

Assessing the Potential Impact of 2020 Bail Reforms on 2019 New York City Criminal Court Cases

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Table of Contents

	Page
Introduction	1
Overview of 2020 Bail Reforms	1
Key Findings	3
Analysis	4
Data and Limitations	4
Analysis by Borough	6
Analysis by Charge	9
Analysis by Demographics	17
Conclusion and Questions for Future Research	25
Acknowledgements	25
Endnotes	26
Appendix A	28
Appendix B	29
Appendix C	30
Appendix D	31

The Data Collaborative for Justice (DCJ) at John Jay College of Criminal Justice houses a group of research initiatives that raise important questions and share critical research about the criminal legal system and its role in creating safe, just, and equitable communities. DCJ conducts data analysis and research on enforcement in the community, the adjudication of cases in the courts, and the use of confinement in jails and prisons. DCJ's work has informed policy reforms, facilitated partnerships between researchers and government agencies across the country, spurred new scholarly research on lower-level enforcement, and has been cited extensively in the press. For more information about the Data Collaborative for Justice please visit: <https://datacollaborativeforjustice.org/>

INTRODUCTION

In April 2019, New York State passed significant reforms to the laws governing bail, which the state legislature then amended in April 2020 (collectively referred to as the "2020 Bail Reforms"). The first set of reforms ("Original Reforms"),¹ which went into effect on January 1, 2020, included restrictions on which charges were eligible for money bail, mandated that people be released on recognizance (ROR)² unless more restrictive conditions are needed to assure court appearance, required that judges set at least three forms of bail, and take into account an individual's ability to pay when setting money bail. The amendments to the bail reforms ("Amended Reforms")³ went into effect in July 2020 and moved some charges that had been made ineligible for bail under the Original Reforms into the category of charges where judges have discretion to set bail.⁴

In September 2019, DCJ released a [research brief](#) that examined how the Original Reforms would have impacted the number and proportion of cases resulting in pretrial release without bail had they been in effect in 2018. This report updates DCJ's prior research brief by using 2019 case data, applying the Original and Amended Reforms, and includes additional analyses on how the reforms would have impacted different types of charges and demographic groups in 2019.

OVERVIEW OF 2020 BAIL REFORMS

Under the Original Reforms, starting on January 1, 2020, courts were no longer permitted to set money bail for most people charged with misdemeanors⁵ and certain non-violent felonies;⁶ instead, the courts were required to order some form of pretrial release without monetary conditions. Additional details about these reforms can be found in DCJ's research brief, "[Assessing Potential Impacts of 2020 Bail Reforms in New York City](#)" (see page 2). In April 2020, the New York State Legislature approved a set of changes that, effective July 1, 2020, once again allowed judges the discretion to set bail for a designated set of charges that had previously been made ineligible for bail under the Original Reforms. The charges that were added back to the list of offenses eligible for bail ("Qualifying Offenses") include:

- Burglary of a dwelling (PL § 140.25[02]) if the individual is charged with entering the living area of a dwelling;⁷
- A-1 felony drug offenses;⁸
- Felony sex offenses;⁹
- Certain misdemeanor and felony offenses committed against a family or household member;¹⁰
- Assault or arson in the 3rd degree when charged as a hate crime (PL § 120.00 or 150.10);¹¹
- Certain crimes involving children and schools;¹²
- Certain felony financial crimes;¹³
- Crimes involving bail jumping or escape from custody;¹⁴
- Any crime alleged to have caused the death of another person;¹⁵ and
- Any felony or class A misdemeanor "involving harm to an identifiable person or property" committed while an individual is released for a separate felony or class A misdemeanor also involving harm to person or property.¹⁶

The analyses of the Amended Reforms in this report address cases involving the new Qualifying Offenses listed above. However, in addition to expanding the list of Qualifying Offenses, the Amended Reforms also enabled judges to use their discretion to set bail in another set of cases that DCJ could not include in the analyses. Specifically, judges are permitted to set bail on the basis of an individual's criminal history and/or case specific facts (neither of which are available in the datasets used for this report). For example, judges are permitted to set bail in cases where a person is on probation or parole release and commits a felony offense, is a "persistent felony offender"¹⁷ and commits a felony offense, or when a person charged with certain sex offenses fails to register as a sex offender.¹⁸

DCJ cautions that the findings contained in this report should not be interpreted as projections for 2020 and beyond. A variety of factors will influence outcomes including the fact that the number of cases and charge types arraigned in future years will not be the same as those arraigned in prior years, particularly given the impact of Covid-19 on enforcement activities.¹⁹ Further, significant additional criminal legal reforms related to desk appearance tickets, discovery, and case processing were implemented simultaneously as part of a larger set of legislative changes, which will likely have concurrent effects on pretrial release decisions.²⁰ Finally, these reforms have been implemented in the context of the Covid-19 pandemic, which has impacted how criminal cases are processed in New York,²¹ including pretrial release decisions.

KEY FINDINGS

1. How would the Amended Reforms have impacted the number and proportion of cases released without bail in 2019?

- In 2019, of 125,052 cases considered for pretrial release at arraignment,²² 79.3% (99,166 cases) were released without bail ("non-monetary release"), bail was set in 19.3% (24,135 cases), and 1.4% were remanded to jail (1,751 cases).
- Had the Amended Reforms been in effect in 2019, 89.4% would have been released without bail (111,775 cases), resulting in 12,609 additional cases with non-monetary release. If these cases had actually resulted in non-monetary release, there would have been a cumulative reduction of almost \$67 million in bail that was set in 2019.²³

2. How would the Amended Reforms have impacted 2019 cases by borough, charge, and demographics?

- *Borough:* Manhattan would have experienced the greatest volume and proportional increase in non-monetary release, with 4,415 additional cases released without bail (14.3 percentage point increase).
- *Charge:* The three charges driving most of the increase in non-monetary release are assault in the 3rd degree (PL § 120.00[01]), petit larceny (PL § 155.25), and criminal possession of a controlled substance in the 7th degree (PL § 220.03). Together, these charges make up 38.6% of the total number of additional cases that would no longer have been eligible for bail in 2019 had the Amended Reforms been in place (4,864 cases).
- *Charge Category:* Cases involving "person charges"²⁴ such as assault, would have the greatest volume increase, with 85.9% resulting in non-monetary release under the Amended Reforms compared to 78.9% that were actually released in 2019 (an increase of 3,322 cases). Cases involving drugs other than marijuana would have the greatest proportional increase, with 97.0% of these resulting in non-monetary release under the Amended Reforms compared to 76.0% in 2019 (an increase of 2,247 cases).
- *Race/Sex/Age:* Had the Amended Reforms been in place in 2019, the groups that would have experienced the greatest increases in non-monetary release are men (11,567 additional cases), Black people (6,606 additional cases), Latinx²⁵ people (4,000 additional cases), and 25-34-year-olds (4,491 additional cases).

3. How do the Amended Reforms compare to the Original Reforms in their impact on cases released without bail in 2019?

- Under the Original Reforms, an additional 14,174 cases would no longer have been eligible for bail, compared to 12,609 under the Amended Reforms, a 1.2 percentage point difference (1,565 cases). This difference is mostly the result of certain C felonies and property charges²⁶ that the Amended Reforms re-established as eligible for bail, primarily burglary in the 2nd degree (PL § 140.25[02]).
- Men, Black and Latinx people, and 25-34-year-olds are more likely to be eligible for bail under the Amended Reforms compared to the Original Reforms. The Amended Reforms increased cases eligible for bail by 1.4 percentage points among men (1,429 cases), 2.7 percentage points for Black and Latinx people (1,300 cases), and 1.2 percentage points among 25-43-year-olds (505 cases).

ANALYSIS

Data and Limitations

In order to provide an estimate of the impact that 2020 Bail Reforms would have had on 2019 cases, DCJ analyzed Office of Court Administration (OCA) data for New York City criminal cases.²⁷ In this report, DCJ first provides an overview of actual arraignment outcomes in 2019, including the number and proportion of cases that were disposed at arraignment and where bail was set. Second, DCJ analyzed the set of cases citywide that continued beyond arraignment (and are therefore eligible for bail) to see how outcomes, including the number and proportion of cases where bail was set, would have changed under the Original and Amended Reforms. Third, DCJ conducted these same analyses by borough. Finally, DCJ examined how the Original and Amended Reforms would have differed in their impact on pretrial release outcomes by charge characteristics and demographics (i.e., race/ethnicity, sex, and age). Only arraignments that have valid charge information are included in these analyses. Out of 166,799 cases arraigned in New York City in 2019, 1.8% (3,016 cases) are missing either arraignment charge class or charge code.

Actual Arraignment Outcomes in 2019, Citywide

In 2019, 166,799 felonies, misdemeanors, and violations were arraigned across New York City criminal courts. Figure 1 shows that a quarter of cases arraigned in 2019 were disposed at arraignment (41,747 cases) while 75.0% continued beyond arraignment. Figure 2 shows the 125,052 cases that continued beyond arraignment and are part of the universe of cases that may be eligible for bail. Among these cases, judges ordered individuals be released without bail in 79.3% of cases (99,166 cases). Judges set bail in 19.3% of cases (24,135 cases) but in most instances, bail was not posted. Only 1.4% of continued cases resulted in remand (1,751 cases).

Figure 1: Actual Arraignment Outcomes in 2019, Citywide

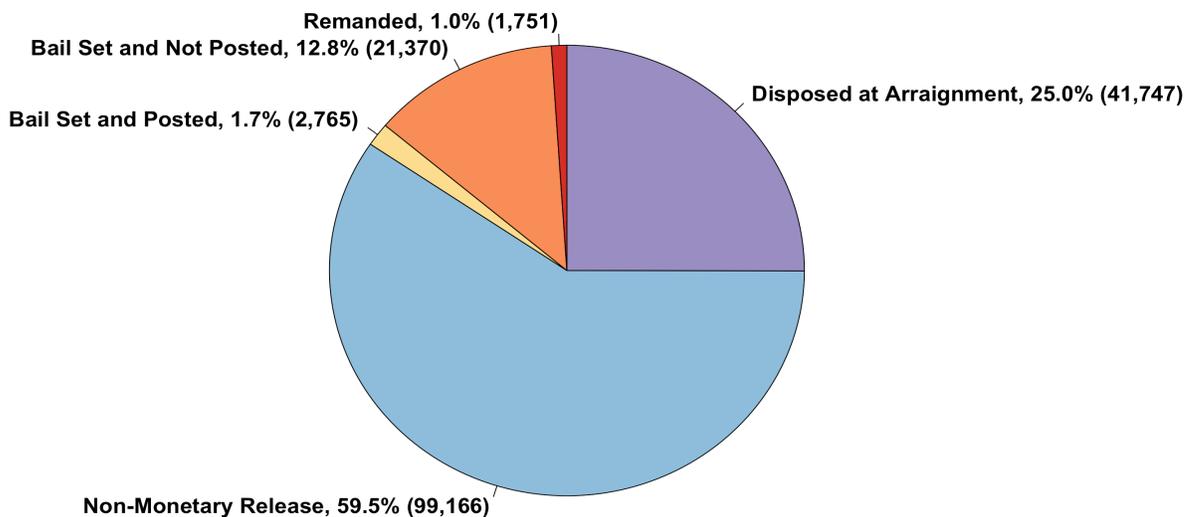
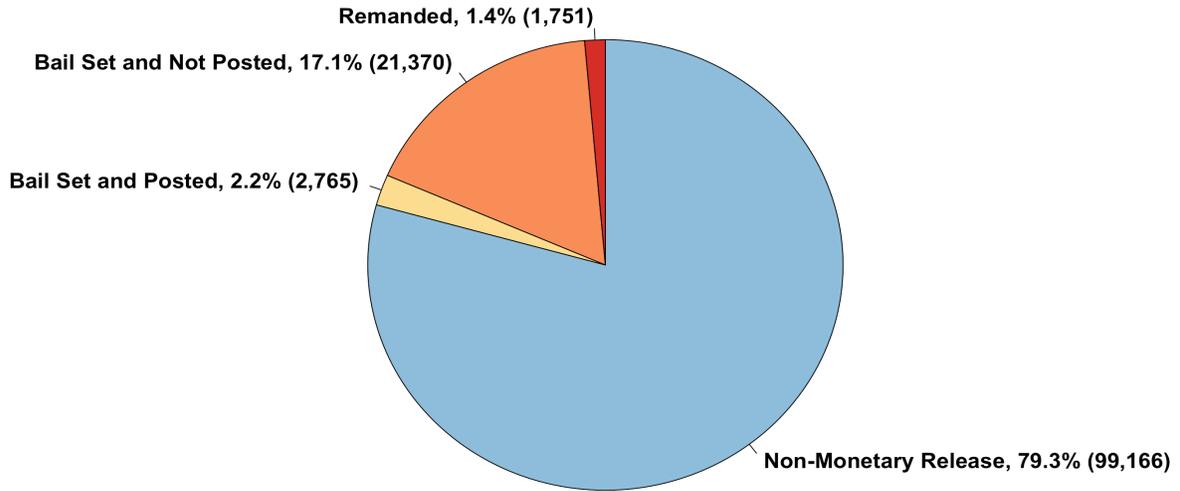


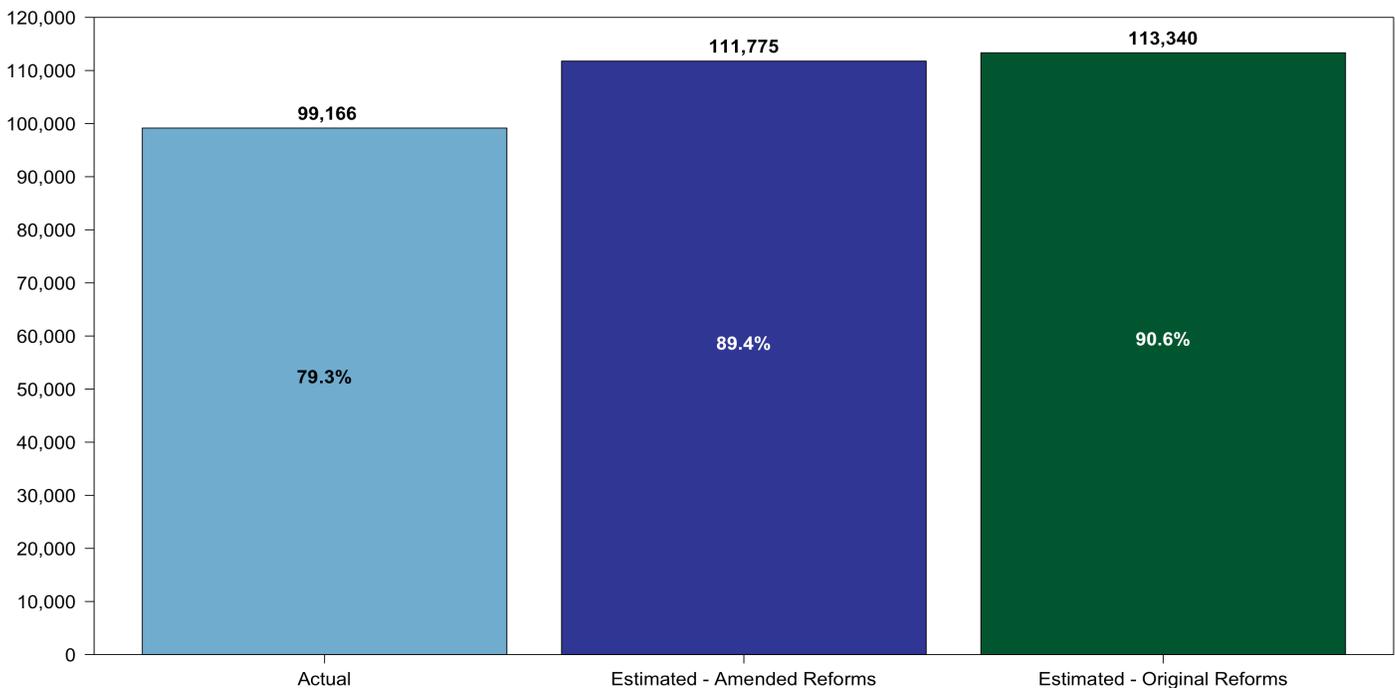
Figure 2: Actual Arraignment Outcomes for Continued Cases in 2019, Citywide



Impact of 2020 Bail Reforms (Amended and Original) on 2019 Cases, Citywide

Figure 3 shows that had the Amended Reforms been in effect in 2019, 12,609 of the 24,135 cases where bail was actually set would no longer have been eligible for bail. This suggests that 89.4% of all continued cases in 2019 would have resulted in non-monetary release (111,775 cases), assuming the same rates of remand and bail setting. Of these, 20.1% are felonies (22,358 cases) and 78.8% are misdemeanors (87,593 cases). The 12,609 additional cases released without bail represents approximately \$67 million in bail that would not have been set if the Amended Reforms had been in place in 2019.

Figure 3: Estimated Impact of Amended vs. Original Reforms on Cases Released Without Bail in 2019, Citywide



Data Source: Office of Court Administration

Figure 3 also shows that had the Original Reforms been in effect in 2019, 14,174 additional cases would have resulted in non-monetary release. An additional 1,565 cases that were no longer eligible for money bail under the Original Reforms became eligible under the Amended Reforms, a 1.2 percentage point increase. Although the Amended Reforms only increased the number and proportion of cases eligible for bail by a small amount, it is important to note that even small changes to bail and pretrial release practices can have a significant impact on the number of people detained pretrial in New York City jails. The Center for Court Innovation estimates that the Amended Reforms resulted in a 7-11% increase in the pretrial jail population between July and November 2020.²⁸

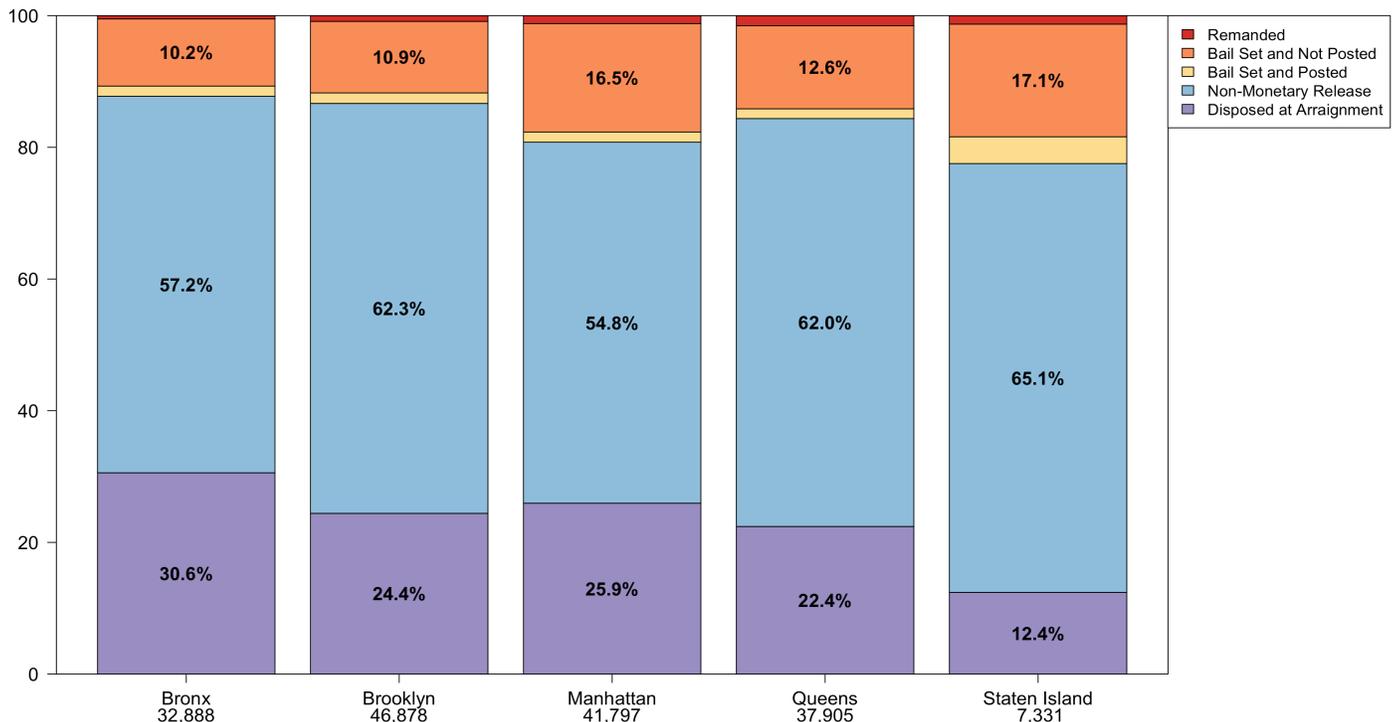
ANALYSIS BY BOROUGH

Actual Arraignment Outcomes in 2019 by Borough

In 2019, the proportion of cases disposed at arraignment ranged from 12.4% in Staten Island (909 cases) to 30.6% in the Bronx (10,053 cases). Brooklyn had the largest overall volume of arraignments in 2019 (46,878 cases) but less than a quarter were disposed at arraignment (11,443 cases). Among cases that continued at arraignment, Manhattan had the smallest proportion of cases that were released without bail (74.0% or 22,917 cases), followed by Staten Island with 74.4% (4,775 cases), and then Queens with 79.9% (23,483 cases). Brooklyn and the Bronx had the same proportion of cases released without bail (82.4%), but Brooklyn had a much higher volume of cases (29,185 cases) compared to the Bronx (18,806 cases).

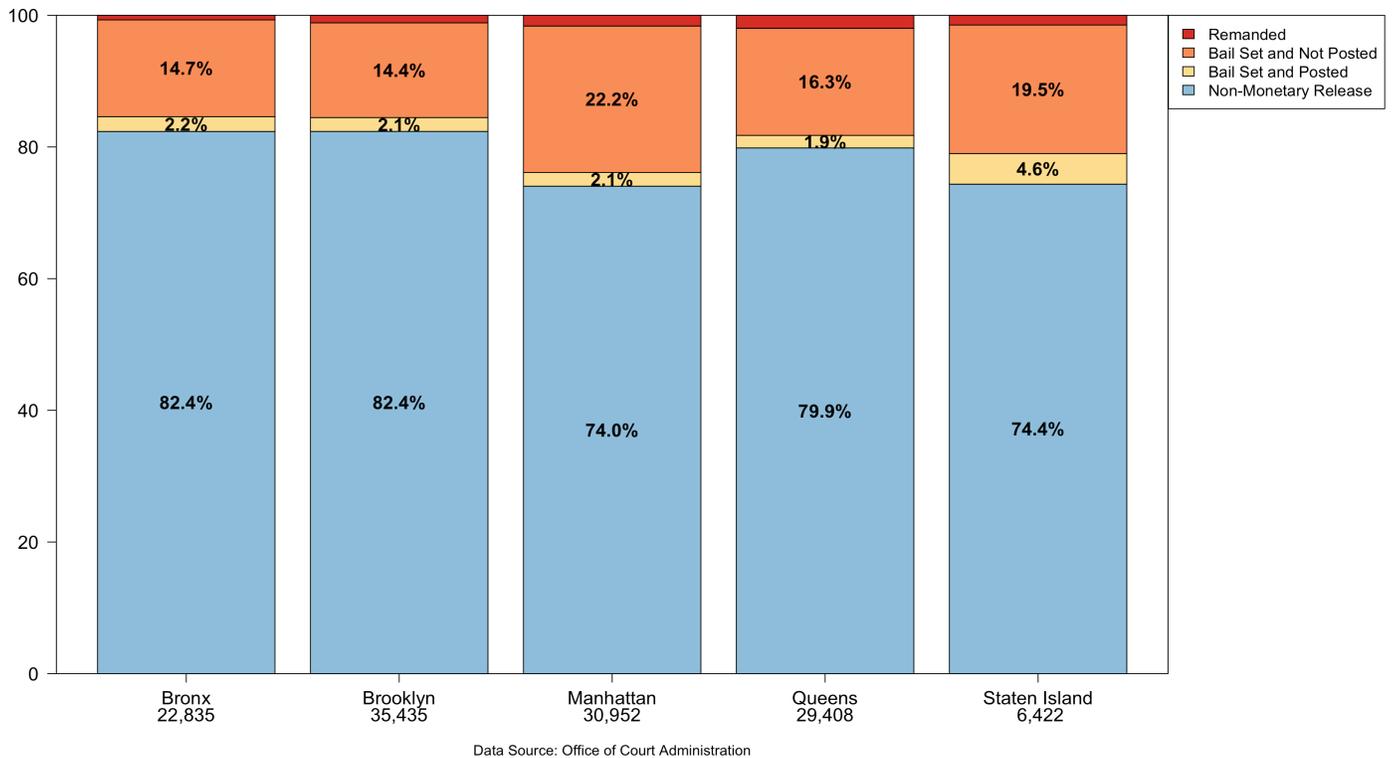
Borough-level differences in the impact of the 2020 Bail Reforms may partially be explained by the number and proportion of cases released without bail in prior years. Further, because the reforms determine bail eligibility using charge type, the types of charges arraigned in each borough will determine the differential impact of the reforms. See Appendix A for the three charges in each borough most impacted by the reforms in terms of volume.

Figure 4: Actual Arraignment Outcomes in 2019 by Borough



Data Source: Office of Court Administration

Figure 5: Actual Arraignment Outcomes for Continued Cases in 2019 by Borough

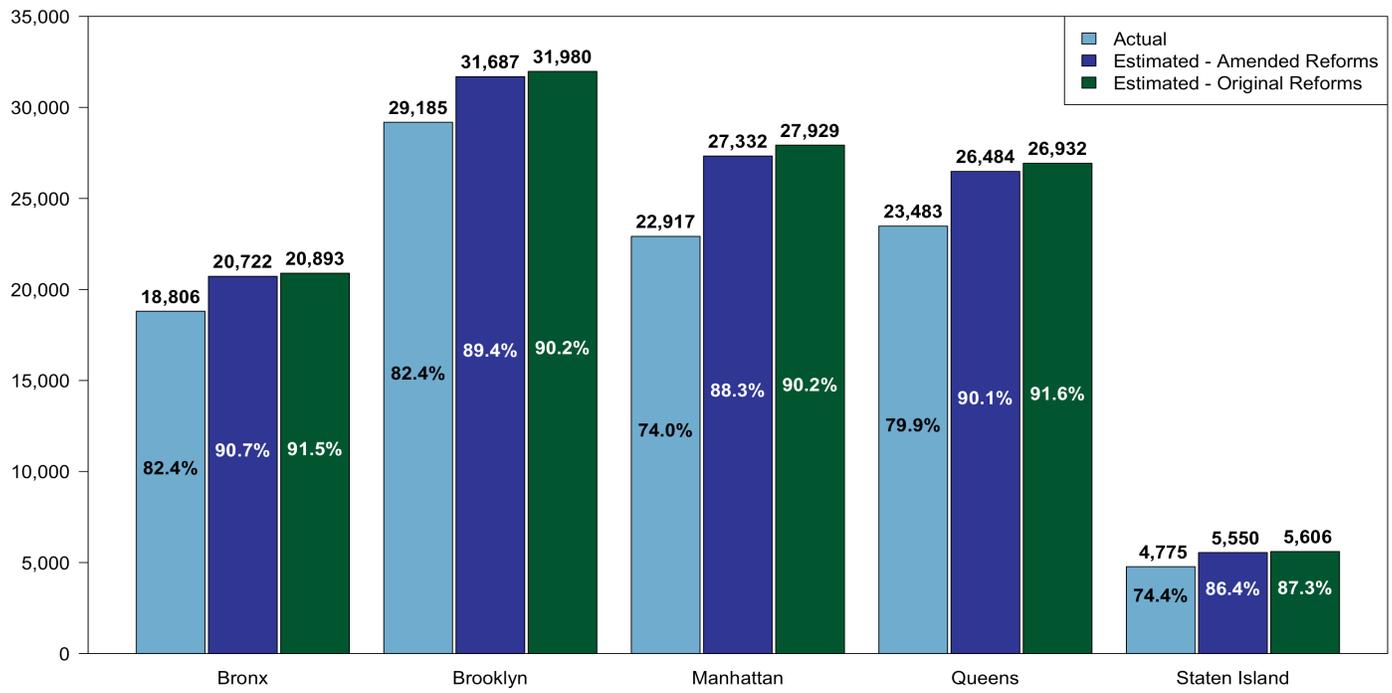


Impact of 2020 Bail Reforms (Amended and Original) on 2019 Cases by Borough

Figure 6 shows that the impact of the 2020 Bail Reforms would vary by borough. **Had the Amended Reforms been in effect in 2019, Manhattan would have the greatest proportional and volume increase in cases released without bail, from 74.0% (22,917 cases) to 88.3% (27,332 cases) of continued cases.** Among the 4,415 additional cases that would have been released without bail, 39.5% would be felonies (1,744 cases). Brooklyn had the greatest volume of continued cases in 2019 and had the Amended Reforms been in effect, 89.4% would have resulted in non-monetary release (31,687 cases). Of the 2,502 additional cases that would have been released without bail in Brooklyn, 35.1% would be felonies (877 cases). In the Bronx, 1,966 more cases would have resulted in non-monetary release, representing 90.7% of continued cases in 2019 (20,722 cases). Applying the conditions of the Amended Reforms, the proportion of cases released without bail would increase by 10.2 percentage points in Queens (3,001 cases), and 12 percentage points in Staten Island (775 cases).

Figure 6 also compares the impact of the Original and Amended Reforms in each borough. Manhattan would have the greatest volume and percentage difference between the two sets of reforms. Compared to the Original Reforms, 597 cases that were no longer eligible for bail are now eligible under the Amended Reforms, a 1.9 percentage point difference. In Staten Island, only 56 cases that were no longer eligible for bail under the Original Reforms became eligible under the Amended Reforms.

Figure 6: Estimated Impact of Amended vs. Original Reforms on Cases Released Without Bail in 2019 by Borough



Data Source: Office of Court Administration

ANALYSIS BY CHARGE

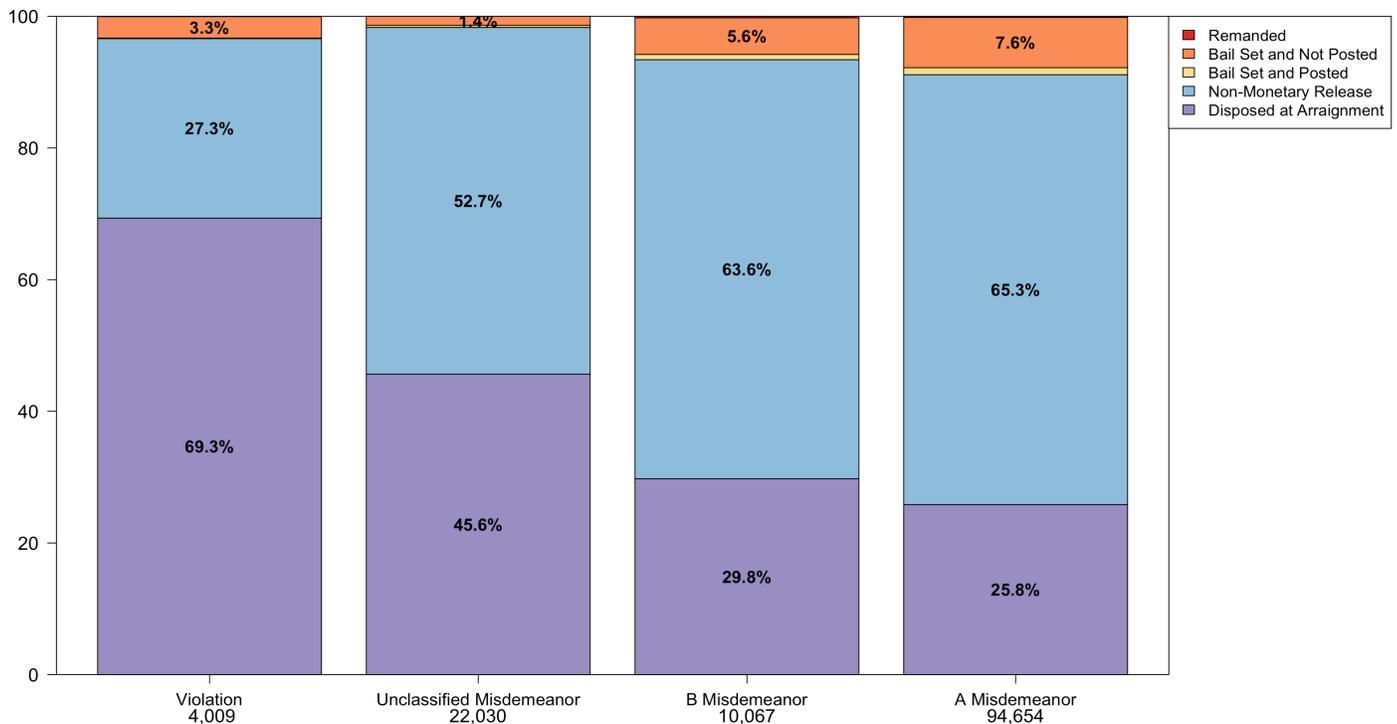
The following section examines how the impact of the 2020 Bail Reforms on release outcomes varies by charge class and charge category. Unlike bail reform legislation in other jurisdictions (e.g., New Jersey),²⁹ New York's 2020 Bail Reforms rely primarily on charge to determine bail eligibility. Therefore, charge type should have the most significant impact on estimates of cases released without bail in 2019 had the 2020 Bail Reforms been in effect.

The analysis looks first at variation by charge class (violations, misdemeanors, and felonies), followed by charge category (person, property, weapon, other drugs, marijuana, vehicle and driving, and other). Overall, A misdemeanor person charges, specifically assault in the 3rd degree (PL § 120.00[01]), are driving much of the increase in cases released without bail had the Amended Reforms been in effect in 2019. Meanwhile, the difference between the Original and Amended Reforms in cases eligible for bail is largely among C felony property charges, specifically burglary in the 2nd degree (PL § 140.25[02]).

Actual Arraignment Outcomes in 2019 by Charge Class

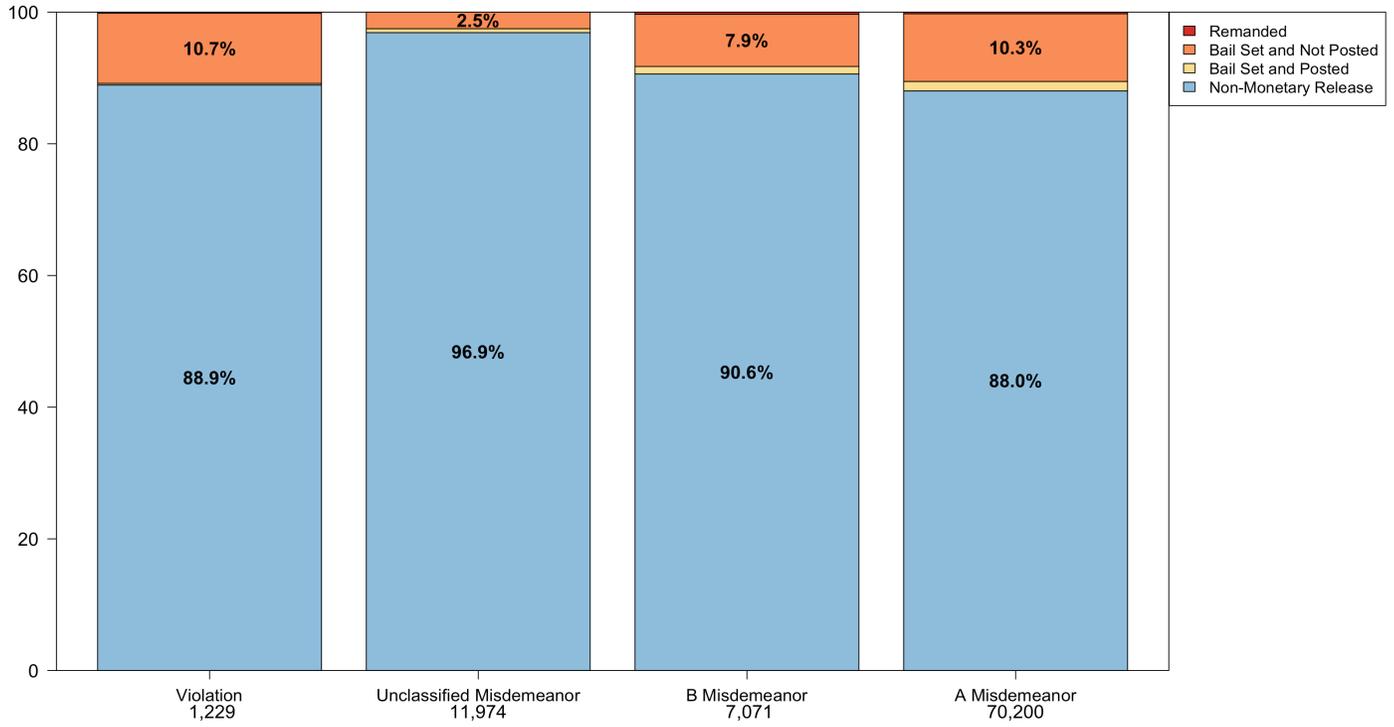
Figures 7 and 8 show overall arraignment outcomes and outcomes for continued cases for violations and misdemeanors. In 2019, 69.3% of violations were disposed at arraignment (2,780 cases). Overall, 29.6% of misdemeanors were disposed at arraignment (37,506 cases), ranging from 25.8% of A misdemeanors (24,454 cases), to 45.6% of unclassified misdemeanors (10,056 cases). Among cases continued at arraignment, 88.9% of violations resulted in release without bail (1,093 cases) compared to 88.0% of A misdemeanors (61,803 cases), 90.6% of B misdemeanors (6,407 cases), and 96.9% of unclassified misdemeanors (11,601 cases).

Figure 7: Actual Arraignment Outcomes in 2019 by Charge Class, Violations and Misdemeanors



Data Source: Office of Court Administration

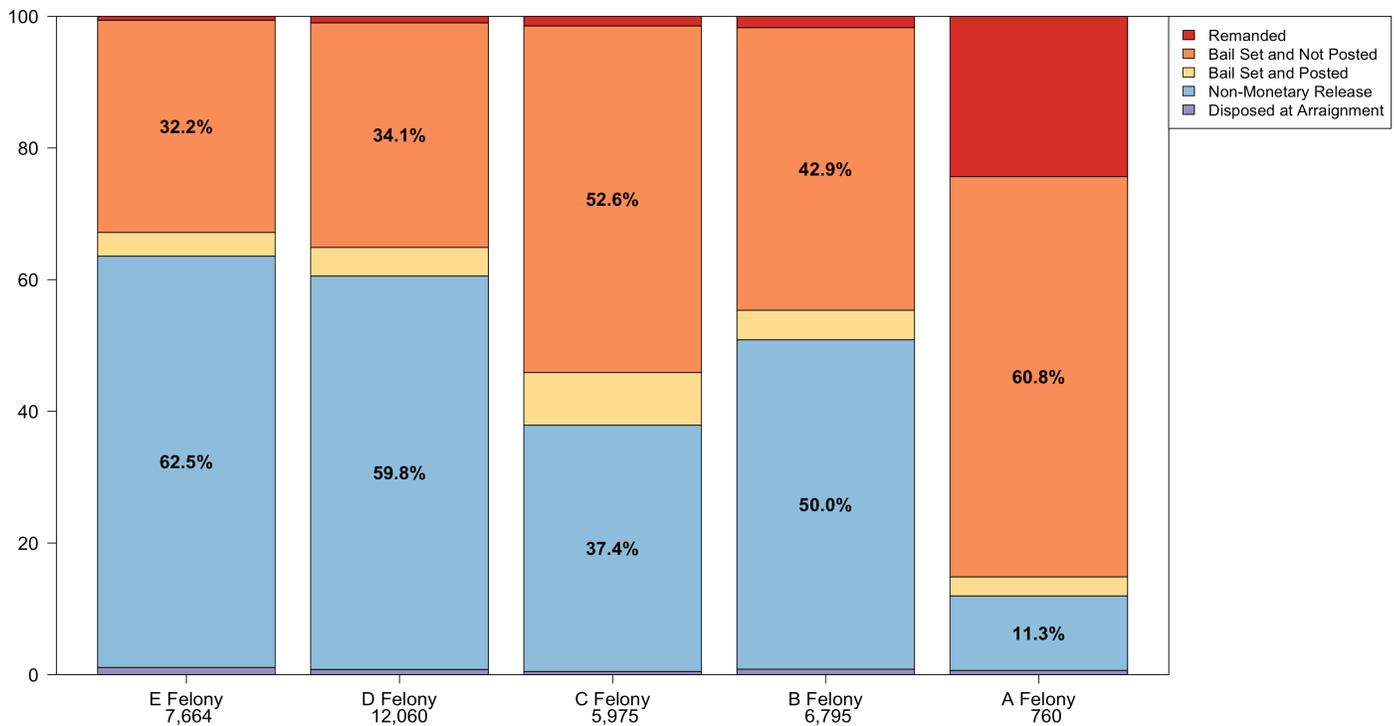
Figure 8: Actual Arraignment Outcomes for Continued Cases in 2019 by Charge Class, Violations and Misdemeanors



Data Source: Office of Court Administration

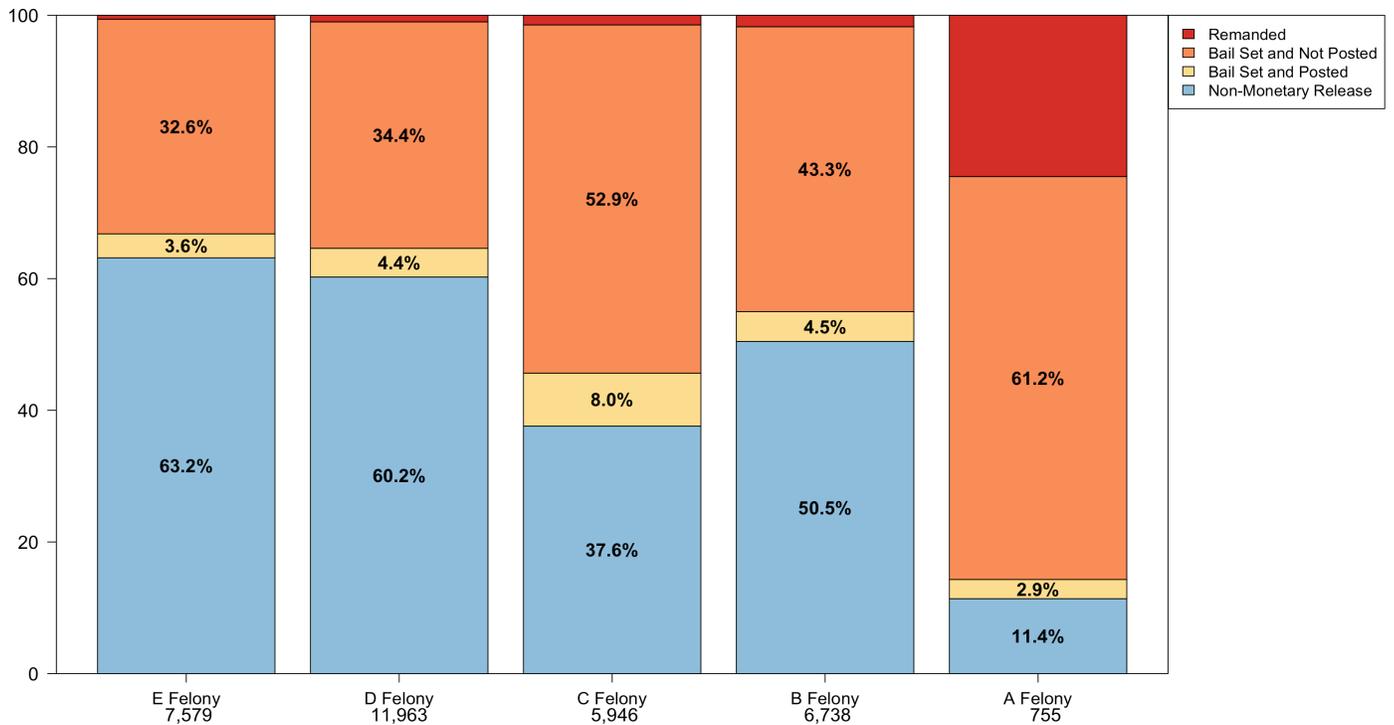
Figure 9 shows that overall, less than one percent of felony cases were disposed at arraignment. Among felonies continued at arraignment (Figure 10), 63.2% of E felonies were released without bail (4,787 cases), compared to 11.4% of A felonies (86 cases). Bail was set in over 60% of continued C felonies (3,623 cases) and A felonies (484 cases). Meanwhile, 24.5% of A felonies were remanded (185 cases).

Figure 9: Actual Arraignment Outcomes in 2019 by Charge Class, Felonies



Data Source: Office of Court Administration

Figure 10: Actual Arraignment Outcomes for Continued Cases in 2019 by Charge Class, Felonies



Data Source: Office of Court Administration

Impact of 2020 Bail Reforms (Amended and Original) on 2019 Cases by Charge Class

Figure 11 shows that applying the conditions of the Amended Reforms to cases in 2019, 134 additional violations would no longer be eligible for bail, a 10.9 percentage point increase. In contrast, 6,776 additional A misdemeanors (97.7%) would have been released without bail in 2019 if the Amended Reforms had been in effect, a 9.7 percentage point increase. **Assault in the 3rd degree (PL § 120.00[01]) accounts for 32.1% of the additional A misdemeanors that would be released without bail (2,172 cases), while petit larceny (PL § 155.25) accounts for 22.4% of additional A misdemeanors (1,561 cases).** Furthermore, had the Amended Reforms been in effect in 2019, 99.6% of B misdemeanors would have been released without bail, an additional 633 cases. Meanwhile, 100.0% of unclassified misdemeanors would no longer be eligible for bail under the conditions of the Amended Reforms, an additional 373 cases. See Appendix B for the three charges in each charge class most impacted by the reforms in terms of volume.

Figure 11 also shows that only A misdemeanors would be impacted differently by the two sets of reforms. For A misdemeanors, 269 additional cases that were no longer eligible for bail under the Original Reforms are now eligible under the Amended Reforms, a 0.4 percentage point difference. Bail jumping in the 3rd degree (PL § 215.55) and criminal possession in the 4th degree (PL § 265.01) make up 56.5% of this difference (152 cases).

Figure 11: Estimated Impact of Amended vs. Original Reforms on Cases Released Without Bail in 2019 by Charge Class, Violations and Misdemeanors

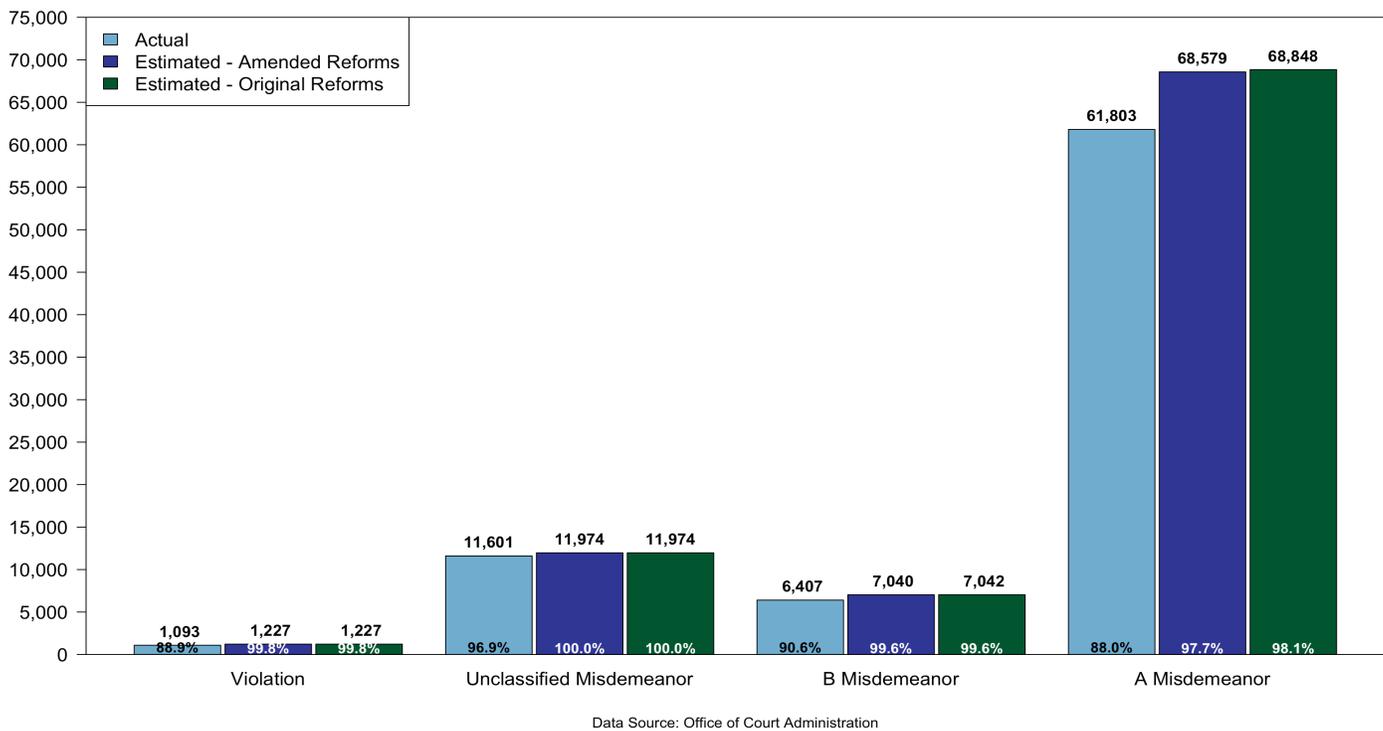
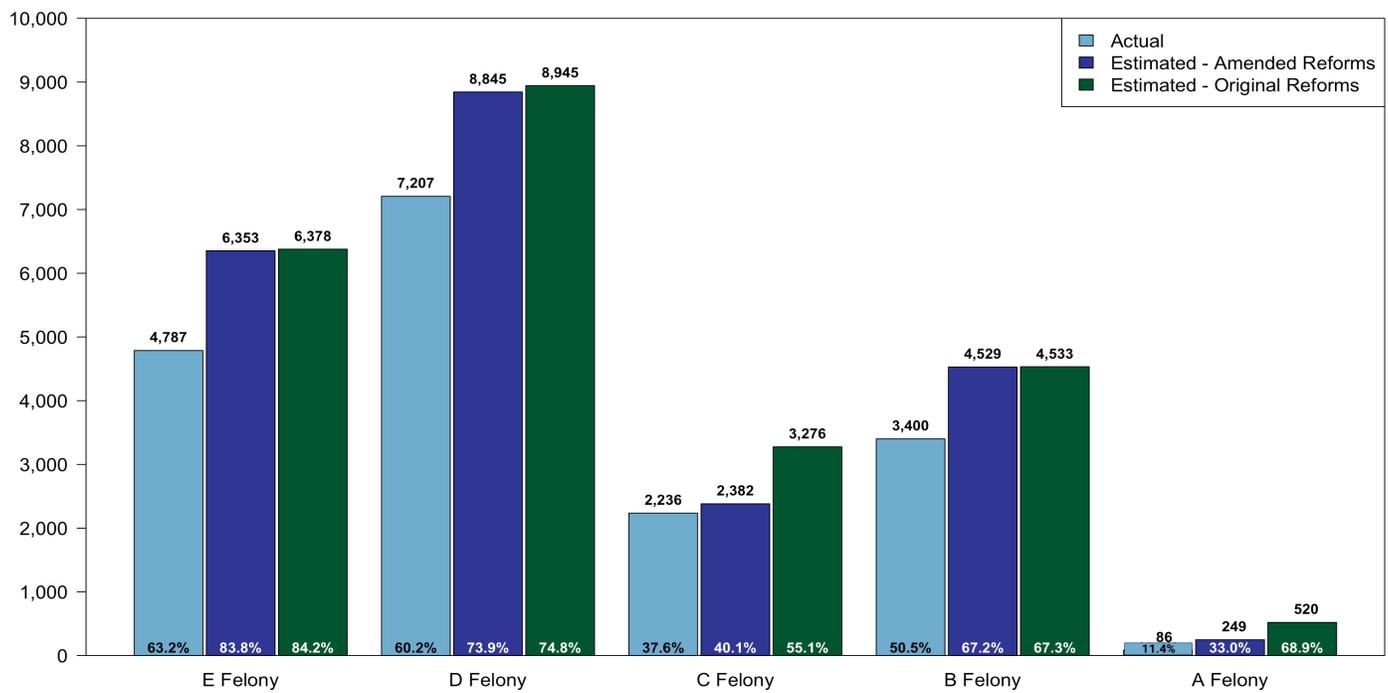


Figure 12 shows that had the Amended Reforms been in effect in 2019, D felonies would have the greatest volume increase in cases no longer eligible for bail, with 1,638 additional cases representing a 13.7 percentage point increase. Burglary in the 3rd degree (PL § 140.20) accounts for 28.8% of additional D felonies that would have resulted in non-monetary release (472 cases). Although A felonies account for the smallest caseload and lowest volume of cases released without bail, these cases would have the greatest proportional increase in non-monetary release, increasing from 11.4% (86 cases) to 33.0% (249 cases). Criminal sale of a controlled substance in the 2nd degree (PL § 220.41[01]) accounts for 21.7% of the 163 additional A felony cases that would have resulted in non-monetary release (54 cases).

Figure 12 also shows that the greatest volume difference in impact between the two sets of reforms would be among C felonies. Specifically, 894 C felonies that were no longer eligible for bail under the Original Reforms are now eligible under the Amended Reforms, driven primarily by burglary in the 2nd degree (PL § 140.25[02]). Meanwhile, for A felonies, there would be a 35.9 percentage point difference between the Original and Amended Reforms (representing 271 cases).

Figure 12: Estimated Impact of Amended vs. Original Reforms on Cases Released Without Bail in 2019 by Charge Class, Felonies



Data Source: Office of Court Administration

Actual Arraignment Outcomes in 2019 by Charge Category

Figures 13 and 14 show arraignment outcomes by charge category. Arraignment charge penal codes are grouped into eight categories consistent with past DCJ work, and each category is inclusive of violations, misdemeanors, and felonies. Figure 13 shows that in 2019, the proportion of cases disposed at arraignment ranged from 3.0% (1,489 cases) for person charges ("charges involving direct harm to another person"), to 54.2% (1,849 cases) for marijuana charges. Bail was set in 39.2% of all weapons cases (1,933 cases). Among continued cases, over 90% of marijuana and of vehicle-and-driving-related cases were released without bail, compared to less than half of weapons cases.

Figure 13: Actual Arraignment Outcomes in 2019 by Charge Category

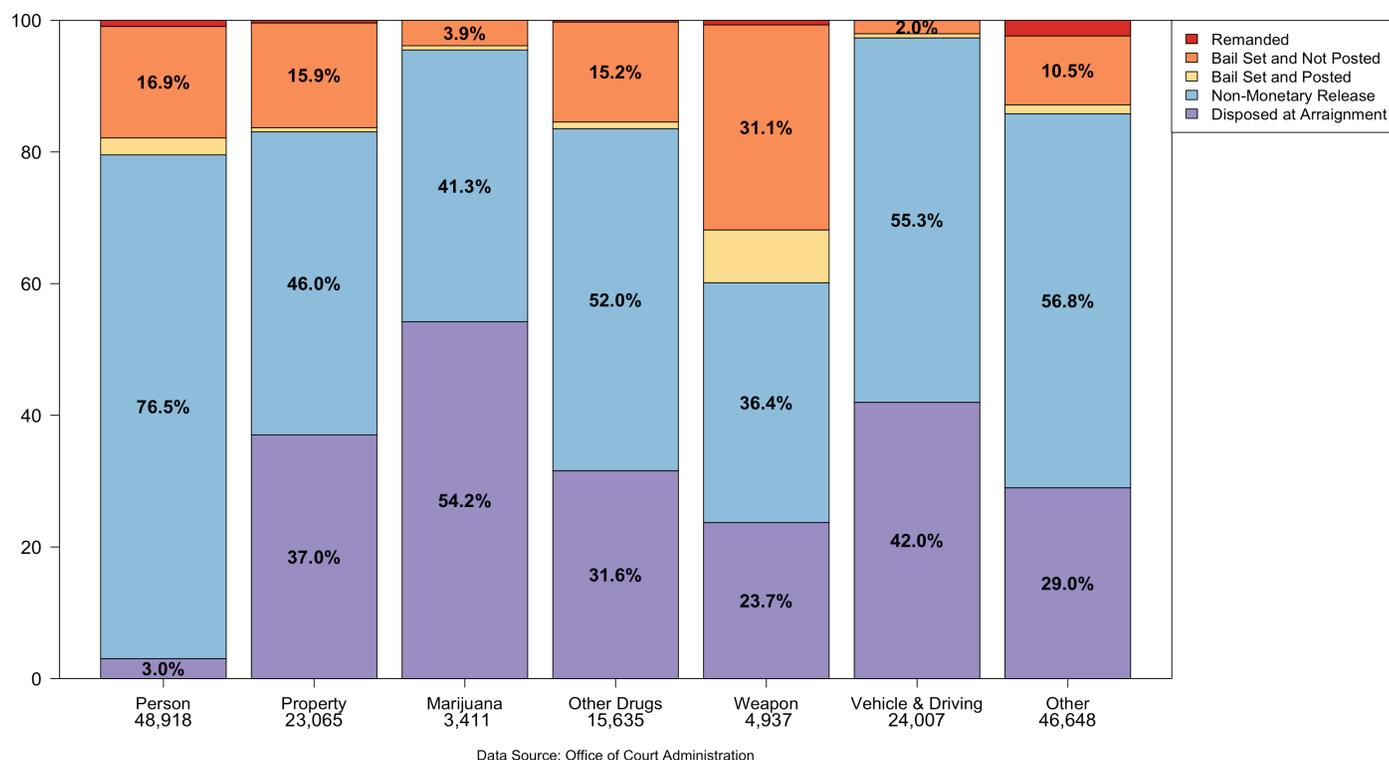
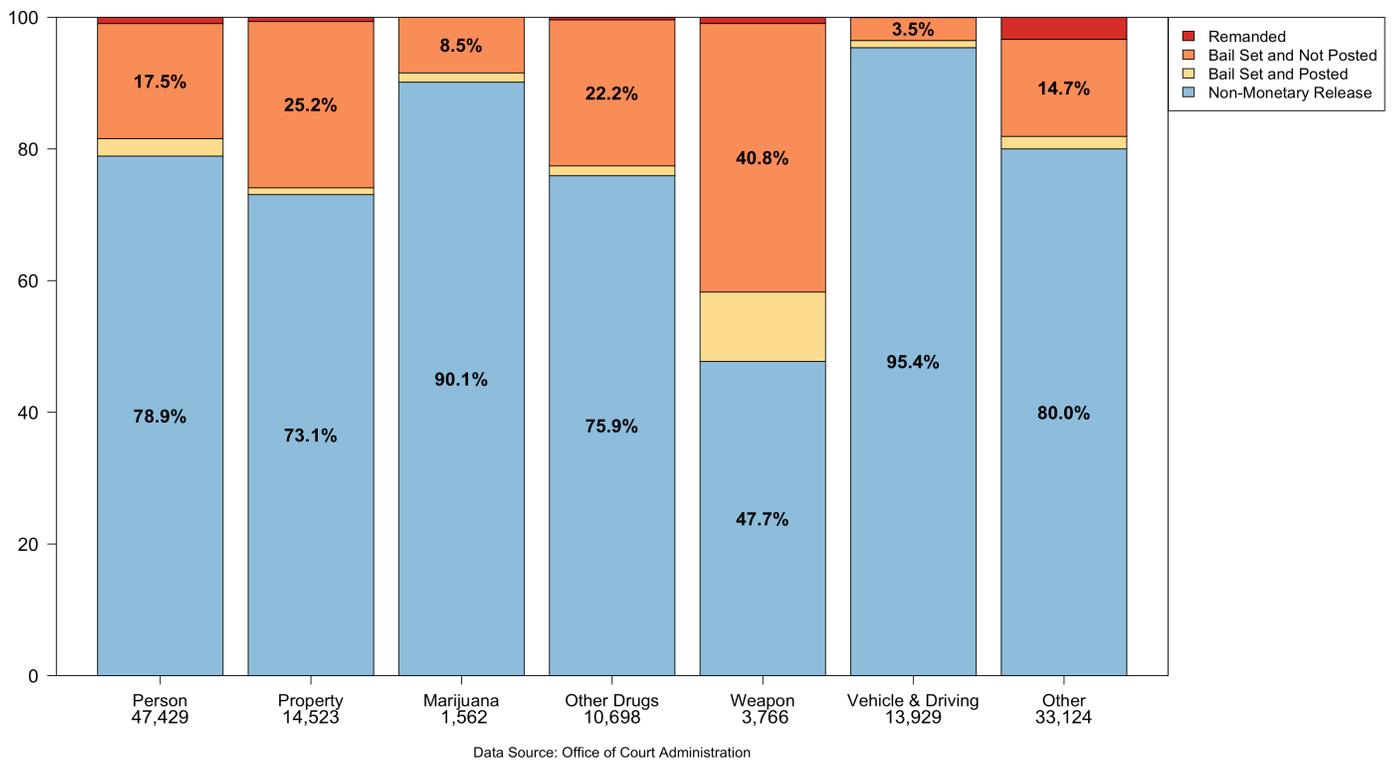


Figure 14: Actual Arraignment Outcomes for Continued Cases in 2019 by Charge Category



Impact of 2020 Bail Reforms (Amended and Original) on 2019 Cases by Charge Category

Figures 15 and 16 show that had the Amended Reforms been in effect in 2019, cases involving person charges would have the greatest volume increase in non-monetary release, from 37,429 (78.9%) to 40,751 cases (85.9%). Assault in the 3rd degree (PL § 120.00[01]) makes up 75.1% of the 3,322 additional cases that would have resulted in release without bail (2,496 cases). Cases involving other drug charges would have the greatest proportion increase in cases released without bail, increasing by 21.0 percentage points from 75.9% (8,123 cases) to 96.9% (10,370 cases). Criminal possession of a controlled substance in the 7th degree (PL § 220.03) accounts for 36.0% of the 2,247 additional cases that would have resulted in release without bail (809 cases). The proportion of property-related cases resulting in release without bail would increase from 73.1% (10,613 cases) to 93.5% (13,572 cases), a 20.4 percentage point difference. Petit larceny (PL § 155.25) accounts for 53.4% of the 2,959 additional property-related cases that would no longer be eligible for bail (1,579 cases).

Had the Amended Reforms been in effect in 2019, 100.0% of marijuana-related (1,562 cases) and vehicle-and-driving-related cases (13,925 cases) would have resulted in release without bail. Meanwhile, just over half of continued cases involving weapon charges would result in release without bail, an additional 146 cases. Among cases involving other charges, criminal mischief in the 4th degree (PL § 145.00) accounts for 9.7% of the 3,138 additional cases that would have resulted in release without bail (305 cases). See Appendix C for the three charges in each charge category most impacted by the reforms in terms of volume.

Figures 15 and 16 also show that the greatest difference between the two sets of reforms would be among property charges, of which 741 cases that were no longer eligible for bail under the Original Reforms are now eligible under the Amended Reforms, a 5.1 percentage point increase. This difference is driven primarily by burglary in the 2nd degree (PL § 140.25[02]), a class C felony which the Amended Reforms returned to the list of Qualifying Offenses that are eligible for bail (see endnote 7).

Figure 15: Estimated Impact of Amended vs. Original Reforms on Cases Released Without Bail in 2019 by Charge Category (Person, Property, Weapon, Other Drugs)

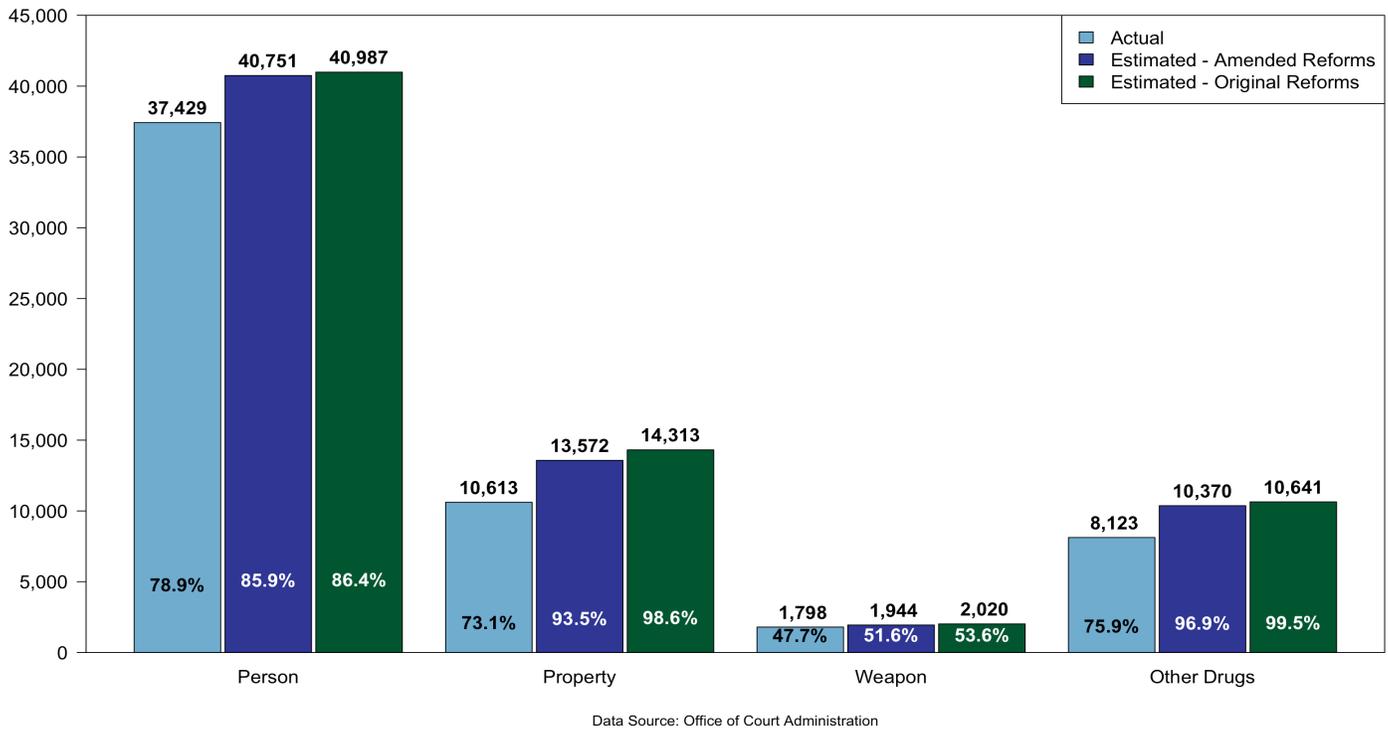
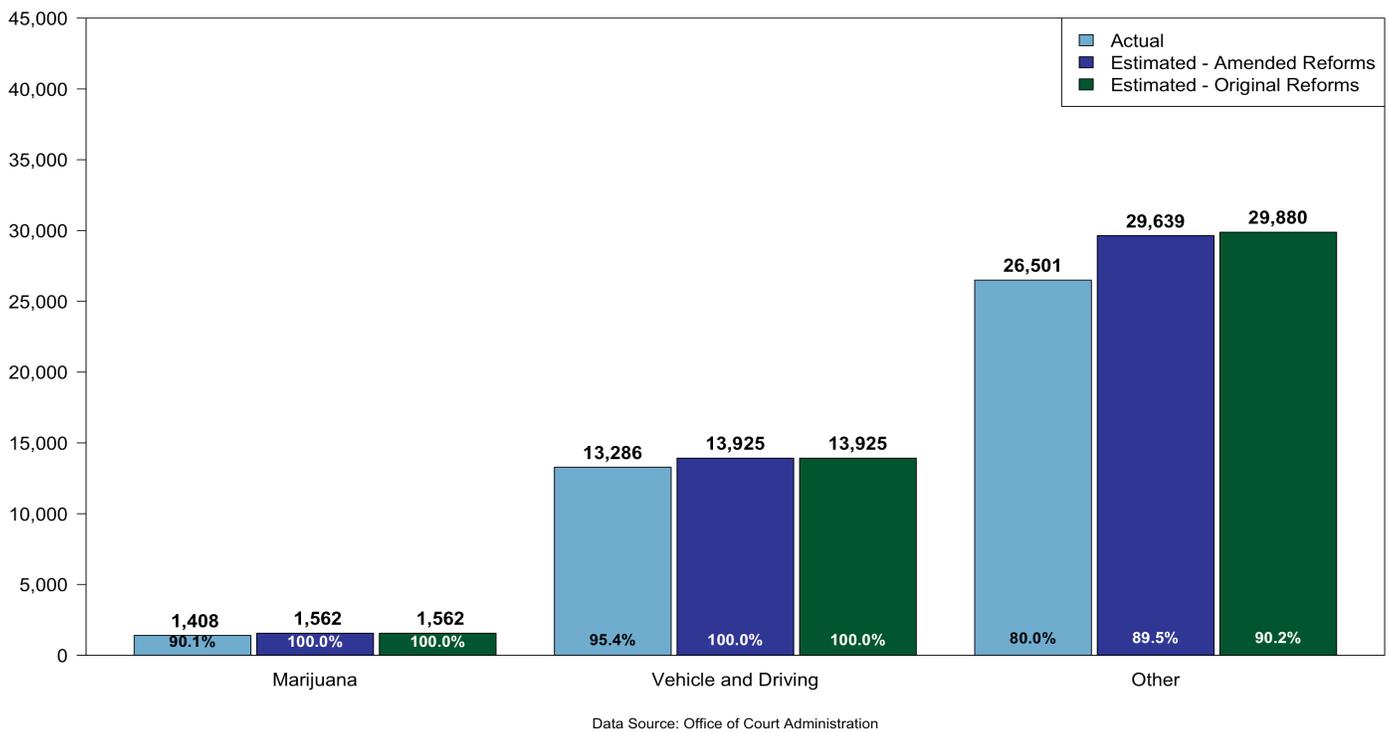


Figure 16: Estimated Impact of Amended vs. Original Reforms on Cases Released Without Bail in 2019 by Charge Category (Marijuana, Vehicle and Driving, Other)



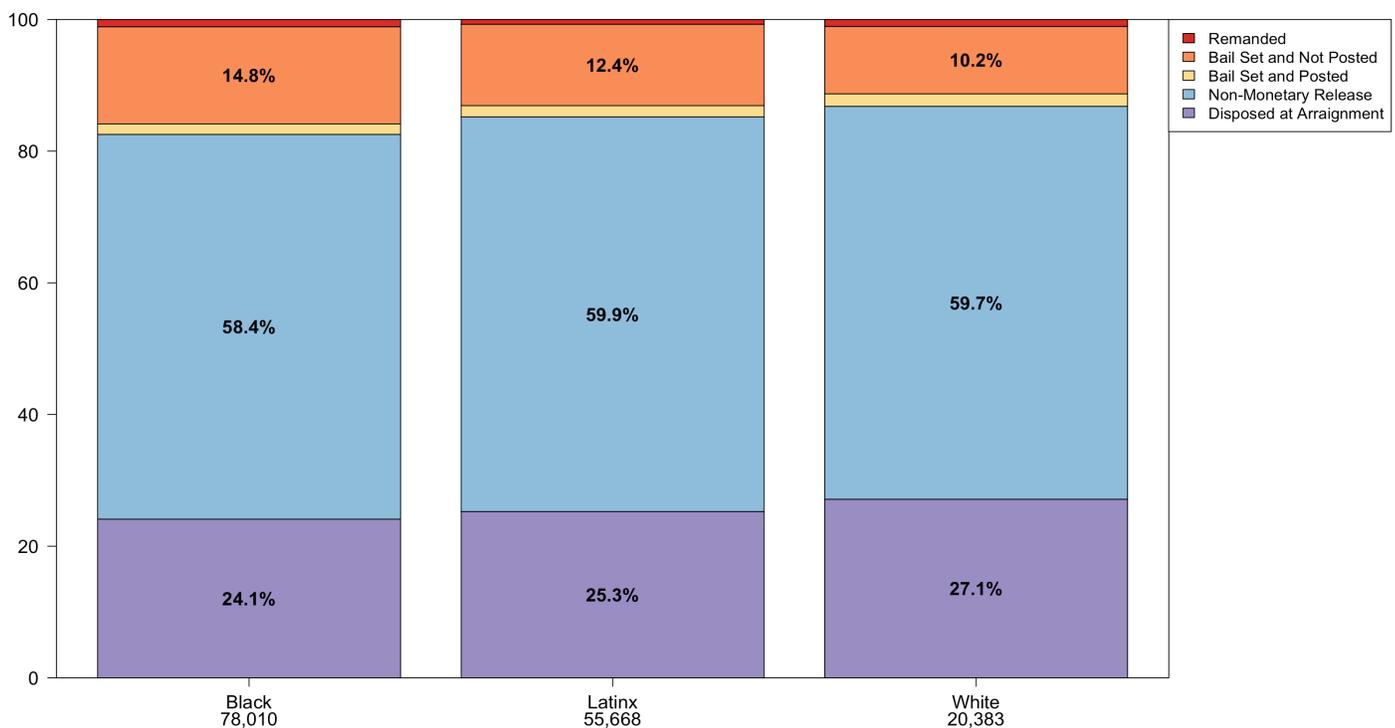
ANALYSIS BY DEMOGRAPHICS

The final section examines how the impact of the 2020 Bail Reforms on release outcomes varies by sex, race/ethnicity, and age group. Overall, the greatest increases in non-monetary release would be among men, Black and Latinx people, and 25-34-year-olds had the Amended Reforms been in effect in 2019. Furthermore, the increases among men, Black and Latinx people, and 25-34-year-olds are driving much of the overall difference in cases released without bail between the Original and Amended Reforms. For the three charges most impacted by the reforms in each demographic group, see Appendix D.

Actual Arraignment Outcomes in 2019 by Race/Ethnicity

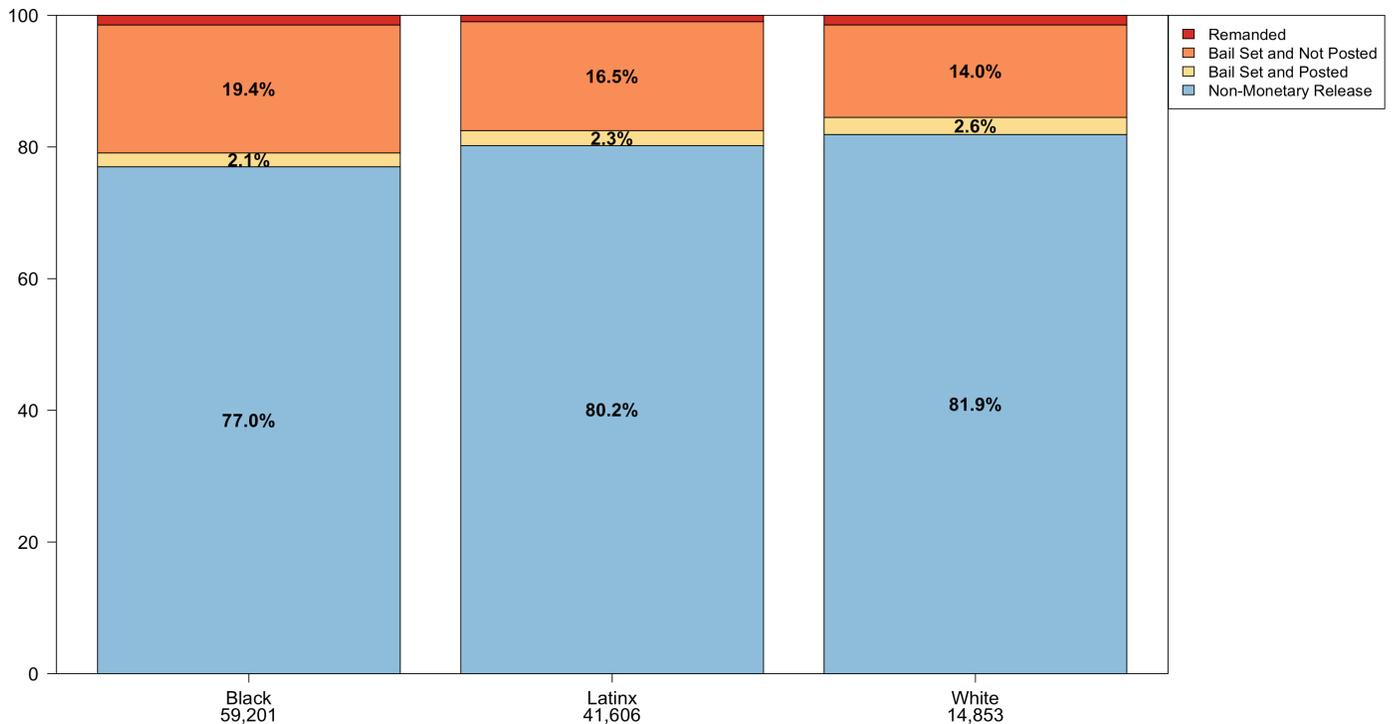
The proportional breakdown of arraignment outcomes in 2019 by race/ethnicity aligns closely with the overall citywide numbers, with some differences between groups. Figure 17 shows that in 2019, Black people were least likely to have their cases disposed at arraignment (24.1% or 18,809 cases) compared to 25.3% of cases among Latinx people (14,062 cases) and 27.1% of cases among White people (5,530 cases). Among continued cases (Figure 18), Black people were least likely to have non-monetary release (77.0% or 45,584 cases) compared to 80.2% among Latinx people (33,370 cases) and 81.9% among White people (12,164 cases).

Figure 17: Actual Arraignment Outcomes in 2019 by Race/Ethnicity



Data Source: Office of Court Administration

Figure 18: Actual Arraignment Outcomes for Continued Cases in 2019 by Race/Ethnicity



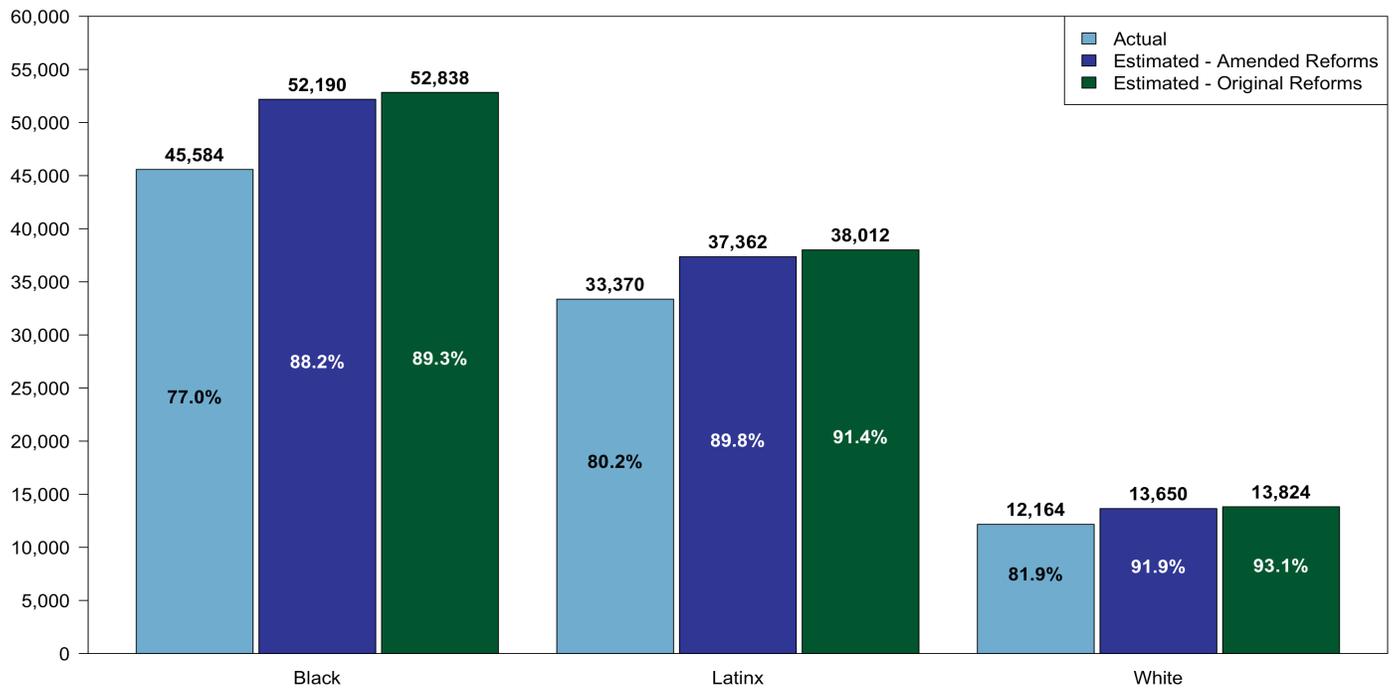
Data Source: Office of Court Administration

Impact of 2020 Bail Reforms (Amended and Original) on 2019 Cases by Race/Ethnicity

Figure 19 shows that the impact of the Amended Reforms on cases released without bail would be greatest among Black people both in volume and proportion. Under the Amended Reforms, 6,606 more cases involving Black people would no longer be eligible for bail, an 11.2 percentage point increase. For Latinx people, there would be almost 4,000 more cases released without bail (9.6 percentage point increase), and for White people, 1,486 additional cases would no longer be eligible for bail if the Amended Reforms had been in effect in 2019. Assault in the 3rd degree (PL § 120.00[01]) accounts for 22.7% of additional cases among Black people (1,502 cases) and 17.9% of cases among Latinx people (716 cases). Petit larceny (PL § 155.25) accounts for the greatest number of cases among White people, making up 18.2% of additional cases that would be released without bail (271 cases).

Under the Amended Reforms, more cases involving Black and Latinx people (approximately 650 cases for each group) are eligible for bail compared to the Original Reforms. This represents a 1.1 percentage point increase in cases eligible for bail among Black people and a 1.6 percentage point increase among Latinx people. For White people, the Amended Reforms increased the proportion of cases eligible for bail by 1.2 percentage points compared to the Original Reforms (174 cases).

Figure 19: Estimated Impact of Amended vs. Original Reforms on Cases Released Without Bail in 2019 by Race/Ethnicity



Data Source: Office of Court Administration

Actual Arraignment Outcomes in 2019 by Sex

Figure 20 shows that in 2019, around a quarter of arraignments for both men and women were disposed at arraignment, aligning with the overall citywide proportion. Meanwhile, Figure 21 shows that among women, over 90.8% of cases that continued beyond arraignment were released without bail (21,025 cases) compared to 76.7% among men (78,132 cases).

Figure 20: Actual Arraignment Outcomes in 2019 by Sex

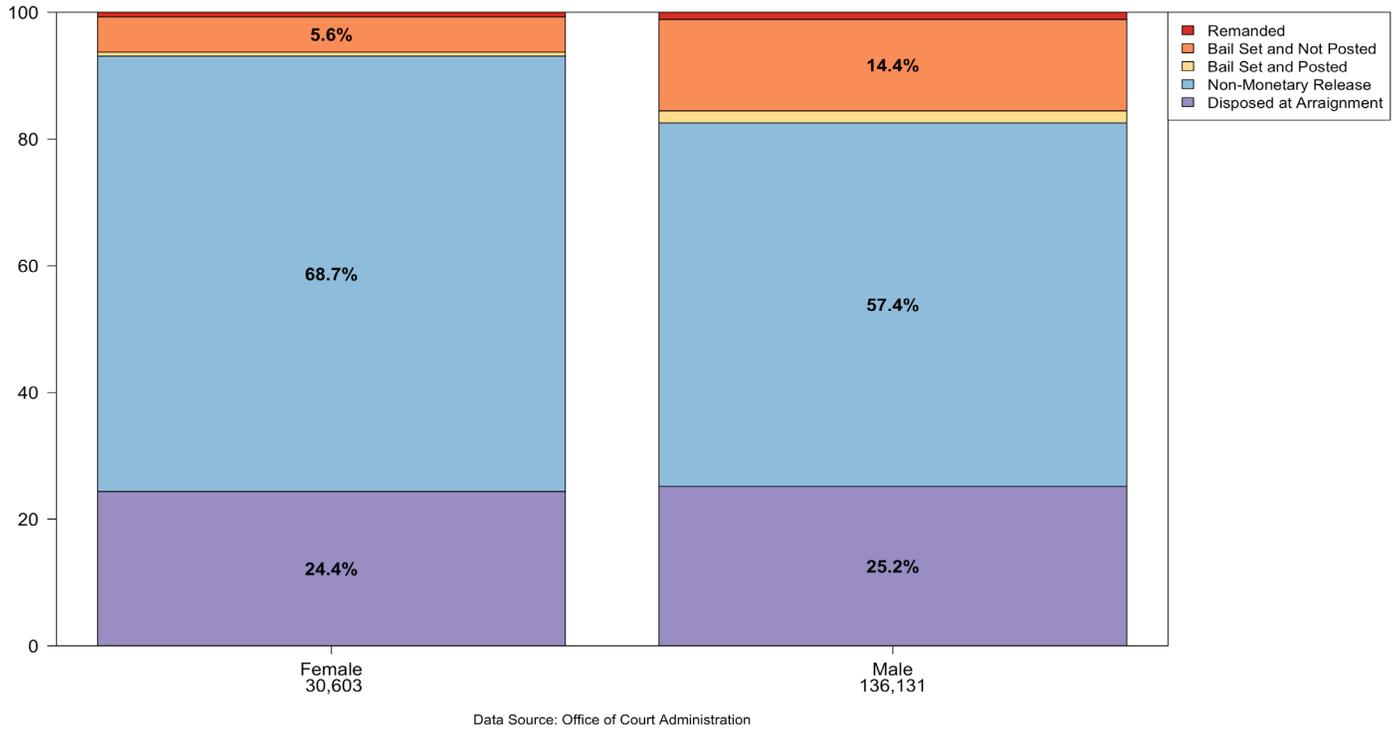
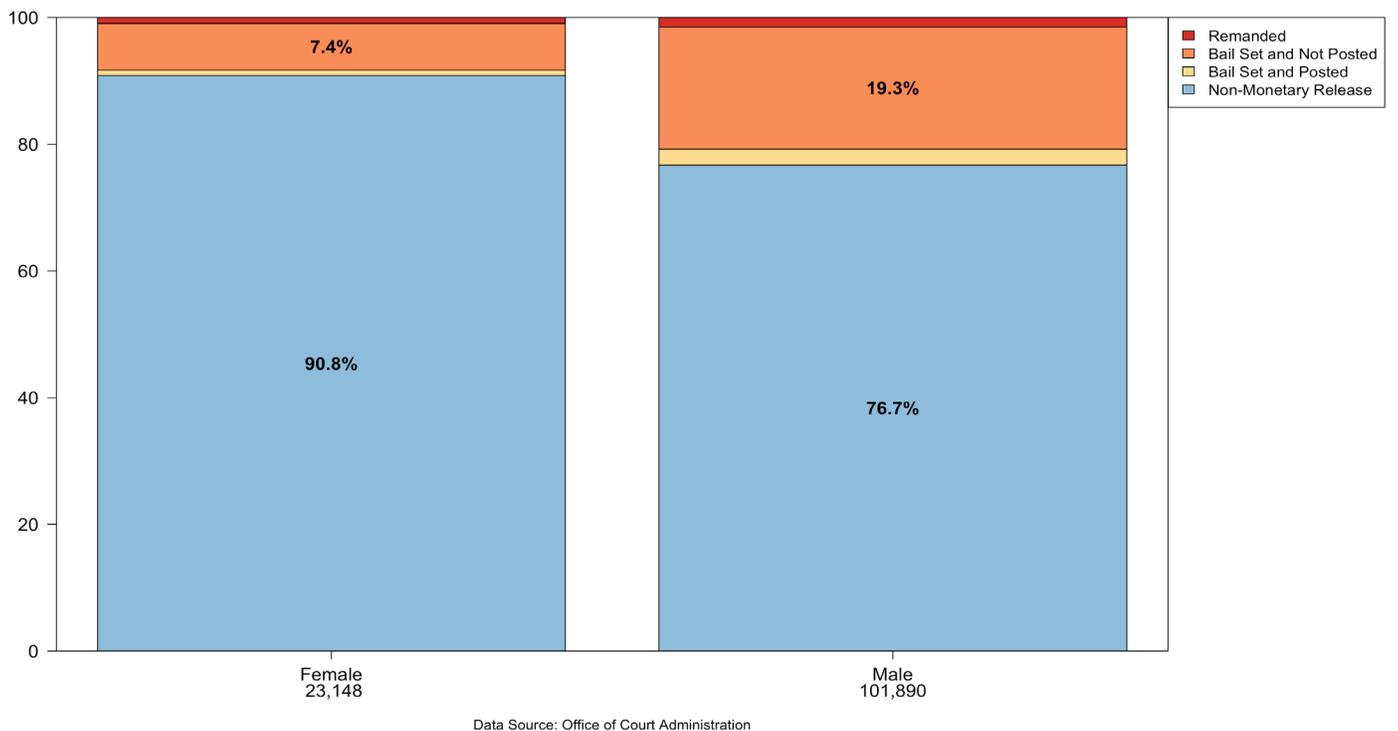


Figure 21: Actual Arraignment Outcomes for Continued Cases in 2019 by Sex

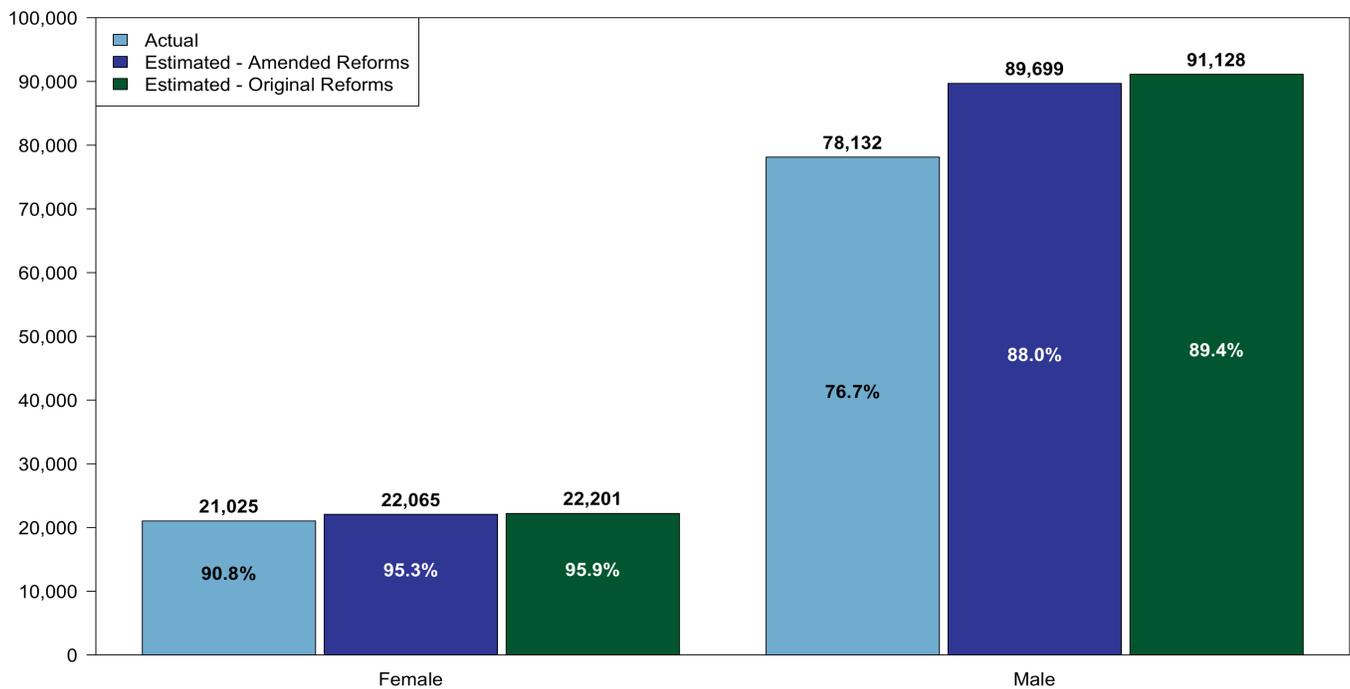


Impact of 2020 Bail Reforms (Amended and Original) on 2019 Cases by Sex

Figure 22 shows that the impact of the Amended Reforms would be much greater for men. **Had the reforms been in effect in 2019, 11,567 more cases involving men would no longer be eligible for bail, compared to 1,040 additional cases for women.** Assault in the 3rd degree (PL § 120.00[01]) accounts for 20.0% of the additional cases among men (2,317 cases), while petit larceny (PL § 155.25) makes up 21.3% of the additional cases among women (221 cases).

The difference in impact between the Original and Amended Reforms would also be greatest for men. **Compared to the Original Reforms, 1,429 cases involving men that were no longer eligible for bail are now eligible under the Amended Reforms, a 1.4 percentage point difference.** For women, there would only be a 0.6 percentage point difference between the reforms (136 cases).

Figure 22: Estimated Impact of Amended vs. Original Reforms on Cases Released Without Bail in 2019 by Sex



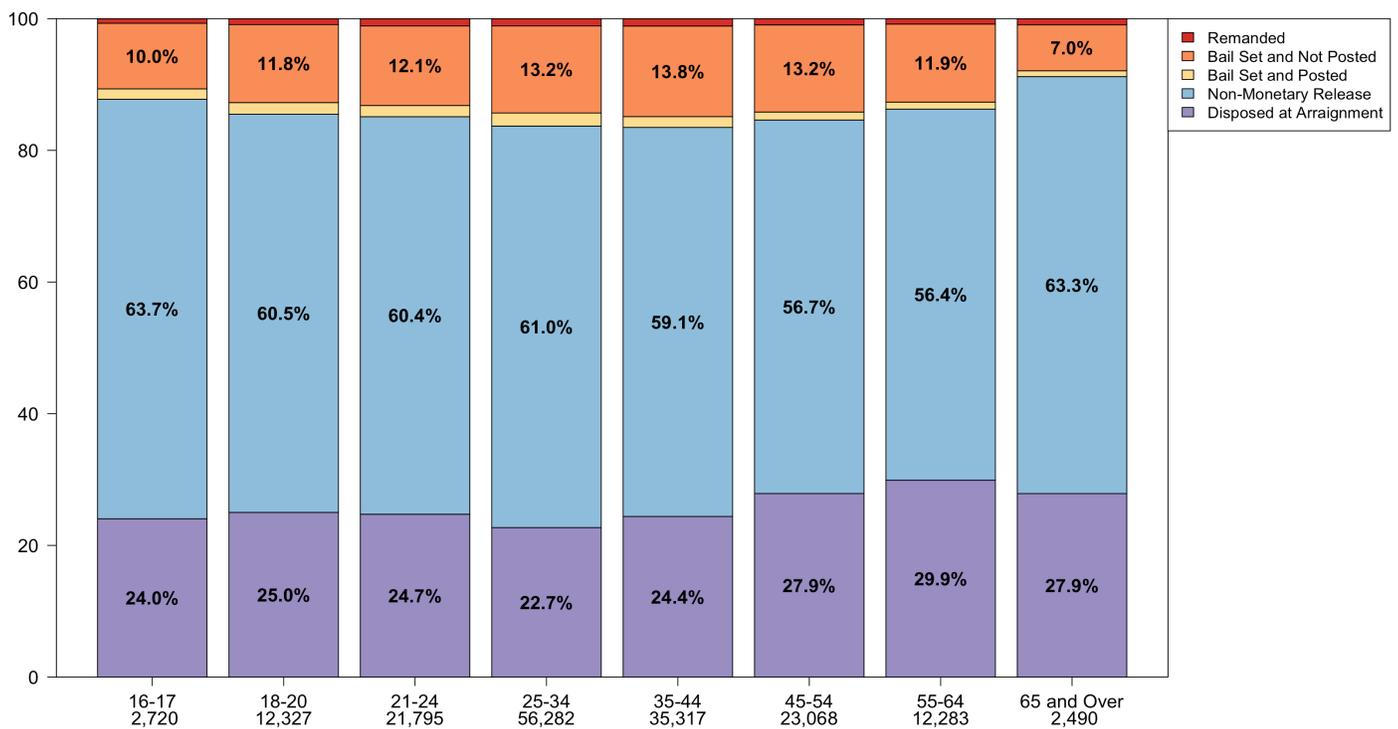
Data Source: Office of Court Administration

Actual Arraignment Outcomes in 2019 by Age Group

Figures 23 and 24 show arraignment outcomes in 2019 by age group. In 2019, the three oldest age groups were most likely to have cases disposed at arraignment, particularly among 55-64-year-olds (29.9% or 3,657 cases). In contrast, 25-34-year-olds had the smallest proportion of cases disposed at arraignment (22.7% or 12,773 cases) despite having the greatest volume of cases overall (56,282 cases).

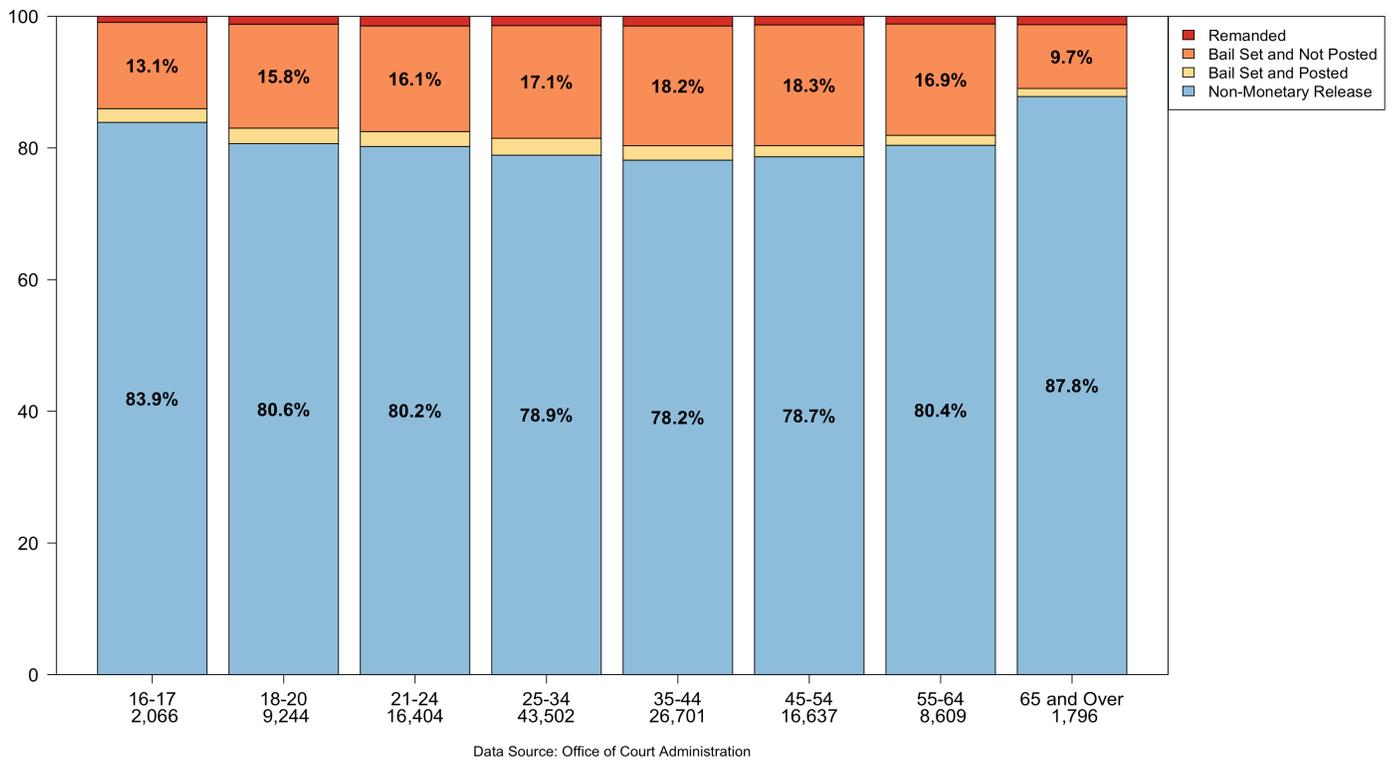
The oldest and youngest age groups had the largest proportions of continued cases released without bail. Among 16-17-year-olds, 83.9% of cases were released without bail (1,756 cases), while 87.8% of cases involving people aged 65 and older were released without bail (1,567 cases). In contrast, 78.2% of cases among 35-44-year-olds were released without bail (20,871 cases).

Figure 23: Actual Arraignment Outcomes in 2019 by Age Group



Data Source: Office of Court Administration

Figure 24: Actual Arraignment Outcomes for Continued Cases in 2019 by Age Group

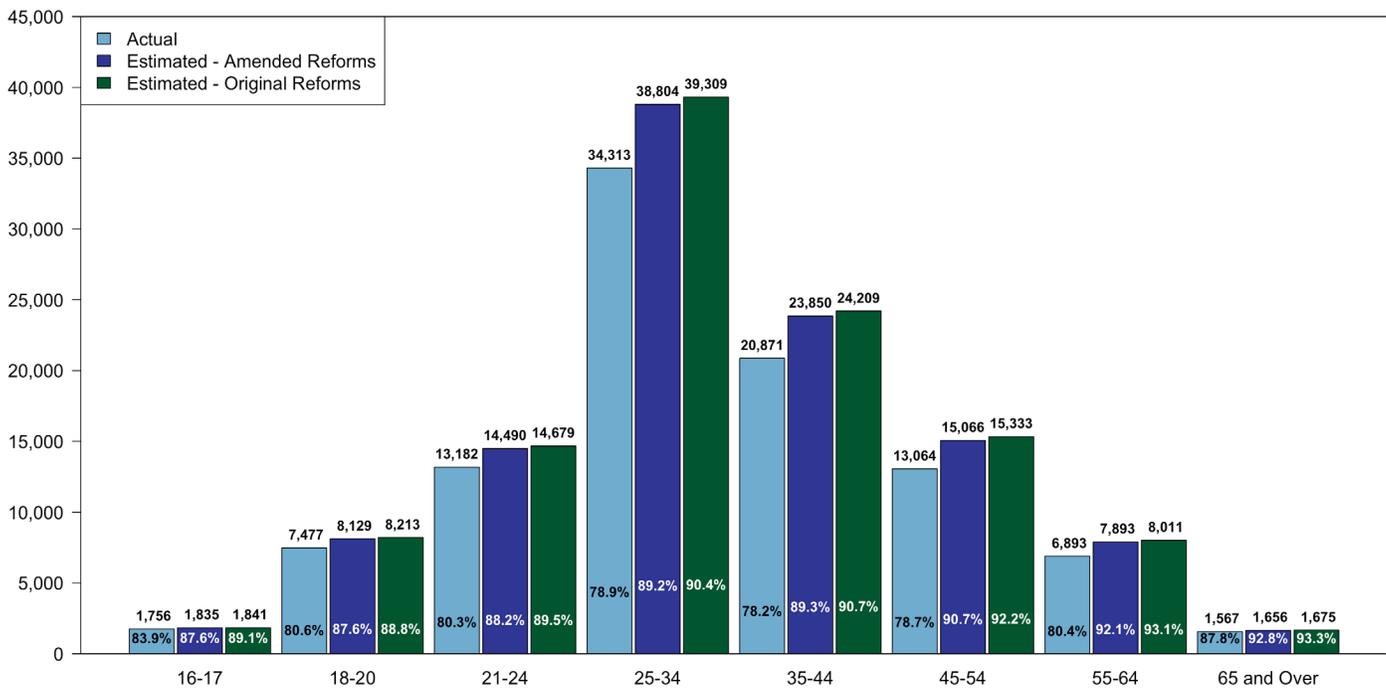


Impact of 2020 Bail Reforms (Amended and Original) on 2019 Cases by Age Group

Figure 25 suggests that the impact of the Amended Reforms on non-monetary release would be greatest for people between 25 and 54 years of age. Had the reforms been in effect in 2019, only 79 more cases involving 16-17-year-olds and 89 more cases involving people 65 and over would no longer be eligible for bail. **The largest volume increase in cases released without bail would be among 25-34-year-olds, with 4,491 additional cases (a 10.3 percentage point increase).** Assault in the 3rd degree (PL § 120.00[01]) accounts for 23.1% of additional cases (1,039 cases). Meanwhile, the largest proportional increase would be among 45-54-year-olds, with a 12.1 percentage point increase from 13,064 to 15,066 cases. Petit larceny (PL § 155.25) makes up 18.1% of the 2,002 additional cases that would be released without bail (362 cases). See Appendix D for the three charges in each age group most impacted by the reforms in terms of volume.

Similarly, the greatest difference in volume of cases eligible for bail between the two sets of reforms would be among 25-34-year-olds. Compared to the Original Reforms, 505 cases that were no longer eligible for bail are now eligible under the Amended Reforms, a 1.2 percentage point difference. For 35-44-year-olds, 359 cases that were no longer eligible for bail under the Original Reforms are now eligible under the Amended Reforms, representing a 1.4 percentage point difference. For both 16-17-year-olds and 45-54-year-olds, there would be a 1.5 percentage point difference in the proportion of cases released without bail between the Original and Amended Reforms.

Figure 25: Estimated Impact of Amended vs. Original Reforms on Cases Released Without Bail in 2019 by Age Group



Data Source: Office of Court Administration

CONCLUSION

The findings presented in this report illustrate how the 2020 Bail Reforms would have impacted bail and pretrial release outcomes for cases arraigned in New York City criminal courts in 2019, had they already been in effect. They also show how the impact of the Original and Amended Reforms would differ across boroughs, for different charges, and for different demographic groups. However, it is important to note that small numerical or proportional differences in the metrics presented in this report do not capture all of the important differences between the two sets of reforms. For example, even small increases in the number of cases eligible for bail can meaningfully increase the number of people held in jail pretrial; a particularly important outcome given the risks associated with Covid-19 in jails.³⁰ DCJ will continue to monitor the effects of the 2020 Bail Reforms on release outcomes as data become available, and future research will focus particularly on the impact of the reforms in the context of Covid-19.

Questions for Future Research

1. How will the 2020 Bail Reforms impact disposition and sentencing outcomes for disposed and continued cases?
2. What is the impact of Covid-19 on bail and release outcomes in 2020 and beyond?
3. How will the confluence of 2020 Bail Reforms and Covid-19 impact jail populations in New York City and around the State?
4. How will judges assess an individual's ability to pay bail in cases where bail is still permitted and how will this influence the number and proportion of cases where bail is set as well as the amount of bail set?

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Any data provided herein does not constitute an official record of the New York State Unified Court System, which does not represent or warrant the accuracy thereof. The opinions, findings, and conclusions expressed in this publication are those of the authors and not of the New York State Unified Court System, which assumes no liability for its contents or use thereof.

ENDNOTES

1. S.1509C, 2019 Reg. Session (NY, 2019).
2. Release on recognizance (ROR) means that an individual “. . . promise[s] to return for future dates without posting any bail.” New York State Unified Court System (n.d.). Retrieved from: <https://www.nycourts.gov/courthelp/Criminal/arraignments.shtml>.
3. S.7506B, 2020 Reg. Session (NY, 2020).
4. More information about the Amended Reforms can be found in summaries from the [Center for Court Innovation](#), [Brennan Center](#) and [New Yorkers United for Justice](#).
5. Certain misdemeanor offenses, including misdemeanor sex offenses, criminal contempt (generally involving criminal misconduct in and around courts), and violations of orders of protection in domestic violence cases were excluded under the statute. Individuals charged with these misdemeanors were still eligible for bail but not for remand. See NY CLS CPL § 510.10. Securing order; when required; alternatives available; standard to be applied. [Effective January 1, 2020].
6. Certain non-violent felony charges, including those relating to witness intimidation/tampering, operating as a major trafficker, conspiracy (2nd degree), money laundering (1st and 2nd degree), criminal contempt (1st and 2nd degree), sex offenses involving a minor, and luring a child were all excluded under the statute. Individuals charged with these non-violent felonies were still eligible for bail. See NY CLS CPL § 510.10. Securing order; when required; alternatives available; standard to be applied. [Effective January 1, 2020].
7. Under the Amended Reforms, both subsections of burglary in the 2nd degree (PL § 140.25[01] and 140.25[02]) are considered Qualifying Offenses that are eligible for bail. However, the reforms also make clear that in order for charges under PL § 140.25(02) (unlawful entry into a dwelling) to qualify for bail, the individuals must be charged with entering the living area of the dwelling.
8. Criminal possession of a controlled substance in the 1st degree (PL § 220.21), criminal sale of a controlled substance in the 1st degree (PL § 220.43), and operating as a major trafficker (PL § 220.77).
9. Sex trafficking (PL § 230.34) and sex trafficking of a child (PL § 230.34-a), promoting an obscene sexual performance by a child (PL § 263.10), and promoting a sexual performance by a child (PL § 263.15).
10. Specifically, criminal obstruction of breathing or blood circulation (PL § 121.11), strangulation in the 2nd degree (PL § 121.12), and unlawful imprisonment in the 1st degree (PL § 135.10). An individual is eligible for bail if either of these three classes of offenses were committed in a domestic violence context. DCJ identified qualifying offenses by isolating cases that were arraigned as a domestic violence case.
11. PL § 120.00 or PL § 150.10, when such crimes are charged as a hate crime as defined in PL § 485.05.
12. Aggravated assault on a person under 11 years of age (PL § 120.12), and criminal possession of a weapon on school grounds (PL § 265.01-a).
13. Money laundering in support of terrorism in the 3rd and 4th degrees (PL § 470.22 and 470.21), grand larceny in the 1st degree (PL § 155.42), enterprise corruption (PL § 460.20), and money laundering in the 1st degree (PL § 470.20).
14. Bail jumping in the 1st, 2nd, and 3rd degrees (PL § 215.57, 215.56, and 215.55), and escape from custody in the 1st, 2nd, and 3rd degrees (PL § 205.15, 205.10, and 205.05).
15. DCJ was able to identify certain bail-eligible offenses including criminally negligent homicide (PL § 125.10), vehicular manslaughter in the 1st and 2nd degrees (PL § 125.13 and 125.12), aggravated vehicular homicide (PL § 125.14), manslaughter in the 2nd degree (PL § 125.15), and leaving scene of an accident without reporting personal injury (VTL § 600[2C]). DCJ was unable to account for cases where the underlying charge would only qualify for bail if it later resulted in the death of a person.
16. DCJ identified individuals arraigned in 2019 with a current case “involving harm to an identifiable person or property” and at least one previous open case for a similar offense. Interpretation of whether an offense constitutes “harm” or “threat of harm to person or property” is subject to judicial discretion. For the purposes of these analyses, DCJ took an inclusive approach in classifying charges that fit these criteria. The qualifying charges include all subsections of assault and related offenses (PL § 120), strangulation offenses (PL § 121), homicide and manslaughter offenses (PL § 125), kidnapping and unlawful imprisonment (PL § 135), burglary offenses (PL § 140), criminal mischief offenses (PL § 145), arson (PL § 150), larceny offenses (PL § 155), computers offenses (PL § 156), robbery (PL § 160), offenses relating to theft (PL § 165), offenses against public order (PL § 240), harassment of regulated tenants (PL § 241), offenses relating to children (PL § 260), and firearms and dangerous weapons (PL § 265). Additionally, specific charges of obstructing governmental administration in the 1st and 2nd degrees (PL § 195.07 and 195.05); obstructing governmental administration by means of a

self-defense spray device (PL § 195.08); obstructing firefighting operations (PL § 195.15); obstructing emergency medical services (PL § 195.16); obstruction of governmental duties by means of a bomb, destructive device, explosive, or hazardous substance (PL § 195.17); tampering with a juror in the 1st and 2nd degrees (PL § 215.25 and 215.23); promoting prostitution in the 1st, 2nd, and 4th degrees (PL § 230.32, 230.30, and 230.20); and compelling prostitution (PL § 230.33) are included. DCJ is grateful to Mike Rempel at the Center for Court Innovation for guidance on identifying these cases in the OCA data.

17. An individual qualifies for sentencing as a persistent felony offender pursuant to NY PL § 70.10 if they stand to be convicted of a felony offense after having been previously convicted of two or more felonies.

18. Failure to register as a sex offender pursuant to NY COR § 168-T or endangering the welfare of a child (PL § 260.10), where the individual is required to maintain registration under article 6C of the corrections law.

19. In order to help slow the spread of the virus, police departments across the country are directing officers to cut down on making arrests for lower-level offenses. See reporting by Elinson, Z., & Chapman, B. (2020, March 27). Coronavirus pandemic changes policing, including fewer arrests. *The Wall Street Journal*. <https://www.wsj.com/articles/coronavirus-pandemic-changes-policing-including-fewer-arrests-11585301402>. In New York City specifically, the number of arrests made between January and August 2020 was 39% lower than in the same period in 2019. See Chapman, B. (2020, August 17). As New York City police make fewer arrests, violent crime rises. *The Wall Street Journal*. <https://www.wsj.com/articles/as-new-york-city-police-make-fewer-arrests-violent-crime-rises-11597600800>.

20. Law enforcement in New York State are now required to issue desk appearance tickets (“DATs” or “universal appearance tickets”), rather than make a custodial arrest for many types of – mostly lower-level – criminal charges. In May 2020, DCJ released a research brief examining DAT arraignments across 63 city and district courts in New York State in 2018. See Lu, O., Bond, E., & Chauhan, P. (May, 2020). [Desk Appearance Tickets in New York State in 2018](#). New York, NY: Data Collaborative for Justice. The reforms also established new timelines for more expedient discovery turnover in criminal cases, requiring prosecutors to present materials within 20-35 days of arraignment.

21. Since March 2020, New York City courts have only completed nine criminal jury trials, compared to around 800 in March, 2019. See reporting by Hong, N., & Ransom, J. (2020, December 2). Only 9 trials in 9 months: Virus wreaks havoc on N.Y.C courts, *New York Times*. <https://www.nytimes.com/2020/12/02/nyregion/courts-covid.html>.

22. Arraignment is the stage of a criminal proceeding when an individual first appears in court so that a prosecutor may formally file charges and a judge can determine what restrictions (e.g., pretrial detention) or requirements (e.g., the payment of bond), if any, are necessary to assure that individual will return to court to conclude their case. The Mayor’s Office of Criminal Justice provides a helpful overview of the criminal case process (“Anatomy of the Criminal Justice System”): https://criminal-justice.cityofnewyork.us/data_stories/anatomy-of-the-criminal-justice-system/.

23. Cases where the bail amount was set at \$1 were excluded from this calculation as these are reliably placeholders rather than a real dollar amount.

24. Person charges are defined as offenses that typically result in direct harm to a known victim or victims. These include offenses such as murder, rape, robbery, and assault and related offenses.

25. This report uses the term “Latinx” in lieu of the term “Hispanic” used in the OCA data. Latinx describes people of Latin American origin or descent. We use this term to be inclusive of all people of Latin American origin or descent, including indigenous people and those whose native language is not Spanish, but acknowledge that it is an emerging term that is not recognized by all those to whom it might be applied (Noe-Bustamante et al., 2020). In addition, the usage of the letter “x” is intended to acknowledge gender inclusivity beyond a binary male/female designation (Morales, 2018).

26. Property charges are defined as offenses that typically involve a complainant or victim and result in the unlawful possession or destruction of property. These include offenses such as burglary, larceny, and motor vehicle theft.

27. This dataset includes cases that originated as custodial arrests as well as cases that were processed as “desk appearance tickets” but excludes the small percentage of cases that originated in Supreme Court (which only adjudicates felony cases) rather than Criminal Court (where all misdemeanors and most felonies are arraigned).

28. The Center for Court Innovation found that the New York City pretrial jail population decreased by 40% from after the Original Reforms went into effect in January. However, there was a 7-11% increase in the pretrial jail population between July and November as a result of the Amended Reforms. See Rempel, M. (November, 2020). [COVID-19 and the New York City jail population](#). New York, NY: Center for Court Innovation.

29. Restoring Judicial Discretion in Bail Setting Act, P.L.2014, c.31 (NJ, 2014).

30. During the first six weeks of the Covid-19 outbreak in New York City, the City’s daily jail population dropped by 30% to a historic low of 3,809. However, between April 29 and November 1, the population grew by 23%, driven largely by an increase in the number of people held pretrial. See Rempel, M. (November, 2020).

APPENDIX A: ESTIMATED VOLUME CHANGE IN CASES RELEASED WITHOUT BAIL BY BOROUGH, TOP 3 CHARGE CODES

Estimated Volume Change by Borough, Top 3 Charge Codes				
Borough	Charge Code	Actual	Amended Reforms	Volume Change
The Bronx		18,806	20,722	1,916
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	5,509	6,017	501
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	1,269	1,452	183
	Petit larceny (PL § 155.25)	1,020	1,179	159
Brooklyn		29,185	31,687	2,502
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	8,236	8,913	677
	Petit larceny (PL § 155.25)	2,299	2,526	227
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	1,225	1,349	124
Manhattan		22,917	27,332	4,415
	Petit larceny (PL § 155.25)	2,311	3,034	723
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	5,384	6,103	719
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	1,040	1,307	267
Queens		23,483	26,484	3,001
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	7,102	7,611	509
	Petit larceny (PL § 155.25)	1,153	1,532	379
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	675	843	168
Staten Island		4,775	5,550	775
	Petit larceny (PL § 155.25)	330	421	91
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	792	875	83
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	311	378	67

APPENDIX B: ESTIMATED VOLUME CHANGE IN CASES RELEASED WITHOUT BAIL BY CHARGE CLASS, TOP 3 CHARGE CODES

Estimated Volume Change by Charge Class, Top 3 Charge Codes				
Charge Class	Charge Code	Actual	Amended Reforms	Volume Change
A felony		86	249	163
	Criminal sale of a controlled substance 2 nd degree, over 1/5oz (PL § 220.41[01])	13	67	54
	Criminal possession of a controlled substance 2 nd degree, over 4oz (PL § 220.18[01])	17	70	53
	Criminal possession of a controlled substance 2 nd degree, over 2oz (PL § 220.18[02])	7	39	52
B felony		3,400	4,529	1,129
	Criminal possession of a controlled substance 3 rd degree with intent to sell narcotics (PL § 220.16[01])	1,301	1,950	649
	Criminal sale of a controlled substance 3 rd degree, narcotics (PL § 220.39[01])	1,355	1,787	432
	Criminal sale of a controlled substance in or near school grounds (PL § 220.44[01])	144	165	21
C felony		2,236	2,382	146
	Criminal possession of marijuana 1 st degree (PL § 221.30)	58	86	28
	Criminal possession of a forged instrument 1 st degree (PL § 170.30)	73	96	23
	Criminal possession of a controlled substance 4 th degree, over 1/8oz (PL § 220.09[01])	78	95	17
D felony		7,207	8,845	1,638
	Burglary 3 rd degree (PL § 140.20)	513	985	472
	Robbery 3 rd degree (PL § 160.05)	335	584	249
	Criminal possession of a forged instrument 2 nd degree (PL § 170.25)	781	993	212
E felony		4,787	6,353	1,566
	Grand larceny 4 th degree, over \$1,000 (PL § 155.30[01])	718	994	276
	Grand larceny 4 th degree, credit or debit card (PL § 155.30[04])	329	477	148
	Criminal possession of stolen property 4 th degree; credit, debit or public benefit card (PL § 165.45[02])	342	482	140
A misdemeanor		61,803	68,579	6,776
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	23,641	25,813	2,172
	Petit larceny (PL § 155.25)	6,975	8,536	1,561
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	4,520	5,327	807
B misdemeanor		6,407	7,040	633
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	3,382	3,706	324
	Criminal trespass 3 rd degree fenced or enclosed property (PL § 140.10-a)	471	544	73
	False personation (PL § 190.23)	168	216	48
Unclassified misdemeanor		11,601	11,974	373
	Facilitating aggravated unlicensed operation of a motor vehicle 1 st degree (VTL § 511-a[04])	2,323	2,397	74
	Operation while license or privilege is suspended or revoked; aggravated unlicensed operation 3 rd degree (VTL § 511.1[a])	3,571	3,644	73
	Operating a motor vehicle while under the influence of alcohol, driving while intoxicated; per se (VTL § 1192.2)	2,350	2,397	47
Violation		1,093	1,227	134
	NYC administrative code department of probation (S 9-2)	209	257	48
	Possession of knives or instruments (S 10-133)	183	208	25
	Unlawful possession of marijuana (PL § 221.05)	123	138	15

APPENDIX C: ESTIMATED VOLUME CHANGE IN CASES RELEASED WITHOUT BAIL BY CHARGE CATEGORY, TOP 3 CHARGE CODES

Estimated Volume Change by Charge Category, Top 3 Charge Codes				
Charge Category	Charge Code	Actual	Amended Reforms	Volume Change
Person		37,429	40,751	3,322
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	27,023	29,519	2,496
	Robbery 3 rd degree (PL § 160.05)	393	675	282
	Menacing in the 2 nd degree; with deadly weapon, dangerous instrument or firearm (PL § 120.14[01])	2,572	2,853	281
Property		10,613	13,572	2,959
	Petit larceny (PL § 155.25)	7,113	8,692	1,579
	Burglary 3 rd degree (PL § 140.20)	528	1,007	479
	Grand larceny 4 th degree, over \$1,000 (PL § 155.30[01])	755	1,038	283
Marijuana		1,408	1,562	154
	Criminal possession of marijuana 1 st degree (PL § 221.30)	58	86	28
	Criminal possession of marijuana 2 nd degree (PL § 221.25)	169	195	26
	Criminal sale of marijuana 4 th degree (PL § 221.40)	461	487	26
Other Drugs		8,123	10,370	2,247
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	4,520	5,329	809
	Criminal possession of a controlled substance 3 rd degree with intent to sell narcotics (PL § 220.16[01])	1,303	1,952	649
	Criminal sale of a controlled substance 3 rd degree, narcotics (PL § 220.39[01])	1,361	1,795	434
Weapons		1,798	1,944	146
	Criminal possession of a firearm, any firearm (PL § 265.01-b[01])	186	319	133
	Criminal possession of a firearm (PL § 265.01-b)	16	26	10
	Criminal possession of a firearm, failure to register firearm (PL § 265.01-b[02])	4	6	2
Vehicle and Driving		13,286	13,925	639
	Operating a motor vehicle while under the influence of alcohol; driving while intoxicated (VTL § 1192.03)	1,515	1,602	87
	Operation while license or privilege is suspended or revoked; aggravated unlicensed operation (VTL § 511)	279	362	83
	Operating a motor vehicle while under the influence of alcohol, driving while intoxicated; per se (VTL § 1192.2)	2,439	2,518	79
Other		26,501	29,639	3,138
	Criminal mischief 4 th degree, intentionally damages property of another person (PL § 145.00[01])	4,121	4,426	305
	Criminal possession of a forged instrument 2 nd degree (PL § 170.25)	782	995	213
	Aggravated harassment 2 nd degree, with intent to harass another person through anonymous communication (PL § 240.30[01-a])	1,177	1,368	191

APPENDIX D: ESTIMATED VOLUME CHANGE IN CASES RELEASED WITHOUT BAIL BY DEMOGRAPHICS, TOP 3 CHARGE CODES

Estimated Volume Change by Demographic Characteristics, Top 3 Charge Codes				
Sex	Charge Code	Actual	Amended Reforms	Volume Change
Male		78,132	89,699	11,567
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	19,331	21,648	2,317
	Petit larceny (PL § 155.25)	5,271	6,629	1,358
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	3,832	4,548	716
Female		21,025	22,065	1,040
	Petit larceny (PL § 155.25)	1,842	2,063	221
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	7,690	7,869	179
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	687	780	93
Race/Ethnicity				
Black		45,584	52,190	6,606
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	12,423	13,925	1,502
	Petit larceny (PL § 155.25)	3,302	4,017	715
	Criminal possession of a controlled substance 3 rd degree with intent to sell narcotics (PL § 220.16[01])	632	999	367
Latinx		33,370	37,362	3,992
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	9,359	10,075	716
	Petit larceny (PL § 155.25)	2,190	2,718	528
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	1,731	2,037	306
White		12,164	13,650	1,486
	Petit larceny (PL § 155.25)	1,222	1,493	271
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	2,883	3,076	193
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	731	877	146
Age Group				
16-17		1,756	1,835	79
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	446	462	16
	Petit larceny (PL § 155.25)	161	167	6
	Grand larceny 4 th degree, taken from another person (PL § 155.30[05])	23	29	6
18-20		7,477	8,129	652
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	1,924	2,053	129
	Petit larceny (PL § 155.25)	523	579	56
	Obstructing governmental administration 2 nd degree (PL § 195.05)	97	133	36
21-24		13,182	14,490	1,308
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	3,681	3,940	259
	Petit larceny (PL § 155.25)	779	906	127
	Criminal possession of a controlled substance 3 rd degree with intent to sell narcotics (PL § 220.16[01])	165	237	72
25-34		34,313	38,804	4,491
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	9,718	10,757	1,039
	Petit larceny (PL § 155.25)	2,271	2,742	471
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	1,431	1,697	266
35-44		20,871	23,850	2,979
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	5,840	6,468	628
	Petit larceny (PL § 155.25)	1,501	1,903	402
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	1,105	1,333	228
45-54		13,064	15,066	2,002
	Petit larceny (PL § 155.25)	1,222	1,584	362
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	3,260	3,544	284
	Criminal possession of a controlled substance 7 th degree (PL § 220.03)	870	1,032	162
55-64		6,893	7,893	1,000
	Petit larceny (PL § 155.25)	580	730	150
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	1,714	1,845	131
	Burglary 3 rd degree (PL § 140.20)	73	168	95
65 and Over		1,567	1,656	89
	Assault 3 rd degree with intent to cause physical injury (PL § 120.00[01])	439	449	10
	Criminal possession of a controlled substance 3 rd degree with intent to sell narcotics (PL § 220.16[01])	25	33	8
	Criminal sale of a controlled substance 3 rd degree, narcotics (PL § 220.39[01])	32	38	6

DATA COLLABORATIVE FOR **JUSTICE**

AT **JOHN JAY COLLEGE**

STRENGTH IN NUMBERS

