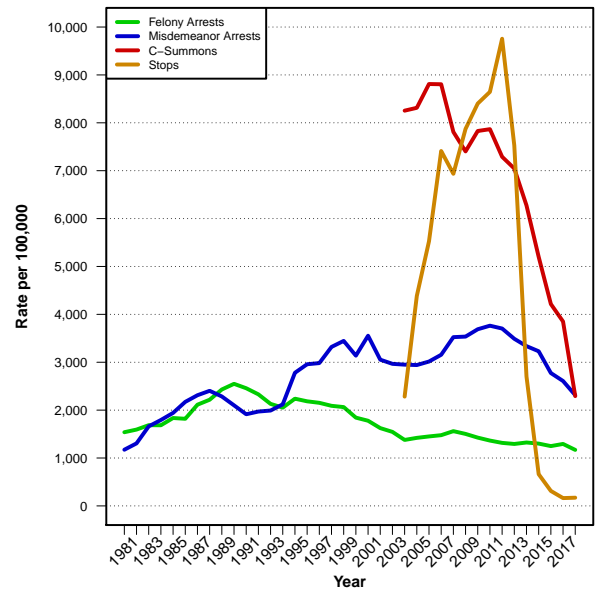
Data Sources: New York State Division of Criminal Justice Services (Arrests),
Office of Court Administration (Summonses), New York Police Department (Stops)
Note: 2017 Stops Data Includes All Ages

Figures 3 and 4 display the numbers and rates of enforcement actions in New York City. While the number of felony arrests remained relatively constant over the study period (from 1980 to 2017), there were fluctuations in misdemeanor arrests, summonses and pedestrian stops over time.[8] Felony arrests increased from 85,173 to a peak of 147,542 in 1989 before declining to 79,414. The number of misdemeanor arrests increased steadily until 2010 – nearly tripling since 1980, and then declined to 157,044 in 2017. The number of criminal summonses issued increased from 2003 to 2006 and then declined steeply, by 72.7 percent from 2006 to 2017. Finally, pedestrian stops skyrocketed from 2003 to 2011, increasing from 145,525 to 649,251 before decreasing to 11,629 in 2017.[9] In 2017, felony arrests, criminal summonses, and pedestrian stops have decreased to their lowest points, while the number of misdemeanor arrests remains higher than the start of the study period in 1980, despite their continued downward trend. Figure 4 displays enforcement actions in New York City as a rate. Much like the reported non-violent and violent crime figures (Figures 1 and 2), the rates of enforcement actions mirror the counts.

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[8]Summons and pedestrian stop data are only available from 2003 to 2017.

[9]In 2013, a federal district court ruled in a class action lawsuit,*Floyd v. City of New York*, that the New York City Police Department had violated the Fourth Amendment by conducting unreasonable searches and the Fourteenth Amendment by conducting stops and frisks in a racially discriminatory manner. The court ordered changes to NYPD policies and operations related to stops and frisks and appointed a monitor to oversee these reforms. More information about the federal monitor and the status of the reforms can be found at: http://nypdmonitor.org/

Overall Trends: Felony Arrests and Misdemeanor Arrests

In this section, we display trends in felony and misdemeanor arrests. First, we display these trends for New York State as a number and rate. We then disaggregate the State into three geographic areas (New York City, Upstate Cities (Albany, Buffalo, Rochester, Syracuse and Yonkers), and the Rest of the State) and show felony and misdemeanor arrests as a number, percent, and rate. Note, going forward we will limit our arrests to the 16-65 age range for more accurate rates (See Appendix A). Therefore, the numbers of arrests for New York City in Figures 7 and 8 do not match the numbers from Figures 3 and 4, which include all misdemeanor arrests for ages 16 and over.

Figures 5 and 6 show that trends in arrests for felony and misdemeanor arrests for New York State were quite different from 1980 to 2017. The number of felony arrests increased from 129,610 in 1980 to a peak of 212,536 in 1989, and then declined to 141,119 in 2017. The number of misdemeanor arrests increased from 190,337 in 1980 to a peak of 423,321 in 2010, before declining to 304,144 in 2017. The arrest rates followed a similar pattern. From 1980 to 2017, the felony arrest rate decreased by 5.6 percent (1,125 to 1,062 per 100,000) and the misdemeanor arrest rate increased by 35.6 percent (1,652 to 2,290 per 100,000). Appendix B displays rates by State and each geographic area for the entire study period.

Figure 5: Number of Felony and Misdemeanor Arrests in New York State, from 1980 to 2017
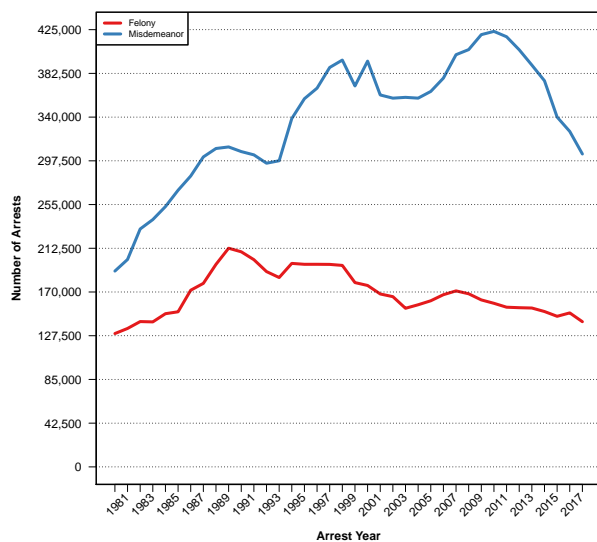
Figure 6: Rates of Felony and Misdemeanor Arrests in New York State, from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)

Data Source: Division of Criminal Justice Services (DCJS)
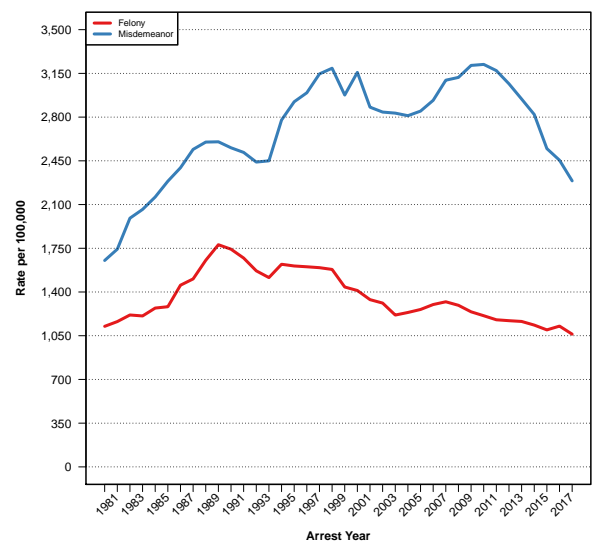
Next, we display the number, percent, and rate of misdemeanor and felony arrests for New York City, Upstate Cities, and the Rest of the State from 1980 to 2017. Overall, we see much greater fluctuation in New York City trends relative to the other two geographic areas, particularly for misdemeanor arrests. The black dotted line in the following figures represents 2013; the last year documented in our prior report *Trends in Misdemeanor Arrests in New York*.

Figure 7: Number of Felony Arrests in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
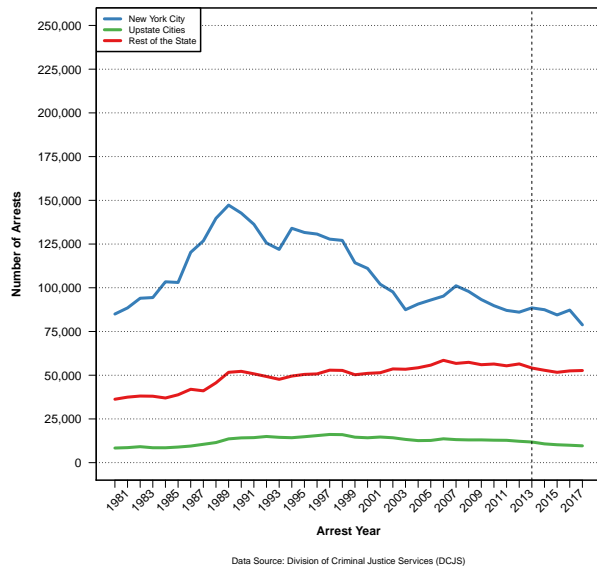
Figure 8: Number of Misdemeanor Arrests in New York City, Upstate Cities, and the Rest of the State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
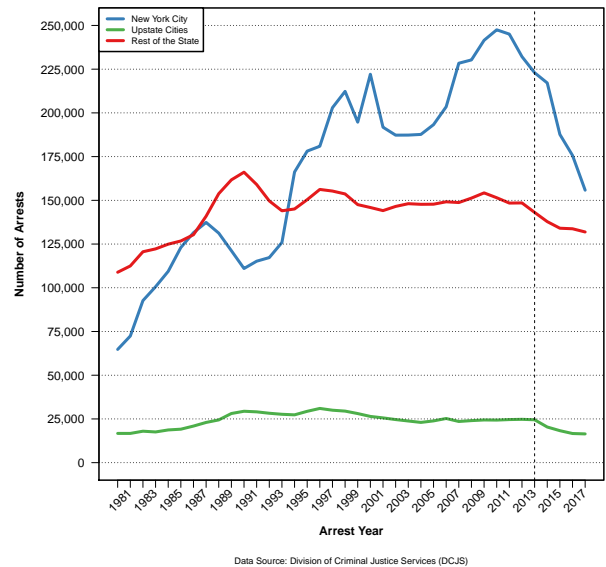
Figure 7 illustrates the number of felony arrests in New York City, Upstate Cities, and the Rest of the State. In absolute numbers, there were more felony arrests in New York City throughout the study period relative to the other two geographic areas. In 1980, there were 84,986 felony arrests in New York City. This number rose sharply to a peak of 147,263 arrests in 1989, and then declined to 78,802 arrests in 2017 – a 46.6 percent decrease from 1980. Felony arrests in Upstate Cities increased from 8,363 in 1980 to a peak of 16,264 in 1997, before declining to 9,620 arrests in 2017. In the Rest of the State, felony arrests increased from 36,261 in 1980 to 52,697 in 2017. Both Upstate Cities and the Rest of the State had more felony arrests in 2017 compared to 1980.

The trends in the number of misdemeanor arrests differ from the trends in felony arrests. As Figure 8 displays, New York City had a striking increase in misdemeanor arrests from 1980 to 2010 before declining dramatically. There was less fluctuation for misdemeanor arrests in Upstate Cities and relative stability in the trends for the Rest of the State. In New York City, there were 64,745 misdemeanor arrests in 1980. This number increased to 247,496 in 2010, followed by a decrease to 155,798 in 2017. Upstate Cities had 16,721 misdemeanor arrests in 1980 and the number decreased slightly to 16,570 in 2017. The Rest of the State had 108,871 misdemeanor arrests in 1980, increasing to a peak of 166,089 in 1990, and then declined to 131,905 in 2017.

20

Percent of Felony Arrests and Misdemeanor Arrests

Figure 9: Percent of Felony Arrests in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017
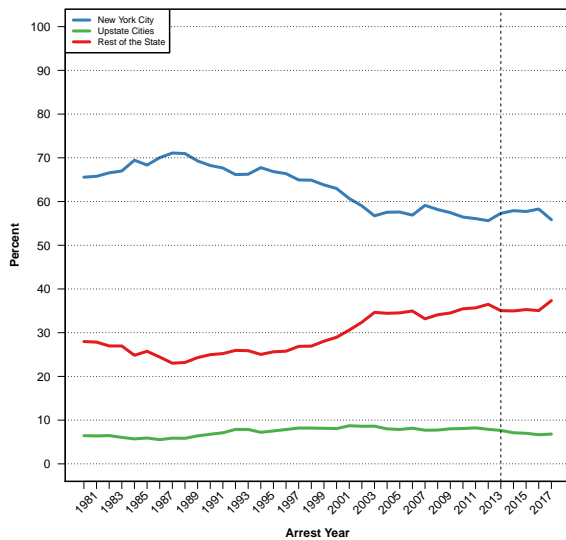
Figure 10: Percent of Misdemeanor Arrests in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
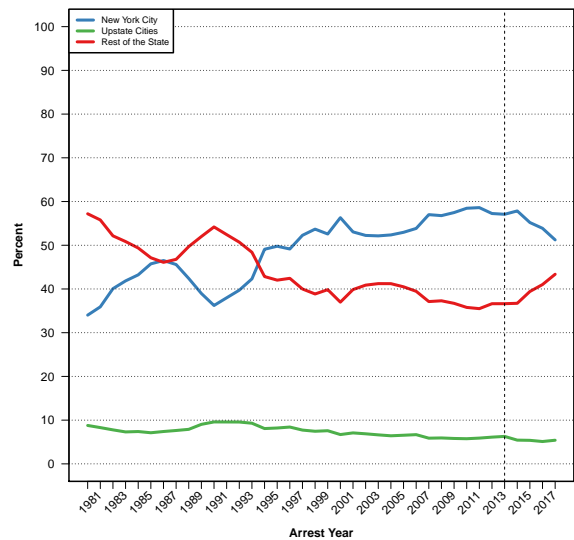
Data Source: Division of Criminal Justice Services (DCJS)

Figure 9 shows that New York City accounted for the largest proportion of felony arrests throughout the study period, comprising 65.8 percent of felony arrests in 1980 and 55.9 percent in 2017. In 2017, the Rest of the State's share of felony arrests had increased to 37.3 percent from 28.0 percent in 1980. Upstate Cities accounted for 6.4 percent of felony arrests in 1980 and 6.8 percent in 2017.

When examining misdemeanor arrests as a proportion by geographic area, we see a different pattern. Figure 10 shows that the proportion of misdemeanor arrests in New York City increased over the study period, while the proportion of misdemeanor arrests in Upstate Cities remained relatively stable, and the Rest of the State decreased. In 1980, New York City comprised 33.9 percent of all misdemeanor arrests, Upstate Cities comprised 8.8 percent and the Rest of the State accounted for 57.3 percent. The proportion between New York City and the Rest of the State essentially reversed in 1994, when the proportion of misdemeanor arrests in New York City began increasing compared to the Rest of the State. In more recent years, the percent of misdemeanor arrests in New York City and the Rest of the State have started to converge. In 2017, New York City comprised 51.1 percent of all misdemeanor arrests in New York State, Upstate Cities accounted for 5.4 percent, and the Rest of the State accounted for 43.5 percent.

Figure 11: Population in New York State in 1980
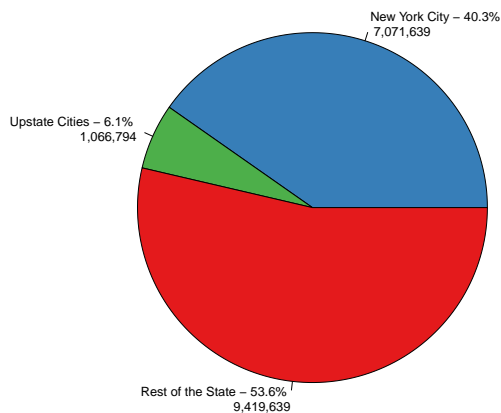
Figure 12: Population in New York State in 2017
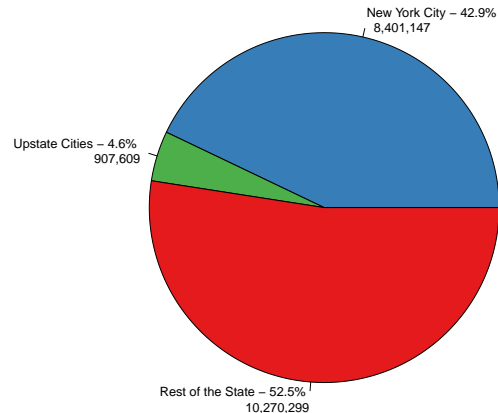
While absolute numbers and proportion of arrests are important, arrests should also account for the population base of geographic regions over time. Figures 11 and 12 show changes in the New York State population by the three geographic areas from 1980 to 2017. The New York City population has increased by more than 1.3 million people and accounts for 42.9 percent of the State's population in 2017 compared to 40.3 percent in 1980. The population in Upstate Cities has decreased by approximately 150,000. In 2017, Upstate Cities accounted for 4.6 percent of the State's population, a decrease from 6.1 percent in 1980. The population in the Rest of the State increased by approximately 800,000. In 1980, the Rest of the State comprised 53.6 percent of the State's population compared to 52.5 percent in 2017.[10]

Rates of Felony Arrests and Misdemeanor Arrests

Given this variability in population by geographic area and over time, we also calculated rates, per 100,000 population of 16-65 year-olds.[11] Below, you will note that the patterns in the rates of felony and misdemeanor arrests for New York City, Upstate Cities, and the Rest of the State differ from the trends in the absolute numbers and proportion of arrests.

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[10]Population estimates were created using data from the American Fact Finder: https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml

[11]All rates are per 100,000 population for the specific population. For instance, New York City rates for males will be based on males between the ages of 16 and 65 within New York City. Rates for Hispanic males will be for Hispanic males between the ages of 16 and 65 within that region.

Figure 13: Felony Arrest Rates in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)

Figure 14: Misdemeanor Arrest Rates in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
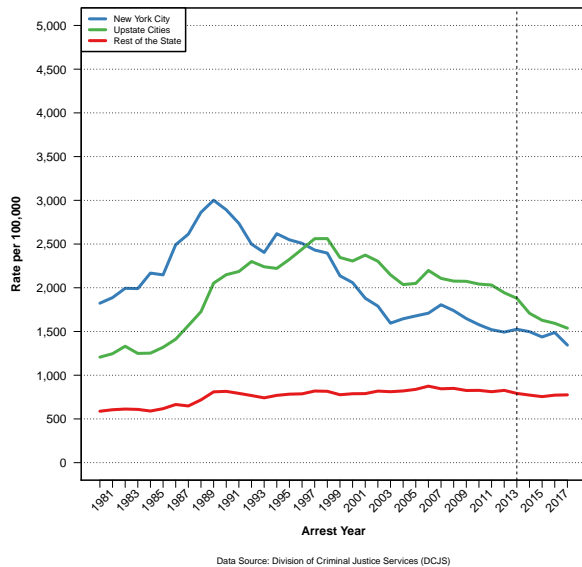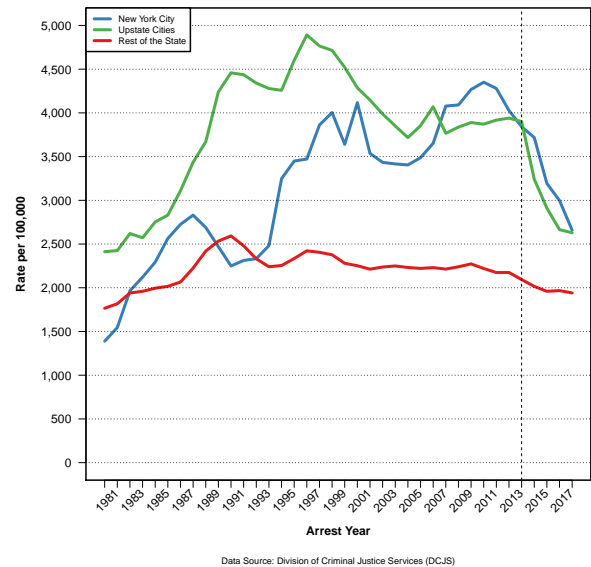
Figure 13 displays the felony arrest rate in New York City, Upstate Cities, and the Rest of the State from 1980 to 2017, per 100,000 population. The felony arrest rate for New York City was 1,823 per 100,000 in 1980, peaked at 3,001 in 1989, and then decreased to 1,345 per 100,000 in 2017. The felony arrest rate in Upstate Cities increased from 1,207 in 1980 to a peak of 2,562 in 1998, and then decreased to 1,538 in 2017. In the Rest of the State, the felony arrest rate remained relatively stable over the study period with a rate of 588 per 100,000 in 1980 and 775 in 2017. Unlike raw numbers, when accounting for the population base, Upstate Cities had a higher felony arrest rate compared to New York City from 1997 to 2017.

Figure 14 illustrates the misdemeanor arrest rate in New York City, Upstate Cities, and the Rest of the State from 1980 to 2017. Similar to the rate of felony arrests, the misdemeanor arrest rate for the Rest of the State remained relatively stable from 1980 to 2017. New York City and Upstate Cities, however, experienced an overall increase in their misdemeanor arrest rate from 1980 to 2017. The misdemeanor arrest rate for New York City was 1,389 per 100,000 in 1980, peaked at 4,351 in 2010, and then decreased to 2,658 in 2017. In 1980, the misdemeanor arrest rate in Upstate Cities was higher than New York City at 2,413 per 100,000, peaking at 4,892 in 1996, and then decreased to 2,629 in 2017. For the Rest of the State, the misdemeanor arrest rate was 1,766 per 100,000 in 1980 and 1,941 in 2017.

Overall Misdemeanor Arrest Trends by Sex

In this section, we disaggregate the data by sex. We first display the rates by sex for New York State and then by our three geographic areas - New York City, Upstate Cities, and the Rest of the State. Appendix B displays the specific rates by sex and geographic area for the entire study period. Appendix C shows the sex differences in arrest rates over time and by geographic area.

Figure 15: Misdemeanor Arrest Rates by Sex in New York State from 1980 to 2017
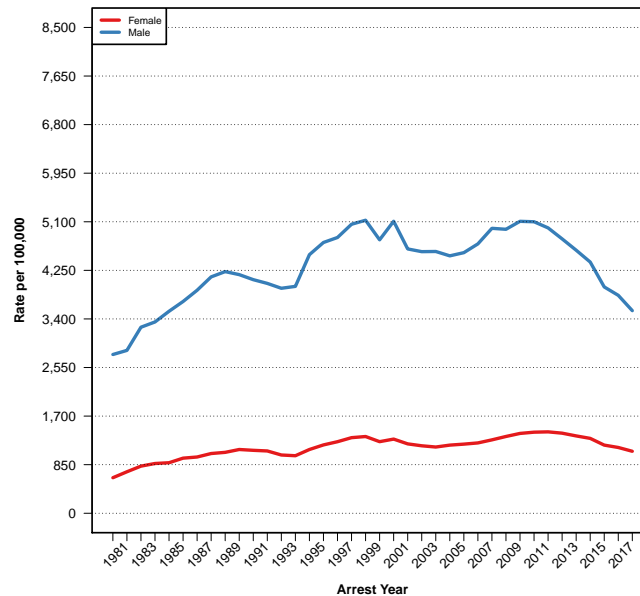
Data Source: Division of Criminal Justice Services (DCJS)

In New York State as a whole, the arrest rate for males was consistently higher than the rate for females from 1980 to 2017. The arrest rate for males increased from 2,778 per 100,000 in 1980 to a peak of 5,127 in 1998, and then declined to 3,545 in 2017. For females, the arrest rate increased from 622 per 100,000 in 1980 to 1,424 in 2011, and then declined to 1,084 in 2017. In 1980, males were 4.5 times more likely to be arrested relative to females. This difference narrowed to 3.3 in 2017.

Figure 16: Misdemeanor Arrest Rates for Males in New York State from 1980 to 2017
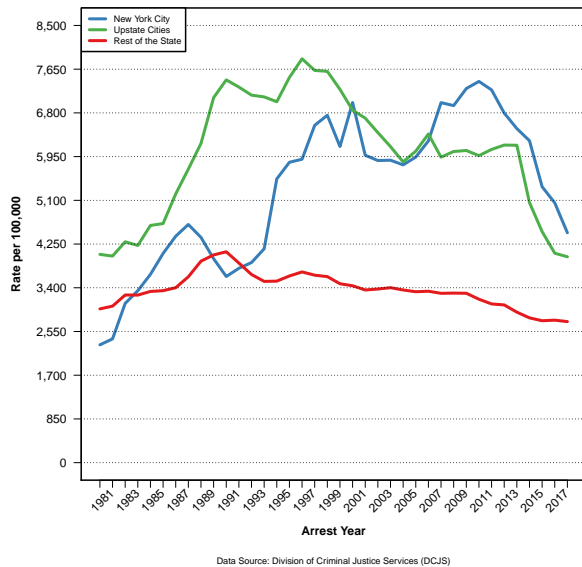
Data Source: Division of Criminal Justice Services (DCJS)

Figure 17: Misdemeanor Arrest Rates for Females in New York State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
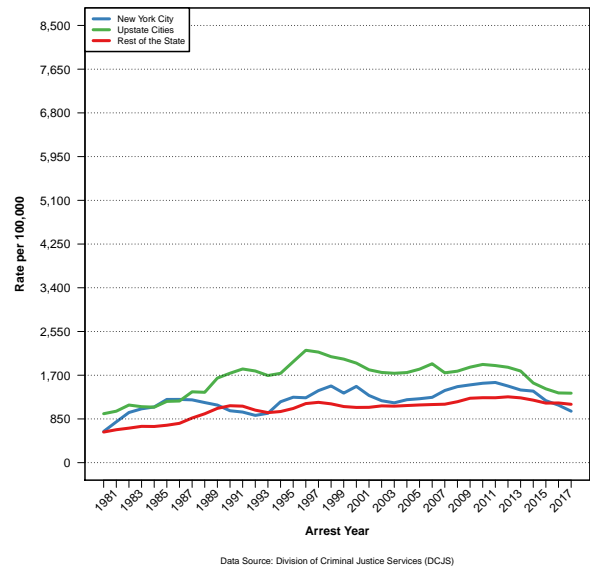
Misdemeanor Arrest Rates by Sex

Figures 16 and 17 show the rates of misdemeanor arrests for males and females in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017. For all three geographic areas, arrest rates were higher for males relative to females throughout the study period.

At the start of the study period, males and females were more likely to be arrested in Upstate Cities compared to New York City or the Rest of the State. However, in 2017, males were more likely to be arrested in New York City and females remained more likely to be arrested in Upstate Cities, compared to the other two geographic areas.

Males

In 1980, Upstate Cities had the highest arrest rate for males (4,049 per 100,000). Followed by dramatic fluctuations, this arrest rate declined to 4,002 by 2017, lower than the arrest rate in New York City (4,470). The greatest increase from 1980 to 2017 occurred in New York City, where the arrest rate for males increased by 95.1 percent (from 2,291 to 4,470). In the Rest of the State, the rate of arrest for males declined slightly over the study period.

Females

The arrest rate for females increased in each geographic area over the study period. For the majority of the study period, the arrest rate was highest in Upstate Cities, beginning at a rate of 951 per 100,000 in 1980 and steadily increasing to 1,351 in 2017, a 41.9 percent increase.

In New York City, males were 3.8 times more likely to be arrested than females in 1980. That difference increased to 4.5 times more likely in 2017. In Upstate Cities, males were 4.3 times more likely to be arrested than females in 1980 and 3.0 times more likely in 2017. Similar to Upstate Cities, the difference in arrest rates between males and females in the Rest of the State decreased over the study period, beginning at 5.0 times more likely in 1980 to 2.4 times more likely in 2017.

Overall Misdemeanor Arrest Trends by Age

In this section, we examine misdemeanor arrest trends by age. First, we look at trends for New York State by age group, from 1980 to 2017. Second, we examine trends in New York City, Upstate Cities, and the Rest of the State. We group individuals into five age categories: 16-17, 18-20, 21-24, 25-34, and 35-65. These categories are based on policy and research. During the study period, the age of criminal responsibility is 16, although this has since changed under Raise the Age legislation[12], while ages 18-20 fall between the age of criminal responsibility and the legal drinking age. The remaining age categories were chosen based on research regarding age and offending patterns. [13] Appendix B has all rates by year and Appendix C shows the rates of all of the younger age groups relative to the oldest age group (35-65). Below we focus on the most notable trends.

Figure 18: Misdemeanor Arrest Rates by Age in New York State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
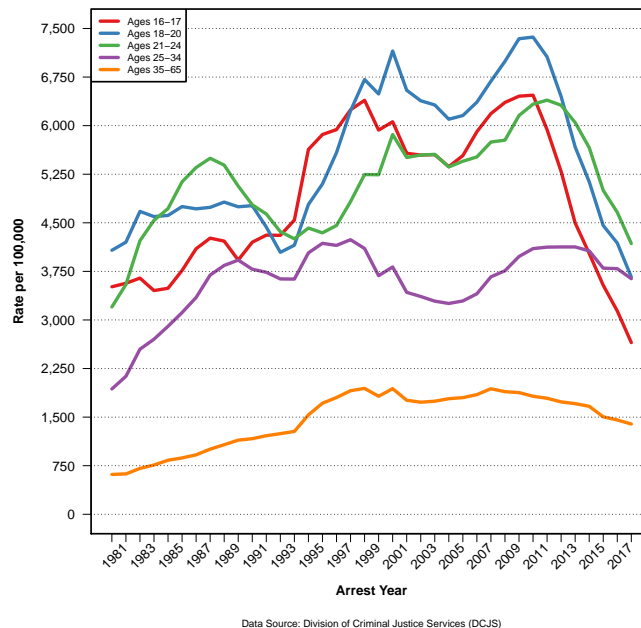
For New York State, the younger age groups (16-17, 18-20, and 21-24) had the highest arrest rates for the majority of the study period. In 2010, 18-20 year-olds had the highest misdemeanor arrest rate, among all age groups and over time, at 7,367 per 100,000. From 1980 to 2017, the misdemeanor arrest rate for the two youngest age groups (16-17 and 18-20) decreased by 24.5 percent and 10.1 percent, respectively. In contrast, the misdemeanor arrest rate for 21-24 year-olds increased by 30.6 percent, while the arrest rate for 25-34 year-olds rose by 88.0 percent, and the rate for 35-65 year-olds increased substantially by 132.1 percent.

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[12]Criminal Procedure Law amended by New York State Assembly, § 722. (2017). Retrieved from the New York Senate Legislation website: https://legislation.nysenate.gov/pdf/bills/2017/s2009c#page=210

[13]Hirschi, T. & Gottfredson, M. R. (1983). Age and the explanation of crime. *American Journal of Sociology*, 89, 552–584.

Figure 19: Misdemeanor Arrest Rates by Age in New York City from 1980 to 2017
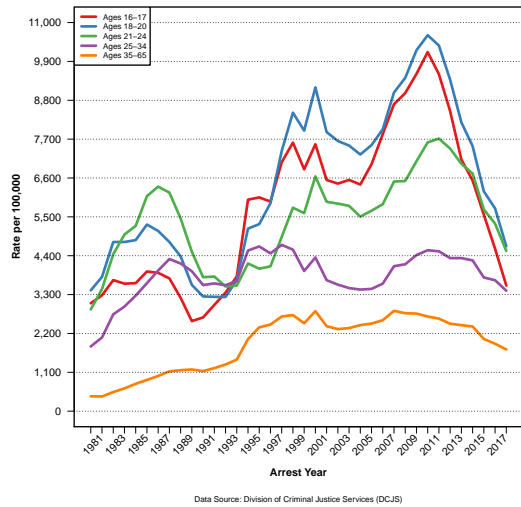
Data Source: Division of Criminal Justice Services (DCJS)

Figure 20: Misdemeanor Arrest Rates by Age in Upstate Cities from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)

Figure 21: Misdemeanor Arrest Rates by Age in the Rest of the State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
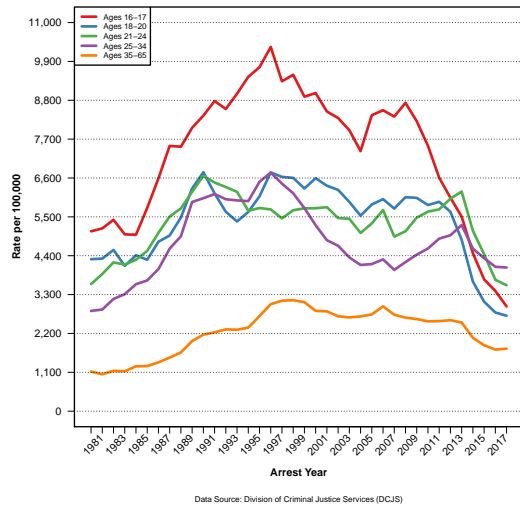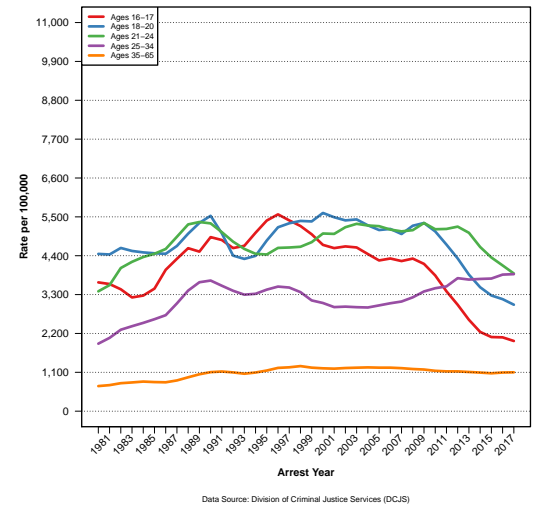
Misdemeanor Arrest Rates by Age

Figures 19 through 21 show misdemeanor arrest rates by age group in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017.

For all three geographic areas, the rate of arrest was lowest among 35-65 year-olds throughout the study period. For most of the study period, the three youngest age groups (16-17, 18-20, and 21-24 year-olds) had the highest rates of arrest regardless of geographic area.

New York City

In New York City, from 1980 to 2017, the misdemeanor arrest rates increased for all age groups. The magnitude of the increase was the smallest for 16-17 year-olds (16.4 percent increase) and largest for 35-65 year-olds (315.8 percent increase). However, there were notable and dramatic fluctuations for the younger age groups (16-17 and 18-20 year-olds). The arrest rate for 16-17 year-olds increased from 3,056 in 1980 to a peak of 10,163 in 2010 and the rate for 18-20 year-olds increased from 3,420 to a peak of 10,643 in 2010. Prior to 1993, 21-24 year-olds generally had the highest arrest rates. However, 18-20 year-olds surpassed 21-24 year-olds and had the highest rates for the remainder of the study period. In 2017, the arrest rate for 18-20 year-olds was the highest with 4,665 per 100,000. The difference in the arrest rates between the younger age groups and the oldest age group varied. For instance, in 1980, 18-20 year-olds were 8.1 times more likely to be arrested compared to 35-65 year-olds; this number narrowed to 4.0 in 2010 and 2.7 in 2017. There was a similar narrowing for the other younger age groups (16-17, 21-24, and 25-34 year-olds) relative to 35-65 year-olds.

Upstate Cities

From 1980 to 2017, misdemeanor arrest rates decreased in Upstate Cities for 16-17, 18-20, and 21-24 year-olds, but increased for 25-34 and 35-65 year-olds. The magnitude varied by age but the decrease was steepest for 16-17 year-olds (41.7 percent) and the increase was largest for 25-34 year-olds (43.3 percent). There were dramatic shifts in the arrest rates for 16-17 year-olds. Indeed, the arrest rate was highest for 16-17 year-olds compared to other age groups from 1980 to 2013, peaking at 10,309 per 100,000 in 1996 and then declining to 2,965 in 2017. In 2013, arrest rates for 21-24 year-olds surpassed 16-17 year-olds, at 6,216 per 100,000. In 2017, 25-34 year-olds had the highest arrest rate at 4,067 per 100,000. Similar to New York City, the difference in the arrest rates between the younger age groups and 35-65 year-olds group narrowed. For instance, in 1980, 16-17 year-olds were 4.5 times more likely to be arrested compared to 35-65 year-olds; this number narrowed to 1.7 in 2017.

Rest of the State

In the Rest of the State, the rate of arrests for 16-17 and 18-20 year-olds declined, while the arrest rates for the three older age groups increased from the beginning of the study period to the end. Similar to Upstate Cities, the magnitude varied by age but the decrease was steepest for 16-17 year-olds (45.5 percent) and the increase was largest for 25-34 year-olds (103.0 percent). Generally, 18-20 year-olds and 21-24 year-olds had higher arrest rates compared to other age groups, with a few exceptions. In 2017, 21-24 year-olds had the highest arrest rate at 3,896 per 100,000, followed by 25-34 year-olds at 3,879 per 100,000. Similar to New York City and Upstate Cities, the difference in the arrest rates between the younger age groups and 35-65 year-olds group narrowed. For instance, in 1980, 18-20 year-olds were 6.3 times more likely to be arrested compared to 35-65 year-olds, this number narrowed to 2.7 in 2017.

Figure 22: Misdemeanor Arrest Rates for 16-17 Year-Olds in New York State from 1980 to 2017
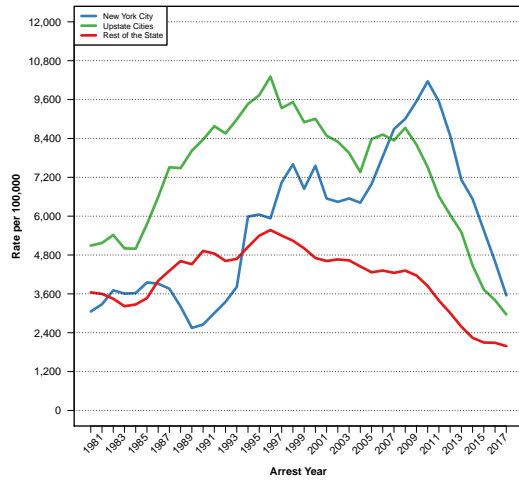
Data Source: Division of Criminal Justice Services (DCJS)

Figure 23: Misdemeanor Arrest Rates for 18-20 Year-Olds in New York State from 1980 to 2017
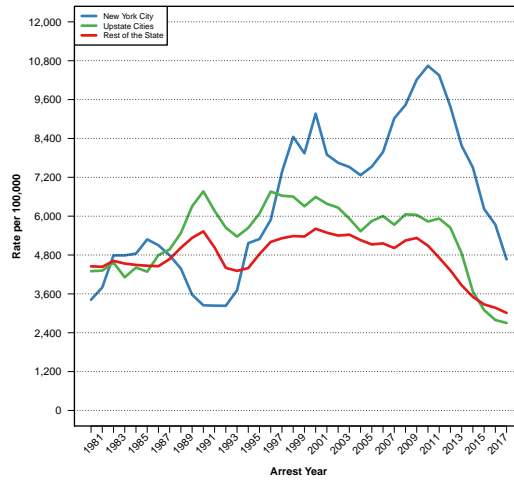
Data Source: Division of Criminal Justice Services (DCJS)

Figure 24: Misdemeanor Arrest Rates for 21-24 Year-Olds in New York State from 1980 to 2017
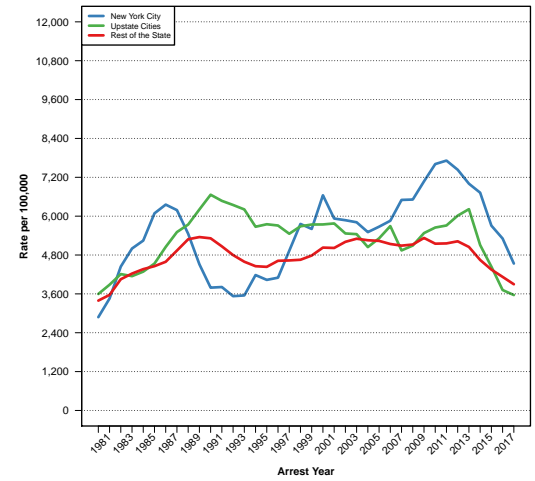
Data Source: Division of Criminal Justice Services (DCJS)

Figure 25: Misdemeanor Arrest Rates for 25-34 Year-Olds in New York State from 1980 to 2017
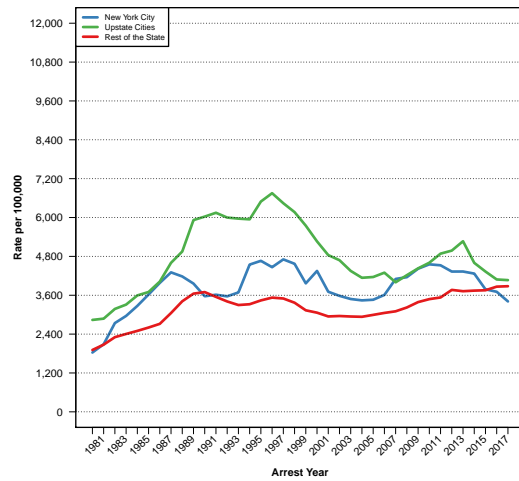
Data Source: Division of Criminal Justice Services (DCJS)

Figure 26: Misdemeanor Arrest Rates for 35-65 Year-Olds in New York State from 1980 to 2017
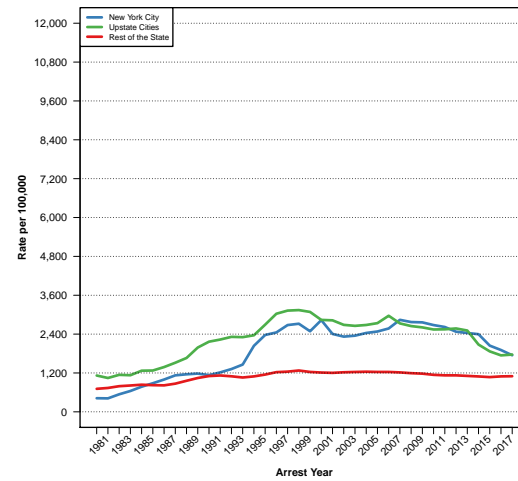
Data Source: Division of Criminal Justice Services (DCJS)

Misdemeanor Arrest Rates by Age and Geographic Area

Figures 22 through 26 present the same misdemeanor arrest rates for New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017, separated by age group instead of geographic area.

In 1980, arrest rates among all age groups were lower in New York City compared to Upstate Cities and the Rest of the State. However, by 2017, 16-17, 18-20, and 21-24 year-olds had higher arrest rates in New York City compared to Upstate Cities and the Rest of the State.

16-17 Year-Olds

From 1980 to 2006, Upstate Cities had the highest arrest rate for 16-17 year-olds. From 2007 to 2017, New York City had the highest arrest rate for this group. In 2017, the rate was lowest for this age group in the Rest of the State. In 2017, the difference in arrest rates for 16-17 year-olds relative to 35-65 year-olds was similar in New York City (2.0), Upstate Cities (1.7) and the Rest of the State (1.8).

18-20 Year-Olds

In 1980, 18-20 year-olds in Upstate Cities and the Rest of the State had similar arrest rates, while the arrest rate in New York City was lower. However, arrest rates among 18-20 year-olds in New York City increased and then decreased substantially. In 2017, similar to 16-17 year-olds, New York City had the highest arrest rate for this age group. In 2017, the difference in arrest rates for 18-20 year-olds relative to 35-65 year-olds was the same in the Rest of the State (2.7) and New York City (2.7) and narrower in Upstate Cities (1.5).

21-24 Year-Olds

Similar to 18-20 year-olds, 21-24 year-olds were less likely to be arrested in New York City in 1980. In 2017, after fluctuations over the study period, the arrest rate among 21-24 year-olds was highest in New York City compared to Upstate Cities and the Rest of the State. In 2017, the difference in arrest rates for 21-24 year-olds relative to 35-65 year-olds was widest in the Rest of the State (3.5), followed by New York City (2.6), and Upstate Cities (2.0).

25-34 Year-Olds

Among 25-34 year-olds, the rate of arrest was highest for most of the study period in Upstate Cities and generally the lowest in the Rest of the State, However, in 2017, the rate of arrest for this age group was lowest in New York City. In 2017, the difference in arrest rates for 25-34 year-olds relative to 35-65 year-olds was greatest in the Rest of the State (3.5).

35-65 Year-Olds

In 1980, 35-65 year-olds were most likely to be arrested in Upstate Cities compared to the Rest of the State and least likely to be arrested in New York City. In 2017, the arrest rate was similar for this age group in New York City and Upstate Cities, and lower in the Rest of the State.

Overall Misdemeanor Arrest Trends by Race/Ethnicity

In this section we examine trends in misdemeanor arrests by race/ethnicity. The 1980 Census data do not allow us to determine race/ethnicity by our age groups. Therefore, we start the race/ethnicity calculations in 1990 in New York City. Reliable race/ethnicity data for arrests start in 2002 for Upstate Cities and the Rest of the State. Appendix B displays rates by each geographic area and Appendix C shows the racial and ethnic differences for non-Hispanic Black and Hispanics relative to non-Hispanic Whites over time and by geographic area. Prior research has suggested significant differences in arrest rates for non-Hispanic Blacks and Hispanics compared to non-Hispanic Whites.[14] Therefore, we focus on these three racial and ethnic groups.

As with prior sections, we first examine trends in misdemeanor arrest rates by race/ethnicity for New York State. Next, we look at trends by race/ethnicity in New York City, Upstate Cities, and the Rest of the State. This is followed by trends for non-Hispanic Whites, non-Hispanic Blacks, and Hispanics by geographic area (New York City, Upstate Cities and the Rest of the State).

Figure 27: Misdemeanor Arrest Rates by Race/Ethnicity in New York State from 2002 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
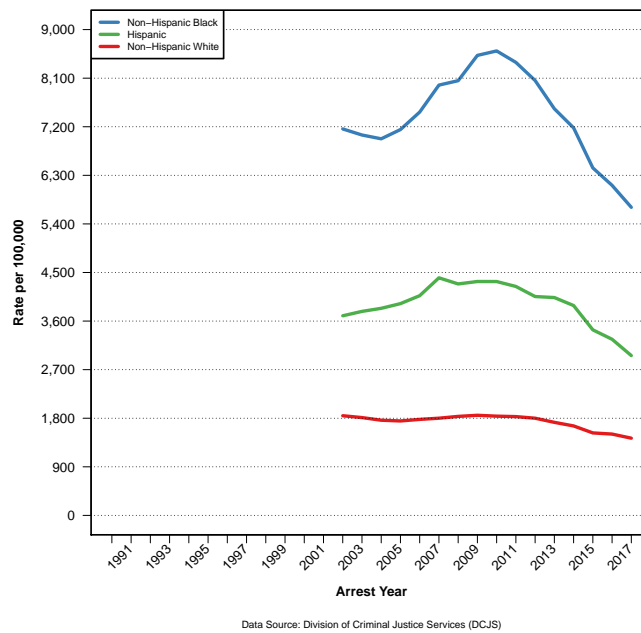
The misdemeanor arrest rate for non-Hispanic Blacks in New York State increased from 7,160 per 100,000 in 2002 to a peak of 8,604 in 2010 and then decreased to 5,707 in 2017. The statewide rate for Hispanics increased from 3,698 per 100,000 to a peak of 4,401 in 2007, then decreased to 2,961 in 2017. The rate for non-Hispanic Whites declined from 1,846 per 100,000 to 1,431 over the course of the study period. In 2017,

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[14]See: D'Alessio, S. & Stolzenberg, L. (2003). Race and the probability of arrest. *Social Forces, 81*(4), 1381-1397; Golub, A., Johnson, B., & Dunlap, E. (2007). The race/ethnicity disparity in misdemeanor marijuana arrests in New York City. *Criminology & Public Policy, 6*(1), 131-164; and Parker, K., Stults, B., & Rice, S. (2005). Racial threat, concentrated disadvantage, and social control: Considering the macro-level sources of variation in arrests. *Criminology, 43*(4), 1111-1134

non-Hispanic Blacks were 4.0 times more likely to be arrested than non-Hispanic Whites, and Hispanics were 2.1 times more likely to be arrested than non-Hispanic Whites.

Figure 28: Misdemeanor Arrest Rates by Race/Ethnicity in New York City from 1990 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
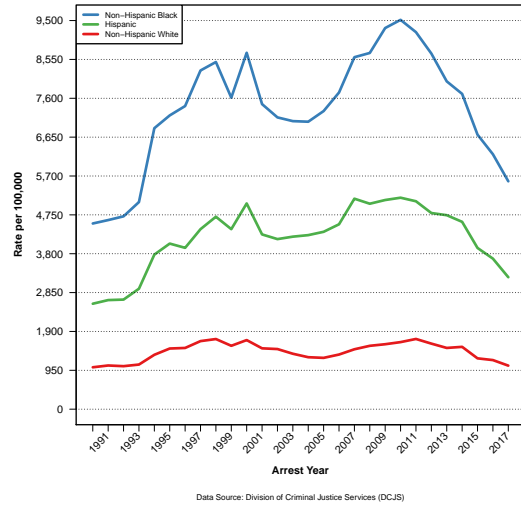
Figure 29: Misdemeanor Arrest Rates by Race/Ethnicity in Upstate Cities from 2002 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
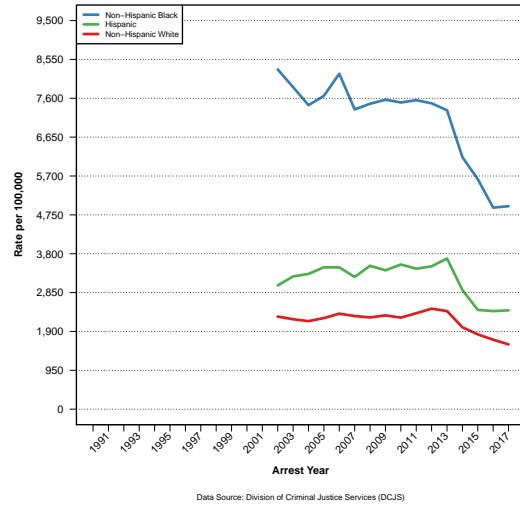
Figure 30: Misdemeanor Arrest Rates by Race/Ethnicity in Rest of the State from 2002 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
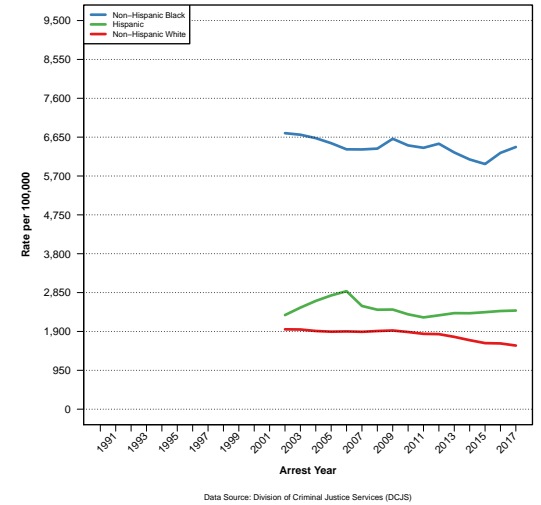
Misdemeanor Arrest Rates by Race/Ethnicity

Figures 28 through 30 show misdemeanor arrest rates by race/ethnicity in New York City from 1990 to 2017 and in Upstate Cities and the Rest of the State from 2002 to 2017.

In all three geographic areas, non-Hispanic Blacks had the highest arrest rates, followed by Hispanics and non-Hispanic Whites. However, the non-Hispanic Black to non-Hispanic White and Hispanic to non-Hispanic White difference varied by geography and year.

New York City

In New York City, the misdemeanor arrest rates increased for all racial/ethnic groups from 1990 to 2017. The magnitude of the increase was the smallest for non-Hispanic Whites (3.9 percent increase) and largest for Hispanics (25.1 percent increase). The arrest rate for non-Hispanic Blacks increased by 22.7 percent over the study period. There were substantial fluctuations for non-Hispanic Blacks and Hispanics with peak arrest rates of 9,517 and 5,169 per 100,000, respectively, in 2010. Non-Hispanic Blacks had the highest arrest rates over the entire period, followed by Hispanics. The difference in arrest rates between non-Hispanic Blacks and non-Hispanic Whites increased from 1990 to 2017 but decreased from 2010 to 2017. Non-Hispanic Blacks were 4.4 times more likely to be arrested than non-Hispanic Whites in 1990, 5.8 times more likely in 2010, and 5.2 times more likely in 2017. Hispanics were 2.5 times more likely to be arrested than non-Hispanic Whites in 1990 and 3.0 times more likely in 2017.

For comparison to other geographic areas, we are noting trends in race/ethnicity for New York City from 2002 to 2017. From 2002 to 2017, in New York City, misdemeanor arrest rates decreased for the three racial/ethnic groups. The magnitude of the decrease was steepest for non-Hispanic Whites (27.6 percent) and smallest for non-Hispanic Blacks (21.9 percent). There was a 22.4 percent decrease for Hispanics from 2002 to 2017. In 2002, non-Hispanic Blacks were 4.9 times more likely to be arrested than non-Hispanic Whites. This difference increased to 5.2 times more likely in 2017.

Upstate Cities

In Upstate Cities, similar to New York City during this time period, misdemeanor arrest rates decreased for all racial/ethnic groups from 2002 to 2017. Unlike New York City, the decrease was steepest for non-Hispanic Blacks (40.2 percent) and smallest for Hispanics (20.1 percent). The rate for non-Hispanic Whites decreased by 30.1 percent. Non-Hispanic Blacks had the highest arrest rates throughout the entire study period, followed by Hispanics and non-Hispanic Whites. The arrest rate for non-Hispanic Blacks was highest in 2002 at 8,305 per 100,000 and highest in 2013 for Hispanics at 3,684 per 100,000. The difference in arrest rates between non-Hispanic Blacks and non-Hispanic Whites narrowed slightly with non-Hispanic Blacks being 3.7 times more likely to be arrested than non-Hispanic Whites in 2002 and 3.1 times more likely in 2017. Hispanics were 1.3 times more likely to be arrested than non-Hispanic Whites in 2002 and 1.5 times more likely in 2017.

Rest of the State

In 2002, in the Rest of the State, the arrest rate declined most dramatically for non-Hispanic Whites (20.3 percent), followed by non-Hispanic Blacks (5.0 percent). The arrest for Hispanics increased by 4.7 percent. The arrest rate for non-Hispanic Blacks was highest throughout the study period. The arrest rate for non-Hispanic Blacks and non-Hispanic Whites peaked in 2002 at 6,747 and 1,952 per 100,000, respectively. The arrest rate for Hispanics peaked in 2006 at 2,885 per 100,000. Non-Hispanic Blacks were 3.5 times more likely than non-Hispanic Whites to be arrested in 2002 and 4.1 more likely in 2017. Hispanics were 1.2 times more likely to be arrested than non-Hispanic Whites in 2002 and 1.6 times more likely in 2017.

Figure 31: Misdemeanor Arrest Rates for Non-Hispanic Blacks in New York State from 1990 or 2002 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
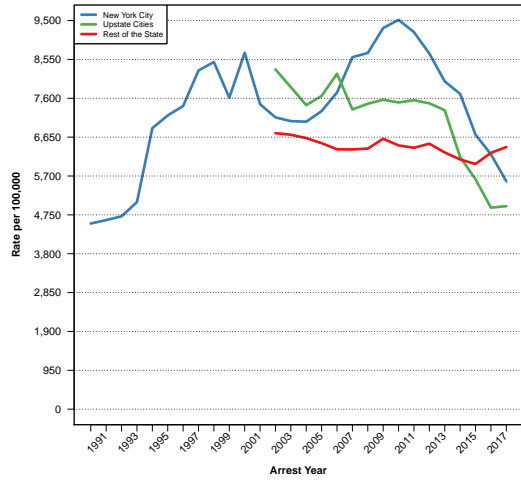
Figure 32: Misdemeanor Arrest Rates for Hispanics in New York State from 1990 or 2002 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
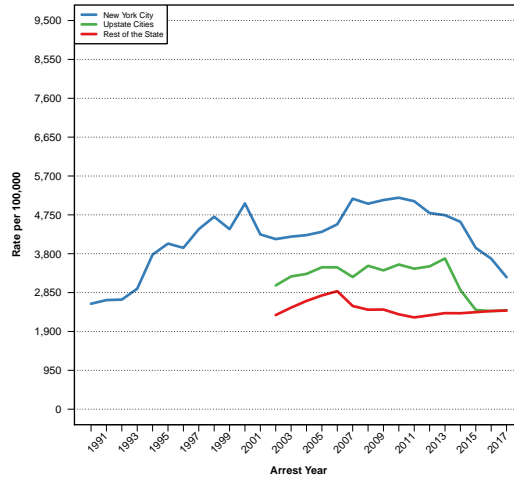
Figure 33: Misdemeanor Arrest Rates for Non-Hispanic Whites in New York State from 1990 or 2002 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
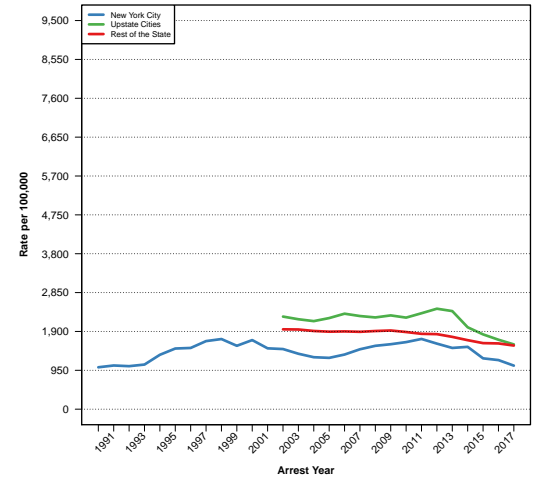
Misdemeanor Arrest Rates by Race/Ethnicity

Figures 31 through 33 show the same misdemeanor arrest rates for non-Hispanic Blacks, Hispanics, and non-Hispanic Whites in New York City from 1990 to 2017 and in Upstate Cities and the Rest of the State from 2002 to 2017.

For all three geographic areas, arrest rates were highest among non-Hispanic Blacks throughout the study period.

Non-Hispanic Blacks

In 2002, non-Hispanic Blacks in Upstate Cities were more likely to be arrested than non-Hispanic Blacks in New York City and the Rest of the State. From 2007 to 2015, non-Hispanic Blacks in New York City were more likely to be arrested than non-Hispanic Blacks in Upstate Cities and the Rest of the State. In 2017, the arrest rate for non-Hispanic Blacks in the Rest of the State was higher than the rate in New York City and Upstate Cities. In 2017, the difference in rates between non-Hispanic Blacks and non-Hispanic Whites was widest in New York City.

Hispanics

The arrest rate for Hispanics was highest in New York City throughout the entire study period compared to Hispanics in Upstate Cities and the Rest of the State. In 2017, the difference in rates between Hispanics and non-Hispanic Whites was widest in New York City.

Non-Hispanic Whites

The arrest rate for non-Hispanic Whites in Upstate Cities was highest throughout the entire study period compared to non-Hispanic Whites in New York City and the Rest of the State.

Overall Misdemeanor Arrest Trends by Charge Types

This section examines misdemeanor arrests by top charge for New York City, Upstate Cities, and the Rest of the State.[15] We categorized misdemeanor arrests into 11 different groups based on the charge classifications used in the Division of Criminal Justice Services database: 1) person-related; 2) property and theft-related; 3) vehicle and driving-related; 4) weapons; 5) marijuana; 6) drugs other than marijuana; 7) theft of services; 8) trespassing; 9) prostitution; 10) resisting arrest; and 11) other charges. Appendix D lists the charges included in each category and reports the frequencies by geographic area. Notably, we do not present State level trends in this section given that we focus on counts and proportions rather than rates.

In this section, we also discuss some legislative and policy changes which occurred during the study period that may have impacted trends in various charge categories. The background provided is by no means exhaustive but provides some policy context for the charge-related trends.

In order to display the best visual interpretation, we break the charges down into six figures for each geographic area. We display the count and proportions for each charge. The proportions displayed represent the percent of all misdemeanor arrests in that geographic area.

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[15]See http://www.criminaljustice.ny.gov/crimnet/ccman/ccman.htm for DCJS charge code manual.

Person-Related, Property and Theft-Related, Vehicle and Driving-Related, and Weapon Charges

Policy and Context

In 1994, New York State enacted the Family Protection and Domestic Violence Intervention Act, which established new systems for domestic violence reporting and victim notification, mandated arrest for domestic violence complaints, and revised the State's penal laws related to domestic violence.[16] New York State continued to enact legislation targeting domestic violence throughout the next two decades. In 2008, an amendment to the 1994 act expanded the definition of family or household member to include current and past intimate partners. In 2012, Governor Andrew Cuomo signed into law the Domestic Violence Omnibus Bills, which created greater safeguards for victims of domestic violence and increased penalties for offenders. Specifically, the bills expanded the definition of a Class A Misdemeanor Aggravated Harassment in the Second Degree.[17] Therefore, potential increases in person-related charges in 1994, 2008, and 2012 may be associated with these legislative changes.

In 1984, New York State's Vehicle and Traffic Law 1146 was enacted and carried a potential fine and/or jail sentence for failure to exercise due care. In 2010, this violation was reduced to a traffic infraction with the imposition of penalties graded on the level of injury sustained. In 2014, New York City adopted Vision Zero, an initiative aimed at reducing traffic deaths and injuries by increasing the enforcement of moving violations as well as increasing penalties for dangerous drivers.[18] Under Vision Zero, Administrative Code 19-190 (AC 19-190) was enacted to penalize motorists who fail to exercise due care and injure pedestrians or cyclists with right of way, carrying with it a potential misdemeanor conviction.

The most common vehicle and driving-related charge in our analyses is VTL 1192, Driving While Intoxicated (DWI). With regard to legislation surrounding DWI laws, it is important to note that New York State raised the minimum drinking age from 18 to 19 in 1982, and further increased it to 21 in 1985.[19] In 1990, as part of the State's STOP-DWI program, the New York State Police established the Country's first toll-free drunk driver reporting hotline.[20] In 1996, the State legislature enacted the Zero Tolerance law for underage youth charged with a drunk driving offense.[21] In 2003, the 0.08 Blood Alcohol Content (BAC) threshold was enacted for all drivers over the age of 21.

In New York State, there were a series of laws passed which increased penalties for certain DWI offenses and included ignition interlocks. In 2006, New York State enacted a new crime of aggravated DWI. Under this statute if a driver has a BAC at or above 0.18 and is convicted of this crime, the driver must install an ignition interlock for up to three years.[22]

There was a significant change in weapons legislation over our study period. The New York SAFE Act was passed through the New York State legislature in January 2013, in response to the Sandy Hook school

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[16]Family Protection and Domestic Violence Intervention Act of 1994, ch. 222, § 50 (1994).

[17]Domestic Violence Omnibus Bills signed by Governor Cuomo, A.B. 10624, S.B. 7638. (2012).

[18]Vision Zero launched by Mayor de Blasio, local laws 27, 28, and 30. (2014). Retrieved from https://www1.nyc.gov/site/visionzero/index.page

[19]Taylor, G. (1985, November 30). New York drinking age raised from 19 to 21. Associated Press. Retrieved from https://www.apnews.com/657878cd003a1e3598ef5d95637761aa

[20]New York State Police. The New York State Police: History – 1990s. Retrieved from https://www.troopers.ny.gov/Introduction/History/1990s/

[21]Specifically, the law suspends licenses of young drivers with a BAC of 0.02 or more. See Zero Tolerance law, A.B. 2364-d, S.B. 5960-a (N.Y. 1996); N.Y. Penal Law section 1192-a

[22]Child Passenger Protection Act, S.B. 66008. (2009). Retrieved from http://www.criminaljustice.ny.gov/pio/press_releases/2010-7-20_pressrelease.html

shooting and the Webster, NY shooting.[23] The act classified the illegal sale or disposal of firearms, rifles, and shotguns as a class A misdemeanor. Additionally, the illegal sale or disposal of large capacity ammunition feeding devices was also classified as a class A misdemeanor. Criminal possession of a firearm, rifle, or shotgun on school grounds was increased to a class E felony.

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[23]NY SAFE Act, S.B. 2230. (2013).

Figure 34: Number of Person-Related, Property and Theft-Related, Vehicle and Driving-Related, and Weapon Charges for Misdemeanor Arrests in New York City from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
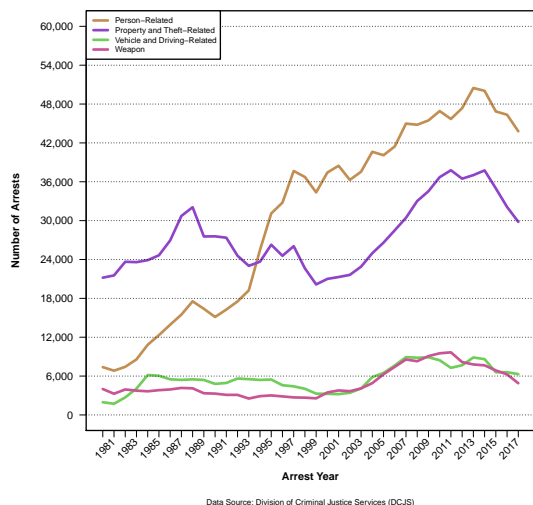
Figure 35: Number of Person-Related, Property and Theft-Related, Vehicle and Driving-Related, and Weapon Charges for Misdemeanor Arrests in Upstate Cities from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
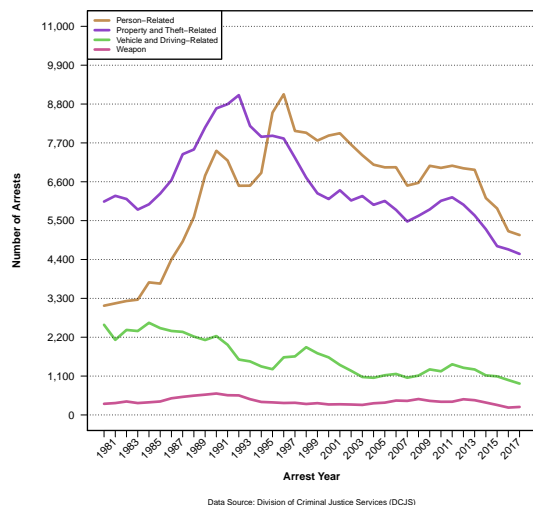
Figure 36: Number of Person-Related, Property and Theft-Related, Vehicle and Driving-Related, and Weapon Charges for Misdemeanor Arrests in Rest of State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
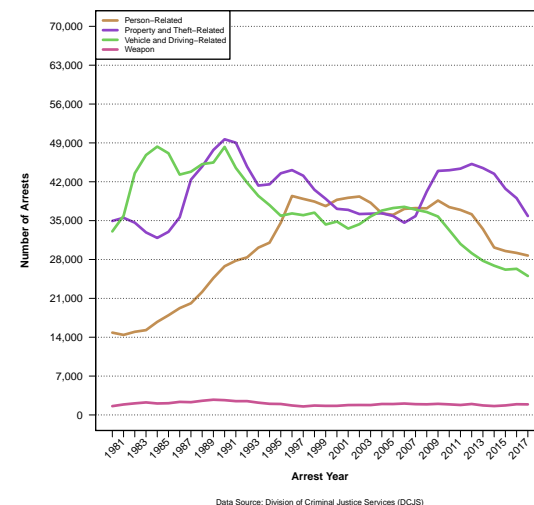
Figure 37: Percent of Person-Related, Property and Theft-Related, Vehicle and Driving-Related, and Weapon Charges for Misdemeanor Arrests in New York City from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
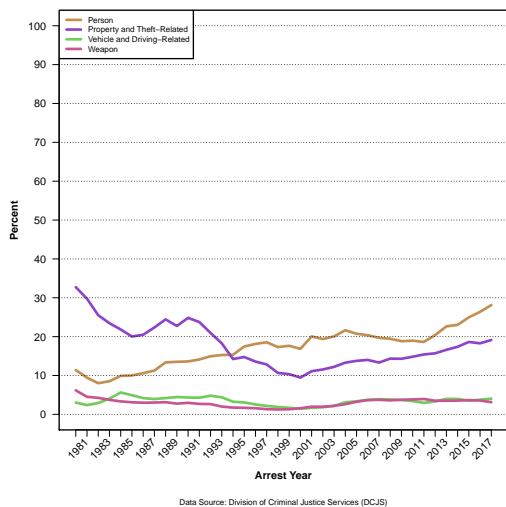
Figure 38: Percent of Person-Related, Property and Theft-Related, Vehicle and Driving-Related, and Weapon Charges for Misdemeanor Arrests in Upstate Cities from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
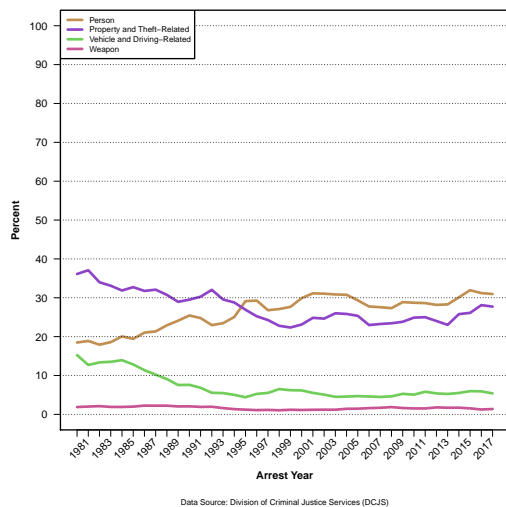
Figure 39: Percent of Person-Related, Property and Theft-Related, Vehicle and Driving-Related, and Weapon Charges for Misdemeanor Arrests in Rest of State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
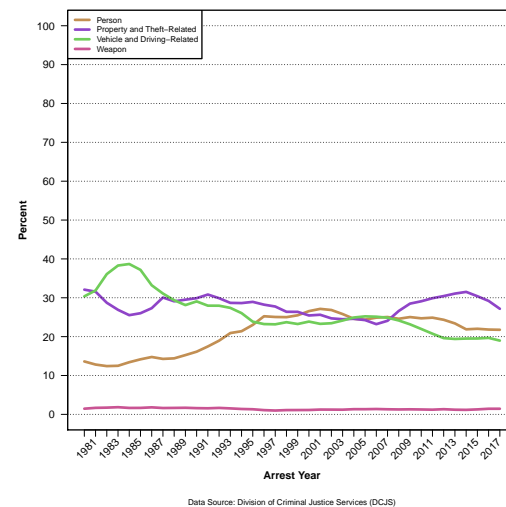
Number and Percent of Person-Related, Property and Theft-Related, Vehicle and Driving-Related, and Weapon Charges

Figures 34 through 36 present the number of misdemeanor arrests for person-related, property and theft-related, vehicle and driving-related, and weapons charges in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017. Please note that the axes differ by geographic area. Figures 37 through 39 present the same charges as a percentage of all misdemeanor arrests in the three geographic areas over the study period. In the below text, when describing the trends, we are referring to proportional peaks.

New York City

In 1980, 32.7 percent (21,192) of misdemeanor arrests in New York City were for property and theft-related charges, followed by person-related charges, which accounted for 11.4 percent (7,381) of misdemeanor arrests. In 1994, arrests for person-related charges surpassed arrests for property and theft-related charges. In 2017, person-related charges constituted 28.1 percent (43,769) of misdemeanor arrests in New York City, while property and theft-related charges accounted for 19.1 percent (29,812) of arrests. The volume and proportion of arrests for vehicle and driving-related, and weapons charges were similar throughout the study period and were consistently low. In 2017, these charges accounted for 4.0 percent (6,301) and 3.1 percent (4,895) of misdemeanor arrests in New York City, respectively.

Upstate Cities

In 1980, property and theft-related charges accounted for 36.1 percent (6,040) of misdemeanor arrests in Upstate Cities, while person-related charges accounted for 18.5 percent (3,092) of arrests. Despite an overall drop in the volume of misdemeanor arrests between 1992 and 2017, the proportion of arrests for person-related charges increased throughout the study period. In Upstate Cities in 2017, 31.0 percent (5,092) of arrests were for person-related charges and 27.7 percent (4,559) were for property and theft-related charges. The proportion of arrests for vehicle and driving-related charges also decreased over the study period, from 15.3 percent (2,551) in 1980 to 5.4 percent (887) in 2017. As in New York City, the volume and proportion of arrests for weapons charges remained low, below 2.3 percent, throughout the study period.

Rest of the State

In the Rest of the State, the proportion of arrests for property and theft-related charges decreased over the study period, accounting for 32.1 percent (34,942) of arrests in 1980 and 27.2 percent (35,834) in 2017. Meanwhile, the proportion of arrests for person-related charges increased from 13.6 percent (14,827) in 1980 to 21.8 percent (28,708) in 2017. The proportion of arrests for vehicle and driving-related charges decreased over the study period, accounting for 30.4 percent (33,061) of misdemeanor arrests in 1980 and 19.0 percent (25,030) in 2017. Overall, weapons charges constituted the smallest proportion of misdemeanor arrests.

Marijuana, Drugs Other Than Marijuana, and Theft of Services Charges

Policy and Context

In 1973, New York State passed the Rockefeller Drug Laws. These statutes drastically increased penalties with mandatory minimums for the sale and possession of marijuana, cocaine, and opioid drugs.[24] In 2004 and 2009, New York reduced the minimum penalties as well as mandatory minimum sentences, respectively.[25,26] We recognize that the above drug laws are relevant to sentencing and not necessarily reflective of changes in the enforcement of offenses.

More recent policies implemented in New York City include changing enforcement practices and reducing penalties for low-level marijuana possession. In 2014, New York City Police Department (NYPD) Commissioner William J. Bratton announced that criminal summonses in lieu of arrests will be issued for possession of small quantities of marijuana, up to 25 grams (PL 221.05).[27] Public burning and/or smoking of marijuana of any amount continue to be subject to arrest. However, effective September 1, 2018, the New York Police Department changed its policies regarding public burning and barring certain criminal history factors, the NYPD will issue a criminal summons in lieu of an arrest.[28] We recognize that this policy change did not occur during the study period, but has significant value for future analyses regarding marijuana charges in New York City. Further, the Fairness and Equity Act and the Marijuana Regulation and Taxation Act, which will reduce penalties for marijuana possession and legalize marijuana, respectively, are currently being considered by the New York State Senate.[29]

Several changes made by the Metropolitan Transportation Authority (MTA) may have impacted trends in theft of services. In 1992, the MTA introduced the MetroCard and by 1997 Metrocards were accepted throughout the MTA system. In 2003, the use of subway tokens was discontinued.[30] Notably, in 1995, the New York City Transit Department was fully re-integrated into the New York Police Department.[31]

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[24]Rockefeller Drug Laws, N.Y. Laws 1040-65 (1973).

[25]Drug Law Reform Act, N.Y. Laws 3917-18 (2004).

[26]Rockefeller Drug Laws amended by New York State Legislature, S.B. 2855. (2009).

[27]NYC Mayor's Office. (November 10, 2014). Mayor de Blasio, Police Commissioner Bratton announce change in Marijuana policy [Transcript]. Retrieved from https://www1.nyc.gov/office-of-the-mayor/news/511-14/transcript-mayor-de-blasio-policecommissioner-bratton-change-marijuana-policy

[28]The New York Times. (June 20, 2018). Marijuana in New York: Here's how the laws are changing. Retrieved from https://www.nytimes.com/2018/06/20/nyregion/marijuana-laws-new-york.html

[29]Marijuana Regulation and Taxation Act, S.B. 3040 (2017).

[30]Fairness and Equity Act, S.B. 7927 (2014).

[31]Myers, S.L. (1995, April 1). Giuliani wins police merger in M.T.A. vote. The New York Times, pp, 1, 22.

Figure 40: Number of Marijuana, Drugs Other Than Marijuana, and Theft of Services Charges for Misdemeanor Arrests in New York City from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
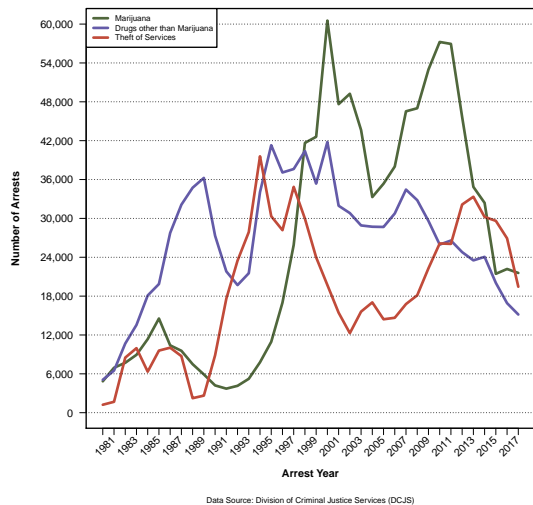
Figure 41: Number of Marijuana, Drugs other than Marijuana, and Theft of Services Charges for Misdemeanor Arrests in Upstate Cities from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
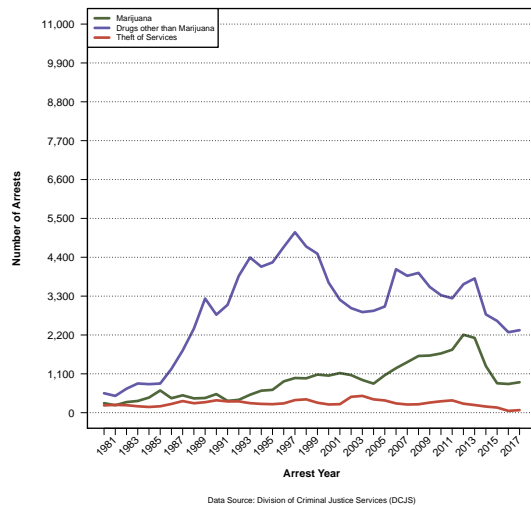
Figure 42: Number of Marijuana, Drugs other than Marijuana, and Theft of Services Charges for Misdemeanor Arrests in Rest of State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
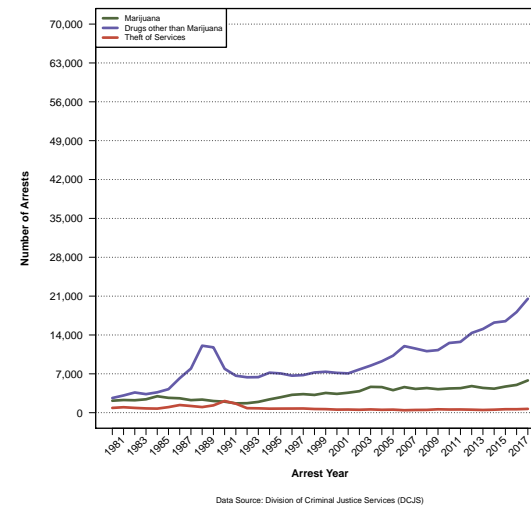
Figure 43: Percent of Marijuana, Drugs Other Than Marijuana, and Theft of Services Charges for Misdemeanor Arrests in New York City from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
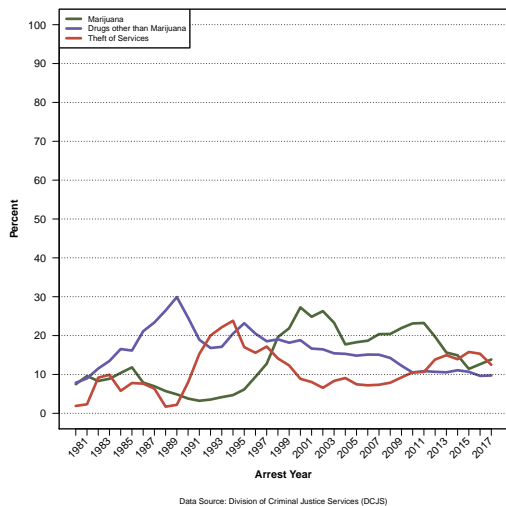
Figure 44: Percent of Marijuana, Drugs other than Marijuana, and Theft of Services Charges for Misdemeanor Arrests in Upstate Cities from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
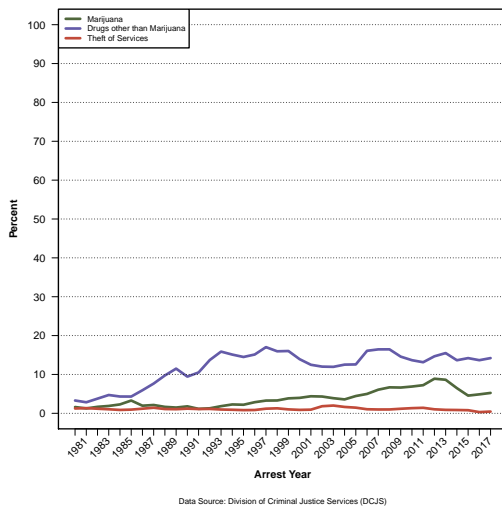
Figure 45: Percent of Marijuana, Drugs other than Marijuana, and Theft of Services Charges for Misdemeanor Arrests in Rest of State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
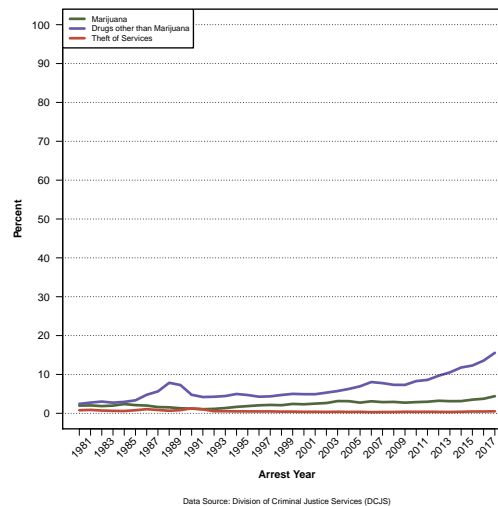
Number and Percent of Marijuana, Drugs Other Than Marijuana, and Theft of Services Charges

Figures 40 through 42 display the number of misdemeanor arrests for marijuana, drugs other than marijuana, and theft of services charges in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017. Please note that the axes differ by geographic area. Figures 43 through 45 present the same charges as a percentage of all misdemeanor arrests in the three geographic areas over the study period. In the below text, when describing the trends, we are referring to proportional peaks.

Drugs other than marijuana charges accounted for the largest proportion of arrests in Upstate Cities and the Rest of the State throughout the study period. In New York City, both the volume and proportion of arrests for these three charge types experienced large fluctuations over the study period.

New York City

In 1980, in New York City, arrests for marijuana accounted for 7.5 percent (4,849) of misdemeanor arrests and drugs other than marijuana accounted for 7.8 percent (5,080) of misdemeanor arrests. The percent of arrests for drugs other than marijuana charges peaked at of 29.9 percent (36,249) in 1989. Arrests for marijuana charges increased dramatically between 1980 and 2000, accounting for 27.3 percent (60,538) of arrests at its peak. Starting in 2000, arrests for both marijuana and drugs other than marijuana charges declined. In 2017, arrests for drugs other than marijuana accounted for 9.7 percent (15,158) of arrests and marijuana charges constituted 13.8 percent (21,574) of arrests. Meanwhile, from 1980 to 2017, the proportion of arrests for theft of services charges increased from 1.9 percent (1,228) to 12.5 percent (19,451), with a peak of 23.8 percent (39,584) in 1994.

Upstate Cities

In 1980, in Upstate Cities, marijuana, drugs other than marijuana, and theft of services charges all comprised less than 4.0 percent of misdemeanor arrests. The proportion of arrests for drugs other than marijuana charges increased to a peak of 17.0 percent (5,108) in 1997 before declining to 14.2 percent (2,336) in 2017. The proportion of arrests for marijuana charges increased to a peak of 8.9 percent (2,206) in 2012 before declining to 5.2 percent (862) in 2017. The proportion of arrests for theft of services charges was very low throughout the study period.

Rest of the State

In the Rest of the State, the percent of arrests for drugs other than marijuana charges increased steadily from 2.4 percent (2,647) in 1980 to 15.6 percent (20,523) in 2017. The proportion of arrests for marijuana charges increased slightly from 2.0 percent (2,160) to 4.4 percent (5,811). The percent of arrests for theft of services charges remained below 1.0 percent for almost the entire study period.

Trespassing, Prostitution, Resisting Arrest, and Other Charges

Policy and Context

In 1991, the NYPD began a program called "Operation Clean Halls" in the Bronx and "Trespass Affidavit Program" in the other boroughs.[32] These programs allowed landlords to request that police conduct patrols in the hallways and stairwells of their building to remove non-residents who are loitering. In 2013, following a class action lawsuit, the NYPD was ordered to cease the programs. These programs may have led to an increase in trespassing charges. Further, in the early 1990s, there was an amendment to Penal Law code 140.10, which expanded the statute on criminal trespassing to include public housing projects.[33] [34]

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[32]Operation Clean Halls and Trespass Affidavit Program (1991). New York Police Department.

[33]New York Penal Law § 140.10. Retrieved from https://www.nycourts.gov/judges/cji/2-PenalLaw/140/140-10%28a%29.pdf

[34]New York Civil Liberties Union (2017, February 2). Settlement will end unconstitutional NYPD stops, frisks, and arrests in clean halls buildings. Retrieved from https://www.nyclu.org/en/press-releases/settlement-will-end-unconstitutional-nypd-stops-frisks-and-arrests-clean-halls

Figure 46: Number of Trespassing, Prostitution, Resisting Arrest, and Other Charges for Misdemeanor Arrests in New York City from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
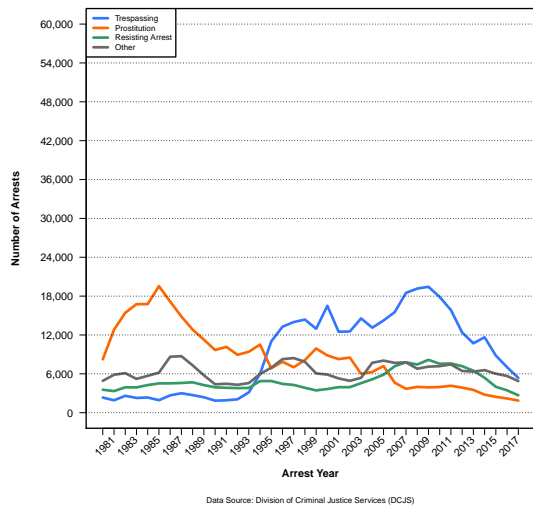
Figure 47: Number of Trespassing, Prostitution, Resisting Arrest, and Other Charges for Misdemeanor Arrests in Upstate Cities from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
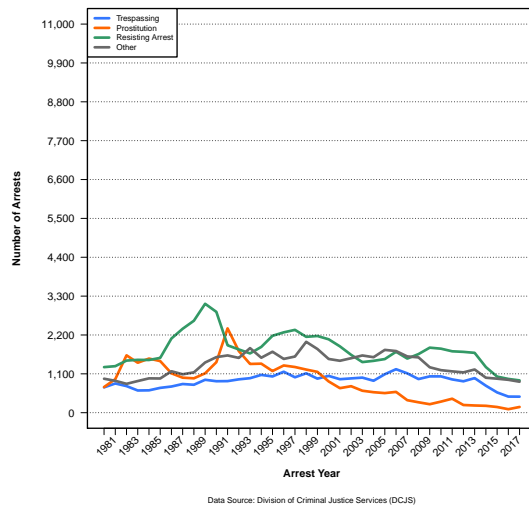
Figure 48: Number of Trespassing, Prostitution, Resisting Arrest, and Other Charges for Misdemeanor Arrests in Rest of State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
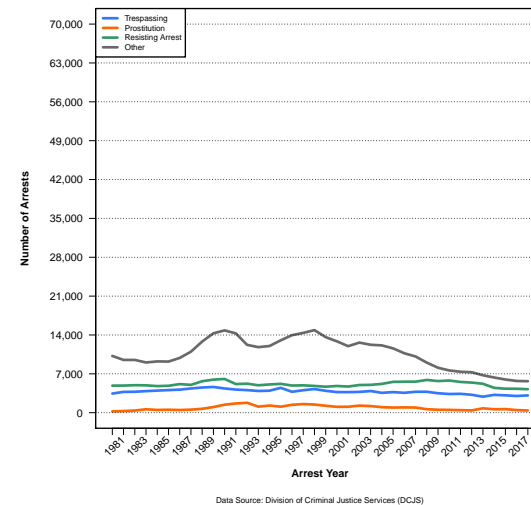
Figure 49: Percent of Trespassing, Prostitution, Resisting Arrest, and Other Charges for Misdemeanor Arrests in New York City from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
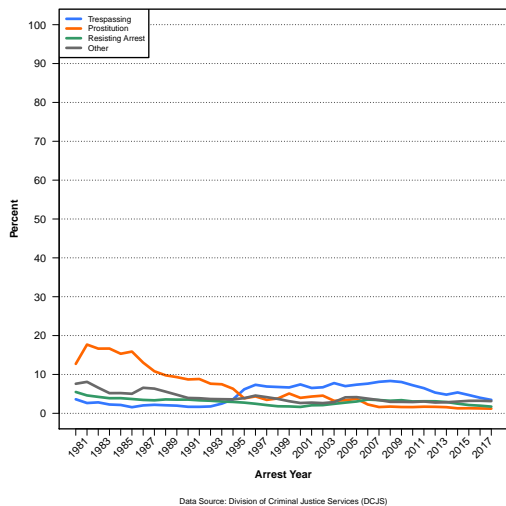
Figure 50: Percent of Trespassing, Prostitution, Resisting Arrest, and Other Charges for Misdemeanor Arrests in Upstate Cities from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
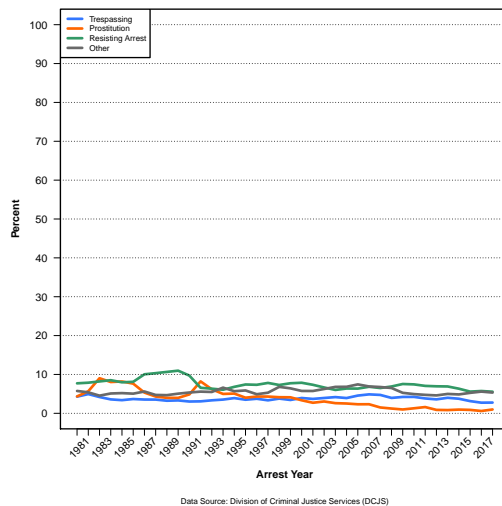
Figure 51: Percent of Trespassing, Prostitution, Resisting Arrest, and Other Charges for Misdemeanor Arrests in Rest of State from 1980 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
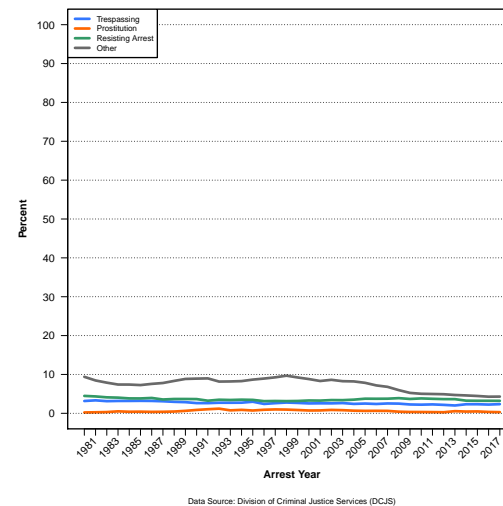
Number and Percent of Trespassing, Prostitution, Resisting Arrest, and Other Charges

Figures 46 through 48 present the number of misdemeanor arrests for trespassing, prostitution, resisting arrest, and other charges in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2017. Please note that the axes differ by geographic area. Figures 49 through 51 present the same charges as a percentage of all misdemeanor arrests in the three geographic areas over the study period. In the below text, when describing the trends, we are referring to proportional peaks.

Among these four charges, prostitution charges accounted for the largest proportion of arrests in New York City at the beginning of the study period, and trespassing charges accounted for the largest proportion towards the end of the study period. In Upstate Cities, resisting arrest accounted for the largest proportion of arrests. In the Rest of the State, other charges were the most prevalent. The most prominent charge in the other category for the Rest of the State was PL 190.05 01, issuing a bad check.

New York City

In New York City, arrests for prostitution declined substantially over the study period. In 1980, arrests for prostitution accounted for 12.7 percent (8,236) of misdemeanor arrests, and peaked at 17.7 percent (12,807) in 1981. The proportion of arrests for prostitution declined to 1.2 percent (1,876) in 2017. Similar to arrests for prostitution, the proportion of arrests for resisting arrest declined from 5.5 percent (3,553) in 1980 to 1.7 percent (2,685) in 2017. The proportion of arrests for trespassing began and ended the study period at similar levels, with 3.6 percent (2,339) in 1980 and 3.5 percent (5,375) in 2017, with a peak of 8.3 percent (19,161) in 2008.

Upstate Cities

In Upstate Cities, arrests for prostitution declined from 4.3 percent (726) of misdemeanor arrests in 1980 to 1.0 percent (162) in 2017. Resisting arrest accounted for a greater proportion of misdemeanor arrests than prostitution in both 1980 and 2017, with 7.7 percent (1,290) and 5.6 percent (914), respectively. The proportion of arrests for trespassing decreased from 4.3 percent (717) to 2.8 percent (454) from 1980 to 2017.

Rest of the State

In the Rest of the State, the proportion of arrests for prostitution remained below 1.0 percent for the majority of the study period. The proportion of arrests for trespassing decreased from 3.2 percent (3,446) in 1980 to 2.3 percent (3,110) in 2017, while the proportion of arrests for resisting arrest declined from 4.5 percent (4,875) to 3.2 percent (4,232). The proportion of arrests for other charges decreased from 9.4 percent (10,224) in 1980 to 4.3 percent (5,672) in 2017.

Overall Misdemeanor Arrest Trends by Disposition Types

In this section, we examine trends in misdemeanor arrests by disposition, as proportion of misdemeanor arrests, for New York City, Upstate Cities, and the Rest of the State. In this section, we truncate our timeline to 2016, because 36.5 percent of the arrests in our data did not have a disposition in the database. We do not present State level trends in this section given that we focus on proportions rather than rates.

For conviction, we combined convicted-type unknown, convicted-verdict, and convicted-plea. We then separated out misdemeanor conviction and violation or infraction conviction based on the disposition charge. The violation or infraction conviction differs from misdemeanor convictions because they are generally punishable by fines and not jail time. Additionally, these convictions will not show up on an individual's record.

The other dispositions used in this report are dismissed, adjournment in contemplation of dismissal (ACD), District Attorney (DA) declined to prosecute, no final disposition, and other. Dispositions that have been consolidated into the other category include covered by another case, acquitted, diverted and dismissed, and youthful offender conviction. For ACDs, the judge adjourns the case for between six months to a year. It is not the same as probation, although the judge can require that the defendant comply with certain conditions during the adjournment period. The defendant does not enter a plea. If the defendant does not get rearrested, the case is dismissed at the end of that period.

Figure 52: Percent of Disposition Types for Misdemeanor Arrests in New York City from 1980 to 2016
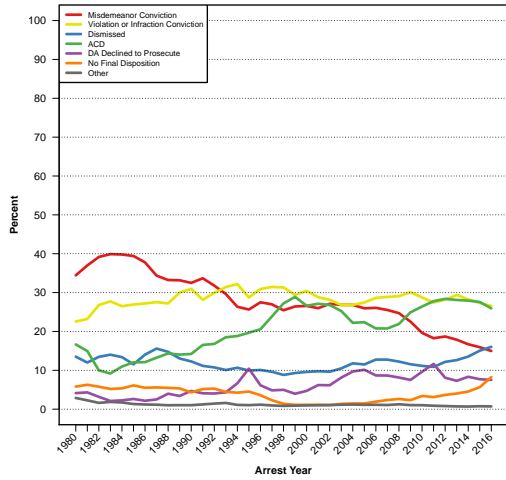
Data Source: Division of Criminal Justice Services (DCJS)

Figure 53: Percent of Disposition Types for Misdemeanor Arrests in Upstate Cities from 1980 to 2016
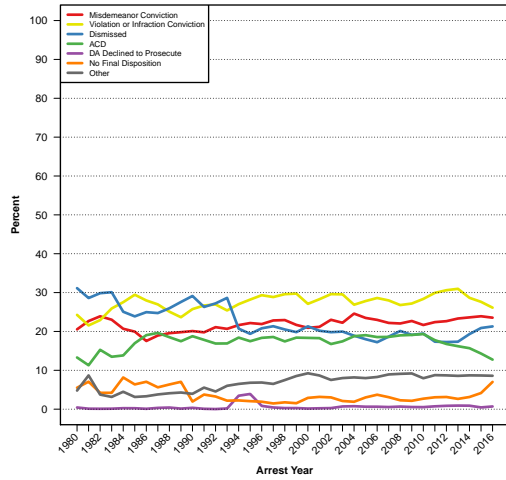
Data Source: Division of Criminal Justice Services (DCJS)

Figure 54: Percent of Disposition Types for Misdemeanor Arrests in Rest of State from 1980 to 2016
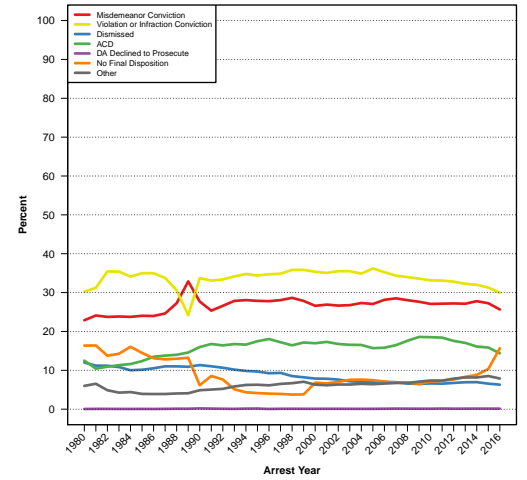
Data Source: Division of Criminal Justice Services (DCJS)

Percent of Disposition Types for Misdemeanor Arrests

Figures 52 through 54 present the proportion of misdemeanor arrests by disposition type in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2016.

The proportion of arrests resulting in a violation or infraction conviction followed similar trends in all three geographic areas. In New York City, the proportion of arrests that were disposed as a misdemeanor conviction declined steadily, while remaining stable in Upstate Cities and in the Rest of the State. In New York City, the proportion of arrests resulting in ACD increased but remained more stable in Upstate Cities and the Rest of the State. Dismissals were more common in Upstate Cities than in New York City and the Rest of the State, while arrests where the DA declined to prosecute were more prevalent in New York City.

New York City

Misdemeanor convictions were the most common disposition in New York City in 1980. The proportion of arrests disposed as a misdemeanor conviction decreased from 34.4 percent in 1980 to 15.0 percent in 2016. The second most prevalent disposition over the study period was a violation or infraction conviction. The proportion of arrests disposed as a violation or infraction conviction increased slightly, from 22.6 percent to 26.6 percent from 1980 to 2016. The proportion of arrests disposed as ACD increased from 16.7 percent in 1980 to 25.9 percent in 2016.

Upstate Cities

In contrast to New York City, the proportion of misdemeanor convictions in Upstate Cities increased slightly from 20.5 percent in 1980 to 23.5 percent in 2016. The proportion of violation or infraction convictions increased slightly from 24.3 percent in 1980 to 26.1 percent in 2016. The proportion of arrests that were dismissed declined from 31.1 percent in 1980 to 21.3 percent in 2016. Meanwhile, the proportion of arrests disposed as ACD remained at relatively similar levels throughout the study period.

Rest of the State

Similar to Upstate Cities, the proportion of misdemeanor convictions in the Rest of the State increased slightly from 22.9 percent in 1980 to 25.6 percent in 2016. The proportion of arrests disposed as a violation or infraction conviction was consistently higher than the proportion of misdemeanor convictions. The proportion of arrests that were dismissed decreased from 12.0 percent in 1980 to 6.3 percent in 2016. Similar to the trend in Upstate Cities, the proportion of arrests where the DA declined to prosecute, was the lowest throughout the study period, remaining below 1 percent.

54

Overall Misdemeanor Arrest Trends by Sentence Types

In this section, we examine the sentences for misdemeanor arrest cases that resulted in a conviction. These trends are examined as a percent of misdemeanor arrests by sentence type in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2016. Again, because a large number of those arrested in 2017 have yet to be sentenced (36.5 percent), we have not included 2017 data. Notably, we do not present State level trends in this section given that we focus on proportions rather than rates.

The sentence types presented in this section are jail, jail and probation, time served, probation, fine, conditional discharge and other. Time served is when the time between arrest and arraignment was recognized as the sentence. Conditional discharge is a sentence in which probationary conditions are attached - if an individual does not violate the terms of their conditional discharge, the conviction does not go on their record. The other category includes prison sentences and unconditional discharge.

Figure 55: Percent of Sentence Types for Misdemeanor Arrests in New York City from 1980 to 2016

Data Source: Division of Criminal Justice Services (DCJS)
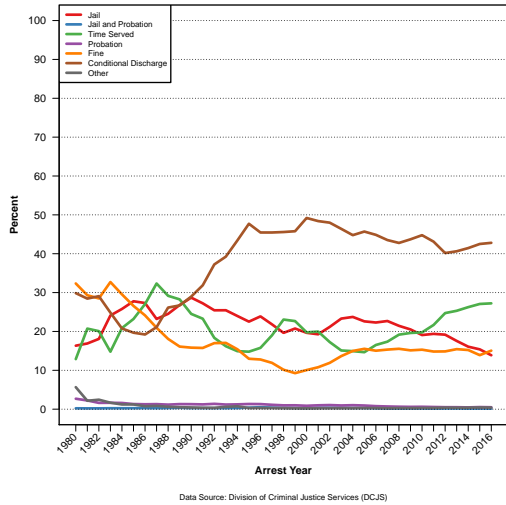
Figure 56: Percent of Sentence Types for Misdemeanor Arrests in Upstate Cities from 1980 to 2016

Data Source: Division of Criminal Justice Services (DCJS)
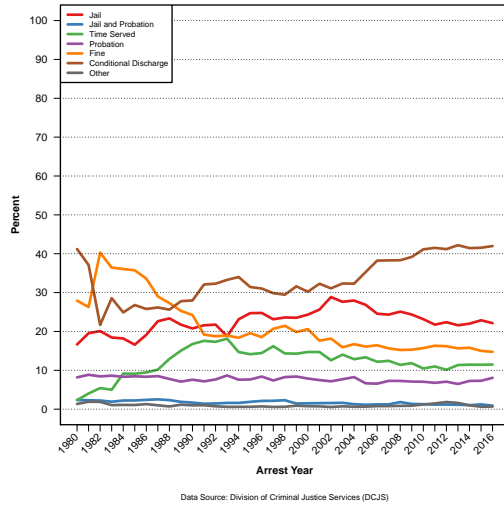
Figure 57: Percent of Sentence Types for Misdemeanor Arrests in Rest of State from 1980 to 2016

Data Source: Division of Criminal Justice Services (DCJS)
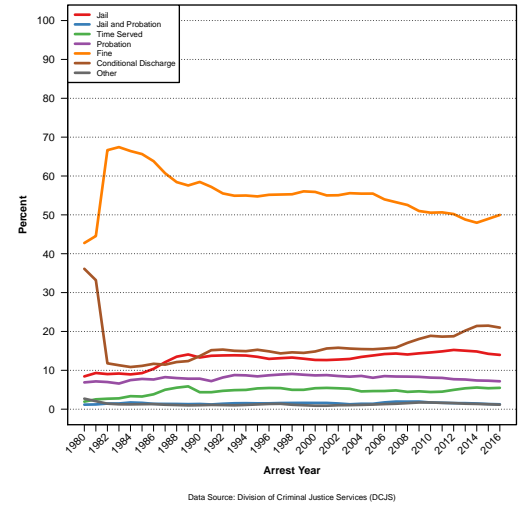
Percent of Sentence Types for Misdemeanor Arrests

Figures 55 through 57 present the proportion of misdemeanor arrests by sentence type in New York City, Upstate Cities, and the Rest of the State, from 1980 to 2016.

In New York City and Upstate Cities, the most common sentence starting in the early 1990s was conditional discharge. In 2016, the proportion of arrests in New York City and Upstate Cities that were sentenced as conditional discharge was over 40 percent. In the Rest of the State, in 2016, approximately 50 percent of sentenced arrests resulted in fines. From 1980 to 2016, the proportion of arrests that were sentenced to jail decreased in New York City, while it increased in Upstate Cities and the Rest of the State. Arrests sentenced as time served were most prevalent in New York City relative to the other geographic areas.

New York City

In New York City, the proportion of arrests sentenced as conditional discharge increased from 29.9 percent in 1980 to 42.8 percent in 2016, and was the most prevalent sentence type at the end of the study period. The proportion of arrests sentenced as time served more than doubled from 12.9 percent in 1980 to 27.2 percent in 2016. Overall, jail sentences declined from 16.3 percent of arrests in 1980 to 13.9 percent in 2016. The proportion of arrests resulting in a fine decreased from 32.3 percent in 1980 to 15.1 percent in 2016.

Upstate Cities

The proportion of arrests in Upstate Cities that were sentenced as conditional discharge began and ended the study period at approximately the same percent (41 percent). The proportion of arrests resulting in a fine decreased by almost half from 27.9 percent in 1980 to 14.8 percent in 2016. From 1980 to 2016, the proportion of arrests sentenced to jail increased slightly from 16.6 percent to 22.1 percent.

Rest of the State

In the Rest of the State, arrests resulting in a fine accounted for the largest proportion of misdemeanor arrests throughout the study period, increasing from 42.8 percent in 1980 to 50.0 percent in 2016.[35,36] Conditional discharge was the second most common sentence, comprising 21.0 percent of arrests in 2016. Jail sentences accounted for 14.0 percent of misdemeanor arrests in 2016, an increase from 8.4 percent in 1980.

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[35]The increase in fines from 1980 to 1982 was likely related to the implementation of the Special Traffic Options Program for Driving While Intoxicated (STOP DWI) program in New York State. This program was created in 1981 and is funded by fines paid by convicted drunken drivers

[36]Special Traffic Options Program for Driving While Intoxicated (STOP-DWI), S.B. VTL § 1197 (1981). Retrieved from http://www.stopdwi.org/about-newyork.

58

A Closer Look at New York City

Next, we take a closer look at misdemeanor arrest rates in New York City. We are able to disaggregate the trends in New York City for males and females by age and race/ethnicity. We first present misdemeanor arrest rates for males and females by race/ethnicity and then present rates for males by age and race/ethnicity. Our focus here is on males, as they account for the majority of misdemeanor arrests. Tables that display the misdemeanor arrest rates for females by age and race/ethnicity can be found in Appendix B.

Figure 58: Misdemeanor Arrest Rates for Males by Race/Ethnicity in New York City from 1990 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
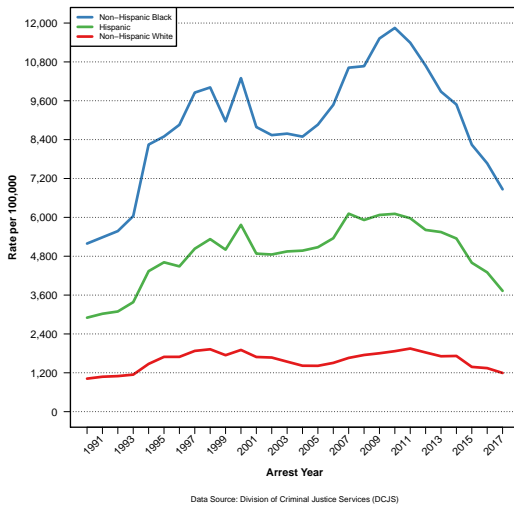
Figure 59: Misdemeanor Arrest Rates for Females by Race/Ethnicity in New York City from 1990 to 2017

Data Source: Division of Criminal Justice Services (DCJS)
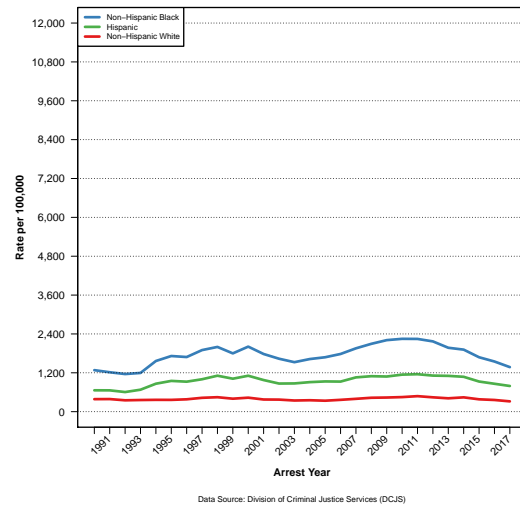
Figures 58 and 59 present the misdemeanor arrest rates for males and females by race/ethnicity in New York City, from 1990 to 2017. The misdemeanor arrest rates for males and females follow similar increases and decreases over time, although the misdemeanor arrest rate for males is much higher. While arrest rates peaked in 2010 for all racial/ethnic groups by sex, non-Hispanic Blacks had the highest arrest rates, followed by Hispanics, and then non-Hispanic Whites. Additionally, there was a decline in arrest rates for all groups in recent years. From 1990 to 2010, the arrest rates for non-Hispanic Black males and Hispanic males increased by 128.3 and 110.5 percent, respectively. These rates then decreased by 42.1 and 38.9 percent from 2010 to 2017, respectively. The arrest rate for non-Hispanic White males in New York City increased by 17.1 percent from 1990 to 2010.

For females by race/ethnicity, the arrest rates were relatively low and stable over time. The misdemeanor arrest rate for non-Hispanic White females decreased by 17.7 percent from 1990 to 2017, while the arrest rate for non-Hispanic Black and Hispanic females increased, by 7.2 percent and 20.1 percent, respectively.

Figure 60: Misdemeanor Arrest Rates for 16-17 Year-Old Males by Race/Ethnicity in New York City from 1990 to 2017
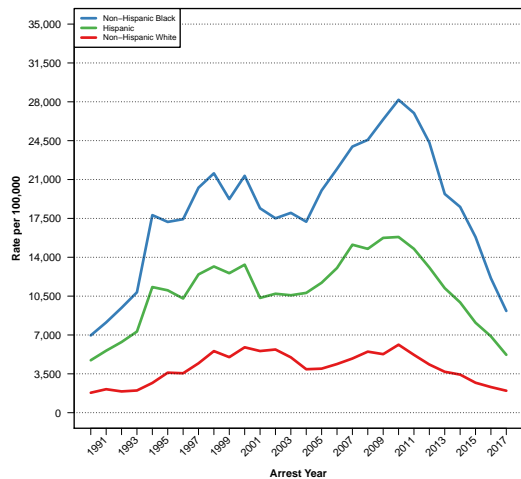
Data Source: Division of Criminal Justice Services (DCJS)

Figure 61: Misdemeanor Arrest Rates for 18-20 Year-Old Males by Race/Ethnicity in New York City from 1990 to 2017
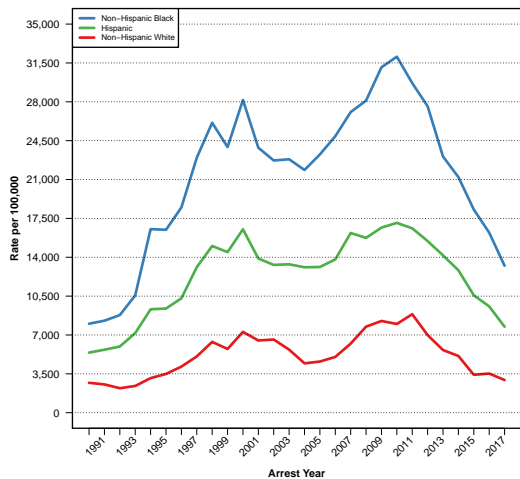
Data Source: Division of Criminal Justice Services (DCJS)

Figure 62: Misdemeanor Arrest Rates for 21-24 Year-Old Males by Race/Ethnicity in New York City from 1990 to 2017
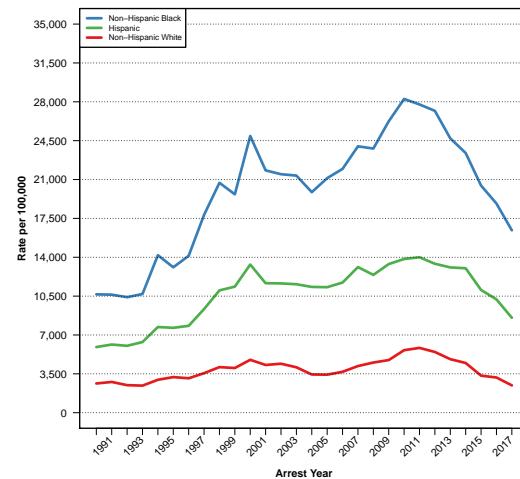
Data Source: Division of Criminal Justice Services (DCJS)

Figure 63: Misdemeanor Arrest Rates for 25-34 Year-Old Males by Race/Ethnicity in New York City from 1990 to 2017
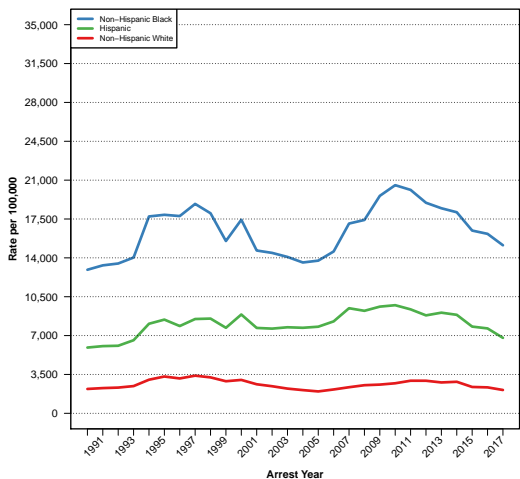
Data Source: Division of Criminal Justice Services (DCJS)

Figure 64: Misdemeanor Arrest Rates for 35-65 Year-Old Males by Race/Ethnicity in New York City from 1990 to 2017
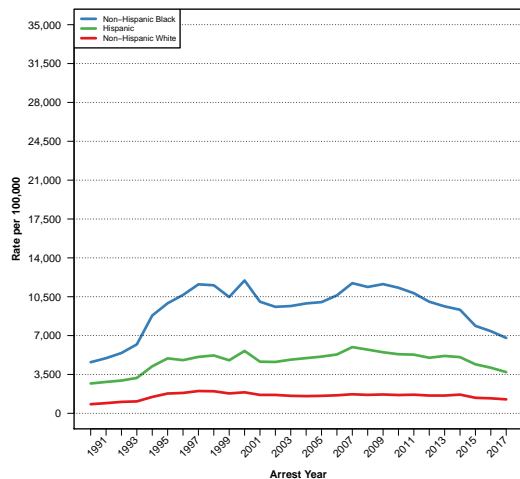
Data Source: Division of Criminal Justice Services (DCJS)

Misdemeanor Arrest Rates for Males by Race/Ethnicity in New York City

Figures 60 through 64 show the misdemeanor arrest rates for 16-17, 18-20, 21-24, 25-34, and 35-65 year-old males by race/ethnicity.

In New York City, the trends for males by age group follow similar patterns to the overall arrest rates. The arrest rates for all groups peaked around 2010 and declined by 2017. Overall, the difference in arrest rates for non-Hispanic Black relative to non-Hispanic White increased for all age groups, except 35-65 year-olds, from 1990 to 2017. The difference in arrest for Hispanic relative to non-Hispanic White increased for 18-20, 21-24, and 25-34 year-olds but not for 16-17 and 35-65 year-olds.

16-17 Year-Olds

In 1990, 16-17 year-old non-Hispanic Black males were 3.9 times more likely to be arrested than 16-17 year-old non-Hispanic White males in New York City. This difference increased to 4.6 in 2017. In 1990 and 2017, Hispanic males in this age group were 2.6 times more likely to be arrested than their non-Hispanic White counterparts. The arrest rate for non-Hispanic Black males increased by 304.7 percent from 1990 to 2010, and then decreased by 67.5 percent in 2017; an overall increase of 31.6 percent. The rate for Hispanic males followed a similar pattern, increasing by 235.0 percent to a peak in 2010, and then decreasing by 67.0 percent in 2017. Overall, from 1990 to 2017, the rate for Hispanic males increased by 10.4 percent. The rate for non-Hispanic White males increased by 240.6 percent from 1990 to 2010, and then decreased by 67.7 percent from 2010 to 2017; an overall increase of 10.0 percent.

18-20 Year-Olds

In 1990, 18-20 year-old non-Hispanic Black males were 3.0 times more likely to be arrested than 18-20 year-old non-Hispanic White males. In 2017, this ratio increased to 4.5. In 1990, Hispanic males in this age group were 2.0 times more likely to be arrested compared to 18-20 year-old non-Hispanic White males. By 2017, this increased to 2.6. The arrest rate for non-Hispanic Black males increased by 300.1 percent from 1990 to 2010, before decreasing by 58.7 percent from 2010 to 2017, a 65.2 percent increase overall. The arrest rate for Hispanic males increased by 215.9 percent from 1990 to 2010 and then decreased by 54.7 percent from 2010 to 2017; an overall increase of 43.1 percent. The rate for non-Hispanic White males increased by 229.3 percent from 1990 to 2011, and then decreased by 66.8 percent from 2011 to 2017, an overall increase of 9.2 percent.

21-24 Year-Olds

In 1990, 21-24 year-old non-Hispanic Black males were 4.1 times more likely to be arrested than 21-24 year-old non-Hispanic White males. By 2017, this ratio increased to 6.7. In 1990, 21-24 year-old Hispanic males were 2.2 times more likely to be arrested than non-Hispanic Whites. This difference increased, and by 2017 they were 3.5 times more likely to be arrested. The arrest rate for non-Hispanic Black males increased by 165.0 percent from 1990 to 2010. This rate then decreased by 41.9 percent in 2017, an overall increase of 54.1 percent. The rate for Hispanic males increased by 136.8 percent from 1990 to 2010 and then declined by 38.9 percent from 2010 to 2017, an overall increase of 44.6 percent. The rate for non-Hispanic White males increased by 121.7 percent from 1990 to 2011, and then decreased by 57.8 percent from 2011 to 2017, an overall decrease of 57.8 percent.

25-34 Year-Olds

In 1990, 25-34 year-old non-Hispanic Black males were 5.9 times more likely to be arrested than 25-34 year-old non-Hispanic White males. By 2017, this ratio increased to 7.2. In 1990, Hispanic males in this age group were 2.7 times more likely to be arrested than non-Hispanic White males. By 2017, they were 3.2 times more likely to be arrested. The arrest rate for non-Hispanic Black males increased by 58.9 percent

from 1990 to 2010, and then declined by 26.3 percent from 2010 to 2017, an increase of 17.1 percent over the entire study period. For Hispanic males, the rate increased by 64.5 percent from 1990 to 2010, and then fell by 30.2 percent from 2010 to 2017. Overall, the rate for Hispanic males increased by 14.7 percent from 1990 to 2017. The rate for non-Hispanic White males increased by 54.6 percent from 1990 to 1997, and then decreased by 38.1 percent from 1997 to 2017; an overall decrease of 4.3 percent.

35-65 Year-Olds

In 1990, 35-65 year-old non-Hispanic Black males were 5.6 times more likely to be arrested than 35-65 year-old non-Hispanic White males. In 2017, non-Hispanic Black males in this age group were 5.4 times more likely to be arrested. Hispanic males in this age group were 3.3 times more likely to be arrested than non-Hispanic White males in 1990 and 3.0 times more likely in 2017. Overall, the arrest rate for 35-65 year-old non-Hispanic Black males increased by 47.5 percent. The arrest rate for Hispanic males increased by 122.1 percent from 1990 to 2007, and declined by 37.9 from 2007 to 2017, an overall increase of 38.1 percent. The rate for non-Hispanic White males increased by 144.6 percent from 1990 to 1997, and then decreased by 37.4 percent from 1997 to 2017, an overall increase of 53.1 percent.

Conclusion

Over the past 37 years, New York State has witnessed fluctuations in the rate of misdemeanor arrests – with the magnitude of these changes varying significantly by geographic area. For instance, in New York City, there was a 213 percent increase in the rate of misdemeanor arrests from 1980 to 2010 followed by a decline of 39 percent from 2010 to 2017. Even with these declines, there was a 91 percent increase in the rate of misdemeanor arrests in New York City from 1980 to 2017. Upstate Cities show a different pattern – an increase of 103 percent from 1980 to 1996 and then a decline of 46 percent from 1996 to 2017. From 1980 to 2017, misdemeanor arrests in Upstate Cities increased by a smaller proportion relative to New York City, 9 percent. The Rest of the State had a 10 percent increase in their misdemeanor arrest rate over the study period. This report also documents how the fluctuations in these rates vary considerably by demographics and arrest charge for these three geographic areas.

In recent years, there has been increasing attention to misdemeanor offenses, including how they are enforced, where they are enforced and against whom they are enforced. While this report provides a foundation for understanding changes in misdemeanor arrests, it raises many questions, including:

- How are the changes in the enforcement of misdemeanor offenses related to crime rates?

- Are the recent declines in misdemeanor arrest rates in New York City and Upstate Cities part of a national urban trend? What may be driving these trends?

- Are these fluctuations related to changes in officer decision-making, public behavior, or calls for service? For instance, in New York City, there has been a substantial increase in arrests for person-level charges such as simple assault. Is this because there is an increase in simple assault or a greater willingness to call the police for these offenses?

- How are misdemeanor arrests rates related to police-community relationships, police legitimacy and willingness by community members to assist police?

- Do changes in District Attorney offices' policies impact enforcement of minor offenses? For instance, some District Attorneys are no longer prosecuting lower-level marijuana arrests, with some exceptions. Does this impact officer decision-making?

- How much does officer discretion drive the enforcement of misdemeanor offenses compared to department policies?

The Research Network on Misdemeanor Justice, an initiative led by the Misdemeanor Justice Project (MJP), is helping to answer some of these questions by expanding the New York State analyses of misdemeanor enforcement trends to additional geographic areas around the country. The seven additional Research Network sites (Durham, NC; Los Angeles, CA; Louisville, KY[37]; Meridian, MS; Prince George's County, MD; Seattle, WA[38]; and St. Louis, MO[39]) are documenting trends in misdemeanor arrests and other enforcement actions over time and by demographics and charge. These reports will allow for a multi-jurisdictional view

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[37]Schaefer, B.P., Hughes, T.W., & Jude, D. (2018). *Tracking enforcement rates in Louisville, 2009-2016.* Report Presented to the Metro Criminal Justice Commission. Louisville, Kentucky.

[38]Helfgott, J.B., Parkin, W.S., Fisher, C., Morgan, L., & Kaur, S. (October 25, 2018). *Trends in misdemeanor arrest rates in Seattle - Final Report.* Seattle, WA.

[39]Slocum, L.A., Huebner, B.M., Rosenfeld, R., & Greene, C. (2018). *Tracking enforcement rates in the City of St. Louis, 2002-2017.* Report Prepared for the Research Network on Misdemeanor Justice. St. Louis, Missouri: University of Missouri – St. Louis.

of how misdemeanor enforcement has operated in different locations over a number of decades. Several of the sites are also taking a deeper dive into specific questions surrounding misdemeanor enforcement, including the relationship between enforcement of minor offenses and calls for service, the role of misdemeanor enforcement in police-community relationships and how changes in marijuana policies have impacted policing and arrests. The results of this work will be published in the coming years and will serve to further advance our understanding of how low-level enforcement impacts policing and communities around the nation.

Appendix A: Data and Definitions

The New York State Division of Criminal Justice Services (DCJS) and the United States Census Bureau provided data for the majority of this report.

The opinions, findings, and conclusions expressed in this publication are those of the authors and not those of DCJS. Neither New York State nor DCJS assumes liability for its contents or use thereof.

Reported Crime

The New York City Police Department (NYPD) provided data on reported non-violent and violent crimes, used in the Background Trends in New York City section, from 1980 to 1999. Data from 2000 to 2017 were gathered from the NYPD website. Reported crimes include the seven major felony offenses. Violent crimes include murder and non-negligent manslaughter, rape, robbery, and felony assault. Non-violent crimes include burglary, grand larceny, and motor vehicle theft.

Arrest Data

Arrest data were provided by DCJS and include all fingerprintable arrests in New York State from 1980 to 2017. The figures in this report, with exception of Figures 3 and 4, display all arrests for 16-65 year-olds. This age range accounts for 99.4% of all misdemeanor arrests from 1980 to 2017. This overall age range enables us to show a more representative rate for the oldest age group (35-65 year-olds). The data include de-identified, individual-level information on demographics, charge, disposition, and sentence. Our data does not allow us to identify individuals who have been arrested more than one time in a given year.

Figures in this report divide arrests into three locations: New York City, Upstate Cities, and the Rest of the State. The location of the arrest was determined by the arresting agency. Arrests in New York City were classified as arrests made by the New York City Police Department (NYPD), arrests in Upstate Cities were classified as arrests made by the Albany Police Department (APD), Buffalo Police Department (BPD), Rochester Police Department (RPD), Syracuse Police Department (SPD), and Yonkers Police Department (YPD). The Rest of New York State includes any arrest made by another agency, regardless of where that arrest took place.

Since a large number of arrests did not have a final disposition and sentence for the year 2017 at the time of data extraction (36.5 percent), the figures for dispositions and sentences display trends through 2016.

Our data does not allow us to see if an individual received more than one sentence (e.g. probation and fine). The sentence hierarchy is as follows: prison, jail, jail and probation, time served, probation, fine, unconditional discharge, conditional discharge, and other/unknown. Therefore an individual that received probation and a fine would show up as having a sentence of probation in our data.

Population Data

We extracted population counts from United States Census Bureau databases for the years 1980, 1990, 2000, and 2010. The 1980 and 1990 Census data were obtained from the National Historical Geographic Information System (NHGIS) website.[40] The 2000 and 2010 Census data were obtained from the American FactFinder website.[41] The Special Tabulation Program at the U.S. Census helped us navigate the FactFinder website to obtain population estimates disaggregated by sex, single-year age, race and ethnicity for 1990,

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[40]https://www.nhgis.org/

[41]https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml

2000 and 2010. Linear interpolation was used to calculate the population base for the years between the end points.

For 2011 to 2016, we used both the Decennial Census and the American Community Survey (ACS), 5 -year estimates, data to obtain population counts. The Decennial Census provides single-year age estimates by racial and ethnic group, while the ACS provides annual population counts for a particular racial and ethnic group and sex by an age range (e.g. 15 to 19 years). We used the single-year age distribution of the last Decennial Census to estimate a single-year population count from age ranges provided by the ACS. For example, if 17 year-old Hispanic males accounted for 2.3 percent of the population in 2010, we use that proportion to calculate from ACS age range (e.g., 15- 19) to estimate the proportion of 17 year-old Hispanic males in 2016. These estimates assume that the age distribution remains constant within a geographical unit (e.g., city) even as the total number of males (or females) within a specific racial and ethnic group changes in subsequent years. ACS estimates for 2017 were not available at the time of production, therefore we used the 2016 population estimates to calculate the 2017 rates.

All of the arrest rates in this report were calculated per 100,000 residents aged 16-65 years. Rates allow for estimates based on population base over time and geographic area. All rates are population specific. For example, arrest rates for 18-20 year-old Hispanic males in New York City are based on the number of 18-20 year-old Hispanic males in New York City in that given year.

Differences in Arrest Data between the 2014 and 2017 Reports

The 2014 report included some nonfingerprintable arrests. These included VTL 511 charge codes which were included either due to an error or because they were associated with another fingerprintable charge. These nonfingerprintable charges do not appear in the new data extraction and are not a part of the current analyses.

We changed the categorization of our dispositions and sentences. We removed youthful offender and acquitted from disposition. Overall, the youthful offenders only accounted for 1 percent of dispositions and acquitted accounted for 0.19 percent. We disaggregated conviction into misdemeanor conviction or violation or infraction conviction. We combined unconditional discharge and prison sentences into "other". Proportionally, unconditional discharges only accounted for 0.55 percent of sentences and prison comprised only 0.14 percent overall.

Differences in Rate Calculations between the 2014 and 2017 Reports

Our age groupings for the 2014 report included an age group of 35 and over. For the current report we used an age group of 35-65 as this enabled us to provide a more representative rate for our oldest age category.

In the 2014 report, our population counts from 1990 to 1999 for Whites included Hispanic Whites, while our arrest counts were for non-Hispanic Whites. Further, our population counts from 1990 to 2010 for Blacks included Hispanic Blacks. while our arrest counts were for non-Hispanic Black. As a result, the 2014 report underestimated rates for non-Hispanic Whites from 1990 to 1999 and for non-Hispanic Black from 1990 to 2014. These limitations are noted in our prior report. For the 2014 report, we obtained our population estimates from Infoshare[42] which did not report race disaggregated from ethnicity by sex and single-year age for the aforementioned year. However, the NHGIS and the American FactFinder allow for this disaggregation, thereby providing more accurate rates.

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[42]http://www.infoshare.org/main/directip.aspx

Appendix B: Misdemeanor Arrest Tables, 1980-2017

Table 2: Felony Arrest Rates in New York State from 1980 to 2017

Year	New York City	Upstate Cities	Rest of the State	New York State
1980	1,823	1,207	588	1,125
1981	1,888	1,246	605	1,163
1982	1,994	1,331	613	1,216
1983	1,991	1,249	609	1,208
1984	2,168	1,252	590	1,271
1985	2,147	1,319	618	1,282
1986	2,493	1,412	665	1,454
1987	2,613	1,568	648	1,505
1988	2,863	1,727	718	1,654
1989	3,001	2,053	810	1,778
1990	2,892	2,149	815	1,742
1991	2,736	2,186	792	1,672
1992	2,499	2,300	768	1,569
1993	2,404	2,240	741	1,515
1994	2,618	2,221	769	1,622
1995	2,548	2,325	783	1,608
1996	2,508	2,441	787	1,602
1997	2,431	2,561	819	1,595
1998	2,397	2,562	816	1,581
1999	2,137	2,346	777	1,440
2000	2,059	2,306	788	1,412
2001	1,881	2,374	790	1,339
2002	1,790	2,303	819	1,311
2003	1,595	2,148	811	1,215
2004	1,645	2,037	820	1,236
2005	1,678	2,050	838	1,260
2006	1,709	2,198	875	1,300
2007	1,806	2,107	845	1,322
2008	1,739	2,076	850	1,293
2009	1,648	2,074	825	1,241
2010	1,578	2,042	827	1,210
2011	1,520	2,031	811	1,178
2012	1,493	1,944	827	1,170
2013	1,525	1,879	792	1,164
2014	1,498	1,709	773	1,135
2015	1,437	1,629	755	1,097
2016	1,488	1,593	772	1,127
2017	1,345	1,538	775	1,062

Table 3: Misdemeanor Arrest Rates in New York State from 1980 to 2017

Year	New York City	Upstate Cities	Rest of the State	New York State
1980	1,389	2,413	1,766	1,652
1981	1,545	2,425	1,817	1,743
1982	1,965	2,620	1,941	1,991
1983	2,121	2,572	1,960	2,061
1984	2,293	2,753	1,995	2,161
1985	2,564	2,831	2,017	2,287
1986	2,725	3,110	2,066	2,395
1987	2,831	3,436	2,225	2,542
1988	2,689	3,670	2,419	2,600
1989	2,470	4,241	2,534	2,602
1990	2,250	4,458	2,593	2,554
1991	2,313	4,436	2,480	2,517
1992	2,333	4,341	2,331	2,440
1993	2,482	4,279	2,241	2,450
1994	3,247	4,258	2,254	2,777
1995	3,449	4,602	2,335	2,923
1996	3,472	4,892	2,423	2,995
1997	3,861	4,765	2,405	3,146
1998	4,004	4,715	2,377	3,191
1999	3,640	4,521	2,280	2,977
2000	4,117	4,286	2,252	3,158
2001	3,536	4,147	2,213	2,880
2002	3,434	3,987	2,238	2,840
2003	3,416	3,851	2,249	2,832
2004	3,405	3,717	2,232	2,811
2005	3,488	3,854	2,221	2,848
2006	3,653	4,070	2,230	2,934
2007	4,078	3,766	2,214	3,095
2008	4,091	3,838	2,240	3,118
2009	4,267	3,889	2,273	3,214
2010	4,351	3,871	2,221	3,222
2011	4,279	3,918	2,175	3,172
2012	4,028	3,941	2,175	3,066
2013	3,843	3,901	2,094	2,945
2014	3,718	3,242	2,016	2,821
2015	3,193	2,911	1,960	2,548
2016	2,997	2,665	1,968	2,455
2017	2,658	2,629	1,941	2,290

Table 4: Misdemeanor Arrest Rates for Males in New York State from 1980 to 2017

Year	New York City	Upstate Cities	Rest of the State	New York State
1980	2,291	4,049	2,989	2,778
1981	2,406	4,016	3,043	2,849
1982	3,096	4,294	3,259	3,255
1983	3,343	4,223	3,258	3,347
1984	3,661	4,612	3,329	3,534
1985	4,067	4,648	3,344	3,705
1986	4,402	5,225	3,401	3,902
1987	4,631	5,707	3,614	4,136
1988	4,380	6,205	3,918	4,228
1989	3,965	7,096	4,038	4,175
1990	3,619	7,442	4,100	4,087
1991	3,778	7,302	3,881	4,022
1992	3,891	7,145	3,658	3,936
1993	4,158	7,111	3,524	3,970
1994	5,517	7,017	3,529	4,524
1995	5,840	7,489	3,629	4,738
1996	5,899	7,852	3,708	4,825
1997	6,558	7,625	3,645	5,057
1998	6,754	7,608	3,617	5,127
1999	6,146	7,257	3,478	4,785
2000	7,001	6,852	3,439	5,109
2001	5,976	6,697	3,357	4,625
2002	5,874	6,417	3,376	4,577
2003	5,880	6,144	3,402	4,580
2004	5,789	5,847	3,357	4,504
2005	5,941	6,056	3,323	4,560
2006	6,255	6,389	3,333	4,713
2007	6,999	5,940	3,292	4,985
2008	6,942	6,050	3,296	4,968
2009	7,273	6,069	3,293	5,108
2010	7,412	5,969	3,178	5,100
2011	7,247	6,089	3,086	4,993
2012	6,797	6,174	3,067	4,801
2013	6,495	6,171	2,926	4,602
2014	6,259	5,056	2,815	4,395
2015	5,365	4,492	2,759	3,960
2016	5,051	4,072	2,770	3,813
2017	4,470	4,002	2,742	3,545

Table 5: Misdemeanor Arrest Rates for Females in New York State from 1980 to 2017

Year	New York City	Upstate Cities	Rest of the State	New York State
1980	607	951	595	622
1981	794	1,001	640	726
1982	975	1,120	671	825
1983	1,047	1,088	706	871
1984	1,083	1,079	703	884
1985	1,229	1,191	727	964
1986	1,230	1,198	765	984
1987	1,221	1,377	868	1,045
1988	1,168	1,368	950	1,066
1989	1,119	1,644	1,055	1,115
1990	1,009	1,739	1,107	1,101
1991	984	1,821	1,098	1,090
1992	919	1,782	1,021	1,019
1993	960	1,694	973	1,007
1994	1,184	1,737	994	1,115
1995	1,272	1,962	1,053	1,196
1996	1,261	2,185	1,149	1,252
1997	1,401	2,149	1,173	1,323
1998	1,491	2,060	1,143	1,343
1999	1,352	2,013	1,091	1,253
2000	1,483	1,935	1,074	1,297
2001	1,306	1,806	1,076	1,214
2002	1,204	1,754	1,104	1,180
2003	1,163	1,738	1,098	1,159
2004	1,224	1,752	1,111	1,192
2005	1,243	1,818	1,122	1,209
2006	1,270	1,923	1,130	1,231
2007	1,403	1,746	1,137	1,284
2008	1,478	1,779	1,185	1,343
2009	1,512	1,857	1,252	1,397
2010	1,544	1,910	1,263	1,418
2011	1,559	1,888	1,262	1,424
2012	1,490	1,855	1,280	1,401
2013	1,413	1,781	1,260	1,353
2014	1,391	1,549	1,215	1,310
2015	1,205	1,435	1,158	1,192
2016	1,118	1,355	1,161	1,151
2017	1,001	1,351	1,135	1,084

Table 6: Misdemeanor Arrest Rates by Age in New York State from 1980 to 2017

Year	16-17 Year-Olds	18-20 Year-Olds	21-24 Year-Olds	25-34 Year-Olds	35-65 Year-Olds
1980	3,512	4,075	3,201	1,934	615
1981	3,567	4,201	3,548	2,130	623
1982	3,646	4,676	4,224	2,549	709
1983	3,453	4,596	4,537	2,703	761
1984	3,489	4,614	4,719	2,902	834
1985	3,765	4,751	5,133	3,114	870
1986	4,100	4,715	5,353	3,347	918
1987	4,263	4,739	5,496	3,693	1,006
1988	4,217	4,820	5,390	3,842	1,074
1989	3,925	4,747	5,067	3,924	1,145
1990	4,200	4,765	4,777	3,784	1,167
1991	4,310	4,434	4,636	3,736	1,213
1992	4,306	4,044	4,363	3,633	1,245
1993	4,542	4,154	4,253	3,631	1,279
1994	5,633	4,783	4,419	4,036	1,534
1995	5,863	5,100	4,345	4,183	1,715
1996	5,939	5,583	4,459	4,151	1,803
1997	6,245	6,230	4,827	4,239	1,908
1998	6,392	6,712	5,245	4,103	1,943
1999	5,931	6,489	5,242	3,683	1,822
2000	6,059	7,152	5,863	3,818	1,939
2001	5,573	6,546	5,508	3,426	1,760
2002	5,546	6,384	5,546	3,362	1,730
2003	5,552	6,319	5,556	3,290	1,746
2004	5,366	6,099	5,362	3,255	1,785
2005	5,537	6,156	5,450	3,293	1,801
2006	5,906	6,362	5,517	3,404	1,848
2007	6,185	6,686	5,747	3,666	1,938
2008	6,358	6,993	5,775	3,760	1,893
2009	6,455	7,342	6,156	3,980	1,879
2010	6,470	7,367	6,331	4,102	1,822
2011	5,937	7,062	6,394	4,124	1,791
2012	5,292	6,450	6,315	4,127	1,735
2013	4,497	5,671	6,047	4,127	1,708
2014	4,027	5,134	5,661	4,067	1,667
2015	3,535	4,457	5,000	3,799	1,504
2016	3,139	4,188	4,662	3,792	1,456
2017	2,650	3,663	4,179	3,637	1,394

Table 7: Misdemeanor Arrest Rates by Age in New York City from 1980 to 2017

Year	16-17 Year-Olds	18-20 Year-Olds	21-24 Year-Olds	25-34 Year-Olds	35-65 Year-Olds
1980	3,056	3,420	2,881	1,831	420
1981	3,279	3,800	3,457	2,087	415
1982	3,710	4,789	4,442	2,741	541
1983	3,609	4,788	5,001	2,962	643
1984	3,623	4,842	5,245	3,271	775
1985	3,954	5,283	6,087	3,623	883
1986	3,915	5,101	6,356	3,981	997
1987	3,759	4,788	6,187	4,307	1,126
1988	3,209	4,381	5,456	4,180	1,159
1989	2,549	3,575	4,513	3,960	1,181
1990	2,653	3,247	3,792	3,569	1,134
1991	3,007	3,236	3,811	3,616	1,218
1992	3,355	3,232	3,529	3,566	1,321
1993	3,813	3,712	3,552	3,687	1,459
1994	5,987	5,167	4,181	4,546	2,038
1995	6,051	5,294	4,032	4,663	2,373
1996	5,932	5,886	4,100	4,466	2,451
1997	7,044	7,363	4,930	4,707	2,679
1998	7,602	8,448	5,760	4,571	2,720
1999	6,846	7,941	5,605	3,967	2,488
2000	7,556	9,165	6,644	4,351	2,832
2001	6,544	7,900	5,926	3,708	2,405
2002	6,441	7,647	5,875	3,581	2,322
2003	6,546	7,518	5,811	3,484	2,351
2004	6,416	7,265	5,507	3,441	2,435
2005	6,990	7,531	5,675	3,461	2,480
2006	7,842	7,981	5,858	3,610	2,574
2007	8,689	9,021	6,501	4,103	2,841
2008	9,003	9,434	6,513	4,158	2,772
2009	9,546	10,215	7,074	4,419	2,762
2010	10,163	10,643	7,608	4,555	2,679
2011	9,538	10,348	7,716	4,525	2,619
2012	8,492	9,381	7,433	4,331	2,475
2013	7,123	8,174	7,002	4,333	2,435
2014	6,527	7,501	6,724	4,269	2,397
2015	5,561	6,222	5,707	3,783	2,045
2016	4,597	5,739	5,309	3,707	1,909
2017	3,556	4,665	4,537	3,409	1,747

Table 8: Misdemeanor Arrest Rates by Age in Upstate Cities from 1980 to 2017

Year	16-17 Year-Olds	18-20 Year-Olds	21-24 Year-Olds	25-34 Year-Olds	35-65 Year-Olds
1980	5,091	4,302	3,597	2,838	1,122
1981	5,173	4,318	3,883	2,877	1,045
1982	5,417	4,564	4,211	3,177	1,142
1983	5,005	4,114	4,147	3,311	1,130
1984	4,994	4,411	4,287	3,594	1,270
1985	5,752	4,286	4,536	3,700	1,276
1986	6,588	4,796	5,050	4,022	1,382
1987	7,508	4,973	5,508	4,601	1,516
1988	7,485	5,480	5,740	4,951	1,663
1989	8,020	6,305	6,207	5,921	1,985
1990	8,365	6,765	6,662	6,028	2,166
1991	8,778	6,163	6,473	6,147	2,232
1992	8,553	5,644	6,345	5,999	2,315
1993	8,985	5,369	6,207	5,966	2,306
1994	9,464	5,640	5,673	5,944	2,364
1995	9,735	6,082	5,750	6,493	2,691
1996	10,309	6,759	5,711	6,751	3,029
1997	9,337	6,632	5,457	6,441	3,126
1998	9,522	6,603	5,687	6,167	3,141
1999	8,902	6,304	5,742	5,748	3,085
2000	9,005	6,593	5,744	5,263	2,838
2001	8,483	6,382	5,775	4,839	2,825
2002	8,298	6,263	5,466	4,682	2,686
2003	7,953	5,923	5,444	4,351	2,655
2004	7,362	5,534	5,044	4,139	2,682
2005	8,379	5,850	5,315	4,163	2,739
2006	8,518	6,002	5,693	4,297	2,967
2007	8,339	5,735	4,942	4,000	2,731
2008	8,727	6,057	5,092	4,220	2,648
2009	8,209	6,038	5,477	4,430	2,607
2010	7,512	5,834	5,648	4,604	2,543
2011	6,608	5,927	5,712	4,884	2,548
2012	6,042	5,642	6,015	4,978	2,574
2013	5,506	4,853	6,216	5,268	2,511
2014	4,475	3,669	5,108	4,600	2,077
2015	3,732	3,099	4,440	4,332	1,867
2016	3,403	2,793	3,719	4,087	1,743
2017	2,965	2,702	3,564	4,067	1,768

Table 9: Misdemeanor Arrest Rates by Age in the Rest of the State from 1980 to 2017

Year	16-17 Year-Olds	18-20 Year-Olds	21-24 Year-Olds	25-34 Year-Olds	35-65 Year-Olds
1980	3,645	4,451	3,392	1,911	710
1981	3,599	4,435	3,569	2,075	737
1982	3,450	4,620	4,052	2,305	792
1983	3,219	4,535	4,227	2,405	813
1984	3,273	4,494	4,364	2,499	838
1985	3,469	4,469	4,456	2,603	823
1986	4,002	4,455	4,591	2,717	817
1987	4,314	4,676	4,937	3,051	870
1988	4,613	5,025	5,286	3,414	959
1989	4,516	5,329	5,354	3,650	1,044
1990	4,927	5,530	5,316	3,697	1,105
1991	4,844	5,031	5,067	3,550	1,123
1992	4,616	4,403	4,798	3,408	1,097
1993	4,681	4,310	4,592	3,298	1,060
1994	5,050	4,397	4,454	3,322	1,094
1995	5,396	4,831	4,434	3,440	1,150
1996	5,571	5,205	4,622	3,526	1,225
1997	5,400	5,318	4,632	3,499	1,241
1998	5,241	5,385	4,653	3,370	1,276
1999	5,007	5,371	4,784	3,135	1,232
2000	4,707	5,611	5,029	3,062	1,213
2001	4,615	5,489	5,018	2,946	1,203
2002	4,664	5,400	5,207	2,959	1,221
2003	4,634	5,428	5,303	2,943	1,231
2004	4,448	5,261	5,256	2,935	1,239
2005	4,266	5,127	5,236	2,994	1,232
2006	4,321	5,158	5,140	3,054	1,231
2007	4,249	5,015	5,090	3,104	1,217
2008	4,319	5,248	5,124	3,222	1,193
2009	4,169	5,326	5,327	3,388	1,179
2010	3,842	5,088	5,150	3,480	1,143
2011	3,393	4,715	5,158	3,532	1,126
2012	3,011	4,323	5,224	3,765	1,126
2013	2,586	3,865	5,049	3,725	1,109
2014	2,243	3,508	4,647	3,743	1,092
2015	2,098	3,274	4,350	3,754	1,072
2016	2,090	3,171	4,125	3,866	1,094
2017	1,986	3,013	3,896	3,879	1,100

Table 10: Misdemeanor Arrest Rates by Race/Ethnicity in New York State from 2002 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
2002	7,160	3,698	1,846
2003	7,047	3,779	1,812
2004	6,977	3,836	1,763
2005	7,148	3,923	1,750
2006	7,472	4,070	1,778
2007	7,972	4,401	1,801
2008	8,053	4,288	1,834
2009	8,522	4,333	1,855
2010	8,604	4,332	1,838
2011	8,392	4,241	1,830
2012	8,056	4,055	1,800
2013	7,533	4,036	1,724
2014	7,179	3,887	1,657
2015	6,437	3,437	1,528
2016	6,114	3,263	1,507
2017	5,707	2,961	1,431

Table 11: Misdemeanor Arrest Rates by Race/Ethnicity in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	4,539	2,578	1,024
1991	4,623	2,667	1,068
1992	4,714	2,679	1,051
1993	5,062	2,944	1,091
1994	6,869	3,778	1,329
1995	7,181	4,048	1,483
1996	7,410	3,944	1,496
1997	8,279	4,400	1,664
1998	8,486	4,704	1,714
1999	7,615	4,400	1,549
2000	8,712	5,029	1,689
2001	7,457	4,272	1,487
2002	7,133	4,157	1,470
2003	7,041	4,217	1,355
2004	7,027	4,255	1,270
2005	7,288	4,336	1,254
2006	7,741	4,519	1,335
2007	8,604	5,145	1,464
2008	8,708	5,022	1,549
2009	9,317	5,113	1,588
2010	9,517	5,169	1,639
2011	9,217	5,083	1,716
2012	8,694	4,795	1,602
2013	8,013	4,742	1,497
2014	7,707	4,579	1,524
2015	6,711	3,941	1,242
2016	6,232	3,680	1,200
2017	5,571	3,226	1,064

Table 12: Misdemeanor Arrest Rates by Race/Ethnicity in Upstate Cities from 2002 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
2002	8,305	3,025	2,263
2003	7,872	3,245	2,198
2004	7,432	3,307	2,152
2005	7,659	3,469	2,227
2006	8,200	3,466	2,334
2007	7,327	3,231	2,277
2008	7,467	3,505	2,242
2009	7,564	3,393	2,292
2010	7,498	3,536	2,238
2011	7,553	3,434	2,345
2012	7,476	3,492	2,456
2013	7,307	3,684	2,398
2014	6,161	2,914	2,002
2015	5,622	2,426	1,828
2016	4,926	2,397	1,698
2017	4,962	2,416	1,583

Table 13: Misdemeanor Arrest Rates by Race/Ethnicity in the Rest of the State from 2002 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
2002	6,747	2,301	1,952
2003	6,709	2,482	1,948
2004	6,625	2,646	1,912
2005	6,502	2,780	1,894
2006	6,352	2,885	1,901
2007	6,349	2,523	1,891
2008	6,369	2,432	1,911
2009	6,610	2,435	1,924
2010	6,448	2,319	1,886
2011	6,390	2,243	1,842
2012	6,489	2,294	1,834
2013	6,275	2,348	1,767
2014	6,104	2,345	1,686
2015	5,993	2,371	1,615
2016	6,265	2,400	1,607
2017	6,409	2,411	1,555

Table 14: Misdemeanor Arrest Rates for Males Age 16-17 by Race/Ethnicity in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	6,964	4,725	1,798
1991	8,133	5,584	2,115
1992	9,448	6,365	1,917
1993	10,844	7,309	2,001
1994	17,794	11,315	2,680
1995	17,182	11,021	3,604
1996	17,429	10,285	3,553
1997	20,266	12,456	4,450
1998	21,559	13,170	5,548
1999	19,239	12,564	5,002
2000	21,335	13,332	5,890
2001	18,409	10,338	5,554
2002	17,506	10,714	5,692
2003	17,999	10,577	4,986
2004	17,200	10,790	3,915
2005	20,019	11,707	3,967
2006	21,958	13,034	4,383
2007	23,968	15,128	4,879
2008	24,573	14,757	5,499
2009	26,411	15,744	5,272
2010	28,181	15,826	6,124
2011	26,986	14,756	5,209
2012	24,331	13,078	4,339
2013	19,700	11,216	3,686
2014	18,534	9,934	3,432
2015	15,825	8,105	2,699
2016	12,109	6,879	2,309
2017	9,166	5,215	1,979

Table 15: Misdemeanor Arrest Rates for Males Age 18-20 by Race/Ethnicity in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	8,013	5,412	2,694
1991	8,288	5,673	2,548
1992	8,793	5,962	2,205
1993	10,563	7,168	2,408
1994	16,534	9,316	3,113
1995	16,472	9,381	3,494
1996	18,489	10,304	4,150
1997	22,965	13,105	5,069
1998	26,115	15,015	6,379
1999	23,925	14,466	5,738
2000	28,166	16,519	7,282
2001	23,864	13,885	6,503
2002	22,715	13,313	6,591
2003	22,825	13,367	5,678
2004	21,862	13,099	4,446
2005	23,260	13,122	4,608
2006	24,900	13,806	5,024
2007	27,071	16,184	6,222
2008	28,112	15,744	7,750
2009	31,108	16,670	8,260
2010	32,063	17,095	7,991
2011	29,685	16,606	8,869
2012	27,599	15,459	6,992
2013	23,070	14,166	5,643
2014	21,219	12,825	5,107
2015	18,299	10,575	3,412
2016	16,218	9,576	3,524
2017	13,238	7,745	2,942

Table 16: Misdemeanor Arrest Rates for Males Age 21-24 by Race/Ethnicity in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	10,662	5,912	2,632
1991	10,633	6,140	2,769
1992	10,401	6,024	2,482
1993	10,692	6,363	2,437
1994	14,188	7,717	2,965
1995	13,097	7,644	3,206
1996	14,129	7,823	3,099
1997	17,814	9,334	3,559
1998	20,706	11,015	4,106
1999	19,668	11,355	4,023
2000	24,923	13,344	4,764
2001	21,825	11,665	4,298
2002	21,479	11,644	4,411
2003	21,356	11,569	4,089
2004	19,863	11,329	3,441
2005	21,123	11,304	3,424
2006	21,958	11,721	3,683
2007	23,992	13,115	4,200
2008	23,790	12,410	4,517
2009	26,244	13,385	4,740
2010	28,259	13,846	5,630
2011	27,763	13,999	5,836
2012	27,185	13,414	5,470
2013	24,708	13,086	4,821
2014	23,386	13,009	4,476
2015	20,456	11,053	3,337
2016	18,838	10,208	3,170
2017	16,426	8,550	2,462

Table 17: Misdemeanor Arrest Rates for Males Ages 25-34 by Race/Ethnicity in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	12,929	5,921	2,194
1991	13,324	6,051	2,271
1992	13,491	6,084	2,315
1993	14,028	6,582	2,451
1994	17,730	8,065	3,024
1995	17,878	8,439	3,313
1996	17,763	7,859	3,140
1997	18,860	8,492	3,391
1998	18,016	8,530	3,235
1999	15,518	7,703	2,888
2000	17,432	8,899	3,007
2001	14,661	7,689	2,615
2002	14,447	7,627	2,438
2003	14,084	7,748	2,225
2004	13,583	7,702	2,089
2005	13,751	7,799	1,970
2006	14,576	8,280	2,146
2007	17,091	9,465	2,349
2008	17,414	9,231	2,531
2009	19,584	9,608	2,585
2010	20,547	9,737	2,705
2011	20,121	9,362	2,934
2012	18,962	8,819	2,932
2013	18,468	9,064	2,779
2014	18,108	8,869	2,839
2015	16,459	7,810	2,372
2016	16,162	7,644	2,336
2017	15,133	6,793	2,100

Table 18: Misdemeanor Arrest Rates for Males Age 35-65 in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	4,602	2,685	820
1991	4,964	2,825	917
1992	5,432	2,948	1,030
1993	6,209	3,186	1,072
1994	8,811	4,233	1,475
1995	9,911	4,947	1,781
1996	10,658	4,788	1,835
1997	11,615	5,081	2,007
1998	11,531	5,210	1,986
1999	10,473	4,776	1,789
2000	11,965	5,617	1,890
2001	10,051	4,649	1,657
2002	9,588	4,626	1,657
2003	9,660	4,833	1,575
2004	9,897	4,971	1,548
2005	10,014	5,106	1,573
2006	10,623	5,299	1,622
2007	11,723	5,963	1,714
2008	11,379	5,735	1,659
2009	11,635	5,499	1,694
2010	11,309	5,322	1,647
2011	10,817	5,284	1,676
2012	10,049	5,004	1,601
2013	9,630	5,165	1,598
2014	9,324	5,059	1,685
2015	7,875	4,412	1,395
2016	7,397	4,108	1,350
2017	6,787	3,709	1,256

Table 19: Misdemeanor Arrest Rates for Females Age 16-17 by Race/Ethnicity in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	1,877	816	370
1991	1,823	706	327
1992	2,045	849	346
1993	2,359	1,001	492
1994	3,647	1,631	605
1995	3,701	1,821	745
1996	3,819	1,696	793
1997	4,418	2,053	949
1998	4,758	2,287	1,197
1999	4,089	1,989	977
2000	4,549	2,198	1,187
2001	4,714	2,201	1,138
2002	4,386	1,907	1,317
2003	4,690	2,303	1,203
2004	5,222	2,420	1,214
2005	5,206	2,449	1,083
2006	6,493	2,789	1,287
2007	6,615	3,085	1,322
2008	7,162	3,608	1,496
2009	8,476	3,587	1,431
2010	8,907	4,129	1,825
2011	8,431	3,826	1,493
2012	7,857	3,300	1,195
2013	6,159	2,932	1,050
2014	5,533	2,889	1,065
2015	5,190	2,586	943
2016	4,432	2,339	858
2017	3,601	1,774	673

Table 20: Misdemeanor Arrest Rates for Females Age 18-20 by Race/Ethnicity in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	2,346	1,206	1,269
1991	1,990	1,215	1,144
1992	2,006	907	1,056
1993	2,222	971	967
1994	3,008	1,345	857
1995	3,203	1,598	954
1996	3,472	1,694	1,195
1997	4,915	2,110	1,203
1998	5,493	2,454	1,466
1999	5,663	2,480	1,415
2000	5,884	2,700	1,691
2001	5,690	2,469	1,336
2002	5,291	2,166	1,574
2003	4,759	2,257	1,496
2004	5,384	2,355	1,282
2005	5,619	2,339	1,142
2006	5,742	2,540	1,447
2007	6,341	2,698	1,529
2008	6,926	3,083	1,826
2009	7,542	3,368	1,819
2010	8,402	3,780	1,927
2011	8,060	3,758	2,005
2012	7,590	3,446	1,590
2013	6,256	3,314	1,115
2014	5,962	3,026	1,190
2015	5,051	2,601	943
2016	4,642	2,444	987
2017	3,598	2,146	816

Table 21: Misdemeanor Arrest Rates for Females Age 21-24 by Race/Ethnicity in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	3,793	1,711	1,710
1991	3,448	1,786	1,765
1992	2,862	1,448	1,564
1993	2,581	1,485	1,663
1994	2,707	1,522	1,132
1995	2,734	1,616	862
1996	2,603	1,568	862
1997	3,278	1,726	989
1998	4,081	2,145	1,160
1999	3,797	2,270	974
2000	4,104	2,507	1,009
2001	4,138	2,220	1,000
2002	3,920	2,060	952
2003	3,810	2,001	903
2004	3,731	1,994	835
2005	3,903	2,054	756
2006	4,290	1,893	825
2007	4,563	2,257	898
2008	5,007	2,378	1,028
2009	5,641	2,490	1,166
2010	5,972	2,769	1,192
2011	6,390	2,940	1,377
2012	6,296	2,859	1,213
2013	5,830	2,914	1,106
2014	5,677	2,900	1,089
2015	4,950	2,553	813
2016	4,632	2,346	777
2017	4,059	2,136	607

Table 22: Misdemeanor Arrest Rates for Females Ages 25-34 by Race/Ethnicity in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	3,504	1,680	1,057
1991	3,406	1,661	1,057
1992	3,215	1,521	895
1993	3,235	1,714	882
1994	4,070	2,118	924
1995	4,202	2,191	900
1996	3,980	2,068	899
1997	4,107	2,031	965
1998	3,972	2,218	916
1999	3,275	1,855	803
2000	3,512	1,978	809
2001	2,964	1,697	643
2002	2,622	1,473	627
2003	2,349	1,401	526
2004	2,399	1,489	533
2005	2,487	1,576	509
2006	2,619	1,461	520
2007	2,942	1,728	538
2008	3,207	1,712	616
2009	3,377	1,697	635
2010	3,532	1,766	661
2011	3,693	1,824	713
2012	3,574	1,823	716
2013	3,628	1,902	694
2014	3,574	1,909	780
2015	3,297	1,624	694
2016	3,247	1,579	672
2017	3,084	1,532	597

Table 23: Misdemeanor Arrest Rates for Females Age 35-65 in New York City from 1990 to 2017

Year	Non-Hispanic Black	Hispanic	Non-Hispanic White
1990	677	396	189
1991	693	406	202
1992	746	442	210
1993	856	530	228
1994	1,285	749	304
1995	1,638	902	336
1996	1,660	914	361
1997	1,889	1,038	430
1998	2,021	1,118	446
1999	1,887	1,040	415
2000	2,255	1,155	459
2001	1,876	998	407
2002	1,720	895	383
2003	1,591	903	366
2004	1,711	949	404
2005	1,757	955	401
2006	1,788	965	419
2007	1,979	1,086	468
2008	2,049	1,075	460
2009	2,007	996	445
2010	1,872	973	432
2011	1,820	981	457
2012	1,778	966	430
2013	1,608	948	421
2014	1,583	912	450
2015	1,332	786	403
2016	1,174	698	365
2017	1,059	656	339

88

Appendix C: Rate Ratio Tables, 1980-2017

The tables below show the rate ratios for misdemeanor arrests by sex, age, and race/ethnicity in New York City, Upstate Cities, and the Rest of the State. The values represent how rates of arrest among different demographic groups compare to each other. For example, table 24 shows that in 2017, the rate of arrest for males in New York City was 4.5 times greater than the rate of arrest for females. In other words, males were 4.5 times more likely to be arrested compared to females.

Table 24: Rate Ratios for Males Compared to Females in New York City, Upstate Cities, and the Rest of the State

Year	New York City	Upstate Cities	Rest of the State	New York State
1980	3.8	4.3	5.0	4.5
1990	3.6	4.3	3.7	3.7
2000	4.7	3.5	3.2	3.9
2010	4.8	3.1	2.5	3.6
2017	4.5	3.0	2.4	3.3

Table 25: Rate Ratios for 16-17 Year-Olds Compared to 35-65 Year-Olds in New York City, Upstate Cities, and the Rest of the State

Year	New York City	Upstate Cities	Rest of the State	New York State
1980	7.3	4.5	5.1	5.7
1990	2.3	3.9	4.5	3.6
2000	2.7	3.2	3.9	3.1
2010	3.8	3.0	3.4	3.6
2017	2.0	1.7	1.8	1.9

Table 26: Rate Ratios for 18-20 Year-Olds Compared to 35-65 Year-Olds in New York City, Upstate Cities, and the Rest of the State

Year	New York City	Upstate Cities	Rest of the State	New York State
1980	8.1	3.8	6.3	6.6
1990	2.9	3.1	5.0	4.1
2000	3.2	2.3	4.6	3.7
2010	4.0	2.3	4.5	4.0
2017	2.7	1.5	2.7	2.6

Table 27: Rate Ratios for 21-24 Year-Olds Compared to 35-65 Year-Olds in New York City, Upstate Cities, and the Rest of the State

Year	New York City	Upstate Cities	Rest of the State	New York State
1980	6.9	3.2	4.8	5.2
1990	3.3	3.1	4.8	4.1
2000	2.3	2.0	4.1	3.0
2010	2.8	2.2	4.5	3.5
2017	2.6	2.0	3.5	3.0

Table 28: Rate Ratios for 25-34 Year-Olds Compared to 35-65 Year-Olds in New York City, Upstate Cities, and the Rest of the State

Year	New York City	Upstate Cities	Rest of the State	New York State
1980	4.4	2.5	2.7	3.1
1990	3.1	2.8	3.3	3.2
2000	1.5	1.9	2.5	2.0
2010	1.7	1.8	3.0	2.3
2017	2.0	2.3	3.5	2.6

Table 29: Rate Ratios for non-Hispanic Blacks Compared to non-Hispanic Whites in New York City, Upstate Cities, and the Rest of the State

Year	New York City	Upstate Cities	Rest of the State	New York State
1990	4.4	NA	NA	NA
2002	4.9	3.7	3.5	3.9
2010	5.8	3.4	3.4	4.7
2017	5.2	3.1	4.1	4.0

Table 30: Rate Ratios for Hispanics Compared to non-Hispanic Whites in New York City, Upstate Cities, and the Rest of the State

Year	New York City	Upstate Cities	Rest of the State	New York State
1990	2.5	NA	NA	NA
2002	2.8	1.3	1.2	2.0
2010	3.2	1.6	1.2	2.4
2017	3.0	1.5	1.6	2.1

Table 31: Rate Ratios for non-Hispanic Black Males Compared to non-Hispanic White Males in New York City

Year	16-17	18-20	21-24	25-34	35-65
1990	3.9	3.0	4.1	5.9	5.6
2002	3.1	3.4	4.9	5.9	5.8
2010	4.6	4.0	5.0	7.6	6.9
2017	4.6	4.5	6.7	7.2	5.4

Table 32: Rate Ratios for Hispanic Males Compared to non-Hispanic White Males in New York City

Year	16-17	18-20	21-24	25-34	35-65
1990	2.6	2.0	2.2	2.7	3.3
2002	1.9	2.0	2.6	3.1	2.8
2010	2.6	2.1	2.5	3.6	3.2
2017	2.6	2.6	3.5	3.2	3.0

Appendix D: Charge Codes, Categories, and Frequencies for New York City, Upstate Cities, and the Rest of the State, 1980 to 2017

Note: Charges with less than 100 arrests have been excluded. Table is sorted by descending order for New York City. Additionally, the proportions presented are per geographic area.

Table 33: Charge Codes, Categories, and Frequencies from 1980 to 2017 for New York State

Penal Law Code	Charge Category	NYC	UC	ROS
PL 120.00 01	Person-Related	679,815 (58.2%)	86,925 (36.2%)	280,322 (24.3%)
PL 120.14 01	Person-Related	86,589 (7.4%)	20,843 (8.7%)	54,992 (4.8%)
PL 240.30 01	Person-Related	53,984 (4.6%)	11,519 (4.8%)	123,950 (10.7%)
PL 240.30 02	Person-Related	50,679 (4.3%)	4,747 (2%)	25,196 (2.2%)
PL 215.50 03	Person-Related	47,957 (4.1%)	19,744 (8.2%)	127,497 (11.1%)
PL 120.20	Person-Related	38,476 (3.3%)	6,930 (2.9%)	45,552 (4%)
PL 120.15	Person-Related	24,216 (2.1%)	7,779 (3.2%)	34,852 (3%)
PL 260.10 01	Person-Related	21,386 (1.8%)	11,559 (4.8%)	88,845 (7.7%)
PL 121.11	Person-Related	15,923 (1.4%)	655 (0.3%)	4,980 (0.4%)
PL 190.25 01	Person-Related	14,310 (1.2%)	8,543 (3.6%)	44,328 (3.8%)
PL 120.00 02	Person-Related	14,260 (1.2%)	19,732 (8.2%)	24,019 (2.1%)
PL 215.50 01	Person-Related	12,696 (1.1%)	411 (0.2%)	2,900 (0.3%)
PL 215.50 06	Person-Related	11,469 (1%)	1,163 (0.5%)	8,936 (0.8%)
PL 130.55	Person-Related	10,085 (0.9%)	1,585 (0.7%)	9,124 (0.8%)
PL 120.00	Person-Related	10,026 (0.9%)	6,893 (2.9%)	54,318 (4.7%)
PL 130.52	Person-Related	9,656 (0.8%)	981 (0.4%)	7,492 (0.6%)
PL 135.05	Person-Related	7,074 (0.6%)	2,655 (1.1%)	16,567 (1.4%)
PL 120.00 03	Person-Related	6,844 (0.6%)	1,965 (0.8%)	4,240 (0.4%)
PL 121.11 A	Person-Related	5,880 (0.5%)	3,653 (1.5%)	14,133 (1.2%)
PL 240.25	Person-Related	5,255 (0.5%)	698 (0.3%)	5,713 (0.5%)
PL 215.50 02	Person-Related	3,633 (0.3%)	163 (0.1%)	973 (0.1%)
PL 260.10 02	Person-Related	3,155 (0.3%)	1,699 (0.7%)	6,160 (0.5%)
PL 190.25 03	Person-Related	2,824 (0.2%)	200 (0.1%)	1,820 (0.2%)
PL 260.20 02	Person-Related	2,592 (0.2%)	1,876 (0.8%)	29,583 (2.6%)
PL 120.14 02	Person-Related	2,374 (0.2%)	339 (0.1%)	1,422 (0.1%)
PL 130.20 01	Person-Related	2,374 (0.2%)	761 (0.3%)	8,403 (0.7%)
PL 120.45 01	Person-Related	2,140 (0.2%)	179 (0.1%)	1,981 (0.2%)
PL 130.60 02	Person-Related	1,841 (0.2%)	669 (0.3%)	5,660 (0.5%)
PL 190.25 02	Person-Related	1,489 (0.1%)	173 (0.1%)	1,707 (0.1%)
PL 190.25	Person-Related	1,340 (0.1%)	1,254 (0.5%)	7,282 (0.6%)
PL 240.30 03	Person-Related	1,314 (0.1%)	763 (0.3%)	2,408 (0.2%)

Table 33: Charge Codes, Categories, and Frequencies from 1980 to 2017 for New York State
(continued)

Penal Law Code	Charge Category	NYC	UC	ROS
PL 240.30 1A	Person-Related	1,294 (0.1%)	1,523 (0.6%)	7,475 (0.6%)
PL 130.60 01	Person-Related	1,190 (0.1%)	129 (0.1%)	906 (0.1%)
PL 240.30	Person-Related	672 (0.1%)	2,025 (0.8%)	16,342 (1.4%)
PL 120.50 03	Person-Related	631 (0.1%)	140 (0.1%)	1,053 (0.1%)
PL 260.25	Person-Related	620 (0.1%)	115 (0%)	1,118 (0.1%)
PL 135.45 01	Person-Related	502 (0%)	291 (0.1%)	887 (0.1%)
PL 260.10	Person-Related	441 (0%)	1,656 (0.7%)	23,761 (2.1%)
PL 260.20 01	Person-Related	382 (0%)	134 (0.1%)	2,998 (0.3%)
PL 240.30 1B	Person-Related	322 (0%)	288 (0.1%)	1,115 (0.1%)
PL 135.45 02	Person-Related	313 (0%)	106 (0%)	345 (0%)
PL 130.20 02	Person-Related	287 (0%)	168 (0.1%)	1,580 (0.1%)
PL 215.50	Person-Related	253 (0%)	2,646 (1.1%)	12,444 (1.1%)
PL 121.11 B	Person-Related	213 (0%)	105 (0%)	551 (0%)
PL 120.45 02	Person-Related	201 (0%)	111 (0%)	2,052 (0.2%)
PL 155.25	Property and Theft-Related	660,206 (62.9%)	142,236 (57.5%)	1,040,911 (68.5%)
PL 145.00 01	Property and Theft-Related	130,134 (12.4%)	56,949 (23%)	202,498 (13.3%)
PL 165.40	Property and Theft-Related	77,678 (7.4%)	16,258 (6.6%)	109,585 (7.2%)
PL 165.71	Property and Theft-Related	29,856 (2.8%)	254 (0.1%)	811 (0.1%)
PL 145.60 02	Property and Theft-Related	29,614 (2.8%)	692 (0.3%)	4,224 (0.3%)
PL 145.15	Property and Theft-Related	22,149 (2.1%)	260 (0.1%)	1,740 (0.1%)
PL 165.05 01	Property and Theft-Related	14,706 (1.4%)	12,685 (5.1%)	44,625 (2.9%)
PL 140.35	Property and Theft-Related	11,399 (1.1%)	3,056 (1.2%)	7,094 (0.5%)
PL 165.09 01	Property and Theft-Related	10,229 (1%)	440 (0.2%)	867 (0.1%)
PL 155.30 01	Property and Theft-Related	7,539 (0.7%)	198 (0.1%)	1,505 (0.1%)
PL 165.30 01	Property and Theft-Related	6,500 (0.6%)	248 (0.1%)	1,147 (0.1%)
PL 145.00 03	Property and Theft-Related	6,249 (0.6%)	1,755 (0.7%)	13,731 (0.9%)
PL 145.00	Property and Theft-Related	6,200 (0.6%)	5,947 (2.4%)	44,586 (2.9%)
PL 165.09 02	Property and Theft-Related	3,820 (0.4%)	136 (0.1%)	357 (0%)
PL 165.05 03	Property and Theft-Related	1,917 (0.2%)	938 (0.4%)	5,369 (0.4%)
PL 170.05	Property and Theft-Related	1,829 (0.2%)	237 (0.1%)	3,768 (0.2%)
PL 145.00 04	Property and Theft-Related	1,629 (0.2%)	458 (0.2%)	6,229 (0.4%)
PL 165.00 01	Property and Theft-Related	1,000 (0.1%)	211 (0.1%)	2,282 (0.2%)
PL 145.14	Property and Theft-Related	875 (0.1%)	166 (0.1%)	4,473 (0.3%)
PL 145.00 02	Property and Theft-Related	862 (0.1%)	549 (0.2%)	2,402 (0.2%)
PL 165.09	Property and Theft-Related	736 (0.1%)	101 (0%)	275 (0%)
PL 145.25	Property and Theft-Related	668 (0.1%)	161 (0.1%)	1,609 (0.1%)
PL 165.05 02	Property and Theft-Related	661 (0.1%)	163 (0.1%)	1,032 (0.1%)
PL 165.05	Property and Theft-Related	612 (0.1%)	1,704 (0.7%)	8,310 (0.5%)
PL 190.78 01	Property and Theft-Related	340 (0%)	103 (0%)	1,157 (0.1%)

Table 33: Charge Codes, Categories, and Frequencies from 1980 to 2017 for New York State
(continued)

Penal Law Code	Charge Category	NYC	UC	ROS
PL 150.01	Property and Theft-Related	215 (0%)	182 (0.1%)	947 (0.1%)
VTL1192 02	Vehicle and Driving-Related	131,909 (61.8%)	24,407 (39.3%)	693,905 (49.3%)
VTL1192 03	Vehicle and Driving-Related	62,558 (29.3%)	33,635 (54.2%)	605,424 (43%)
VTL1192 01	Vehicle and Driving-Related	6,672 (3.1%)	128 (0.2%)	1,945 (0.1%)
VTL1192 04	Vehicle and Driving-Related	5,136 (2.4%)	1,001 (1.6%)	43,860 (3.1%)
VTL0600 02	Vehicle and Driving-Related	3,399 (1.6%)	105 (0.2%)	1,236 (0.1%)
VTL1192 2-	Vehicle and Driving-Related	1,389 (0.7%)	2,437 (3.9%)	49,681 (3.5%)
VTL1192	Vehicle and Driving-Related	763 (0.4%)	180 (0.3%)	5,810 (0.4%)
PL 265.01 01	Weapon	134,484 (71.9%)	8,138 (55.7%)	47,726 (63.1%)
PL 265.01 02	Weapon	43,301 (23.1%)	4,184 (28.7%)	11,785 (15.6%)
PL 265.01	Weapon	3,688 (2%)	819 (5.6%)	8,332 (11%)
PL 265.01 04	Weapon	1,651 (0.9%)	728 (5%)	4,674 (6.2%)
PL 265.01 05	Weapon	1,393 (0.7%)	154 (1.1%)	806 (1.1%)
PL 221.10 01	Marijuana	747,000 (74.9%)	13,461 (39.1%)	72,918 (56.3%)
PL 221.40	Marijuana	191,868 (19.2%)	2,975 (8.7%)	9,295 (7.2%)
PL 221.35	Marijuana	18,843 (1.9%)	2,256 (6.6%)	3,880 (3%)
PL 221.10 02	Marijuana	17,617 (1.8%)	8,647 (25.1%)	14,980 (11.6%)
PL 221.15	Marijuana	16,476 (1.7%)	5,067 (14.7%)	16,112 (12.4%)
PL 221.10	Marijuana	5,338 (0.5%)	1,971 (5.7%)	12,311 (9.5%)
PL 220.03	Drugs other than Marijuana	966,574 (95.1%)	106,264 (94.6%)	325,807 (93%)
PL 220.45	Drugs other than Marijuana	30,039 (3%)	4,596 (4.1%)	18,504 (5.3%)
PL 220.50 02	Drugs other than Marijuana	8,876 (0.9%)	938 (0.8%)	2,917 (0.8%)
PL 220.50 01	Drugs other than Marijuana	6,566 (0.6%)	100 (0.1%)	904 (0.3%)
PL 220.50 03	Drugs other than Marijuana	2,876 (0.3%)	258 (0.2%)	1,278 (0.4%)
PL 165.15 03	Theft of Services	693,961 (96.9%)	7,054 (70%)	14,350 (48.1%)
PL 165.15 02	Theft of Services	7,418 (1%)	1,298 (12.9%)	7,954 (26.7%)
PL 165.15	Theft of Services	2,491 (0.3%)	523 (5.2%)	2,912 (9.8%)
PL 165.15 04	Theft of Services	696 (0.1%)	875 (8.7%)	2,700 (9.1%)
PL 165.15 06	Theft of Services	526 (0.1%)	175 (1.7%)	332 (1.1%)
PL 140.15	Trespassing	157,915 (45%)	10,148 (29.9%)	57,261 (39.8%)
PL 140.10	Trespassing	133,022 (37.9%)	14,197 (41.8%)	59,739 (41.5%)
PL 140.10 0E	Trespassing	29,219 (8.3%)	1,800 (5.3%)	1,432 (1%)
PL 140.10 0A	Trespassing	21,013 (6%)	5,427 (16%)	13,666 (9.5%)
PL 140.10 0F	Trespassing	3,346 (1%)	302 (0.9%)	1,179 (0.8%)
PL 140.15 01	Trespassing	2,479 (0.7%)	797 (2.3%)	6,256 (4.3%)
PL 140.10 0G	Trespassing	1,405 (0.4%)	299 (0.9%)	956 (0.7%)
PL 140.10 0B	Trespassing	893 (0.3%)	813 (2.4%)	2,657 (1.8%)
PL 240.37 02	Prostitution	126,890 (39.6%)	4,360 (12.9%)	2,068 (6.2%)
PL 230.00	Prostitution	98,346 (30.7%)	20,566 (61%)	19,090 (57.5%)

Table 33: Charge Codes, Categories, and Frequencies from 1980 to 2017 for New York State
(continued)

Penal Law Code	Charge Category	NYC	UC	ROS
PL 240.37 03	Prostitution	36,584 (11.4%)	201 (0.6%)	275 (0.8%)
PL 230.03	Prostitution	33,482 (10.5%)	7,492 (22.2%)	8,727 (26.3%)
PL 230.04	Prostitution	10,957 (3.4%)	498 (1.5%)	1,609 (4.8%)
PL 240.37	Prostitution	8,654 (2.7%)	348 (1%)	471 (1.4%)
PL 230.20	Prostitution	4,325 (1.4%)	234 (0.7%)	787 (2.4%)
PL 205.30	Resisting Arrest	147,395 (79.8%)	45,100 (66.4%)	144,050 (74.1%)
PL 195.05	Resisting Arrest	37,400 (20.2%)	22,809 (33.6%)	50,402 (25.9%)
PL 240.36	Other	22,842 (9.4%)	8,923 (17.4%)	21,853 (5.4%)
PL 165.15 01	Other	17,515 (7.2%)	196 (0.4%)	2,197 (0.5%)
PL 245.00	Other	15,972 (6.6%)	4,649 (9.1%)	20,692 (5.1%)
PL 190.23	Other	13,175 (5.4%)	8,648 (16.9%)	23,282 (5.8%)
PL 225.30 02	Other	12,929 (5.3%)	612 (1.2%)	743 (0.2%)
PL 170.20	Other	11,794 (4.9%)	2,669 (5.2%)	13,386 (3.3%)
PL 215.55	Other	10,569 (4.4%)	2,040 (4%)	14,637 (3.6%)
PL 225.15 01	Other	8,673 (3.6%)	172 (0.3%)	571 (0.1%)
PL 225.05	Other	8,311 (3.4%)	552 (1.1%)	1,239 (0.3%)
PL 225.15 02	Other	8,272 (3.4%)	247 (0.5%)	568 (0.1%)
PL 275.35	Other	8,196 (3.4%)	111 (0.2%)	549 (0.1%)
PL 240.10	Other	6,178 (2.5%)	217 (0.4%)	935 (0.2%)
PL 240.45 01	Other	5,411 (2.2%)	403 (0.8%)	1,596 (0.4%)
PL 240.50 03	Other	5,330 (2.2%)	3,398 (6.6%)	15,394 (3.8%)
PL 240.50 01	Other	4,680 (1.9%)	721 (1.4%)	3,330 (0.8%)
PL 205.20 01	Other	4,001 (1.6%)	606 (1.2%)	5,875 (1.5%)
PL 240.45 02	Other	3,875 (1.6%)	350 (0.7%)	1,712 (0.4%)
TAX1814 B	Other	3,675 (1.5%)	221 (0.4%)	445 (0.1%)
PL 270.00 02	Other	2,734 (1.1%)	363 (0.7%)	2,310 (0.6%)
PL 240.08	Other	2,702 (1.1%)	436 (0.8%)	488 (0.1%)
PL 240.05	Other	1,772 (0.7%)	353 (0.7%)	1,643 (0.4%)
PL 115.00 01	Other	1,581 (0.7%)	401 (0.8%)	1,988 (0.5%)
PL 205.20 02	Other	1,474 (0.6%)	191 (0.4%)	5,753 (1.4%)
PL 240.50 02	Other	1,121 (0.5%)	713 (1.4%)	2,416 (0.6%)
PL 240.45	Other	1,056 (0.4%)	106 (0.2%)	508 (0.1%)
PL 210.45	Other	988 (0.4%)	249 (0.5%)	10,637 (2.6%)
COR0168-T	Other	879 (0.4%)	404 (0.8%)	1,715 (0.4%)
PL 215.10	Other	793 (0.3%)	128 (0.2%)	546 (0.1%)
PL 245.00 A	Other	779 (0.3%)	278 (0.5%)	1,576 (0.4%)
PL 190.05 01	Other	724 (0.3%)	4,477 (8.7%)	149,839 (37.1%)
PL 240.55 01	Other	583 (0.2%)	185 (0.4%)	1,509 (0.4%)
PL 205.05	Other	506 (0.2%)	309 (0.6%)	1,852 (0.5%)

Table 33: Charge Codes, Categories, and Frequencies from 1980 to 2017 for New York State
(continued)

Penal Law Code	Charge Category	NYC	UC	ROS
AM 353	Other	487 (0.2%)	258 (0.5%)	2,082 (0.5%)
PL 205.55	Other	404 (0.2%)	245 (0.5%)	1,637 (0.4%)
PL 270.05 02	Other	398 (0.2%)	353 (0.7%)	1,485 (0.4%)
PL 270.25	Other	333 (0.1%)	331 (0.6%)	4,002 (1%)
PL 240.55 02	Other	304 (0.1%)	171 (0.3%)	1,420 (0.4%)
PL 240.50	Other	280 (0.1%)	296 (0.6%)	1,929 (0.5%)
PL 190.60 01	Other	257 (0.1%)	113 (0.2%)	1,134 (0.3%)
PL 270.05	Other	232 (0.1%)	321 (0.6%)	1,076 (0.3%)
PL 100.05 01	Other	148 (0.1%)	294 (0.6%)	683 (0.2%)