

In January 2021, the Data Collaborative for Justice (DCJ), issued a report, *“Assessing the Potential Impact of 2020 Bail Reforms on 2019 New York City Criminal Court Cases.”* This report was revised on February 3, 2021, to incorporate changes in DCJ’s coding of charge categories. For many of its reports, for purposes of helping readers better understand trends and differences in how broad categories of cases are processed through the criminal legal system, DCJ aggregates various charges into the following categories: Person (charges involving direct, physical harm to a person), Property (charges involving stealing or damage to property), Marijuana, Other Drugs, Weapons (charges involving possession or use of a weapon), Vehicle and Driving, and Other charges.

DCJ made a **number of changes to the way charges are categorized:**

- Previously, many theft-related charges and trespassing charges were categorized as Other but are now categorized as Property.
- Charges related to vehicle theft were previously categorized as Vehicle and Driving but are now categorized as Property.
- Some sex offense charges were previously categorized as Other but are now categorized as Person.
- Some charges that were previously designated as Person or Property and/or are Violent Felony Offenses (VFO) were moved into the Other category because the charge descriptions were ambiguous or lacked sufficient detail to easily place them in another category (e.g., PL § 240.61 – Placing a false bomb or hazardous substance in the 2<sup>nd</sup> degree).

**Only the figures related to charge category (Figures 13 to 16) changed as a result of this new coding.** There are no changes to aggregate or borough-level findings, analyses by charge class, or analyses by demographics.

**The revised version of the report incorporates the following changes:**

- 3.1% (1,496 cases) of Person charges were disposed at arraignment, compared to 3.0% (1,489 cases) in the original version (p. 14).
- The number of Person cases resulting in non-monetary release would have increased from 37,467 (79.8%) in 2019 to 40,789 cases (86.9%) that would have been released had the 2020 Bail Reforms been applied. In the original version, the volume of non-monetary releases for Person charges increased from 37,429 (78.9%) to 40,751 cases (85.9%) [p. 15].
- The proportion of Property cases resulting in release without bail would increase from 75.6% (14,168 cases) in 2019 to 94.8% (17,765 cases) had the 2020 Bail Reforms been applied, a 19.2 percentage point increase. In the original version,

the proportion would increase from 73.1% (10,613 cases) to 93.5% (13,572 cases), a 20.4 percentage point increase (p. 15).

- Petit larceny accounts for 43.9% of the 3,597 additional Property cases that would no longer be eligible for bail (1,579 cases) under the 2020 Bail Reforms, compared to 53.4% of 2,959 additional cases in the original version (p. 15).
- 13,295 Vehicle and Driving cases would have resulted in release without bail under the 2020 Bail Reforms, compared to 13,925 cases in the original version (p.15).
- Criminal mischief in the 4<sup>th</sup> degree accounts for 11.9% of 2,562 additional Other cases that would have resulted in release without bail (305 cases) under the 2020 Bail Reforms, compared to 9.7% of 3,138 additional cases in the original version (p. 15).
- 742 Property cases that were no longer eligible for bail under the Original Reforms are now eligible under the Amended Reforms, a four-percentage point increase. In the original version, the difference between the Original and Amended Reforms is 741 cases, a 5.1 percentage point increase (p. 15).