

WOMEN IN NEW YORK CITY JAILS, 1995-2019

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DATA COLLABORATIVE FOR JUSTICE

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INTRODUCTION

In recent years, public attention has been focused on New York City jails, including the conditions in the jails, efforts to reduce the number of people held in the jails and the plan to close the Rikers Island jail complex. In 2016, Mayor Bill de Blasio announced the City's plan to close Rikers Island.¹ In the years surrounding this announcement, New York City has implemented a host of reforms aimed at reducing the jail population, including expanding pretrial supervision programs² and implementing alternatives to incarceration (The Mayor's Office of Criminal Justice [MOCJ], n.d.-a). Consequently, the population of the jails declined dramatically – from an average daily population of close to 22,000 individuals in 1991 to approximately 7,300 in 2019 (The Mayor's Office of Criminal Justice, n.d.-b).

This report focuses on **women in New York City jails**, a sub-population that does not always receive attention because of their relatively small representation in the jails. The number of women admitted to jails in New York City declined by 79% (from 13,265 in 1995 to 2,898 in 2019) and accounted for 11% of all admissions in 1995 compared to 8% in 2019 (Scrivener & Tomascak, 2021).

Incarcerating women can be particularly destabilizing for families given that they tend to be primary caregivers (Bloom, Owen, & Covington, 2002). Further, they present with unique challenges. Studies have shown that women who enter the criminal legal system are likely to suffer from past trauma and abuse, mental health and substance misuse issues, and poverty and homelessness (Lynch et al., 2012; Corey et al., 2018). A 2017 report found that 85% of the women detained in the city's jails are mothers (Bloom et al., 2002), many have suffered trauma and violence at the hands of men, and two-thirds report having a mental illness (The Independent Commission on New York City Criminal Justice and Incarceration Reform, 2017). Conditions inside of the jails, like rape, sexual assault, and violence by corrections officers (Weiser, 2017; Ransom, 2018), can compound prior trauma and mental health issues.³ Further, transgender women face unique challenges in the jails, including placement in housing units with men despite identifying as women (The Legal Aid Society, n.d.), as well as high profile incidents of neglect.⁴ As a result, DOC has created a transgender housing unit, which is now located in the women's jail on Rikers Island, the Rose M. Singer Center (RMSC).

In the past several years, New York City has taken a number of steps focused on women in the jails. **As part of the plan to close Rikers Island, the de Blasio Administration has announced a goal of reducing the population of women in the custody of New York City jails to 200 by 2026 through bail reforms, alternatives to incarceration, and changes to how technical parole violations are handled** (Goodman, 2017). The plan designates a section of a newly rebuilt jail in Queens for women, though some advocates have criticized the failure to provide a dedicated jail exclusively for women (Brand, 2019). In addition, in 2018, First Lady Chirlane McCray announced a \$6 million plan dedicated to "break[ing] the cycle of incarceration for women," including through programming to support family connections (e.g., expanded and dedicated jail visitation for children), enhanced behavioral health services (e.g., dedicated counselors to address issues related to domestic violence) and expanded re-entry programming (e.g., career mentoring and transitional employment support; The Mayor's Office of Criminal Justice, 2018).

¹ New York City's current plan seeks to reduce the jail population to 3,300 by 2026 and move all people incarcerated on Rikers Island to facilities located in Brooklyn, Manhattan, the Bronx and Queens (The Mayor's Office of Criminal Justice, 2019).

² Pretrial supervision programs allow for people who have yet to be convicted of the charge(s) against them ("pretrial") to be released into the community with some level of supervision and supports pending the disposition of their case. For information about recent investments in pretrial supervision programs (Office of the Mayor, 2015; Office of the Mayor, 2019).

³ In order to protect women in DOC custody from sexual abuse and harassment, DOC brought RMSC into compliance with the federal Prison Rape Elimination Act (PREA) (NYC Department of Correction, 2019).

⁴ New York City recently entered into a civil settlement with the family of Layleen Polanco, a 27 year-old transgender woman who died in solitary confinement of an epileptic seizure (Zaveri, 2020).



A number of organizations have also proposed reforms to reduce the number of women in New York City jails and better serve their needs, including the following proposals:

- In 2017, **The Institute for Justice and Opportunity** (then called the Prisoner Reentry Institute), issued a report, "[Women Injustice: Gender and the Pathway to Jail in New York City.](#)" This report called for three guiding principles for reducing the incarceration of women: (1) interventions must be gender-responsive and trauma-informed, including diverting offenses common to women with behavioral health needs, increasing use of non-monetary release, increasing defender-based pretrial advocacy capacity, and increasing alternatives to short jail sentences for misdemeanors; (2) the criminal justice system in New York City should identify the needs of women and connect them to the appropriate services; and (3) social service systems must recognize, engage, and attend to the needs of women with criminal justice system involvement.
- In 2018, the **Vera Institute of Justice** partnered with the **New York Women's Foundation** to identify gender-informed strategies for reducing the number of women in contact with the New York City criminal legal system, including in the jails. The resulting report, "[A New Path to Justice: Getting Women Off Rikers Island.](#)" recommended three main strategies: diversion at arrest, diversions at arraignment, and diversions/alternatives for women already in the jails (Vera Institute of Justice, 2018).
- In 2019, the **Women's Community Justice Association** proposed [a plan to reduce the number of women to under 100 by 2020](#). A few key recommendations to support this plan include increasing funding for pre-arrest diversion programs, behavioral health treatment, and alternative to detention/incarceration programming, eliminating pretrial detention on misdemeanors, non-violent felonies and lower-level violent felonies, and eliminating city sentences.

THE CURRENT STUDY

This report presents the results from the Data Collaborative for Justice (DCJ)'s analysis of women in the New York City jails from 1995 to 2019. It is a supplemental analysis to the DCJ report, "[New York City Jail Population in 2019](#)", which focuses on jail admissions and pretrial detention in 2019, and two data reports that assess trends in admissions and custody for all individuals admitted to jails in New York City. In this report, we identify trends in admissions, bail, length of stay, and discharge status for women admitted to jails and then for pretrial admissions, city sentenced admissions, and technical parole violation admissions. We look at these trends over time and then take a closer look at the top charges that women were admitted for in 1995 and in 2019, to see how the top charges have shifted as there have been shifts and changes in enforcement, bail, and custody over the same period.

DCJ's analyses are based on the sex/gender information contained in a dataset received from New York City Department of Correction (DOC), which designates people admitted to the jails as "female" or "male." During the course of the study period, DOC changed the way it collected data on gender. According to DOC, the agency now allows individuals to self-identify their gender at admission to the jails whereas previously jail staff determined gender for record-keeping purposes. For this report, the term "women" denotes individuals designated as "female" in the DOC data. We recognize that the data may not include all people admitted to the jails during the study period who identified as women, particularly transgender women.

2020: ISSUES IMPACTING WOMEN IN NEW YORK CITY JAILS

2020 was a tumultuous year due to the Covid-19 pandemic, a series of high-profile police killings of Black people across the United States, and large scale protests calling for changes to a criminal legal system that negatively impacts the health, economic stability, and dignity of Black, Indigenous and people of color (BIPOC). The pandemic raised particular challenges for jails given that social distancing is often difficult, proper protections, such as masks and soap, were not always readily available (Singer, 2020; Ransom & Feur, 2020), and people (both guards and detained/incarcerated people) regularly move between the jails and the community, increasing the spread of disease (Brennan Center for Justice, 2021). Just one month after the first case was detected on Rikers Island, more than 360 individuals had been infected with Covid-19, with an infection rate six times higher than that of New York City as a whole (The Legal Aid Society, 2020).

To address the public health risks posed by Covid-19 in correctional facilities, New York City implemented the “Early Release 6A Program” (New York City Criminal Justice Agency, n.d.), which authorized the early release of city sentenced individuals to serve the remainder of their sentence at home. From March 22, 2020 to April 22, 2020, almost 300 individuals were released through this program. These releases, combined with releases of individuals in jail on technical parole violations, litigation, and releases resulting from public defender and prosecutor efforts, contributed to a major decline in the population of the City’s jails.⁵

Another factor impacting the New York City jail population in 2020 were bail reforms that went into effect on January 1, 2020 (“original reforms”), which were then amended in July 2020 (“amended reforms”), and likely impacted the number of people, including women, detained pretrial (S.1509C, 2019). The original reforms eliminated money bail for a large number of misdemeanors and non-violent felonies, whereas the amended reforms moved some charges that had been made ineligible for bail back into the category of charges where judges have discretion to set bail (S.7506B, 2020). Under both sets of reforms, many of the charges that commonly cause women to be detained were no longer eligible for bail, such as prostitution, petit larceny, and misdemeanor assault (Lu et al., 2021). The Center for Court Innovation (CCI) estimated that the original reforms contributed to a 40% decline in the pretrial population between their passage in April 2019 through March 2020 (Rempel & Rodriguez, 2020). CCI also estimated that the amended reforms, which added new crimes to the list of those eligible for bail, were responsible for an increase in the jail population of between 7% and 11%.

As a result of the events of 2020, the jail population dropped significantly, including for women. A report from the CCI showed that, between March 18, 2020 and April 29, 2020, in large part because of the releases related to Covid-19, the New York City jail population declined by 30%, from 5,419 to 3,809 (Rempel, 2020). After April, the average daily population began to increase again. Though the population remained below pre-pandemic numbers, the number and proportion of those admitted pretrial increased 11% from March 18 to November 1 (3,039 to 3,365). As of March 12, 2021, the number of individuals in city jails is 5,623; the number of those who identify as female is 274 (NYC Open Data, 2021).

⁵ For a helpful overview of the various efforts to secure releases of people in the jails in response to the COVID-19 pandemic, see Rempel, 2020.

KEY FINDINGS

Overall

- **Volume and Proportion of Admissions:** Between 1995 and 2019, the number of women admitted to DOC custody dropped substantially from 13,625 admissions to 2,898 admissions (a 78% decrease). Women accounted for 11% of admissions in 1995 and 8% in 2019.
- **Demographics:**
 - **Race/Ethnicity.** From 1995 to 2019, the number of admissions for Black women declined from 7,734 to 1,447 (an 81% decline), for “Latinx”⁶ women from 3,923 to 758 (an 81% decline), and for White women from 1,433 to 512 (a 64% decline). Among women admitted to DOC in 2019 –most were Black women (53% of admissions) and aged 25-34 and 35-44 (38% and 24% of admissions, respectively).
 - **Age.** All age groups declined (except for 55-64 year-olds), from 255 to 15 for 16-17 year-olds (a 94% decline), from 640 to 131 for 18-20 year-olds (an 80% decline), from 1,079 to 335 for 21-24 year-olds (a 69% decline), from 6,368 to 1,092 for 25-34 year-olds (an 83% decline), from 4,071 to 710 for 35-44 year-olds (an 83% decline), from 740 to 407 for 45-54 year-olds (a 45% decline), and from 32 to 21 for 65 and older (a 24% decline). Admissions for 55-64 year-old women increased from 80 admissions in 1995 to 187 admissions in 2019 (a 134% increase). Further, 25-34 year-old women were the most commonly admitted in 2019.
- **Legal Status:** Between 1995 and 2019, women were most frequently admitted to the jails pretrial. In 2019, 85% of women were admitted pretrial, 6% city sentenced and 5% for technical parole violations.

Pretrial

- **Admissions:** In 2019, 2,484 women were admitted to the jails pretrial as compared to 12,032 in 1995. The majority that were admitted in 2019 were Black women (52%), followed by Latinx women (28%), followed by White women (19%).
- **Charges:** In 2019, the top three pretrial charges for women were assault in the 2nd degree (12% of pretrial admissions for women in 2019), petit larceny (8%), and assault in the 3rd degree (7%); whereas, in 1995, the top three pretrial charges were all drug-related: attempted sale of controlled substance in the 3rd degree (19%), possession of controlled substance in the 3rd degree (12%) and the 7th degree (9%).
- **Bail:** Accounting for inflation, the mean bail amount set at admissions for women increased by 94% from \$7,043 in 1995 to \$13,683 in 2019.
- **Length of Stay:** The mean and median pretrial length of stay for women more than doubled from 2000 to 2019; the mean rose from 30 days to 50 days and the median increased from 5 days to 11 days.
- **Pretrial Discharge:** Between 1995 and 2019, the most common reasons women were discharged from jail pretrial were Released on Recognizance (ROR)⁷ or because bail was paid (“bail paid”). In 2019, ROR was 31% of discharges and bail paid was 29%.

⁶ Please see *Appendix A: Data and Definitions* for an explanation of why we use the term “Latinx”.

⁷ Release on recognizance (ROR) is a term that is defined as when a court releases an individual on the individual's own recognizance when, it permits the individual to be at liberty during the pendency of the criminal action or proceeding involved upon condition that the individual will appear thereat whenever the individual's attendance may be required and will at all times render the individual amenable to the orders and processes of the court. See Criminal Procedure Law (CPL) <https://www.nysenate.gov/legislation/laws/CPL/500.10#:~:text=%22Release%20on%20own%20recognizance.%22,the%20principal%20will%20appear%20thereat>

City Sentenced Admissions

- *Admissions:* In 2019, 177 women were admitted to the jails as city sentenced compared to 533 in 1995. The majority of the admissions in 2019 were for Black women (53%), followed by Latinx women (24%), followed by White women (23%).
- *Charges:* In 2019, the top three charges for city sentenced women were petit larceny (38%), possession of controlled substance in 7th degree (10%), and disorderly conduct (9%). In 1995, the top three charges were possession of controlled substance in the 7th degree (23%), loitering/prostitution (17%), and disorderly conduct (14%).
- *Length of Stay:* The mean length of stay for city sentenced admissions for women more than doubled from 12 days in 2000 to 26 days in 2019, while the median length of stay actually decreased from 5 days to 4 days.

Technical Parole Violation Admissions

- *Admissions:* In 2019, 154 women were admitted to the jails for technical parole violations as compared to 471 in 1995. The majority that were admitted in 2019 were Black women (62%), followed by Latinx women (23%), followed by White women (15%).
- *Length of Stay:* The mean length of stay for women admitted to jail on a technical parole violation declined from 59 days in 2000 to 58 days in 2019 and the median length of stay increased from 42 days to 51 days. Women admitted on technical parole violations had the longest mean and median length of stay in 2019, compared to women admitted pretrial and city sentenced.

ADMISSIONS TO DOC

This first section sets the stage by looking at the number and proportion of individuals admitted to DOC by sex (man, woman) and then by race/ethnicity, age group, and admissions status for women only.

Figure 1. Number and Proportion of Admissions by Sex, 1995-2019

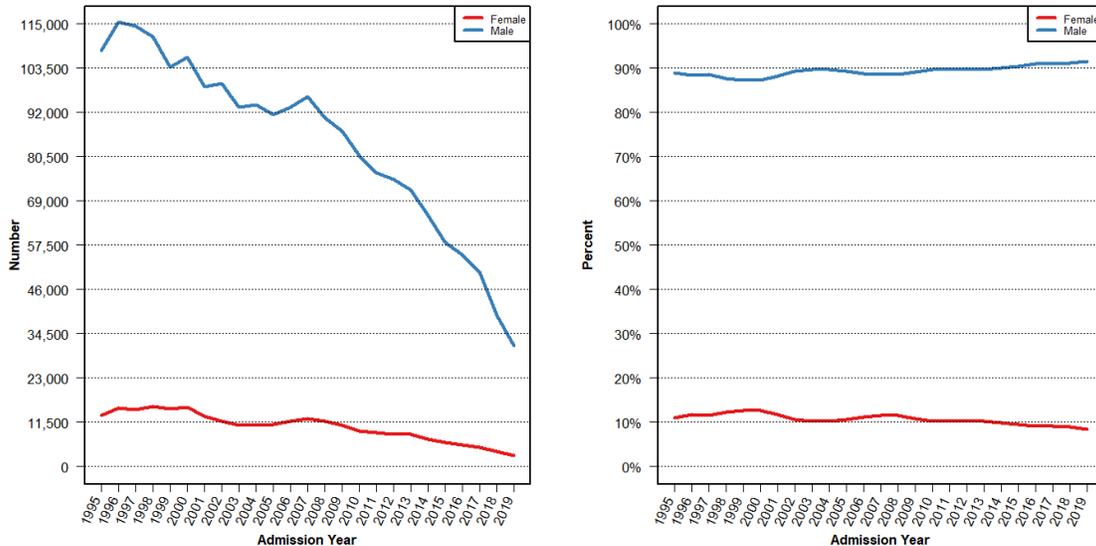


Figure 1 shows that the number of women admitted to New York City jails dropped substantially from 13,625 admissions in 1995 to 2,898 admissions in 2019 (a 78% decrease). At the same time, the proportion of admissions for women declined from 10.9% in 1995 to 8.4% in 2019.

Figure 2. Number and Proportion of Admissions for Women by Race/Ethnicity

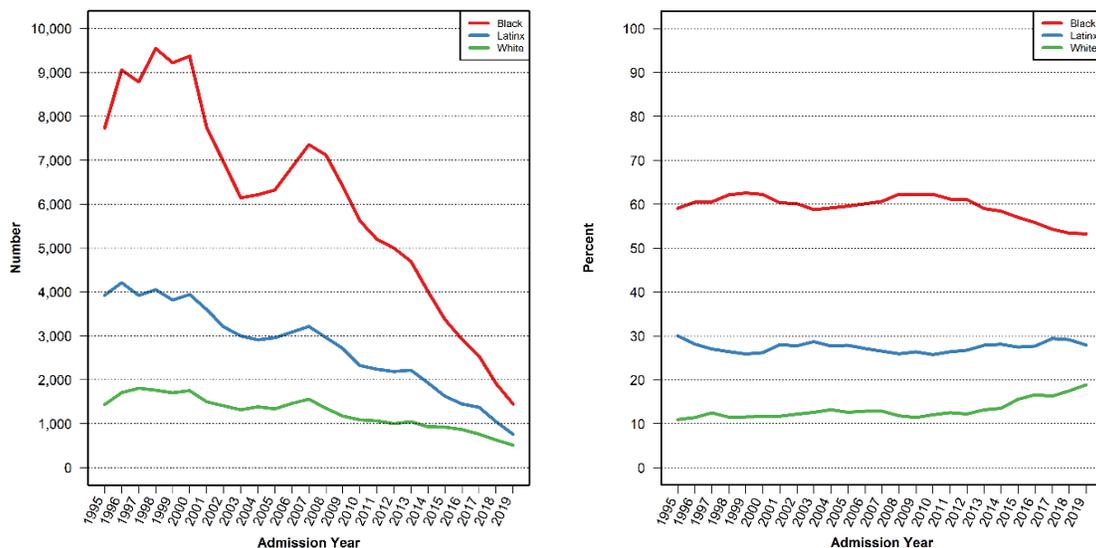


Figure 2 shows that from 1995 to 2019, **the number of admissions for Black and Latinx women dropped by 81%, while the number of admissions for White women declined by 64%**. Admissions for:

- Black women declined from 7,734 in 1995 to 1,447 in 2019;
- Latinx women declined from 3,923 in 1995 to 758 in 2019; and
- White women declined from 1,433 in 1995 to 512 in 2019.

From 1995 to 2019, the relative proportions of admissions for each of these racial/ethnic groups decreased for Black (59% to 53%) and Latinx women (30% to 28%) but increased for White women (11% to 19%).

Figure 3. Number and Proportion of Admissions for Women by Age Group

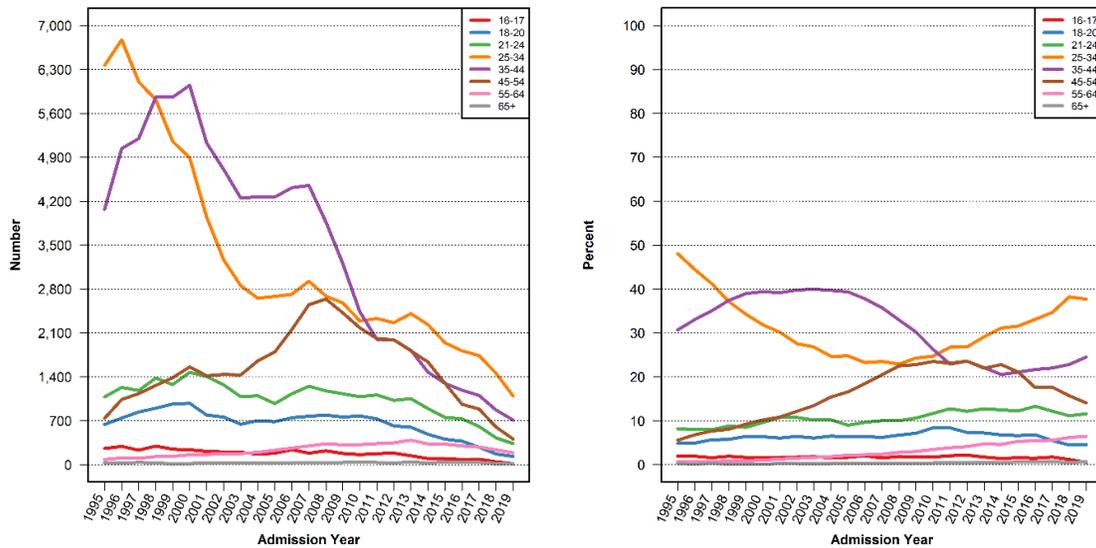


Figure 3 displays the number and proportion of admissions to jails for women by age group, from 1995 to 2019. All age groups, except for 55-64 year-olds, experienced a decline in the number of admissions by:

- 94% for 16-17 year-olds from 255 to 15 admissions;
- 80% for 18-20 year-olds from 640 to 131 admissions;
- 69% for 21-24 year-olds from 1,079 to 335 admissions;
- 83% for 25-34 year-olds from 6,368 to 1,092 admissions;
- 83% for 35-44 year-olds from 4,071 to 710 admissions;
- 45% for 45-54 year-olds from 740 to 407 admissions; and
- 24% for 65 and older from 32 to 21 admissions.

The admissions for 55-64 year-old women increased from 80 admissions in 1995 to 187 admissions in 2019 (+134%).

As a proportion, young adult to middle aged women (25-34, 35-44) were the most frequently admitted to jails. The proportion of admissions declined over time for 25-34 year-old women, from 48% in 1995 to 38% in 2019 and for 35-44 year-old women, from 31% in 1995 to 24% in 2019. The proportion of 21-24 year-olds increased from 8% to 12% and 45-54 year-olds increased from 6% to 14% over the same time period. All other age groups (16-17, 18-20, 55-64, 65+) accounted for less than 10% of admissions for women from 1995 to 2019, respectively.

The mean age of women admitted to jails in New York City increased by three years from 32 in 1995 to 35 in 2019. The median age for women shifted from 32 in 1995 to a peak of 38 years in 2007 and 2008 and then declined to 33 years in 2019.

Figure 4. Number and Proportion of Admissions for Women by Admission Status

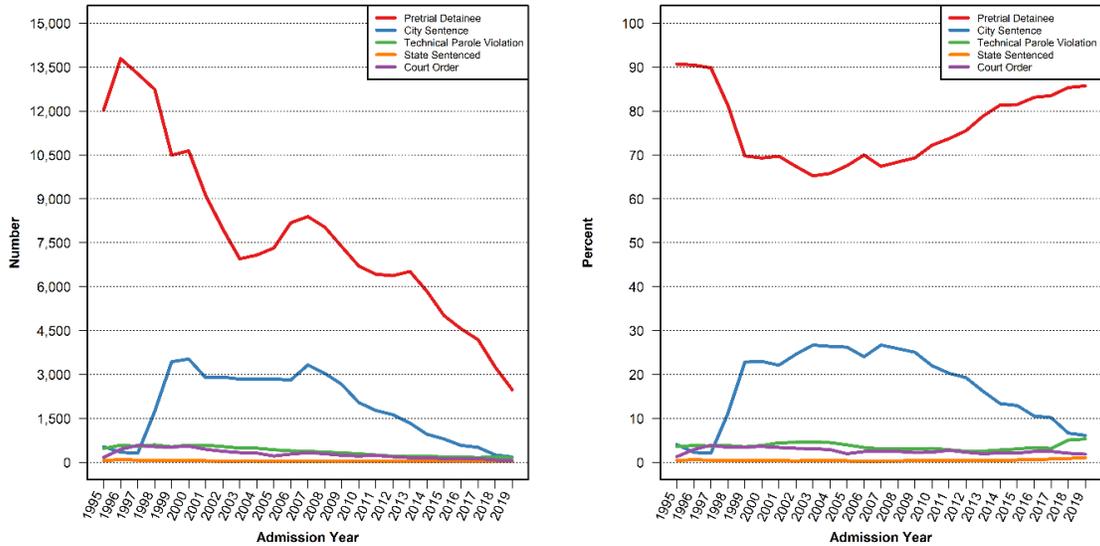


Figure 4 shows that by admission status, the greatest number of admissions for women were for pretrial detention relative to other admission statuses (city sentence, technical parole violation, state sentenced,⁸ and court order⁹). The number of pretrial admissions for women increased from 12,032 in 1995 to a peak of 13,791 in 1996 and then declined to 2,484 in 2019; a 79% decline from 1995 to 2019.

City sentenced admissions for women increased from 533 admissions in 1995 to a peak of 3,528 admissions in 2000. The number then fluctuated over the study period to a low of 177 admissions in 2019, a 67% decrease from 1995 to 2019. Admissions for technical parole violations for women declined from 471 admissions in 1995 to 154 admissions in 2019 (also a 67% decline). State sentenced and court order admissions were both below 600 admissions for women throughout the study period.

By admission status, pretrial admissions accounted for 91% of admissions for women in 1995 and 86% of admissions in 2019. City sentenced admissions for women accounted for just 4% of admissions to New York City jails in 1995 to highs of 27% (an almost 7-fold increase) in 2003 and 2007 and then dropped to 6% in 2019. Admissions for technical parole violation for women increased slightly from 4% of admissions in 1995 to 5% in 2019. Other admission categories of court order and state sentenced accounted for under 5% throughout the study period.

The next sections break down pretrial, city sentenced, and technical parole violation admissions for women. Each section shows the demographics, top charges at admission, and length of stay. The pretrial section also covers bail set at admission, as well as how women are discharged from jail.

⁸ Individuals who have been “state sentenced” are generally defined as those who have been sentenced to serve time in prison and are awaiting transfer to prison.

⁹ Individuals who have been admitted as “court order” are generally defined as state prisoners legally summoned to DOC to appear in court on a particular case (e.g., they are a witness in the case).

Figure 5. Number and Proportion of Pretrial Admissions for Women by Race/Ethnicity

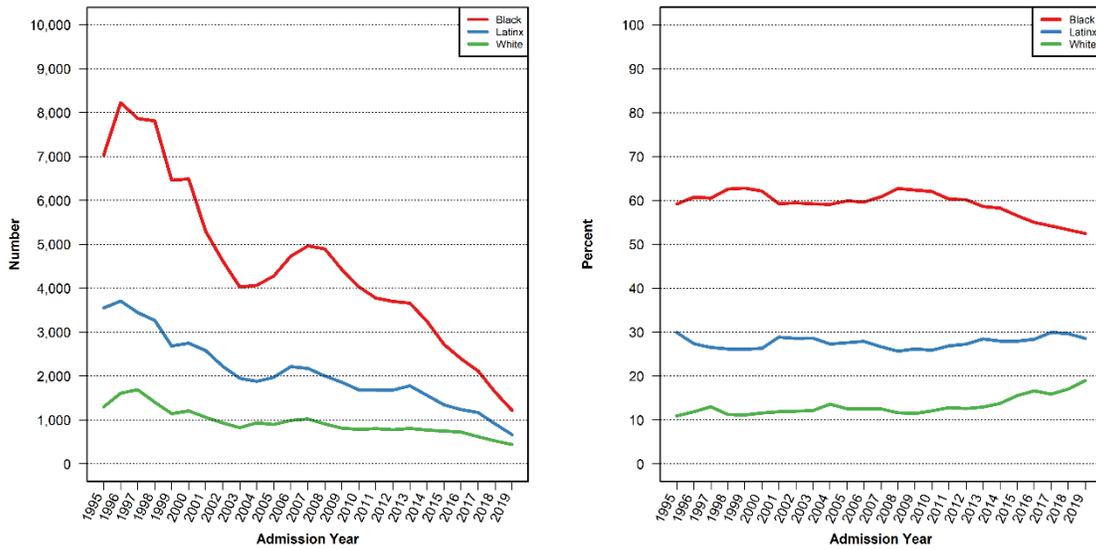


Figure 5 shows the numbers and proportions of pretrial admissions for women by race/ethnicity, from 1995 to 2019. The number of pretrial admissions decreased by:

- 83% for Black women, from 7,027 admissions in 1995 to 1,217 admissions in 2019;
- 81% for Latinx women, from 3,552 admissions in 1995 to 663 admissions in 2019; and
- 66% for White women, from 1,297 admissions in 1995 to 440 admissions in 2019.

Admissions for Black women were consistently the highest, followed by Latinx, and then White women. The proportion of Black women admitted pretrial declined from 59% in 1995 to 52% in 2019; the proportion of Latinx women declined from 30% to 29%, and the proportion of White women increased from 11% to 19% over the same time period.

Figure 6. Number and Proportion of Pretrial Admissions for Women by Age Group

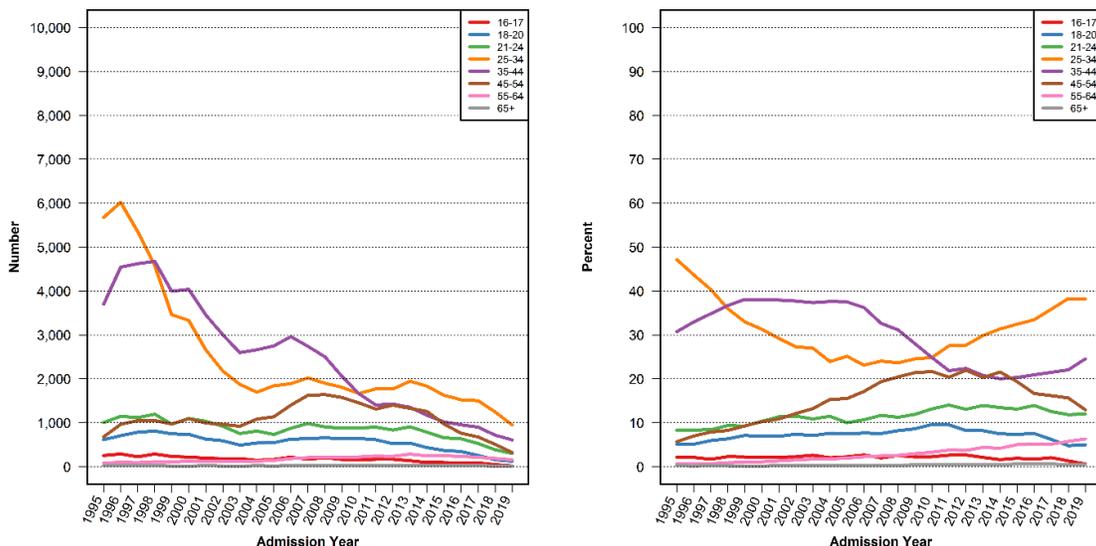


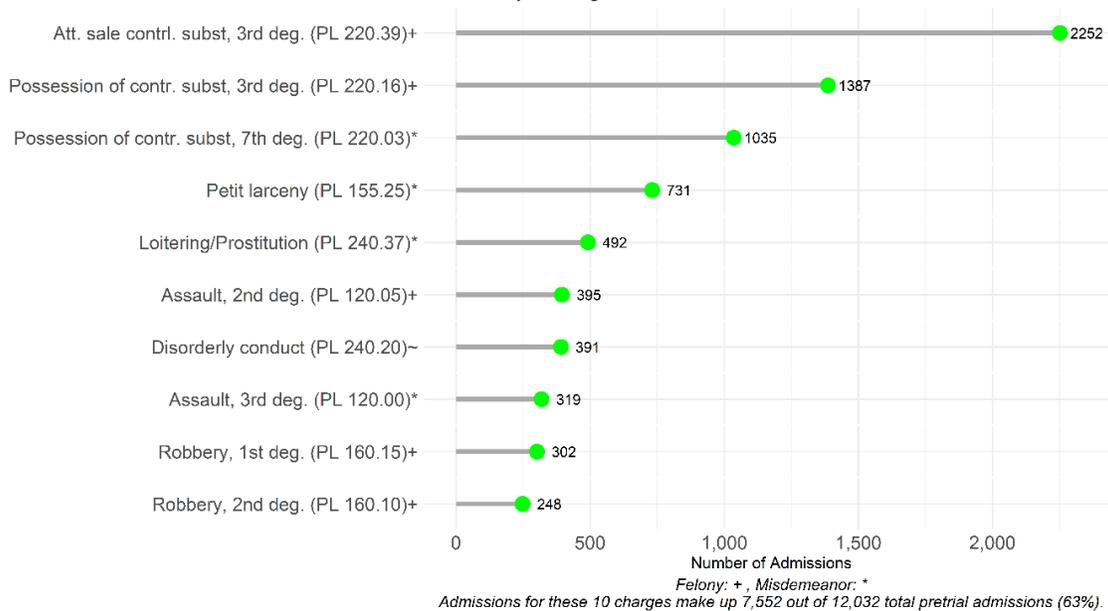
Figure 6 displays the number and proportion of pretrial admissions to New York City jails for women by age group, from 1995 to 2019. All age groups, except for 55-64 year-olds, experienced a *decline* in the number of pretrial admissions from 1995 to 2019 as follows:

- 16-17 year-olds declined 94%, from 253 to 15 admissions;
- 18-20 year-olds declined 80%, from 611 to 123 admissions;
- 21-24 year-olds declined 70%, from 1,003 to 298 admissions;
- 25-34 year-olds declined 83%, from 5,676 to 948 admissions;
- 35-44 year-olds declined 84%, from 3,699 to 609 admissions;
- 45-54 year-olds declined 53%, from 681 to 322 admissions; and
- 65 and older declined 61%, from 31 to 12 admissions.

55-64 year-olds *increased* from 78 admissions in 1995 to 101 admissions in 2019 (+101%).

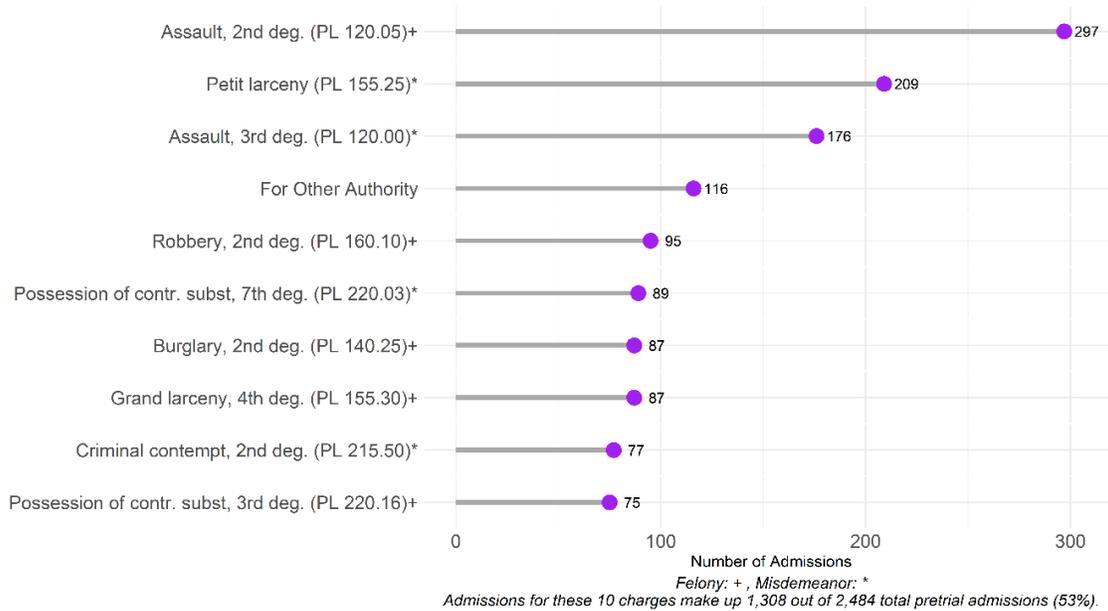
As a proportion of all age groups, young adult to middle aged women (25-34, 35-44) were the most frequently admitted pretrial. The proportion of pretrial admissions declined over time for 25-34 year-old women, from 47% in 1995 to 38% in 2019 and for 35-44 year-old women, from 31% in 1995 to 25% in 2019. Other age groups increased, 21-24 year-olds increased from 8% to 12% and 45-54 year-olds doubled as proportion from 6% to 12% over the same time period. All other age groups (16-17, 18-20, 55-64, 65+) accounted for 10% or less of pretrial admissions from 1995 to 2019, respectively.

Figure 7. Top Charges at Pretrial Admission for Women in 1995



In 1995, the top three charges for women were all drug-related: attempted sale of controlled substance in the 3rd degree (19% of pretrial admissions for women), possession of controlled substance in the 3rd degree (12%) and 7th degree (9%). Together these three charges accounted for 39% of pretrial admissions for women in 1995 (n=4,674).

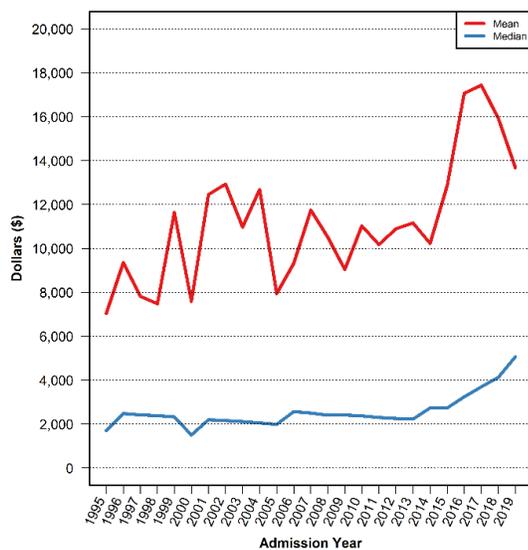
Figure 8. Top Charges at Pretrial Admission for Women in 2019



The top three charges for women admitted pretrial shifted over time to include more serious charges in 2019 (excluding petit larceny). In 2019, the top three charges for women were assault in the 2nd degree (12%), petit larceny (8%), and assault in the 3rd degree (7%). Together, these charges accounted for 682 admissions or 28% of pretrial admissions for women.

In 2019, petit larceny, the second most frequent admitted charge accounted for 209 admissions or 8% of pretrial admissions for women. Pretrial admissions for drug charges became less frequent on the top 10 charges relative to 1995, as did loitering/prostitution and disorderly conduct. In 2019, assault and petit larceny were the drivers of pretrial admissions for women (n=682; 28%) but were substantially lower in 1995 (n=1,105; 9%).

Figure 9. Bail Amount for Pretrial Admissions for Women, 1995-2019



Distribution of Bail Set at Pretrial Admission for Women in 2019	
Min.	\$253
1 st Quarter (25%)	\$2,027
Median (50%)	\$5,067
3 rd Quarter (75%)	\$10,135
Max.	\$506,736
Note: all values adjusted to 2020 dollars. Pretrial admissions for women in 2019 missing bail (n=974, 39.2%)	

Adjusting for inflation to 2020 dollars, both the mean and median bail amount set for women admitted pretrial increased over time. The mean bail amount increased from \$7,043 in 1995 to \$13,683 in 2019, a 94% increase,

and there was a peak at \$17,463 in the mean bail amount set in 2017. In 1995, the mean bail for women was around \$5,000 less than the overall bail amount set for men and women and more than \$10,000 less than the overall bail amount set for men and women in 2019.

The median bail for women almost tripled from \$1,700 in 1995 to \$5,067 in 2019, a 198% increase. As compared to the overall median bail set for men and women, the median bail for women was around \$800 less in 1995, while the median bail in 2019 was the same for women as the overall median bail set for men and women.

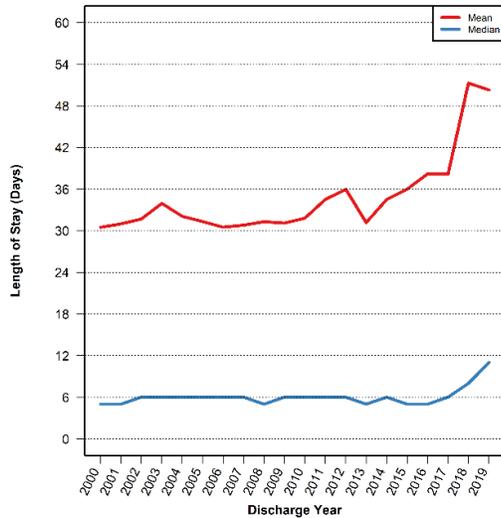
Table 1. Bail Amounts for Top 10 Pretrial Admitted Charges for Women in 2019

Charge	N	Median	Mean	Total
Assault, 2nd deg. (PL 120.05)	228	\$5,067	\$8,288	\$1,889,617
Petit larceny (PL 155.25)	110	\$1,013	\$1,651	\$181,665
Assault, 3rd deg. (PL 120.00)	100	\$1,520	\$2,283	\$228,284
For Other Authority	0	NA	NA	\$0
Robbery, 2nd deg. (PL 160.10)	74	\$5,067	\$8,090	\$598,657
Possession of contr. subst, 7th deg. (PL 220.03)	39	\$1,013	\$1,442	\$56,248
Burglary, 2nd deg. (PL 140.25)	65	\$5,067	\$11,042	\$717,740
Grand larceny, 4th deg. (PL 155.30)	66	\$3,547	\$7,517	\$496,094
Criminal contempt, 2nd deg. (PL 215.50)	62	\$1,520	\$2,101	\$130,231
Possession of contr. subst, 3rd deg. (PL 220.16)	57	\$5,067	\$10,001	\$570,078

Note: all values adjusted to 2020 dollars.

Table 1 displays the mean bail set, median bail set, and total bail set for the top 10 pretrial admitted charges for women in 2019. The charge with the greatest mean bail set was burglary in the 2nd degree (\$11,042), which was the 7th most commonly admitted charge. The largest median bail amount set was \$5,067 which was for the charges of assault in the 2nd degree, robbery in the 2nd degree, burglary in the 2nd degree, and possession of controlled substance in the 3rd degree. Finally, the charge that accounted for the greatest total bail set was assault in the 2nd degree with a total of \$1,889,517.

Figure 10. Pretrial Length of Stay¹⁰ in Days for Women Admitted Pretrial, 2000-2019



Distribution of Pretrial Length of Stay for Women in 2019	
0 Days	8%
1-7 Days	39%
8-30 Days	22%
31-90 Days	17%
91-180 Days	8%
181-365 Days	4%
365+ Days	2%
Note: Pretrial admissions for women discharged in 2019 missing pretrial length of stay (n=19, 0.7%)	

For women admitted pretrial, the pretrial length of stay increased over time. The mean pretrial length of stay increased from 30 days in 2000 to a peak of 51 days in 2018, and then slightly declined to 50 days in 2019, a 65% increase from 2000 to 2019. The median pretrial length of stay more than doubled over the same time period, from 5 days to 11 days (+120%).

In our distribution breakdown (0 days, 1-7 days, 8-30 days, 31-90 days, 91-180 days, 181-365 days, 365+ days), the most common length of stay was 1-7 days (39%). Further, 69% of women spent a month or less in custody and 8% spent less than a day.

Table 2. Pretrial Length of Stay in Days for Top 10 Pretrial Admitted Charges for Women Discharged in 2019

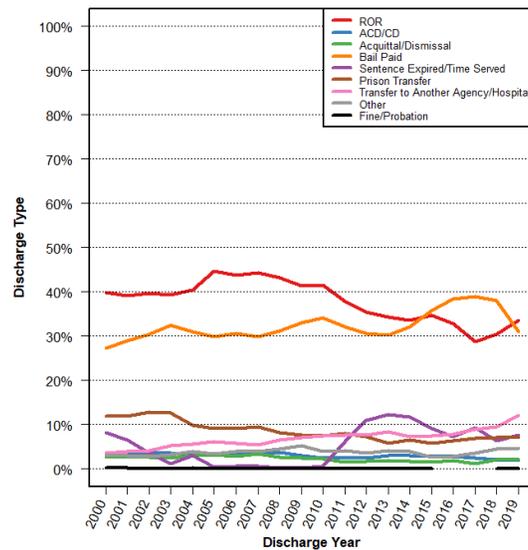
Charge	N	Median	Mean	Total Bed Days
Assault, 2nd deg. (PL 120.05)	307	9	43	13,101
Petit larceny (PL 155.25)	216	7	23	4,971
Assault, 3rd deg. (PL 120.00)	173	6	21	3,580
For Other Authority	0	NA	NA	0
Robbery, 2nd deg. (PL 160.10)	99	6	42	4,184
Possession of contr. subst, 7th deg. (PL 220.03)	97	12	23	2,275
Burglary, 2nd deg. (PL 140.25)	93	41	55	5,130
Grand larceny, 4th deg. (PL 155.30)	102	18	52	5,309
Criminal contempt, 2nd deg. (PL 215.50)	79	5	19	1,496
Possession of contr. subst, 3rd deg. (PL 220.16)	80	6	28	2,274

Table 2 displays the top 10 charges for women admitted pretrial and their mean and median pretrial length of stay as well as total pretrial bed days. The charge with the longest mean and median pretrial length of stay was burglary in the 2nd degree with 55 days and 41 days, respectively. Recall that burglary in the 2nd degree was the

¹⁰ Length of stay analyses use discharge year (rather than admission year) and begin in 2000. We use 2000 as our starting year to account for long lengths of stays from 1995 to 1999.

charge with the highest mean bail amount set in 2019. Among these top 10 charges, assault in the 2nd degree used the most pretrial bed days: 13,101.

Figure 11. Proportion of Pretrial Admissions for Women by Discharge Category, 2000-2019



Women that were admitted pretrial were most often discharged as Released on Recognizance (ROR) from 2000 (30%) to 2014 (29%), and in 2019 (31%), or more than ¼ of discharges were ROR during this period. From 2014 to 2018, women were more often discharged as bail paid relative to all other discharge categories (30% to 34%). In 2019, the third most prevalent discharge category was prison transfer, accounting for 11% of discharges for women admitted pretrial.

The proportion of other discharges fluctuated over the study period but accounted for less than 12% of discharges, respectively.

Table 3. Length of Stay in Days for Women by Discharge Category in 2019

	Mean	Median
ROR (n=816)	44	10
ACD/CD (n=45)	27	9
Acquittal/Dismissal (n=50)	11	8
Bail Paid (n=751)	14	3
Sentenced Expired/Time Served (n=184)	35	18
Prison Transfer (n=157)	293	206
Transfer to Another Agency/Hospital (n=290)	52	22
Transfer to Hospital (n=110)	23	6
Other (n=112)	50	22

Table 3 displays the discharge categories with the mean and median pretrial length of stay for each discharge category for women discharged in 2019. Women who were discharged as prison transfer had the longest mean

and median length of stay by far (293 and 206 days, respectively). The shortest mean lengths of stay were for women who were discharged as acquittal/dismissal (11 days) and bail paid (14 days).

Trends in City Sentenced Admissions

Figure 12. Number and Proportion of City Sentenced Admissions for Women by Race/Ethnicity

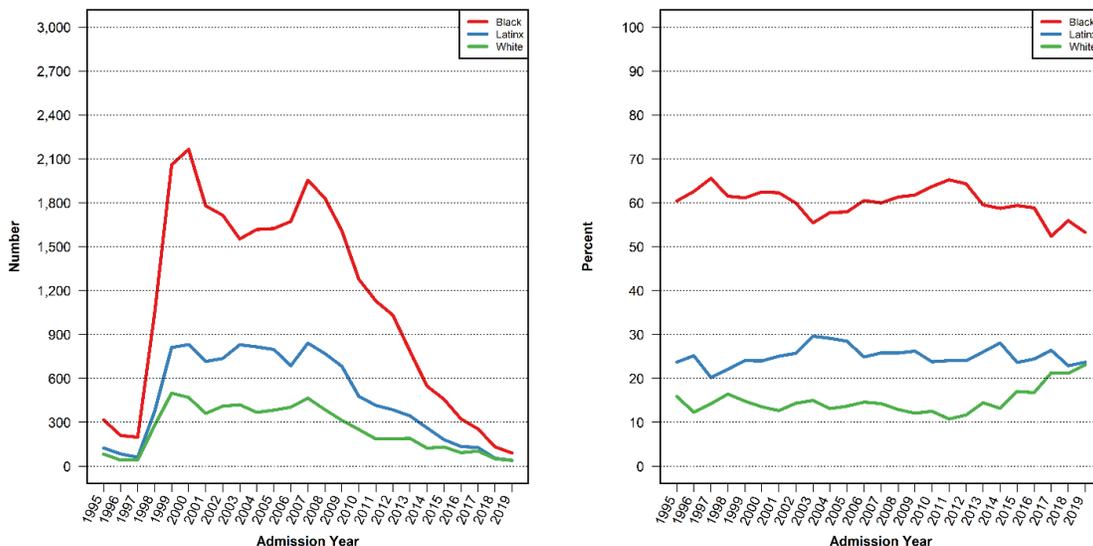


Figure 12 shows the numbers and proportions of city sentenced admissions for women by race/ethnicity, from 1995 to 2019. The number of city sentenced admissions dropped by:

- 72% for Black women, from 316 admissions in 1995 to 90 admissions in 2019;
- 68% for Latinx women, from 124 admissions in 1995 to 40 admissions in 2019; and
- 53% for White women, from 83 admissions in 1995 to 39 admissions in 2019.

The trend was the same as pretrial admissions and admissions to DOC as a whole – admissions for Black women were the highest. Declines were slightly smaller than the decline for pretrial admissions, though the numbers were also much smaller.

The proportion of Black women admitted city sentenced declined from 60% in 1995 to 53% in 2019; the proportion of Latinx women remained the same (24%), and the proportion of White women increased from 16% to 23% over the same time period.

Figure 13. Number and Proportion of City Sentenced Admissions for Women by Age Group

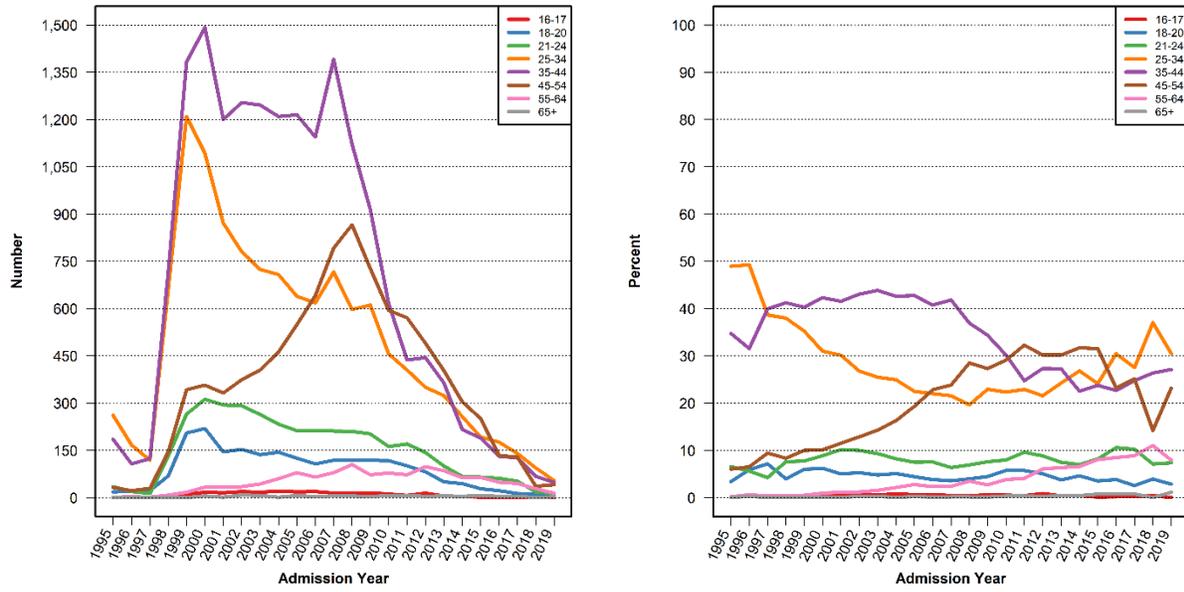
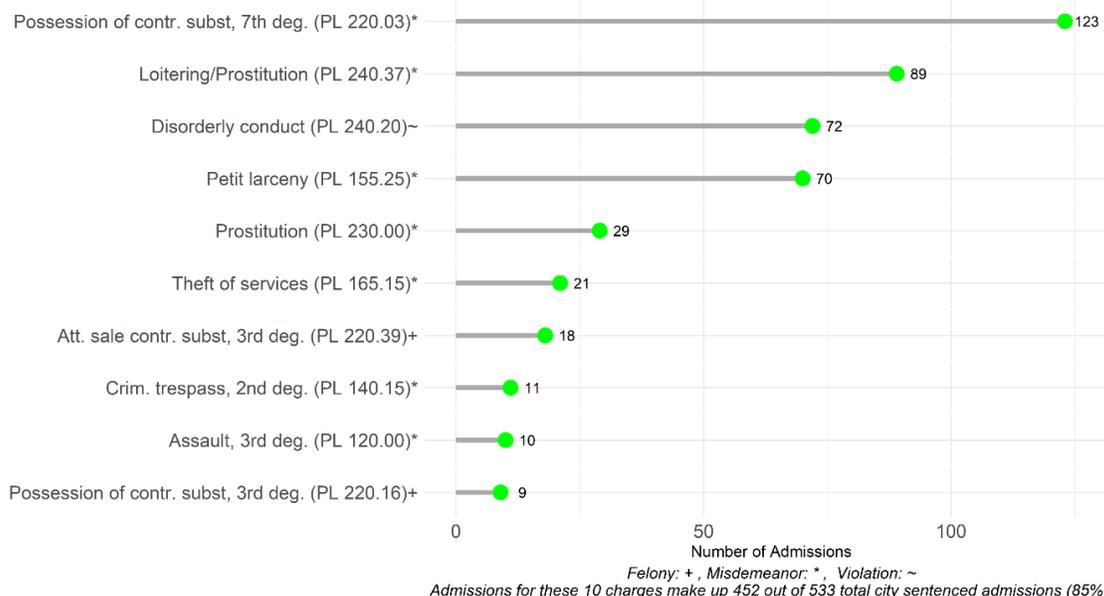


Figure 13 displays the number and proportion of city sentenced admissions for women by age group, from 1995 to 2019. Most age groups experienced a decline in the number of city sentenced admissions over the time period, though the numbers were very low for some age groups. From 1995 to 2019, the trends were as follows:

- 16-17 year-olds declined 100%, from 1 to 0 admissions;
- 18-20 year-olds declined 72%, from 18 to 5 admissions;
- 21-24 year-olds declined 63%, from 35 to 13 admissions;
- 25-34 year-olds declined 79%, from 261 to 54 admissions;
- 35-44 year-olds declined 74%, from 185 to 48 admissions;
- 45-54 year-olds increased 28%, from 32 to 41 admissions;
- 55-64 year-olds increased 1300%, from 1 to 14 admissions; and
- 65 and older increased 200% from 0 to 2 admissions.

As a proportion, young adult to middle aged women (25-34, 35-44) were the most frequently admitted city sentenced to DOC. The proportion of city sentenced admissions declined over time for 25-34 year-old women, from 49% in 1995 to 31% in 2019 and for 35-44 year-old women, from 35% in 1995 to 27% in 2019. For the 45-54 year-olds, the proportion of admissions increased from 6% to 23% from 1995 to 2019. All other age groups (16-17, 18-20, 21-24, 55-64, 65+) accounted for 11% or less of city sentenced admissions from 1995 to 2019.

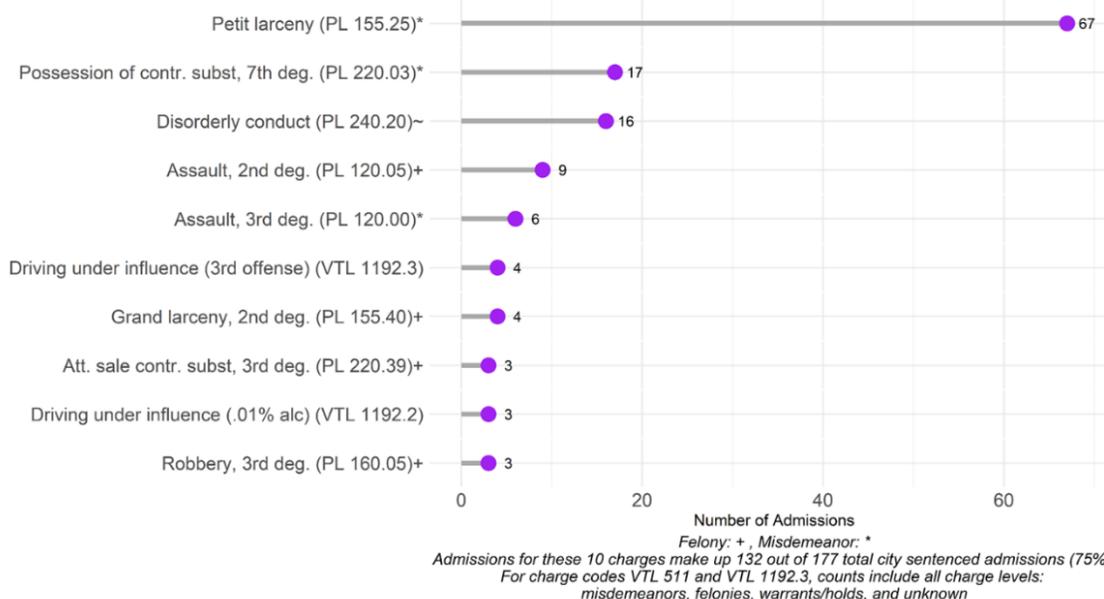
Figure 14. Top Charges at City Sentenced Admission for Women in 1995



In 1995, the top three charges for women admitted city sentenced were possession of controlled substance in the 7th degree (23%), loitering/prostitution (17%), and disorderly conduct (14%) in 1995. Together these three charges account for more than half (53%) of city sentenced admissions for women in 1995 (n=284).

Three out of the top 10 charges in 1995 were for drug-related charges (possession of controlled substance in the 3rd and 7th degree and attempted sale of controlled substance) and only one was person-related (assault in the 3rd degree).

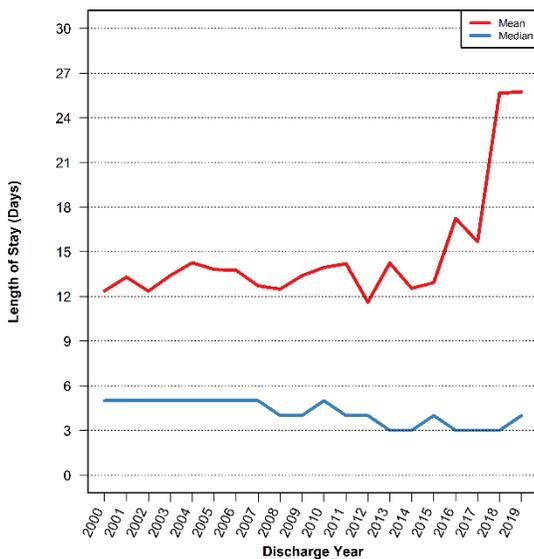
Figure 15. Top Charges at City Sentenced Admission for Women in 2019



In 2019, the top three charges for women admitted for city sentences were petit larceny (38%); possession of controlled substance in the 7th degree (10%); and disorderly conduct (9%). Together, these charges accounted for 100 admissions or 57% of city sentenced admissions for women in 2019.

The top charges for city sentenced women shifted from 1995 to 2019 in that there were more severe charges and prostitution charges were no longer in the top 10 charges in 2019.

Figure 16. Length of Stay in Days for Women Admitted City Sentenced, 2000-2019



Distribution of Length of Stay for City Sentenced Women in 2019	
0 Days	28%
1-7 Days	34%
8-30 Days	16%
31-90 Days	10%
91-180 Days	8%
181-365 Days	3%
365+ Days	0%
Note: City sentenced admissions for women discharged in 2019 were not missing length of stay.	

The mean length of stay for women admitted city sentenced more than doubled over time. The mean time spent increased from 12 days in 2000 to 26 days in 2019, a 108% increase. The median length of stay actually decreased from 5 days to 4 days (a 20% decline).

Similar to pretrial length of stay in 2019, the majority of women admitted city sentenced spent between 1-7 days in custody (34%). The next greatest proportion of time spent in custody was less than a day for city sentenced admissions for women (28%). Further, 78% of women admitted city sentenced spent a month or less in custody.

Table 4. Length of Stay in Days for Top 10 Charges for City Sentenced Women Admitted in 2019

Charge	N	Median	Mean	Total Bed Days
Petit larceny (PL 155.25)	69	5	17	1,193
Possession of contr. subst, 7th deg. (PL 220.03)	19	2	18	351
Disorderly conduct (PL 240.20)	16	1	2	29
Assault, 2nd deg. (PL 120.05)	10	1	49	494
Assault, 3rd deg. (PL 120.00)	5	17	35	177
Driving under influence (3rd offense) (VTL 1192.3)	4	60	60	240
Grand larceny, 2nd deg. (PL 155.40)	5	96	74	372
Attempted sale of contr. subst, 3rd deg. (PL 220.39)	2	5	5	10
Driving under influence (.01% alc) (VTL 1192.2)	4	0	20	78
Robbery, 3rd. deg. (PL 160.05)	3	104	114	343

Note: this differs from the Ns for the top 10 *admitted* charges, as these are those same charges but *discharged* in 2019 to calculate length of stay.

Table 4 displays the mean and median length of stay as well as total bed days for the top 10 charges for city sentenced admissions for women in 2019. The charge with the longest mean and median length of stay was robbery in the 3rd degree, with a mean length of stay of 114 days (almost 4 months) and a median length of stay of 104 days. Further, the charge that occupied the most bed days was petit larceny with 1,193 total bed days spent for 69 individuals.

Trends in Technical Parole Violation Admissions

Figure 17. Number and Proportion of Technical Parole Violation Admissions for Women by Race/Ethnicity

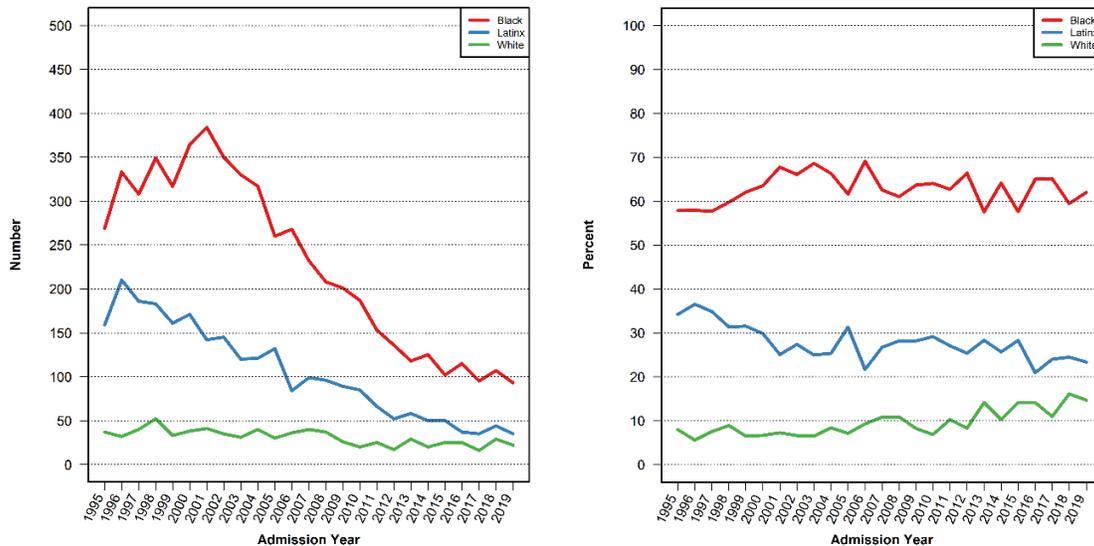


Figure 17 shows the numbers and proportions of technical parole violation admissions for women by race/ethnicity, from 1995 to 2019. The number of technical parole violation admissions declined by:

- 65% for Black women, from 269 admissions in 1995 to 93 admissions in 2019;
- 78% for Latinx women, from 159 admissions in 1995 to 35 admissions in 2019; and
- 41% for White women, from 37 admissions in 1995 to 22 admissions in 2019.

The trend was the same as pretrial and city sentenced admissions – admissions for Black women were the highest for the entire study period. From 1995 to 2019, the proportion of Black women admitted on technical parole violations increased from 58% in 1995 to 62% in 2019; the proportion of Latinx women declined from 34% to 23%, and the proportion of White women increased from 8% to 15%.

Figure 18. Number and Proportion of Technical Parole Violation Admissions for Women by Age Group

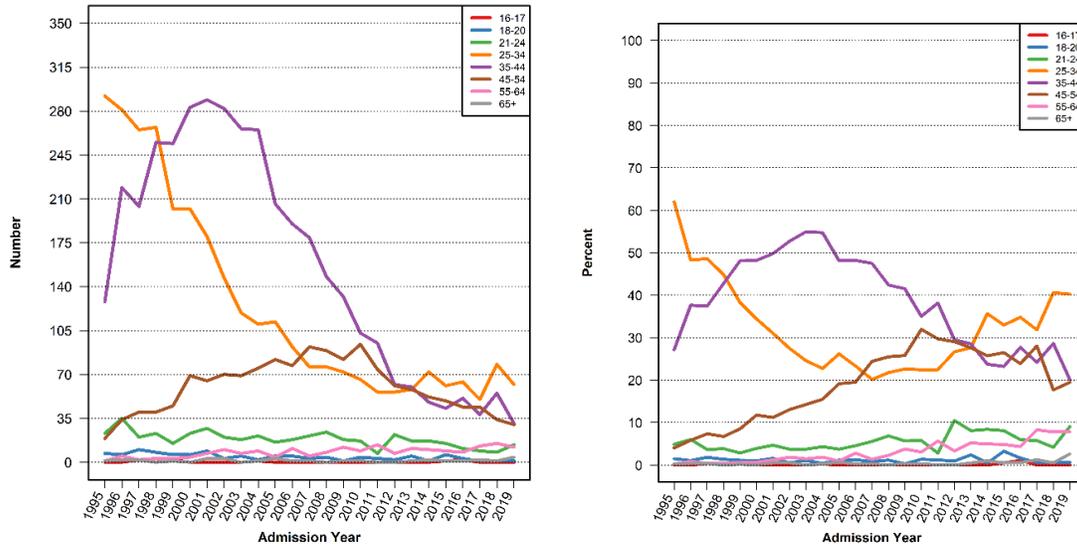
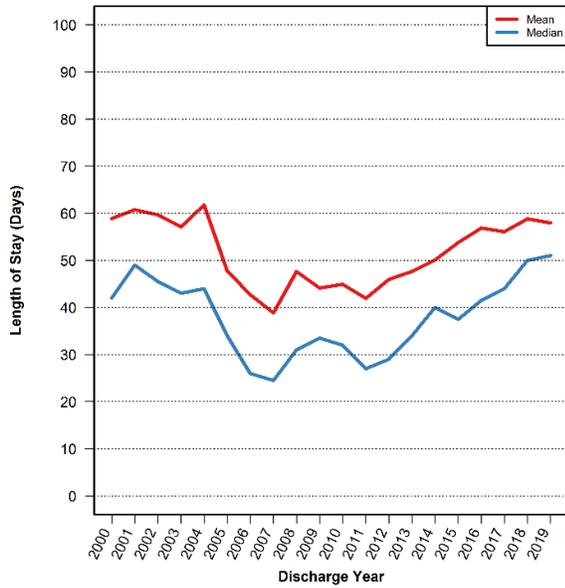


Figure 18 displays the number and proportion of technical parole violation admissions for women by age group, from 1995 to 2019. Most age groups experienced a decline in the number of technical parole violation admissions over the time period and a number of age groups had very small numbers of admissions. From 1995 to 2019, technical parole violation admissions changed as follows:

- 16-17 year-olds had 0 admissions in 1995 and 2019;
- 18-20 year-olds declined 86%, from 7 to 1 admission;
- 21-24 year-olds declined 39%, from 23 to 14 admissions;
- 25-34 year-olds declined 79%, from 292 to 62 admissions;
- 35-44 year-olds declined 76%, from 128 to 31 admissions.
- 45-54 year-olds increased 58% from 19 to 30 admissions;
- 55-64 year-olds increased 1100%, from 1 to 12 admissions; and
- 65 and older increased 300%, from 1 to 4 admissions.

As a proportion, young adult to middle aged women (25-34, 35-44) were the most frequently admitted for technical parole violations. The proportion of technical parole violation admissions declined for 25-34 year-old women, from 62% in 1995 to 40% in 2019 and for 35-44 year-old women from 27% in 1995 to 20% in 2019. For 45-54 year-olds, the proportion of admissions for technical parole violations increased from 4% to 19%. All other age groups (16-17, 18-20, 21-24, 55-64, 65+) accounted for 10% or less of technical parole violation admissions from 1995 to 2019.

Figure 19. Length of Stay in Days for Women Admitted on Technical Parole Violations, 2000-2019



Distribution of Length of Stay for Women with Technical Parole Violations in 2019	
0 Days	0%
1-7 Days	3%
8-30 Days	25%
31-90 Days	55%
91-180 Days	16%
181-365 Days	2%
365+ Days	0%
Note: Technical parole violation admissions for women discharged in 2019 were not missing length of stay.	

The mean and median length of stay in custody for women admitted on technical parole violations fluctuated over time. The mean length of stay increased from 59 days in 2000 to a peak of 62 days in 2004, dropped to a low of 39 days in 2007 and then increased to 58 days in 2019. Overall, there was a 2% decrease in the mean length of stay from 2000 to 2019.

The median length of stay for technical parole violations for women followed a similar trend. The median increased from 42 days in 2000 to a peak of 49 days in 2001 and then declined to a low of 25 days in 2007. This number then rose again to 51 days in 2019, a 21% increase from 2000 to 2019.

Notably, women admitted for technical parole violations had the longest lengths of stay in 2019, relative to women admitted pretrial and city sentenced. The length of stay category that was most common for females (more than half) admitted on technical parole violations was spending 31-90 days in custody (55%). In comparison, 28% of women admitted on technical parole violations spent a month or less in custody.

CONCLUSION

This report documents dramatic reductions in the number of women admitted to New York City jails from 1995 to 2019. We hope these findings can inform policymakers, advocates, and criminal justice practitioners as they work to reduce the population of women in jail custody to 200 by 2026. Further, this report serves as a baseline to examine how jail populations will shift in light of Covid-19, the 2020 reforms impacting bail and discovery, as well as the expansion of supervised release in the city.

FUTURE RESEARCH

- How will admissions and the length of stay in custody for women be impacted by Covid-19 and the 2020 bail reforms?
- How were families and communities impacted by the steep decline in the number of women admitted to jails between 1995 and 2019?
- What explains the increase in jail admissions for middle-aged and older age groups?

ACKNOWLEDGMENTS

The data used in this report were provided by the New York City Department of Correction (NYC DOC) and the Division of Criminal Justice Services (DCJS) and are the property of those agencies. Any further use of these data must be approved by the NYC DOC and/or DCJS and any views or opinions expressed in this report do not necessarily represent the official positions of the NYC DOC and/or DCJS. We are thankful to Lawton Bourne and D.B. Firstman for providing the data, clarifying data questions, and commenting on preliminary analyses.

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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: www.datacollaborativeforjustice.com.

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APPENDIX A. DATA AND DEFINITIONS

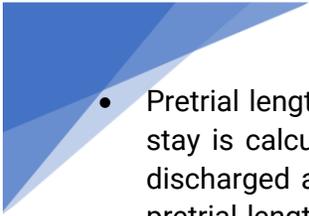
DOC Data: All analyses in this report use operational data provided by the New York City Department of Correction (DOC). This data contains the following de-identified information for all individuals 16 years of age and older admitted to DOC between 1995 to 2019: admission date, sentencing date, release date, admission and release status, bail amount at admission, information on the top charge at admission (charge type, charge severity, charge's UCR code), disposition and sentence information, age, race/ethnicity, sex, and borough of the individual admitted. It is important to note that all of the data that we received only includes one charge with each admission – the top charge – which is a value determined by the DOC. As such, we are unable to analyze the full number or combination of charges attached to each admission. In addition, in the DOC data, it is not possible to tell with certainty whether an outlier is due to an administrative error or whether it is reflecting a real case. Given this, we have purposefully kept all non-missing values in our analyses so as to not erroneously remove any individuals' records.

DCJ's analyses are based on the sex/gender information contained in a dataset received from New York City Department of Correction (DOC), which designates people admitted to the jails as "female" or "male." During the course of the study period, DOC changed the way it collected data on gender. According to DOC, the agency now allows individuals to self-identify their gender at admission to the jails whereas previously jail staff determined gender for record-keeping purposes. For this report, the term "women" denotes individuals designated as "female" in the DOC data. We recognize that the data may not include all people admitted to the jails during the study period who identified as women, particularly transgender women

This report used the term "Latinx" in lieu of the term "Hispanic" that is used in the underlying data. Latinx is intended to be inclusive of all people of Latin American origin or descent, including indigenous peoples and those whose native language is not Spanish. The usage of the letter "x" is intended to acknowledge gender inclusivity beyond a binary male/female designation (Morales, 2018). We acknowledge that this is an emerging term and many individuals of Latin American origin may not self-identify as Latinx, especially in older age groups (Noe-Bustamante, et al., 2020).

Bail Amount Set: Data provided by DOC contains a bail amount variable that is the bail amount set at arraignment. In some cases, judges will give a cash amount and a bond amount. The bail amount variable provides the lower of these two, which is almost always the cash amount. This amount can change and does not always represent the amount an individual paid in bail. There are a number of bail amount numbers that are placeholder/flags (e.g., \$1 or \$999,999) for judges, prosecutors and defense attorneys. Using information given to us by DOC about such placeholder values, we eliminated all bail amounts under \$50, all bail amounts that consisted of multiples of the same number (i.e. \$111,111 \$2,222,222, \$8,888,888), and all bail amounts that included an excess of 9s (i.e. \$999,999, \$9,099,999, and \$9,999,998). Further, in our report we present all bail amount analyses after calculating bail inflation via the Consumer Price Index (U.S. Bureau of Labor Statistics, 2020). In longitudinal analyses of bail per year, we adjusted all bail amounts for inflation, presenting bail amounts in 2020 dollars. This is to allow readers to appreciate the changes in bail amounts isolated from the rise of the U.S. dollar due to inflation. Lastly, for all calculations involving bail amounts set, we used admission year as the unit of analysis.

Length of Stay: The DOC data provides an admission date, sentence date and discharge date for most admissions. Our length of stay analyses use discharge year (rather than admission year) and begin at the year 2000. We use 2000 as our starting year in order to leave enough lag time to account for individuals with the longest stays in custody. From this data we calculated three different lengths of stay:

- 
- **Pretrial length of stay:** For any pretrial admission that is discharged as a pretrial, the pretrial length of stay is calculated from the admission date to the discharge date. For any pretrial admission that is discharged as anything other than pretrial (i.e., city sentenced, prison transfer, time served, etc.), the pretrial length of stay is calculated from the admission date to the sentence date. The majority of our analyses focus on pretrial length of stay.
 - **City sentenced/parole violation length of stay:** For any city sentenced or parole violation admissions, we calculated the length of stay from admission date to discharge date, the entire length of stay in DOC custody.

For bail amounts and lengths of stay, we provide mean, median and percent distributions. The mean (i.e., average) includes outliers of individuals who may have long lengths of stay or large bail amounts. The median indicates that half the individuals are above and half are below the length of stay or bail amount.

Discharge Category: In order to present the discharge data in a digestible format, we consolidated the 28 discharge statuses into the following categories: bail paid, released on own recognizance (ROR), adjournment in contemplation of dismissal (ACD)/conditional discharge (CD), acquittal/dismissal, sentence expired/time served, prison transfer, transfer to another agency/hospital, fine/probation, and other. All of the discharge figures show discharges for those who were initially admitted as pretrial, and do not include those admitted for other reasons.

DATA COLLABORATIVE FOR **JUSTICE**

AT **JOHN JAY COLLEGE**

STRENGTH IN NUMBERS

