

# Bail Reform in Action: Pretrial Release Outcomes in New York State, 2019-2020

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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: <https://datacollaborativeforjustice.org/>

## Introduction

On January 1, 2020, extensive reforms to the laws governing bail and pretrial release went into effect in New York State. These reforms restricted which charges are legally eligible for money bail and included a presumption that judges should release people on their own recognizance (ROR; essentially, their promise to return to court). The law permits judges to overcome this presumption and set pretrial conditions only when determining that an individual poses a “risk of flight to avoid prosecution.” For those cases where money bail is still permitted and a judge opts to set it, the judge must set at least three forms of bail and consider an individual’s ability to pay before setting a bail amount (Rempel & Rodriguez, 2019).

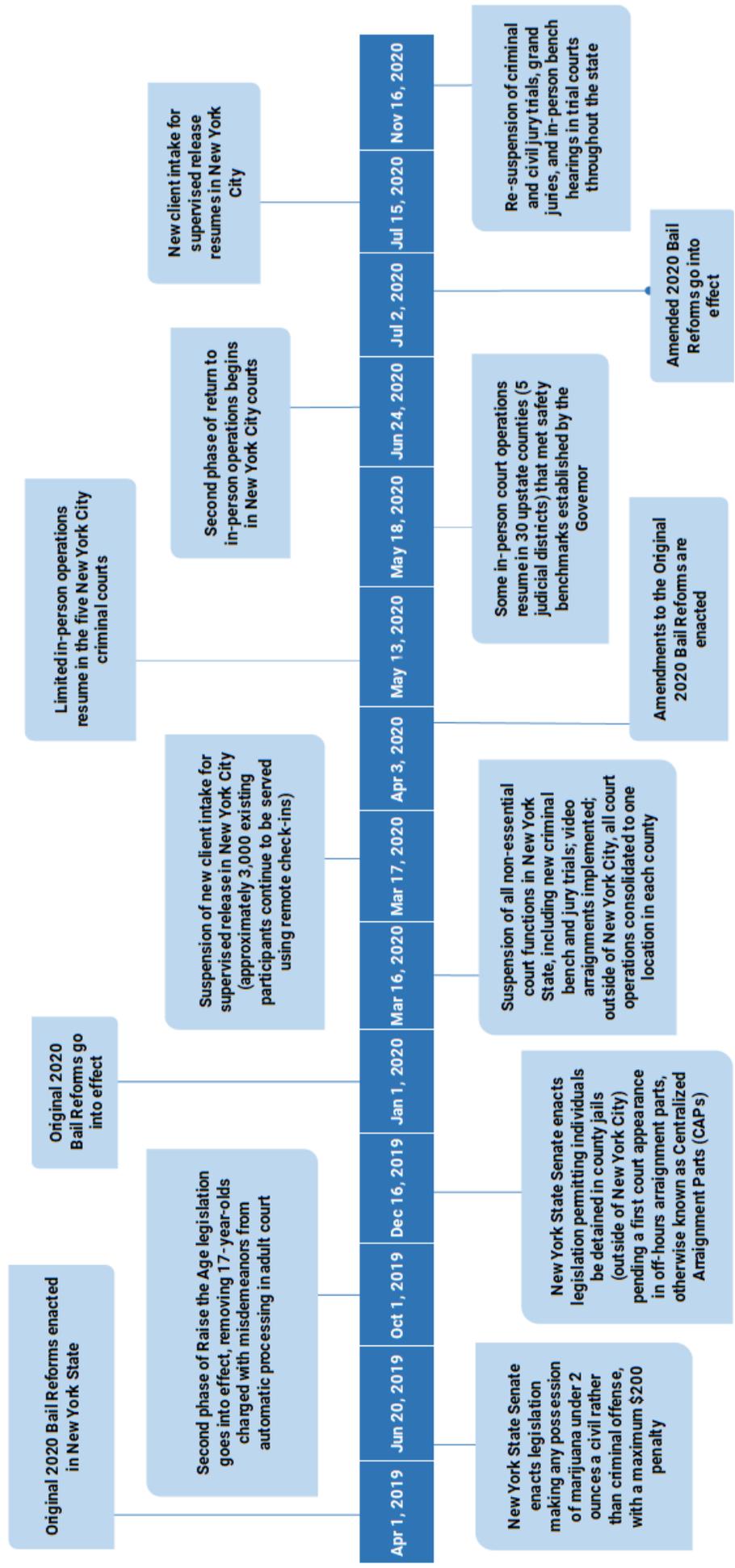
Amendments to the reforms, which went into effect in July 2020, moved some charges that had become ineligible for bail in January 2020 back into the category of charges for which judges have the discretion to set bail when a credible risk of flight is present (Rempel & Rodriguez, 2020).

## About This Report

This report builds on previous Data Collaborative for Justice (DCJ) reports that assessed how the original and amended reforms (together called the “2020 Bail Reforms”) would have affected New York City cases in 2018 and 2019, had the reforms been in effect during those years (Lu, Hood, Bond, et al., 2019; Lu, Bond, & Chauhan, 2020).

The current report compares actual bail and pretrial release outcomes at arraignment in 2019 (pre-reform) and 2020 (post-reform) across New York State. For some of the analyses, the report provides quarterly data to help readers appreciate variation in pretrial outcomes that may have been driven by changes to the law (e.g., the effective date of the amended reforms in July 2020) or other relevant events (e.g., shifting crime and arrest patterns or the introduction of video arraignments at the outset of the Covid-19 pandemic). For each time period of interest, analyses covered how many cases were arraigned; how many arraignments led to an immediate resolution of the case; how many resulted in people being released versus detained pretrial (e.g., had bail set, remanded, etc.) and how much bail was set.

The overarching purpose was to indicate whether and to what extent the 2020 Bail Reforms reduced the use of bail and pretrial detention across the state, as authors of the original reforms had sought to do. A second purpose was to examine variations in arraignment outcomes by geography (New York City, Suburban NYC, and Upstate). Related prior research solely examined outcomes in NYC (Rempel & Weill, 2021). A third purpose was to look at variations based on the characteristics of the current case, including charge severity (felonies, misdemeanors, and violations), charge type (weapons charges, drug charges, etc.), and demographic characteristics (race/ethnicity, age, and gender).



## Major Relevant Events in 2019 and 2020

Although these analyses provide data on pretrial outcomes before and after the implementation of the 2020 Bail Reforms, it is important that readers understand that other significant events, including the worldwide Covid-19 pandemic and related disruptions to society, widespread local and national protests for racial justice and policing reform, and other criminal legal system reforms that may have also affected the outcomes presented in this report. Additional reforms related to the issuance of desk appearance tickets (“DATs” or “universal appearance tickets”), discovery, and case processing were implemented alongside bail reform, which may have significantly impacted arraignments and arraignment outcomes during the study period.<sup>1</sup> In particular, fewer arraignments overall may be due to a greater number of DATs issued for violations, misdemeanors, and lower level felonies, paired with the reality that starting in mid-March 2020, the state court system delayed arraigning DATs due to Covid-related restrictions on court operations. Further, 2020 saw significant overlapping changes in crime patterns, including an uptick in serious violent crime. The impact of bail reform on crime in New York State continues to be a topic of debate (and of misinformation). Below, we review an array of research making clear the lack of any credible evidence to date linking bail reform or pretrial release to violent crime. We also recommend further rigorous research on the subject.<sup>2</sup>

## Bail Reform, Covid-19, and Changes in State Jail Populations

The main goal of the 2020 Bail Reforms was to significantly reduce the number of people held in jail pretrial, especially due to an inability to pay bail. At a birds-eye level, the data indicates that jail populations did in fact fall in the months following implementation of the original reforms in January 2020 (as well as in the final months of 2019, when judges appeared to change their practices in anticipation of implementation). In March 2020, the pretrial jail population in New York City was around 40% lower compared to April 2019, falling from 4,996 to 3,014 people (Rempel & Rodriguez, 2020).<sup>3</sup> Outside New York City, the pretrial population was 46% lower in March 2020 compared to April 2019, dropping from 7,622 to 4,118 (Kim, Hood, & Connors, 2021).<sup>4</sup>

The emergence of the Covid-19 pandemic in mid-March 2020 made it difficult to attribute subsequent jail population changes to the 2020 Reforms, given seismic shifts in crime and enforcement, interruptions to the operations of the criminal legal system, and proactive efforts to release people from the disproportionate health risks of incarceration.<sup>5</sup> In the months following the start of the Covid-19 pandemic, jail populations fluctuated significantly across the state. There were significant decreases during the first wave of the pandemic (March and April 2020). Between March 18, 2020, and April 29, 2020, the New York City jail population dropped from 5,419 to 3,809, in large part because of releases related to Covid-19 (Rempel 2020; Schiraldi 2020). However, the population rose again to almost 5,000 by December 2020 and subsequently peaked at almost 6,100 in mid-September 2021 (NYC JailViz 2.0). In the rest of New York State, between July and December 2020, the jail population increased by 21% from 7,246 to 8,775 people (pre-Covid levels; Vera Institute of Justice, 2022). As of July 1, 2021, 9,809 individuals were held each day in non-New York City jails.

Some of the increases in jail populations beginning in the second half of 2020 were the result of the amended reforms that went into effect in July 2020, which increased the number of charges eligible for money bail (Rempel & Weill, 2021).<sup>6</sup> However, particularly in New York City, there may have been other factors contributing to the increases in the jail population in late 2020, such as slowdowns in the courts, the courts' reduced use of alternatives to bail (independent of the amended reforms), and an increase in jail admissions for violent felony charges, many of which are weapons related (NYC Mayor's Office of Criminal Justice, 2020).

## The Relationship Between Bail Reform and Crime

Both locally and nationally there has been a great deal of discussion about whether there is any relationship between changing crime patterns and bail reform (Lybrand & Subramaniam, 2021). While crime overall has remained relatively consistent in New York, certain more serious, violent crimes—specifically homicides and shootings—increased between 2019 and 2020. Data for New York State shows there was a 1.5% increase in reported serious crime statewide,<sup>7</sup> from 336,788 reported crimes in 2019 to 341,908 in 2020, the first year of bail reform (New York State Division of Criminal Justice Services, 2021b). This was driven primarily by increases in motor vehicle theft, which increased by 54% from 2019 to 2020, and murder, which increased by 46%.<sup>8</sup> In New York City, overall crime was at a historic low in 2020 and down by roughly 1% from the prior year (New York Police Department, 2021). However, compared to 2019, shooting incidents increased by 97% in 2020 and murders increased by 44%.

Some have blamed bail reform for the spike in several of the most serious crime categories (Lybrand & Subramaniam, 2021), even though this spike was a national phenomenon in jurisdictions that both did and did not implement criminal justice reforms in 2020 (Rosenfeld, Abt, & Lopez, 2021). **A review of pertinent evidence found that there is no credible data or research linking New York's 2020 reforms to increases in shootings and homicides (Rodriguez, Rempel, & Watkins, 2021).**

Moreover, within New York, the little data that are available indicates that the majority of arrests for violent felonies and gun charges in 2020 did not involve people who were released pretrial (McCarthy, Campanile, & Feis, 2020; NYC Mayor's Office of Criminal Justice, 2021):

- **Violent Felonies: The available data in New York City indicates that both pre- and post-bail reform, the vast majority of people charged with a violent felony did not have a pending criminal charge (which means they were not out on bail when they were charged with a violent felony).** In 2019, 80% of people charged with a violent felony did not have a pending criminal charge compared to 75% in 2020. (NYC Mayor's Office of Criminal Justice, 2021). In other words, most people arrested for a violent felony were not on pretrial release.
- **Gun Violence: Existing data on gun violence also fails to support a connection between bail reform and spike in shootings.** An analysis of NYPD data from the first six months post-bail reform shows that of the 528 shooting incidents between January and June 2020, only one person charged with a shooting had been released without bail under the new reforms (McCarthy, Campanile, & Feis, 2020). Further, data from 2020 through the first three months of 2021 show that less than 20% of gun arrests were of people who had been detained pretrial for any charge (NYC Mayor's Office of Criminal Justice, 2021).

In addition to the absence of research or data establishing a connection between bail reform and increases in some violent crimes locally during 2020, a number of other facts cut against assertions that bail reform is to blame for increased violence:

1. **Recent increases in homicides have been documented in many urban areas across the country, including many that have not recently implemented bail reform, suggesting that other factors may be driving these spikes** (e.g., Austin, Milwaukee, Denver, Los Angeles; Rosenfeld & Lopez, 2020).<sup>9</sup> As a result, some researchers have suggested avoiding “simplistic or local explanations” for a “complex national phenomenon” that may be driven by a variety of factors, including the dislocation caused by Covid-19 and high-profile incidents of police violence that may have undermined cooperation with law enforcement (Arthur & Asher, 2021).

2. **Research in other jurisdictions that implemented significant pretrial reforms found that they experienced subsequent “decreases or negligible increases” in crime after implementation (Herring, 2020).** For example, New Jersey virtually eliminated cash bail in 2017, reduced the proportion of people detained pretrial by 67%, and did not experience a corresponding increase in crime generally or by people released pretrial (Anderson, Redcross, Valentine, et al., 2019).
3. **Covid-19 created sudden and extreme economic and social dislocation including through interruptions of services and programs that research shows protect against violence.** The 2020 increase in violent incidents, both in New York and around the country, coincided with one of the largest societal upheavals in recent history. In a matter of weeks, Covid-19 led to mass illness and death in New York City, creating great distress in many of the same communities of color that were already at higher risk of violence. Perhaps most importantly, the social services and programs that are known to reduce violence, such as youth employment programs and violence interruption programs (John Jay College Research Advisory Group on Preventing and Reducing Community Violence, 2020), could not operate normally, or at all, for much of the year, thus undermining their effectiveness. As the authors of a study on violent crime rates in 2020 noted, “[m]ost evidence-informed violence reduction efforts depend heavily on proactive outreach to at-risk people and places, and such outreach has been largely curtailed by the ongoing risk of infection” (Rosenfeld, Abt, & Lopez, 2021).

These facts, along with the general consensus among criminologists that there are multiple explanations for changing crime patterns, suggest that localized increases in violent crime may very well be influenced by a host of other factors besides bail reform (Chafin & Macdonald, 2021; Chapman, 2020). **Ultimately, a rigorous evaluation specific to the effects of New York’s reforms on crime and recidivism has yet to be conducted; while a great deal more research is needed to assess what relationship, if any, exists between changing crime patterns and bail reforms, meaningful evidence to date does not point to a link.**

## Data Source and Analysis Plan

DCJ analyzed New York State Office of Court Administration (OCA) data from January 2019 to December 2020 to examine the effects of the 2020 Bail Reforms on bail and pretrial release outcomes in all 62 New York State counties, encompassing 69 city and district courts. The data does not include cases processed in the approximately 1,200 town and village courts throughout New York State for which there is currently no centralized mechanism for data collection. A detailed methodology is provided in Appendix A, which includes more information on the data as well as definitions of terms.

We first examined statewide trends in felony, misdemeanor, and violation arraignments and arraignment outcomes.<sup>10</sup> Next, we examined how arraignment and arraignment outcomes vary by charge severity and charge category in New York State overall, New York City, Suburban NYC (Westchester, Suffolk, and Nassau Counties), and Upstate. Finally, we examine how arraignment and arraignment outcomes vary by demographic characteristics statewide and in the three geographic areas. The annual number of arraignments and pretrial release for each of the 69 courts is provided in Appendix C.

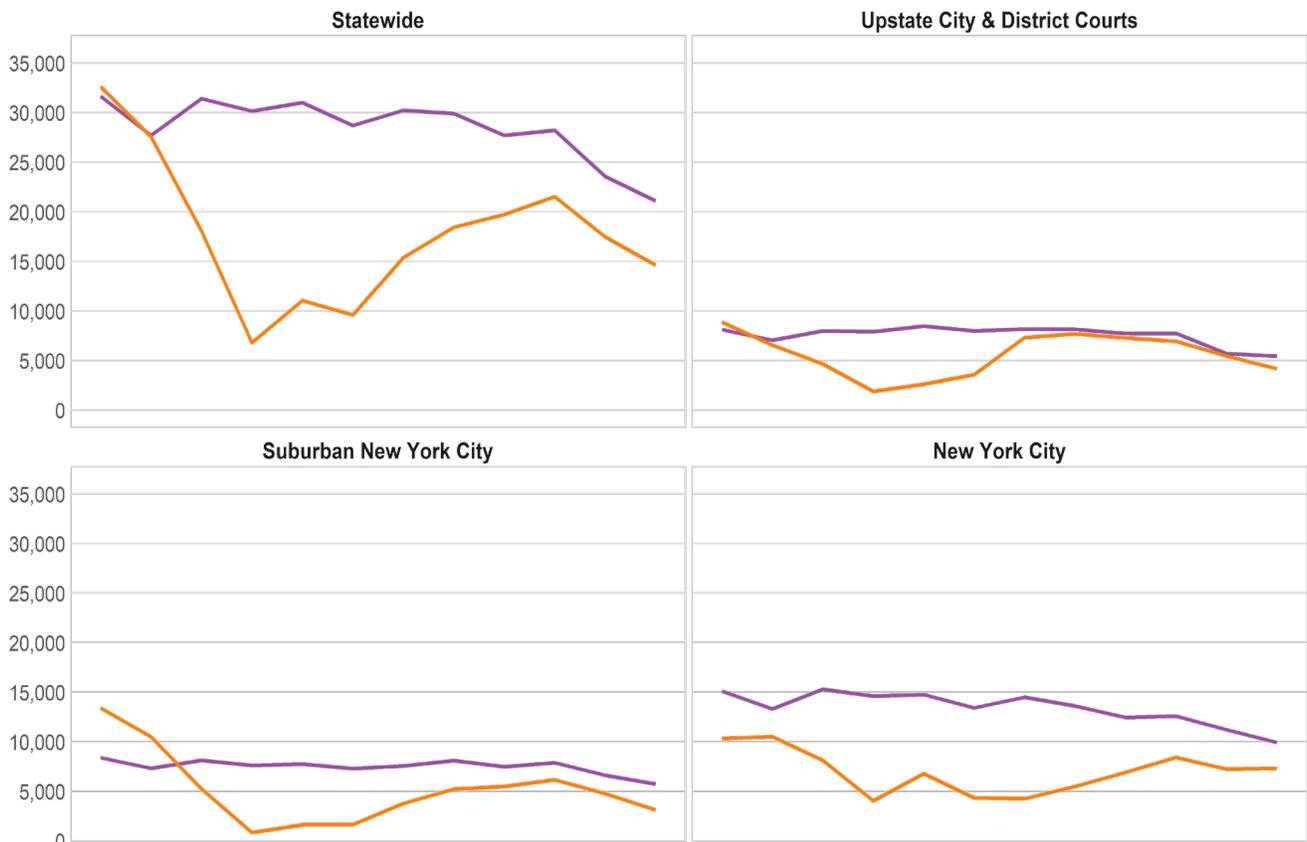
## Arraignments in New York State in 2019 and 2020

Overall, the number of felonies, misdemeanors, and violations arraigned in New York State courts declined by 38% from 341,411 in 2019 to 212,958 in 2020.<sup>11</sup> New York City had the greatest overall decline in arraignment, dropping by 48%, followed by Suburban NYC by 31%, and Upstate by 26%.

	2019	2020	Volume Change
New York State	341,411	212,958	-38%
Upstate City & District Courts	90,488	67,098	-26%
Suburban New York City	90,003	61,992	-31%
New York City	160,920	83,868	-48%

From January to April 2020, arraignment declined significantly in all three regions – by 94% in Suburban NYC, 79% in Upstate, and by 61% in NYC, which overlapped with the beginning of the Covid-19 pandemic and related disruptions to court operations. In Upstate and Suburban NYC, arraignment rose sharply beginning in June 2020, coinciding with the summer and reopening of many social activities after the initial onset of the pandemic.

Figure 1: Monthly Arraignments in New York State by Geography



## Arraignment Outcomes in New York State in 2019 and 2020

In New York State overall, the proportion of pretrial release (released on recognizance and release with non-monetary conditions) increased from 56% in 2019 to 66% in 2020. In contrast, the proportion of cases with bail set<sup>12</sup> (both posted and not posted) declined overall from 19% in 2019 to 9% in 2020. Meanwhile, around a fifth of cases were disposed at arraignment in 2019 and 2020 and 2% of cases resulted in remand in both years. See Appendix B for additional analyses of pretrial release including ROR rates and volume quarterly numbers of ROR and release with non-monetary conditions (NMR) in 2020.

- Overall, New York City had the greatest proportional increase in pretrial release, from 62% in 2019 to 74% in 2020, followed by Suburban NYC from 52% to 61%, and Upstate from 51% to 59%.
- Overall, Suburban NYC had the greatest proportional decline in cases with bail set, from 22% in 2019 to 10% in 2020, followed by Upstate from 23% to 15%, and NYC from 13% to 10%.

**Table 2. Arraignment Outcomes in New York State by Geography**

	2019	%	2020	%	Volume Change	Proportion Change
<b>Statewide</b>	<b>341,411</b>		<b>212,958</b>		<b>-38%</b>	
Disposed at Arraignment	80,436	24%	43,927	21%	-45%	-3%
Remanded	7,652	2%	4,732	2%	-38%	0%
Bail Set and Posted	17,294	5%	4,985	2%	-71%	-3%
Bail Set and Not Posted	44,174	14%	19,602	7%	-56%	-7%
Non-monetary Release	191,855	56%	139,712	66%	-27%	10%
<b>Upstate City &amp; District Courts</b>	<b>90,488</b>		<b>67,098</b>		<b>-26%</b>	
Disposed at Arraignment	16,655	18%	14,212	21%	-15%	3%
Remanded	6,044	7%	3,552	5%	-41%	-2%
Bail Set and Posted	6,784	7%	2,486	4%	-63%	-3%
Bail Set and Not Posted	14,883	16%	7,376	11%	-50%	-5%
Non-monetary Release	46,122	51%	39,472	59%	-14%	8%
<b>Suburban New York City</b>	<b>90,003</b>		<b>61,992</b>		<b>-31%</b>	
Disposed at Arraignment	23,245	26%	17,611	28%	-24%	2%
Remanded	854	1%	527	1%	-38%	0%
Bail Set and Posted	7,808	9%	1,589	3%	-80%	-6%
Bail Set and Not Posted	11,372	13%	4,441	7%	-61%	-6%
Non-monetary Release	46,724	52%	37,824	61%	-19%	9%
<b>New York City</b>	<b>160,920</b>		<b>83,868</b>		<b>-48%</b>	
Disposed at Arraignment	40,536	25%	12,104	14%	-70%	-11%
Remanded	754	0%	653	1%	-13%	1%
Bail Set and Posted	2,702	2%	910	1%	-66%	-1%
Bail Set and Not Posted	17,919	11%	7,785	9%	-57%	-2%
Non-monetary Release	99,009	62%	62,416	74%	-37%	12%

To further quantify the effect of the 2020 Bail Reforms, if the proportion of cases resulting in bail or remand had not declined from 2019 to 2020, 24,204 more cases would have had these outcomes among those arraigned in 2020 – including 9,819 in NYC, 7,670 in Suburban NYC, and 6,715 in Upstate.

From January to June 2020, the proportion of cases released pretrial statewide increased from 62% to 72%, while the proportion of cases with bail set increased from 6% to 18% (Figure 2). Additionally, over the same period, the proportion of cases disposed at arraignment decreased from 31% to just 7%. These changes overlapped with the beginning of the Covid-19 pandemic and the original reforms going into effect.

However, in July 2020, the proportion of cases released declined to 66% while the proportion of cases with bail set decreased to 15%. In the same month, the proportion of cases disposed at arraignment grew to 17%, with a fourfold increase in volume. These changes beginning in the second half of 2020 overlapped with the resuming of court operations and the Amended Reforms going into effect.

Further, it is worth noting that from 2019 to 2020, the ROR rate (release on recognizance) increased overall across the state, from 68% to 74% of continued cases<sup>13</sup> (see Appendix B). For felonies in particular, ROR rates increased by more than 16 percentage-points in Suburban NYC and Upstate.

Figure 2: Monthly Arraignment Outcomes in New York State by Geography

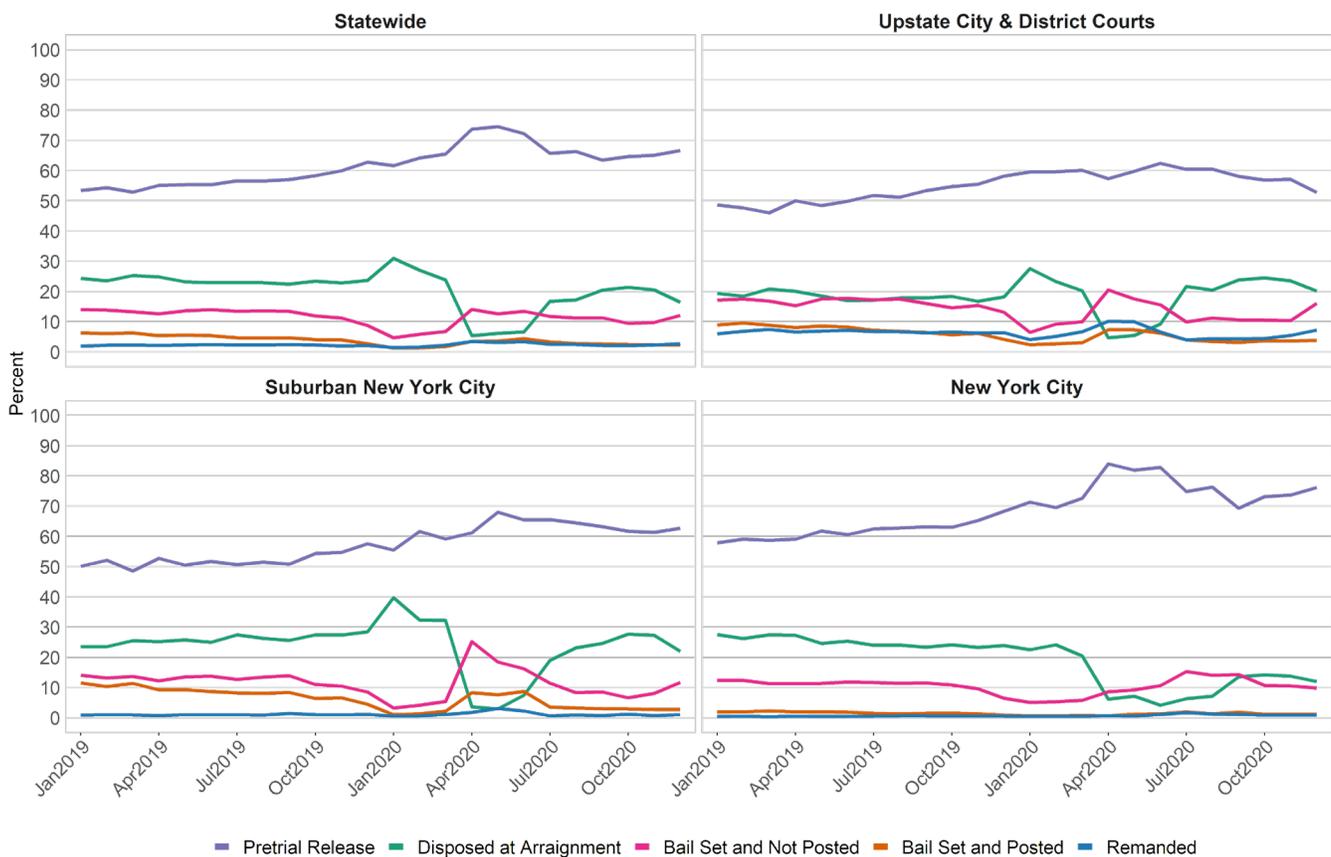
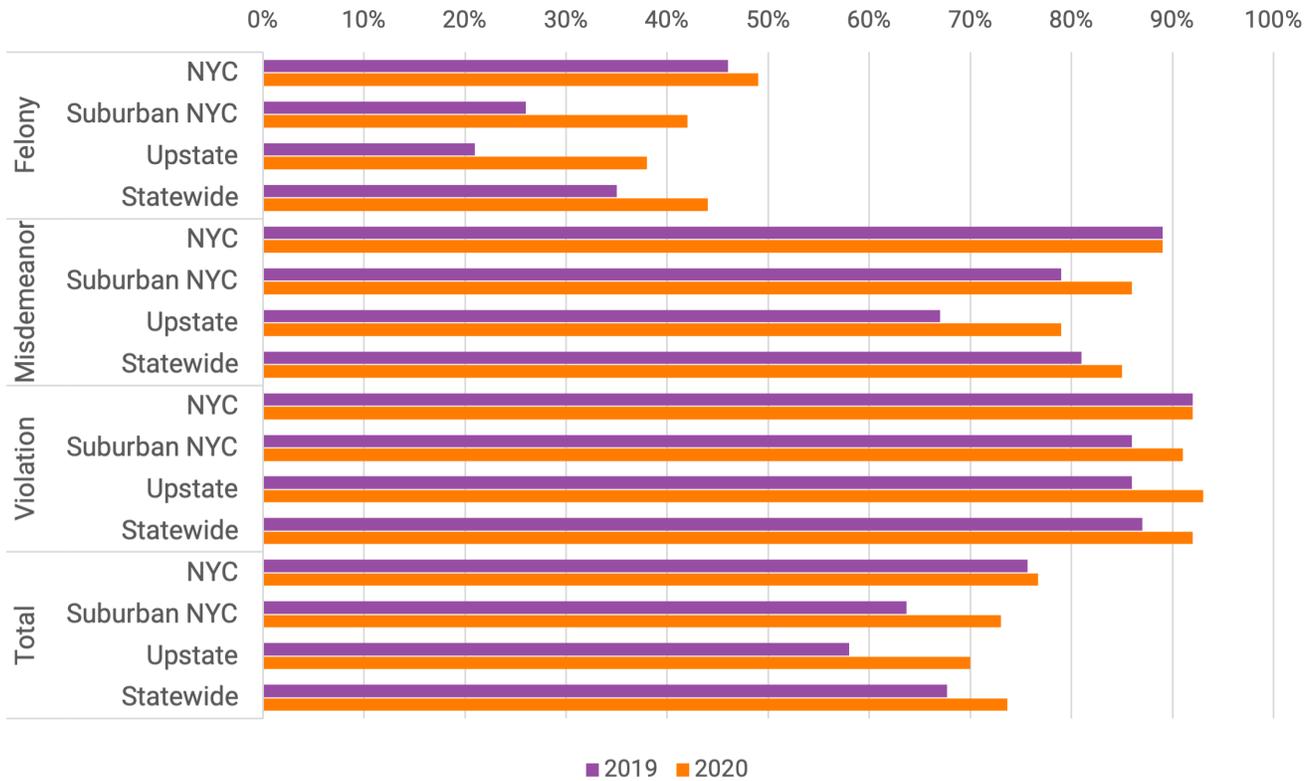


Figure 3: ROR Rates in 2019 and 2020 by Charge Severity and Geography



## Arraignments in New York State by Charge Severity

The overall decline in arraignments in New York State from 2019 to 2020 was driven mostly by declines in misdemeanors and violations, which was consistent across regions. New York City had the greatest declines across all charges, while Upstate had the smallest decline in felony arraignments and Suburban NYC had the smallest decline in violations.

- In New York State, felony arraignments declined by 18%, while misdemeanors and violations declined by around 43%.
- The most prevalent felony and misdemeanor charges in 2019 and 2020 were assault, 2nd degree (PL § 120.05) and assault, 3rd degree (PL § 120.00), respectively. The most prevalent violation charge in 2019 was harassment, 2nd degree (PL § 240.26), while the most prevalent charge in 2020 was unlawful possession of marijuana (PL § 221.05).
- The number of felony, misdemeanor, and violation arraignments decreased the most in New York City, by 25%, 53%, and 60% respectively.<sup>14</sup>
- The number of felony and misdemeanor arraignments decreased the least in Upstate, by 6% and 27%, respectively, while the number of violation arraignments decreased the least in Suburban NYC (38%).

**Table 3. Arraignments in New York State by Charge Severity**

	2019	%	2020	%	Volume Change	Proportion Change
<b>New York State</b>	<b>341,411</b>		<b>212,958</b>		<b>-38%</b>	
Felony	63,360	19%	51,671	24%	-18%	5%
Misdemeanor	239,672	70%	139,446	65%	-42%	-5%
Violation	38,379	11%	21,841	10%	-43%	-1%
<b>Upstate City &amp; District Courts</b>	<b>90,488</b>		<b>67,098</b>		<b>-26%</b>	
Felony	18,597	21%	17,509	26%	-6%	5%
Misdemeanor	53,265	59%	39,135	58%	-27%	-1%
Violation	18,626	21%	10,454	16%	-44%	-5%
<b>Suburban New York City</b>	<b>90,003</b>		<b>61,992</b>		<b>-31%</b>	
Felony	11,972	13%	9,656	16%	-19%	3%
Misdemeanor	62,197	69%	42,502	69%	-32%	0%
Violation	15,834	18%	9,834	16%	-38%	-2%
<b>New York City</b>	<b>160,920</b>		<b>83,868</b>		<b>-48%</b>	
Felony	32,791	20%	24,506	29%	-25%	9%
Misdemeanor	124,210	77%	57,809	69%	-53%	-8%
Violation	3,919	2%	1,553	2%	-60%	0%

### Arraignment Outcomes in New York State by Charge Severity

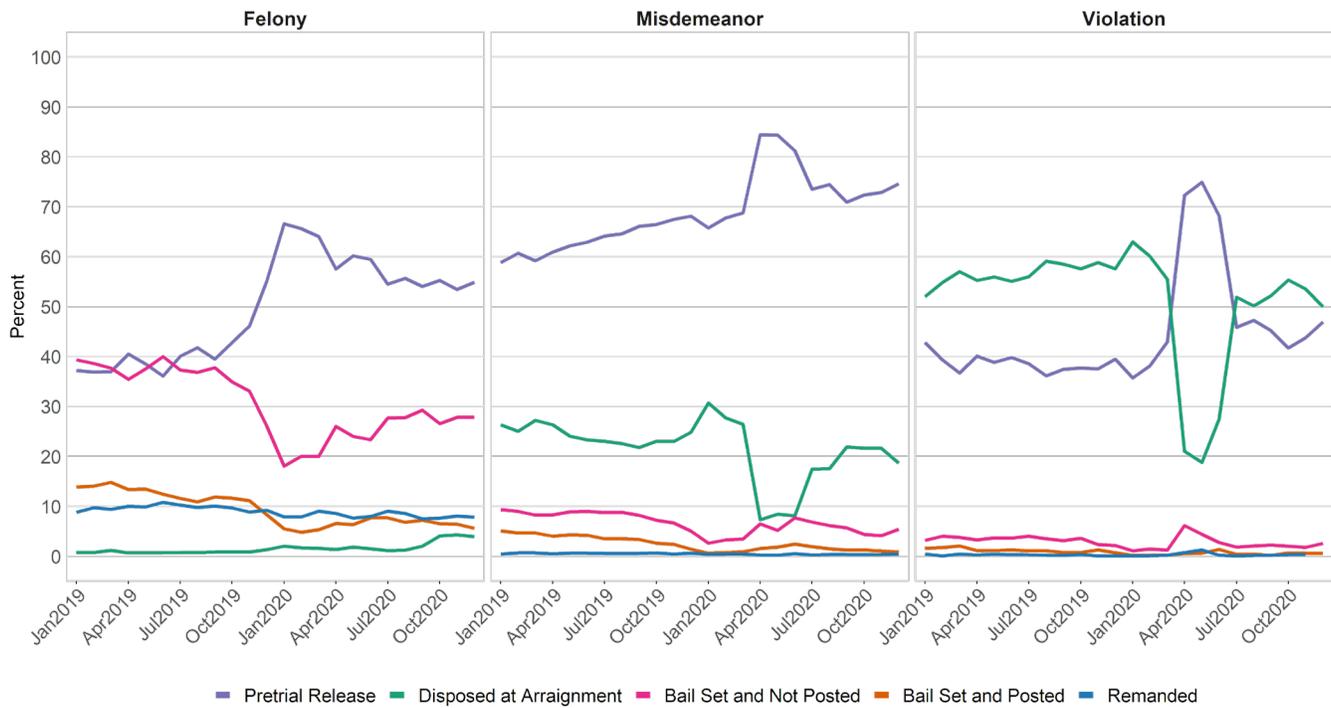
In New York State, from 2019 to 2020, misdemeanor arraignments had the largest proportion of pretrial release while felony arraignments had the largest proportion of cases with bail set (posted and not posted). However, the proportion of release increased over the study period for all charges, while the proportion of cases with bail set declined. For all charges, the proportion of cases disposed at arraignment and of cases resulting in remand experienced relatively little change.

- Felony arraignments had the greatest proportional decline in bail set, from 48% to 31%, followed by misdemeanors from 12% to 6%, and violations from 4% to 2%. Nonetheless, felony arraignments were still the most likely to have bail set.
- From 2019 to 2020, volume declined for all arraignment outcomes except for felonies disposed at arraignment and felonies released pretrial, which increased by 120% and 17%, respectively.
- From January to April 2020, the proportion of misdemeanors released increased from 66% to 84%, while the proportion of misdemeanors disposed at arraignment fell from 31% to just 7%. By July 2020, the proportion of misdemeanors released declined to 74% while the proportion of misdemeanors disposed at arraignment increased to 17%.
- From January to April 2020, the proportion of violations released doubled from 36% to 72%, while the proportion of violations disposed at arraignment fell from 63% to 21%. In July 2020, the proportion of violations released pretrial fell to 46% and remained at this level through December.

**Table 4. Arraignment Outcomes in New York State by Charge Severity**

	2019	%	2020	%	Volume Change	Proportion Change
<b>Felony</b>	<b>63,360</b>		<b>51,671</b>		<b>-18%</b>	
Disposed at Arraignment	535	1%	1,178	2%	120%	1%
Remanded	6,159	10%	4,179	8%	-32%	-2%
Bail Set and Posted	7,853	12%	3,285	6%	-58%	-6%
Bail Set and Not Posted	23,123	36%	12,871	25%	-44%	-11%
Non-monetary Release	25,690	41%	30,158	58%	17%	17%
<b>Misdemeanor</b>	<b>239,672</b>		<b>129,446</b>		<b>-42%</b>	
Disposed at Arraignment	58,219	24%	30,825	22%	-47%	-2%
Remanded	1,392	1%	519	0%	-63%	-1%
Bail Set and Posted	8,975	4%	1,619	1%	-82%	-3%
Bail Set and Not Posted	19,743	8%	6,338	5%	-68%	-3%
Non-monetary Release	151,343	63%	100,145	72%	-34%	9%
<b>Violation</b>	<b>38,379</b>		<b>21,841</b>		<b>-43%</b>	
Disposed at Arraignment	21,682	56%	11,924	55%	-45%	-1%
Remanded	101	0%	34	0%	-66%	0%
Bail Set and Posted	466	1%	81	0%	-83%	-1%
Bail Set and Not Posted	1,308	3%	393	2%	-70%	-1%
Non-monetary Release	14,822	39%	9,409	43%	-37%	4%

**Figure 3: Monthly Arraignment Outcomes in New York State by Charge Severity**



Data Source: Office of Court Administration

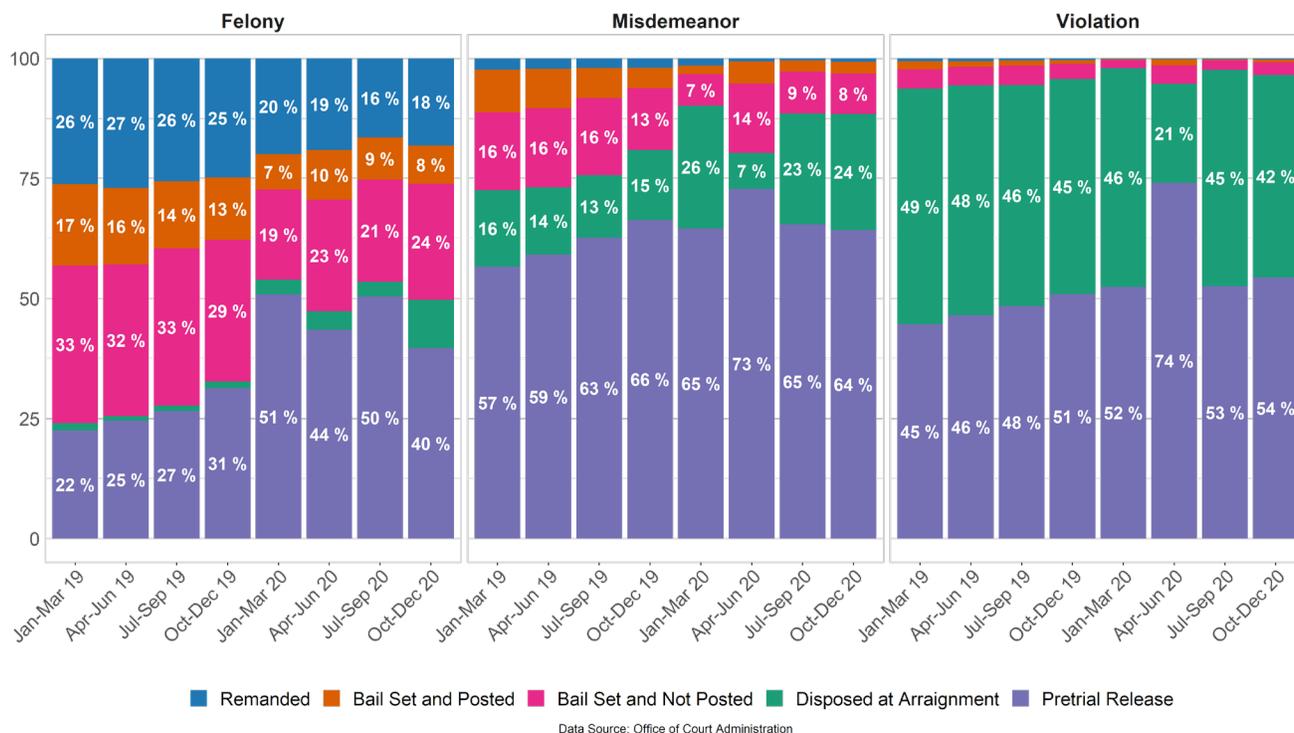
## *Arraignment Outcomes in Upstate City and District Courts by Charge Severity*

In the following section, arraignments and arraignment outcomes are aggregated in quarterly increments for 2019 and 2020; from January 1 to March 31, April 1 to June 31, July 1 to September 31, and October 1 to December 31 to allow for an assessment of changes in pretrial release outcomes in the context of important policy and operations changes.

In Upstate, the proportion of cases released increased from 51% in 2019 to 59% in 2020, while the proportion of cases with bail set (posted and not posted) declined from 23% to 15%. Nevertheless, about a third of felony arraignments and 11% of misdemeanors still had bail set in 2020. Throughout the study period, most violations were either disposed at arraignment or were released pretrial.

- The proportion of felony cases released pretrial increased from 26% in 2019 to 46% in 2020, while the proportion of felonies with bail set declined from 47% to 31%.
- From the 4th quarter of 2019 to the 1st quarter of 2020, after implementation of the original bail reform, the proportion of felonies released increased by 20%, while the proportion of cases with bail set fell from 42% to 26%.
- The most prevalent felony charge with bail set in 2019 was criminal possession of a controlled substance, 3rd degree (PL § 220.16), while the most prevalent charge in 2020 was criminal contempt, 1st degree (PL § 215.51).
- The proportion of misdemeanor cases released increased from 61% in 2019 to 66% in 2020, while the proportion of cases with bail set declined from 23% to 11%. The proportion of misdemeanors disposed at arraignment increased from 14% to 23%.
- From the 2nd to 3rd quarter of 2020, after the implementation of bail reform amendments, the proportion of misdemeanors released and those with bail set both declined by 8%, while the proportion of misdemeanors disposed at arraignment increased by 16%.
- The most prevalent misdemeanor charge with bail set in 2019 was criminal possession of a controlled substance, 7th degree (PL § 220.03), while the most prevalent charge in 2020 was criminal contempt, 2nd degree (PL § 215.50).
- The proportion of violations released increased from 47% in 2019 to 54% in 2020, while the proportion of violations disposed at arraignment declined from 47% to 43%. The most prevalent violation charge resulting in release in 2019 and 2020 was harassment, 2nd degree (PL § 240.25).
- From the 2nd to 3rd quarter of 2020, the proportion of violations released fell by 21%, while the proportion of violations disposed at arraignment more than doubled.

Figure 4: Quarterly Arraignment Outcomes in Upstate City & District Courts by Charge Severity



### Arraignment Outcomes in Suburban New York City by Charge Severity

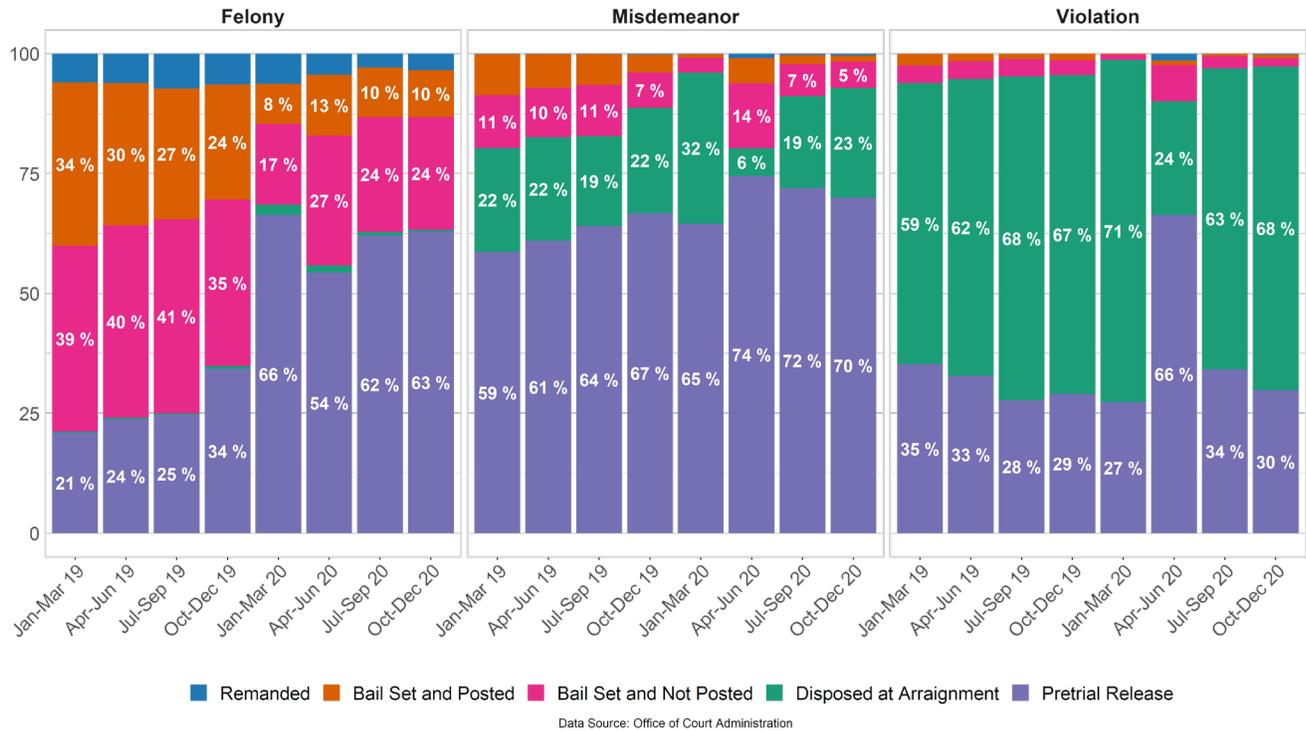
In Suburban NYC, the proportion of cases released pretrial increased from 52% in 2019 to 61% in 2020. In contrast, the proportion of cases with bail set (posted and not posted) decreased from 22% in 2019 to 10% in 2020. However, a third of felony arraignment still had bail set in 2020. For most of the study period, more than 60% of violations were disposed at arraignment while around a third were released.

- The proportion of felony cases released increased from 26% in 2019 to 62% in 2020, while the proportion of felonies with bail set fell from 68% to 33%.
- From the 4th quarter of 2019 to the 1st quarter of 2020, the proportion of felonies released almost doubled, while the proportion of felonies with bail set fell from 59% to 25%.
- The most prevalent felony charge with bail set in 2019 was criminal possession of a controlled substance, 3rd degree (PL § 220.16), while the most prevalent charge in 2020 was assault, 2nd degree (PL § 120.05).
- The proportion of misdemeanor cases released increased from 62% in 2019 to 68% in 2020, while the proportion of misdemeanors with bail set fell from 17% to 6%.
- From the 2nd to 3rd quarter of 2020, the proportion of misdemeanors with bail set fell from 19% to 9%, while the proportion of misdemeanors disposed at arraignment more than tripled.
- The most prevalent misdemeanor charge with bail set in 2019 was criminal possession of a controlled substance, 7th degree (PL § 220.03), while the most prevalent charge in 2020 was petit larceny (PL § 155.25).
- The proportion of violations released was around 30% in both 2019 and 2020, while the proportion

of violations disposed at arraignment increased from 64% to 67%.

- From the 2nd to 3rd quarter of 2020, the proportion of violations released fell by 32%, while the proportion of violations disposed at arraignment increased by 39%.
- The most prevalent violation charge resulting in pretrial release in 2019 and 2020 was unlawful possession of marijuana (PL § 221.05).

Figure 5: Quarterly Arraignment Outcomes in Suburban New York City by Charge Severity



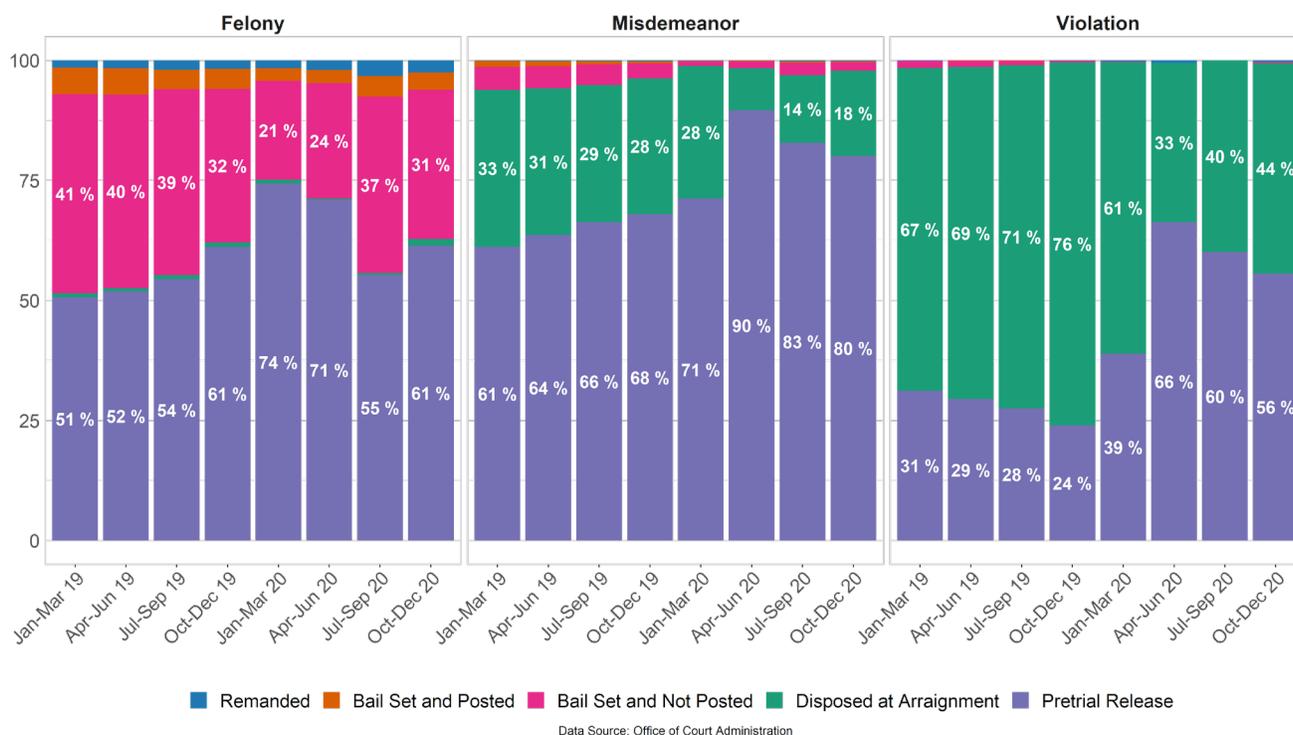
### Arraignment Outcomes in New York City by Charge Severity

In New York City, the overall proportion of cases released pretrial increased from 62% in 2019 to 74% in 2020. In contrast, the proportion of cases with bail set (posted and not posted) dropped from 13% in 2019 to 10% in 2020. Throughout 2019, more than two thirds of violations were disposed at arraignment while less than a third were released. However, for most of 2020, violations were more likely to be released than to be disposed at arraignment.

- The proportion of felony cases released increased from 54% in 2019 to 66% in 2020, while the proportion of felonies with bail set fell from 43% to 31%.
- From the 4th quarter of 2019 to the 1st quarter of 2020, the proportion of felony cases released increased by 13%, while the proportion of felonies with bail set fell from 36% to 23%. From the 2nd to 3rd quarter of 2020, bail setting for felonies increased before declining in the 4th quarter.
- The most prevalent felony charge with bail set in 2019 was assault, 2nd degree (PL § 120.05), while criminal possession of a weapon, 2nd degree (PL § 265.03) was the most prevalent charge in 2020.
- The proportion of misdemeanor cases released increased from 65% in 2019 to 79% in 2020, while the proportion of misdemeanors with bail set decreased from 5% to just 2%.

- From the 2nd to 3rd quarter of 2020, the proportion of misdemeanor cases released declined by 7%, while the proportion of misdemeanors disposed at arraignment increased by 5%.
- The most prevalent misdemeanor charge with bail set in 2019 and 2020 was assault, 3rd degree (PL § 120.00).
- The proportion of violations released increased from 28% in 2019 to 49% in 2020, while the proportion of violations disposed at arraignment declined from 71% to 51%.
- From the 1st to 2nd quarter of 2020, the proportion of violations released increased by 27%, while the proportion of violations disposed at arraignment fell by 28%.
- The most prevalent violation charges resulting in pretrial release in 2019 and 2020 were New York City building code violations.

Figure 6: Quarterly Arraignment Outcomes in New York City by Charge Severity



## Geographic Comparisons

- New York City had larger proportions of release across all charges compared to Upstate, and Suburban NYC.
- Upstate and Suburban NYC had larger proportions of cases with bail set across all charges compared to New York City.
- Misdemeanors and violations were more likely to be disposed at arraignment in NYC for most of the study period compared to other parts of the state, while the proportion of felonies resulting in remand was largest in Upstate throughout the study period.
- From the 2nd to 3rd quarter of 2020, the proportion of misdemeanors and violations released pretrial

increased sharply in all three geographies, while the proportion of misdemeanors with bail set more than doubled.

## Arraignments in New York State by Charge Category

Consistent with past DCJ work, arraignment charge penal codes are grouped into seven broad categories: Person, Property, Weapons, Other Drugs, Marijuana, Vehicle and Driving, and Other. For this report, each category includes felonies, misdemeanors, and violations related to that category (e.g., grand larceny in the 4<sup>th</sup> degree [E felony] and petit larceny [A misdemeanor] are both under Property charge). Appendix A provides a detailed description of how charges are categorized.

In New York State, Marijuana charges had the greatest overall decline in arraignments, by 57% from 14,688 in 2019 to 6,283 in 2020. Weapons charges had the smallest overall decline in arraignments, by 15% from 7,521 in 2019 to 6,401 in 2020.

- In Upstate and Suburban NYC, arraignments for Marijuana charges fell by 60% and 51%, respectively.
- In New York City, Vehicle and Driving charges had the greatest overall decline in arraignments, by 70% from 22,545 in 2019 to 6,795 in 2020.
- In Upstate and Suburban NYC, Person charges had the smallest overall decline in arraignments, by 5% and 10%, respectively. In New York City, the number of arraignments for Person charges fell by 27% from 47,843 in 2019 to 35,012 in 2020. However, Person charges made up a larger proportion of all New York City arraignments in 2020 compared to 2019 (42% compared to 30%).

**Table 5. Arraignments in New York State by Charge Category**

	2019	%	2020	%	Volume Change	Proportion Change
<b>New York State</b>	<b>341,411</b>		<b>212,958</b>		<b>-38%</b>	
Person	61,217	18%	47,457	22%	-22%	4%
Property	48,480	14%	29,945	14%	-38%	0%
Weapons	7,521	2%	6,401	3%	-15%	1%
Other Drugs	32,971	10%	16,337	8%	-50%	-2%
Marijuana	14,688	4%	6,283	3%	-57%	-1%
Vehicle and Driving	80,886	24%	47,457	22%	-41%	-2%
Other	95,648	28%	60,736	29%	-37%	1%
<b>Upstate City &amp; District Courts</b>	<b>90,488</b>		<b>67,098</b>		<b>-26%</b>	
Person	8,529	9%	8,085	12%	-5%	3%
Property	10,524	12%	9,748	15%	-7%	3%
Weapons	1,662	2%	1,954	3%	18%	1%
Other Drugs	8,932	10%	5,083	8%	-43%	-2%
Marijuana	4,158	5%	1,662	2%	-60%	-3%
Vehicle and Driving	23,272	26%	14,270	21%	-39%	-5%
Other	33,411	37%	26,296	39%	-21%	2%

**Table 5. Arraignments in New York State by Charge Category**

	2019	%	2020	%	Volume Change	Proportion Change
<b>Suburban New York City</b>	<b>90,003</b>		<b>61,992</b>		<b>-31%</b>	
Person	4,845	5%	4,360	7%	-10%	2%
Property	9,576	11%	7,214	12%	-25%	1%
Weapons	972	1%	699	1%	-28%	0%
Other Drugs	8,990	10%	5,533	9%	-38%	-1%
Marijuana	7,191	8%	3,551	6%	-51%	-2%
Vehicle and Driving	35,069	39%	24,734	40%	-29%	1%
Other	23,360	26%	15,901	26%	-32%	0%
<b>New York City</b>	<b>160,920</b>		<b>83,868</b>		<b>48%</b>	
Person	47,843	30%	35,012	42%	-27%	12%
Property	28,380	18%	12,983	15%	-54%	-3%
Weapons	4,887	3%	3,748	4%	-23%	1%
Other Drugs	15,049	9%	5,721	7%	-62%	-2%
Marijuana	3,339	2%	1,070	1%	-68%	-1%
Vehicle and Driving	22,545	14%	6,795	8%	-70%	-6%
Other	38,877	24%	18,539	22%	-52%	-2%

### Arraignment Outcomes in New York State by Charge Category

Overall, in New York State, Person charges had the largest proportion of pretrial release, while Weapons charges had the largest proportion of cases with bail set. Marijuana charges were most likely to be disposed at arraignment in both years. From 2019 to 2020, the proportion of release declined for all charge categories except Weapons charges. The proportion of cases disposed at arraignment declined for Property, Weapons, Other Drugs, and Other charges, but increased for Person, Marijuana, and Vehicle and Driving charges.

- Other Drug charges had the greatest increase in the proportion of release, from 47% in 2019 to 69% in 2020, and the largest decline in bail setting from 28% to 11%. In both years, the most prevalent charge resulting in release and with bail set was criminal possession of a controlled substance, 7th degree (PL § 220.03).
- The proportion of Person charges resulting in release increased from 71% in 2019 to 78% in 2020, while the proportion of cases with bail set declined from 23% in 2019 to 16% in 2020. In both years, the most prevalent charge resulting in release was assault, 3rd degree (PL § 120.00). The most prevalent charge with bail set in 2019 was assault, 3rd degree (PL § 120.00), while the most prevalent charge in 2020 was assault, 2nd degree (PL § 120.05).
- The proportion of Property charges resulting in release increased from 50% in 2019 to 67% in 2020, while the proportion of cases with bail set declined from 23% in 2019 to 13% in 2020. In both years, the most prevalent charge resulting in release and with bail set was petit larceny (PL § 155.25).
- The proportion of Weapons charges resulting in release increased from 33% to 40%, while the proportion of cases with bail set also increased from 45% to 49%. The most prevalent charge resulting in release in 2019 was criminal possession of a weapon, 4th degree (PL § 265.01), while

the most prevalent charge in 2020 was criminal possession of a weapon, 2nd degree (PL § 265.03). In both years, the most prevalent charge with bail set was criminal possession of a weapon, 2nd degree (PL § 265.03).

- The proportion of Vehicle and Driving charges resulting in released declined from 63% in 2019 to 61% in 2020. In both years, the most prevalent charge resulting in release was aggravated unlicensed operation of a motor vehicle (VTL § 511).

**Table 6. Arraignment Outcomes in New York State by Charge Category**

	2019	%	2020	%	Volume Change	Proportion Change
<b>Person</b>	<b>61,217</b>		<b>47,457</b>		<b>-22%</b>	
Disposed at Arraignment	1,684	3%	1,817	4%	8%	1%
Remanded	1,807	3%	1,327	3%	-27%	0%
Bail Set and Posted	3,572	6%	1,279	3%	-64%	-3%
Bail Set and Not Posted	10,489	17%	5,945	13%	-43%	-4%
Non-monetary Release	43,665	71%	37,089	78%	-15%	7%
<b>Property</b>	<b>48,480</b>		<b>29,945</b>		<b>-38%</b>	
Disposed at Arraignment	12,143	25%	5,074	17%	-58%	-8%
Remanded	1,188	2%	817	3%	-31%	1%
Bail Set and Posted	1,730	4%	440	1%	-75%	-3%
Bail Set and Not Posted	9,007	19%	3,487	12%	-61%	-7%
Non-monetary Release	24,412	50%	20,127	67%	-18%	17%
<b>Weapons</b>	<b>7,521</b>		<b>6,401</b>		<b>-15%</b>	
Disposed at Arraignment	1,231	16%	324	5%	-74%	-11%
Remanded	461	6%	398	6%	-14%	0%
Bail Set and Posted	987	13%	873	14%	-12%	1%
Bail Set and Not Posted	2,391	32%	2,247	35%	-6%	3%
Non-monetary Release	2,451	33%	2,559	40%	4%	7%
<b>Other Drugs</b>	<b>32,971</b>		<b>16,337</b>		<b>-50%</b>	
Disposed at Arraignment	6,470	20%	2,614	16%	-60%	-4%
Remanded	1,529	5%	623	4%	-59%	-1%
Bail Set and Posted	2,674	8%	385	2%	-86%	-6%
Bail Set and Not Posted	6,731	20%	1,454	9%	-78%	-11%
Non-monetary Release	15,567	47%	11,261	69%	-28%	22%
<b>Marijuana</b>	<b>14,688</b>		<b>6,283</b>		<b>-57%</b>	
Disposed at Arraignment	8,010	55%	3,659	58%	-54%	3%
Remanded	39	0%	19	0%	-51%	0%
Bail Set and Posted	401	3%	40	1%	-90%	-2%
Bail Set and Not Posted	471	3%	100	2%	-79%	-1%
Non-monetary Release	5,767	39%	2,465	39%	-57%	0%

**Table 6. Arraignment Outcomes in New York State by Charge Category**

	2019	%	2020	%	Volume Change	Proportion Change
<b>Vehicle and Driving</b>	<b>80,886</b>		<b>45,799</b>		<b>-43%</b>	
Disposed at Arraignment	24,432	30%	16,938	37%	-31%	7%
Remanded	268	0%	126	0%	-53%	0%
Bail Set and Posted	2,994	4%	160	0%	-95%	-4%
Bail Set and Not Posted	2,560	3%	468	1%	-82%	-2%
Non-monetary Release	50,632	63%	28,107	61%	-44%	-2%
<b>Other</b>	<b>95,648</b>		<b>60,736</b>		<b>-37%</b>	
Disposed at Arraignment	26,466	28%	13,501	22%	-49%	-6%
Remanded	2,360	2%	1,422	2%	-40%	0%
Bail Set and Posted	4,936	5%	1,808	3%	-63%	-2%
Bail Set and Not Posted	12,525	13%	5,901	10%	-53%	-3%
Non-monetary Release	49,361	52%	38,104	63%	-23%	11%

**Figure 7. Monthly Arraignment Outcomes in New York State by Charge Category**



Data Source: Office of Court Administration

## *Arrestment Outcomes in Upstate City and District Courts by Charge Category*

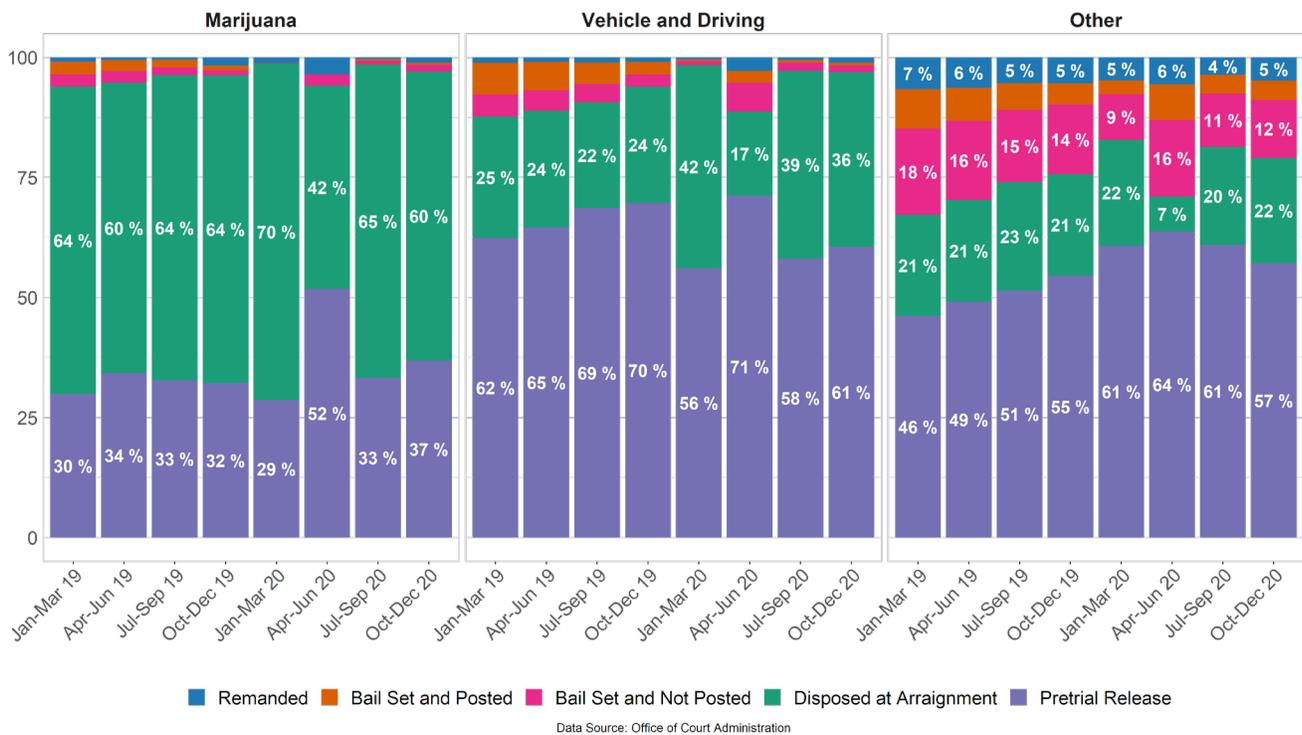
In Upstate City and District Court, the proportion of cases released pretrial increased over the study period for all charge categories except Vehicle and Driving charges, while bail setting declined for all charge categories. The proportion of cases resulting in remand decreased over the study period for all charge categories but around 20% of Weapons charges continued to result in remand in 2020.

- Other Drug charges had the greatest proportional increase in cases released, from 37% in 2019 to 62% in 2020, but the greatest decline in bail setting, from 45% to 16%. In both years, the most prevalent charge resulting in pretrial release and with bail set was criminal possession of a controlled substance, 7th degree (PL § 220.03).
- The proportion of release among Vehicle and Driving charges declined from 66% in 2019 to 58% in 2020. The most prevalent charge in both years was aggravated unlicensed operation of a motor vehicle (VTL § 511).
- Weapons charges were most likely to have bail set in both years, although declining from 60% in 2019 to 48% in 2020. The most prevalent charge in both years was criminal possession of a weapon, 2nd degree (PL § 265.03).
- The proportion of Marijuana charges resulting in pretrial release remained at around a third in 2019 and 2020. The proportion of cases with bail set remained at around 63% in both years.
- The proportion of Person charges resulting in pretrial release increased from 45% in 2019 to 64% in 2020, while the proportion of cases with bail set declined from 39% to 22%. In both years, the most prevalent charge resulting in pretrial release was assault, 3rd degree (PL § 120.00). The most prevalent charge with bail set in 2019 was assault, 3rd degree (PL § 120.00), while the most prevalent charge in 2020 was assault, 2nd degree (PL § 120.05).
- The proportion of Property charges resulting in release increased from 49% in 2019 to 59% in 2020, while the proportion of cases with bail set declined from 35% to 20%. In both years, the most prevalent charge resulting in release and with bail set was petit larceny (PL § 155.35).
- From the 4th quarter of 2019 to the 1st quarter of 2020, the proportion of Other Drug charges resulting in release increased from 44% to 65%, while the proportion of cases with bail set fell from 38% to 16%.
- From the 2nd to 3rd quarter of 2020, the proportion of Marijuana charges resulting in release fell from 52% to 33%, while the proportion of cases disposed at arraignment increased from 42% to 65%.
- From the 2nd to 3rd quarter of 2020, the proportion of Vehicle and Driving charges disposed at arraignment more than doubled.

Figure 8. Quarterly Arraignment Outcomes in Upstate City & District Courts for Person, Property, Weapons, and Other Drug Charges



Figure 9. Quarterly Arraignment Outcomes in Upstate City & District Courts for Marijuana, Vehicle and Driving, and Other Charges



## *Arrestment Outcomes in Suburban New York City by Charge Category*

In Suburban NYC, the proportion of cases released pretrial increased over the study period for Person, Property, Weapons, Other Drug charges, and Other charges, but declined for Marijuana and Vehicle and Driving charges. Meanwhile, the proportion of cases with bail set declined for all charge categories.

- Other Drug charges had the greatest overall increase in proportion of release, from 46% in 2019 to 74% in 2020, but the greatest decline in bail setting, from 39% to 14%. In both years, the most prevalent charge resulting in pretrial release and with bail set was criminal possession of a controlled substance, 7th degree (PL § 220.03).
- Weapons charges had the smallest overall decline in rate of bail setting, from 52% in 2019 to 45% in 2020. The most prevalent charge in both years was criminal possession of a weapon, 2nd degree (PL § 265.03).
- The proportion of release declined from 43% in 2019 to 39% in 2020 for Marijuana charges, and from 65% to 62% for Vehicle and Driving charges. Among these, the most prevalent charges in both years were unlawful possession of marijuana (PL § 221.05) and aggravated unlicensed operation of a motor vehicle (VTL § 511).
- The proportion of Person charges resulting in release increased from 45% in 2019 to 68% in 2020, while the proportion of cases with bail set declined from 51% to 27%. In both years, the most prevalent charge resulting in release was assault, 3rd degree (PL § 120.00). The most prevalent charge with bail set in 2019 was assault, 3rd degree (PL § 120.00) while the most prevalent charge in 2020 was assault, 2nd degree (PL § 120.05).
- The proportion of Property charges resulting in release increased from 52% in 2019 to 72% in 2020, while the proportion of cases with bail set declined from 37% to 18%. In both years, the most prevalent charge resulting in release and with bail set was petit larceny (PL § 155.25).
- From the 4th quarter of 2019 to the 1st quarter of 2020, the proportion of Person, Property, and Other Drug charges resulting in release increased by 18%, 17%, and 20%, respectively. Meanwhile, the proportion cases with bail set fell by 19% for Person and Property charges, and by 23% for Other Drug charges.
- From the 2nd to 3rd quarter of 2020, the proportion of Marijuana charges resulting in release fell from 65% to 51%, while the proportion of Marijuana and Vehicle and Driving charges disposed at arraignment more than doubled.

Figure 10. Quarterly Arraignment Outcomes in Suburban New York City for Person, Property, Weapons, and Other Drug Charges

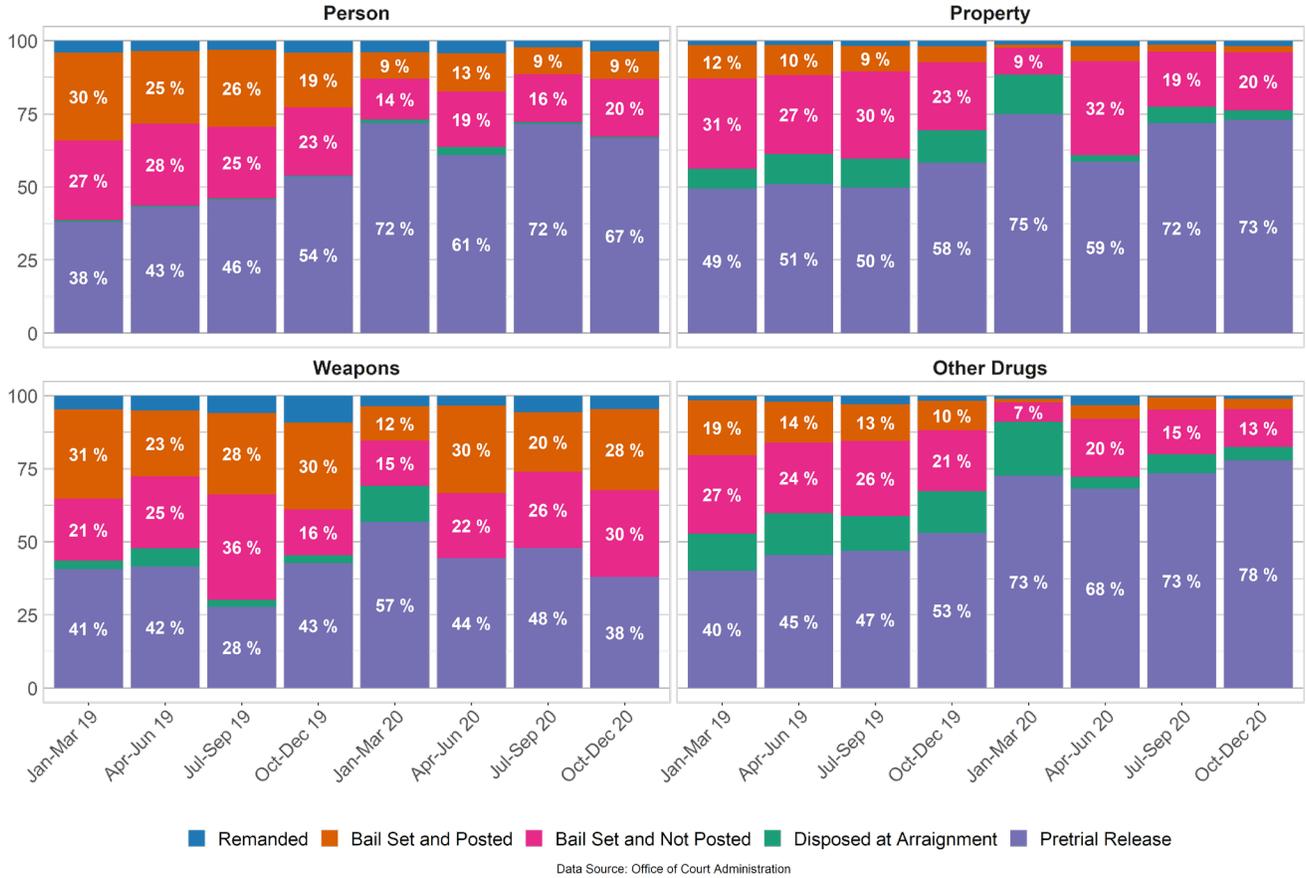
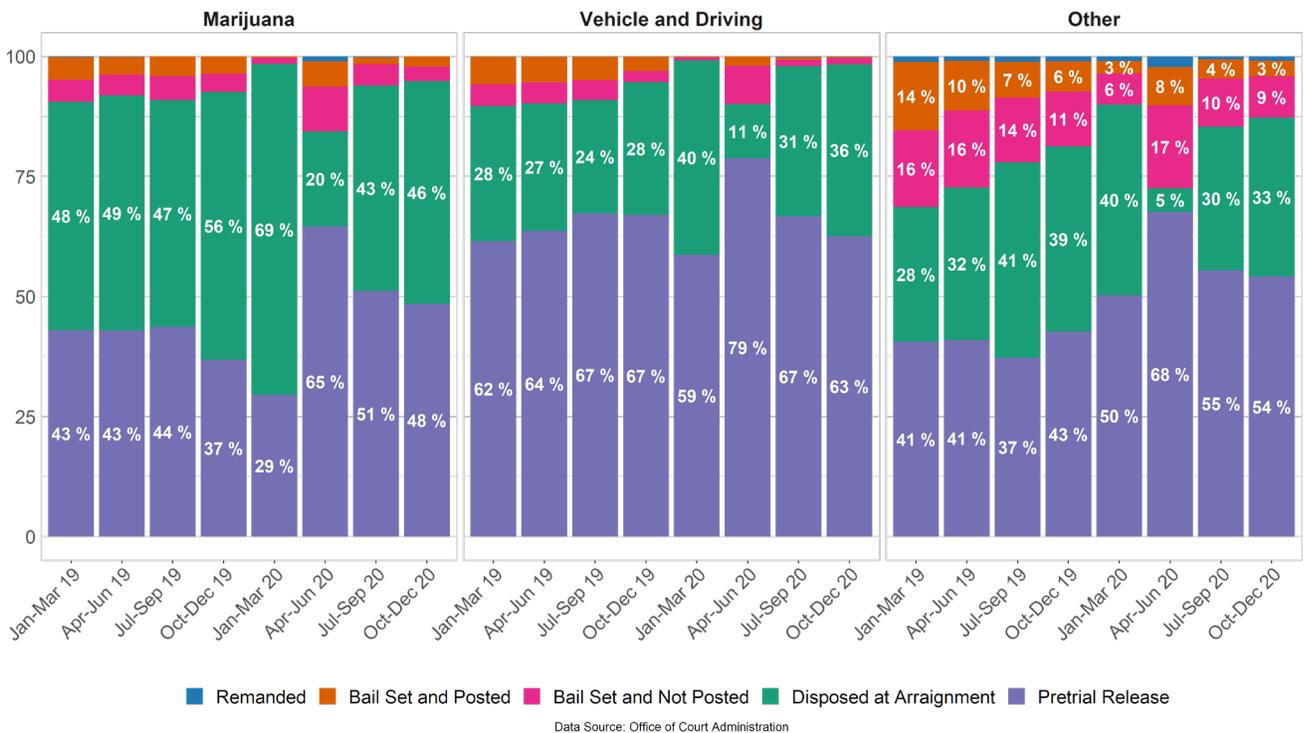


Figure 11. Quarterly Arraignment Outcomes in Suburban New York City for Marijuana, Vehicle and Driving, and Other Charges



## *Arraignment Outcomes in New York City by Charge Category*

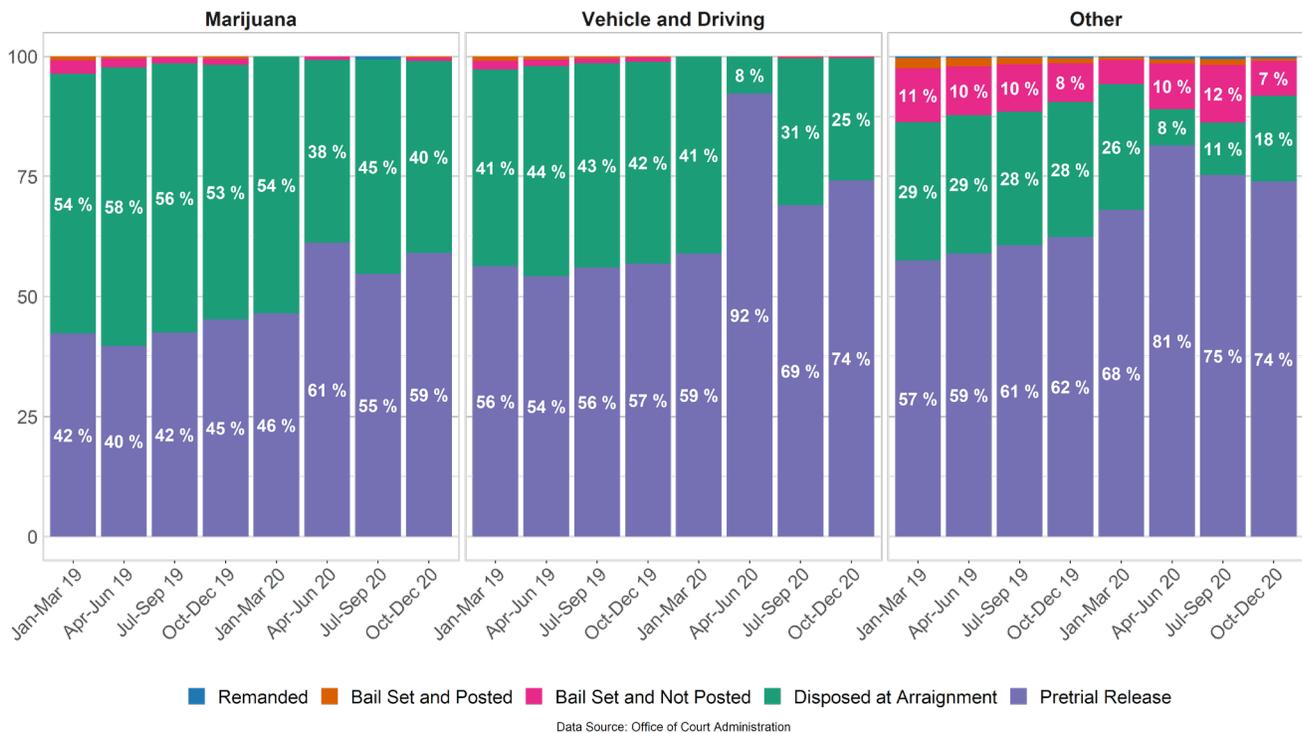
In New York City, the proportion of cases released pretrial increased for all charge categories, while the proportion of cases with bail set fell dramatically for all charge categories except Weapons charges.

- Property charges had the greatest overall increase in the proportion of release, from 50% in 2019 to 71% in 2020, but the greatest decline in bail setting, from 12% to just 5%. In both years, the most prevalent charge resulting in release was petit larceny (PL § 155.25). The most prevalent charge with bail set in 2019 was petit larceny (PL § 155.25), while the most prevalent charge in 2020 was burglary, 2nd degree (PL 140.25).
- Around 38% of Weapons charges in 2019 had bail set while 50% have bail set in 2020. The most prevalent charge among these was criminal possession of a weapon, 2nd degree (PL § 265.03).
- The proportion of Person charges released pretrial increased from 79% in 2019 to 83% in 2020, while the proportion of cases with bail set declined from 17% to 12%. In both years, the most prevalent charge resulting in release was assault, 3rd degree (PL § 120.00). The most prevalent charge with bail set in 2019 was assault, 3rd degree (PL § 120.00), while the most prevalent charge in 2020 was assault, 2nd degree (PL 120.05).
- The proportion of Other Drug charges released pretrial increased from 54% in 2019 to 70% 2020, while the proportion of cases with bail set declined from 13% to 4%. In both years, the most prevalent charge resulting in release was criminal possession of a controlled substance, 7th degree (PL § 220.03). The most prevalent charge with bail set in 2019 was criminal possession of a controlled substance, 7th degree (PL § 220.03), while the most prevalent charge in 2020 was criminal possession of a controlled substance, 3rd degree (PL § 220.16).
- From the 4th quarter of 2019 to the 1st quarter of 2020, the proportion of Weapons charges resulting in release increased from 39% to 52%, while the proportion of cases with bail set fell from 45% to 35%.
- From the 2nd to 3rd quarter of 2020, the proportion of Property, Weapons, and Vehicle and Driving charges released pretrial fell by 18%, 30%, and 23%, respectively. At the same time, the proportion of Weapons charges with bail set almost doubled while the proportion of Vehicle and Driving charges disposed at arraignment increased from 8% to 31%.

Figure 12. Quarterly Arraignment Outcomes in New York City for Person, Property, Weapons, and Other Drug Charges



Figure 13. Quarterly Arraignment Outcomes in New York City for Marijuana, Vehicle and Driving, and Other Charges



## Geographic Comparisons

The proportion of cases released pretrial increased over the study period for most charge categories but in 2020, Person, Property, and Vehicle and Driving charges were most likely to result in release. In contrast, rates of bail setting decreased over the study period for all charge categories, but Weapons charges continued to have high rates of bail setting in 2020. Compared to Upstate and Suburban NYC, virtually no cases had bail set in New York City in 2020 for most charge categories (1% or less). Rates of remand were much lower in Suburban NYC and New York City compared to Upstate for all charge categories, particularly for Weapons charges.

## Arraignments in New York State by Race/ethnicity, Age, and Gender

For Upstate and Suburban NYC, information about race/ethnicity, age, and gender are only available for 2020 arraignments whereas New York City has this data for both 2019 and 2020 (thereby allowing for an assessment of changes pre- and post- implementation of the 2020 Bail Reforms). Below we provide data on the demographic groups that accounted for the largest proportion of arraignments across New York State (2020), for Upstate (2020), Suburban NYC (2020), and New York City (2019-2020).

- In New York State, men accounted for 79% of arraignments in 2020, Black people accounted for 47% of arraignments and 25-34-year-olds accounted for 37%.
- In Upstate, men accounted for 75% of arraignments in 2020, while white people accounted for 46% of arraignments and 25-34-year-olds accounted for 40%.
- In Suburban NYC, men accounted for 78% of arraignments in 2020, while Black people accounted for 37% of arraignments and 25-34-year-olds accounted for 35%.
- In NYC, men accounted for 81% of arraignments in 2019 and 83% in 2020. Black people accounted for 50% of arraignments in 2019 and 52% in 2020, while 25-34-year-olds accounted for 34% of arraignments in 2019 and 36% in 2020.

	2020	%
<b>New York State</b>		
Black	70,573	47%
Latinx	38,676	26%
White	39,637	26%
Other Race/Ethnicity	2,083	1%
18-20	11,846	7%
21-24	22,623	13%
25-34	66,055	37%
35-44	41,225	23%
45-54	22,998	13%
55-64	12,808	7%
Over 65	2,602	1%
Female	41,625	21%
Male	157,353	79%

**Table 7. Arraignments in New York State by Race/ethnicity, Age, and Sex**

	2020	%
<b>Upstate City &amp; District Courts</b>		
Black	20,694	43%
Latinx	4,465	9%
White	21,991	46%
Other Race/Ethnicity	1,070	2%
18-20	2,847	5%
21-24	6,131	12%
25-34	20,822	40%
35-44	12,596	24%
45-54	6,323	12%
55-64	3,224	6%
Over 65	656	1%
Female	15,544	25%
Male	47,139	75%
<b>Suburban New York City</b>		
Black	9,299	37%
Latinx	6,316	25%
White	8,214	33%
Other Race/Ethnicity	982	4%
18-20	2,548	6%
21-24	5,336	12%
25-34	15,374	35%
35-44	10,058	23%
45-54	6,036	14%
55-64	3,714	8%
Over 65	764	2%
Female	11,685	22%
Male	40,750	78%

**Table 7. Arraignments in New York State by Race/ethnicity, Age, and Sex**

	2020	%
<b>New York City</b>		
Black	40,580	52%
Latinx	27,895	36%
White	9,432	12%
Other Race/Ethnicity	31	0%
18-20	6,451	8%
21-24	11,160	13%
25-34	29,884	36%
35-44	18,581	22%
45-54	10,647	13%
55-64	5,871	7%
Over 65	1,182	1%
Female	14,396	17%
Male	69,464	83%

### Arraignment Outcomes in New York State by Race/ethnicity, Age, and Gender

- In New York State, Latinx<sup>15</sup> people (73%), 55-64-year-olds (70%), and women (71%) had the largest proportions of release in 2020 overall.<sup>16</sup>
- The proportion of cases with bail set in 2020 was largest among 18-34-year-olds (13%), and men (14%).
- White people (15%), 18-20-year-olds (20%), and women (22%) had the largest proportions of cases disposed at arraignment in 2020 overall.

**Table 8. Arraignment Outcomes in New York State by Race/ethnicity, Age, and Sex**

	2020	%
<b>Black</b>	<b>70,573</b>	<b>47%</b>
Disposed at Arraignment	8,087	11%
Remanded	2,517	4%
Bail Set and Posted	2,289	3%
Bail Set and Not Posted	9,405	13%
Non-monetary release	48,275	68%

**Table 8. Arraignment Outcomes in New York State by Race/ethnicity, Age, and Sex**

	<b>2020</b>	<b>%</b>
<b>Latinx</b>	<b>28,676</b>	<b>26%</b>
Disposed at Arraignment	5,299	14%
Remanded	544	1%
Bail Set and Posted	863	2%
Bail Set and Not Posted	3,720	10%
Non-monetary release	28,250	73%
<b>White</b>	<b>39,637</b>	<b>27%</b>
Disposed at Arraignment	5,893	15%
Remanded	1,214	3%
Bail Set and Posted	1,197	3%
Bail Set and Not Posted	4,342	11%
Non-monetary release	26,991	68%
<b>Other Race/Ethnicity</b>	<b>2,083</b>	<b>1%</b>
Disposed at Arraignment	286	14%
Remanded	38	2%
Bail Set and Posted	121	6%
Bail Set and Not Posted	162	8%
Non-monetary release	1,476	71%
<b>18-20</b>	<b>11,846</b>	<b>7%</b>
Disposed at Arraignment	2,419	20%
Remanded	144	1%
Bail Set and Posted	353	3%
Bail Set and Not Posted	1,233	10%
Non-monetary release	7,697	65%
<b>21-24</b>	<b>22,623</b>	<b>13%</b>
Disposed at Arraignment	4,333	19%
Remanded	295	1%
Bail Set and Posted	688	3%
Bail Set and Not Posted	2,368	10%
Non-monetary release	14,939	66%
<b>25-34</b>	<b>66,055</b>	<b>37%</b>
Disposed at Arraignment	11,126	17%
Remanded	1,362	2%
Bail Set and Posted	1,807	3%
Bail Set and Not Posted	6,898	10%
Non-monetary release	44,862	68%

**Table 8. Arraignment Outcomes in New York State by Race/ethnicity, Age, and Sex**

	<b>2020</b>	<b>%</b>
<b>35-44</b>	<b>41,225</b>	<b>23%</b>
Disposed at Arraignment	6,918	17%
Remanded	1,281	3%
Bail Set and Posted	980	2%
Bail Set and Not Posted	4,210	10%
Non-monetary release	27,836	68%
<b>45-54</b>	<b>22,998</b>	<b>13%</b>
Disposed at Arraignment	4,388	19%
Remanded	656	3%
Bail Set and Posted	360	2%
Bail Set and Not Posted	1,924	8%
Non-monetary release	15,670	68%
<b>55-64</b>	<b>12,808</b>	<b>7%</b>
Disposed at Arraignment	2,448	19%
Remanded	311	2%
Bail Set and Posted	134	1%
Bail Set and Not Posted	972	8%
Non-monetary release	8,943	70%
<b>Over 65</b>	<b>2,602</b>	<b>1%</b>
Disposed at Arraignment	620	24%
Remanded	44	2%
Bail Set and Posted	24	1%
Bail Set and Not Posted	112	4%
Non-monetary release	1,802	69%
<b>Female</b>	<b>41,625</b>	<b>21%</b>
Disposed at Arraignment	9,320	22%
Remanded	337	1%
Bail Set and Posted	541	1%
Bail Set and Not Posted	1,687	4%
Non-monetary release	29,740	71%
<b>Male</b>	<b>157,353</b>	<b>79%</b>
Disposed at Arraignment	28,277	18%
Remanded	4,306	3%
Bail Set and Posted	4,361	3%
Bail Set and Not Posted	17,597	11%
Non-monetary release	102,812	65%

## Arraignment Outcomes in New York City by Race/ethnicity, Age, and Sex

- For most demographic groups, the proportion of release increased from around 60% in 2019 to around 75% in 2020.
- The greatest increases in the proportion of release were among White people by 15%, 55-64-year-olds by 18%, and men by 13%.
- Although bail setting declined substantially over the study period for all demographic groups, Black people, 18-24-year-olds, and men were most likely to have bail set in 2020 overall.
- From the 1st to 2nd quarter of 2020, the proportion of cases disposed at arraignment fell from around a quarter to less than 10% for most demographic groups.

Figure 14. Quarterly Arraignment Outcomes in New York City by Race/ethnicity

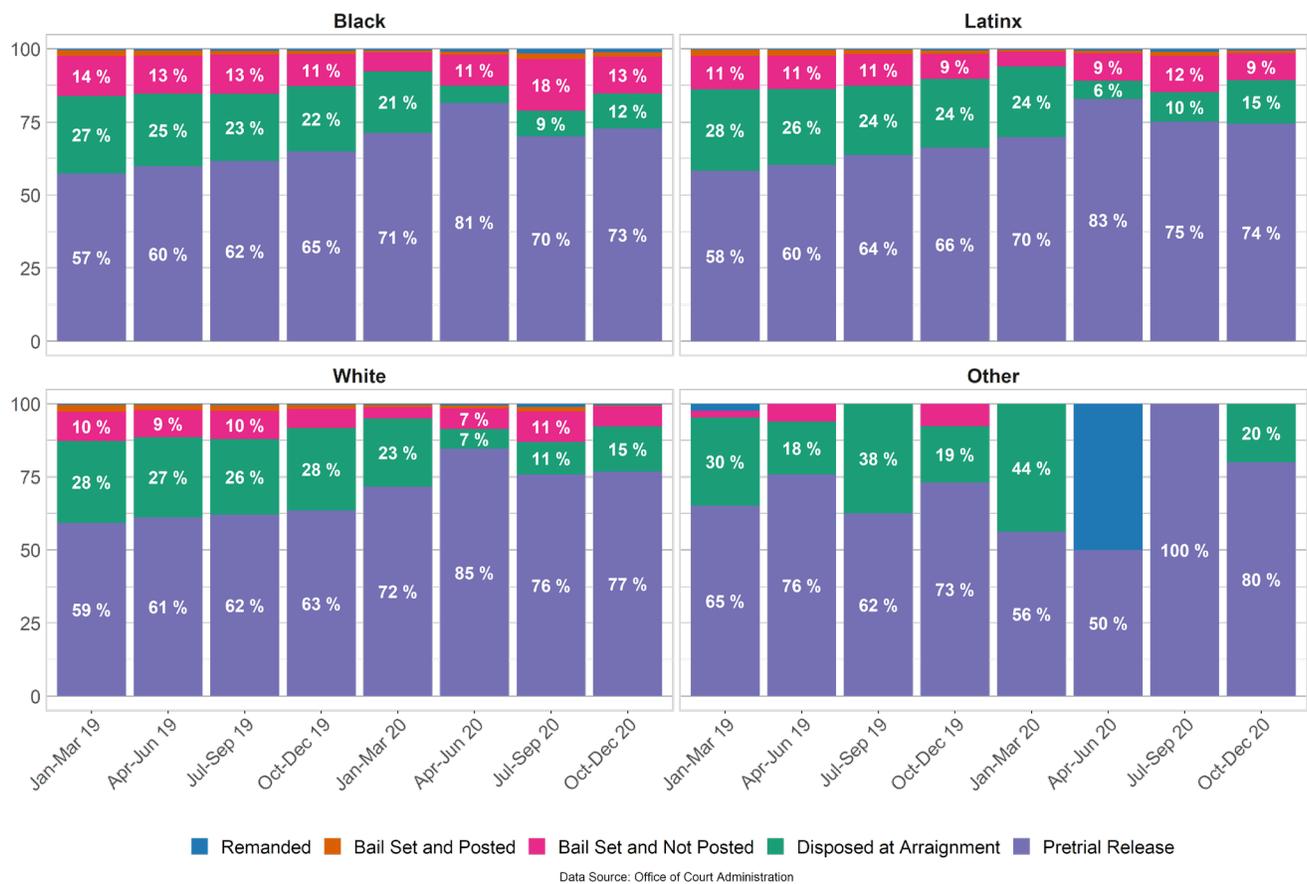
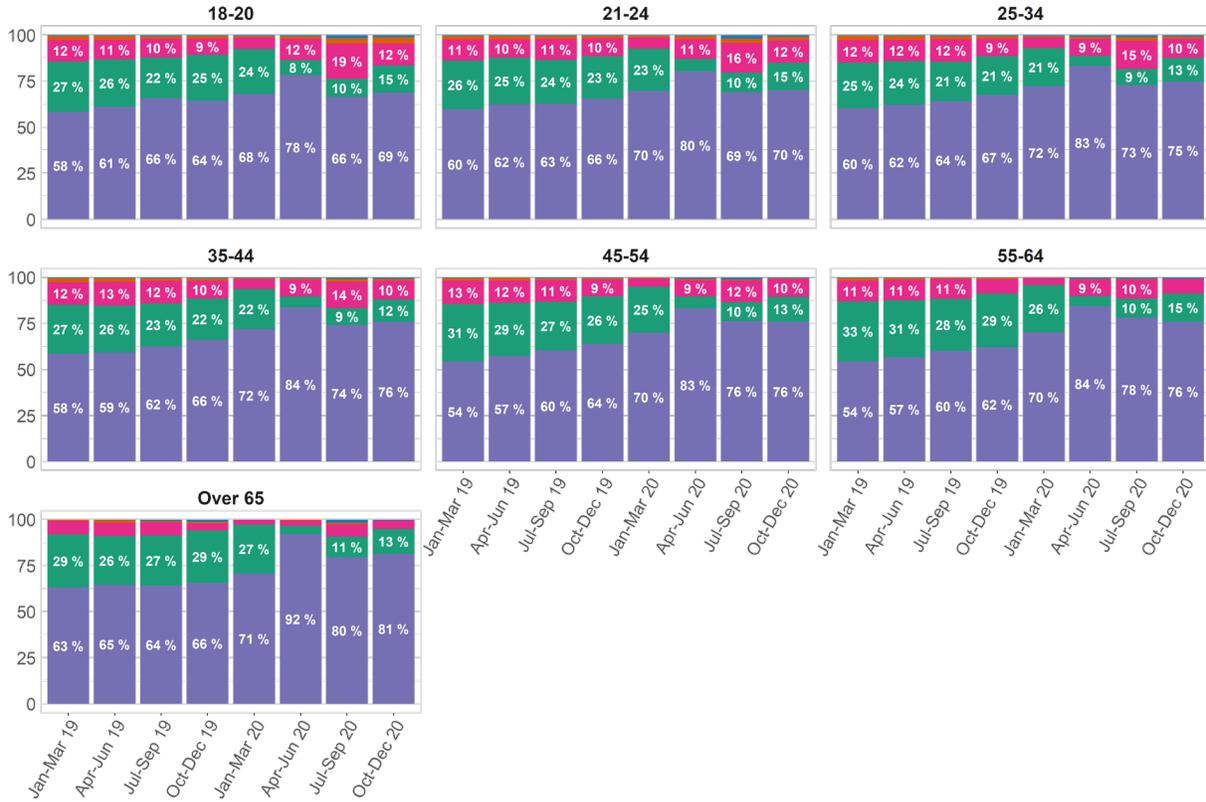


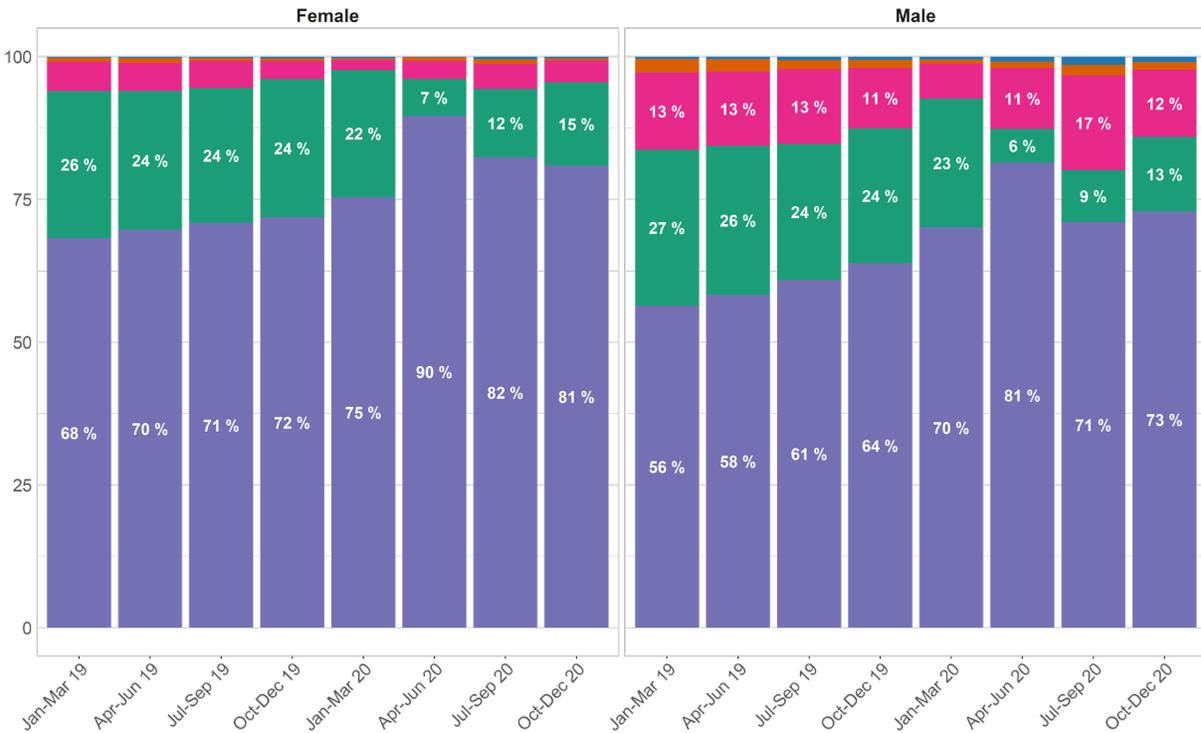
Figure 15: Quarterly Arraignment Outcomes in New York City by Age



■ Remanded ■ Bail Set and Posted ■ Bail Set and Not Posted ■ Disposed at Arraignment ■ Pretrial Release

Data Source: Office of Court Administration

Figure 16: Quarterly Arraignment Outcomes in New York City by Sex



■ Remanded ■ Bail Set and Posted ■ Bail Set and Not Posted ■ Disposed at Arraignment ■ Pretrial Release

Data Source: Office of Court Administration

## Arrestment Outcomes in Upstate City and District Courts and Suburban New York City by Race/ethnicity, Age, and Sex

- In Upstate, around 60% of arrestments for all demographic groups were released pretrial in 2020.
- In Suburban New York, 55-64-year-olds (67%), and women (67%) had the largest proportions of release in 2020.
- In Upstate, Black people (21%), 21-24-year-olds (18%), and men (17%) were most likely to have bail set in 2020. People over 65 were most likely to have cases disposed at arrestment (32%) in 2020.
- In Suburban NYC, Black people (26%), 35-44-year-olds (13%), and men (13%) were most likely to have bail set in 2020. The proportion of cases disposed at arrestment was largest among 18-20-year-olds (30%).

### Bail Amounts and Bail Payment

While bail setting declined from 2019 to 2020 across the state and was especially low in NYC in 2020, bail amounts that judges set for bail eligible cases did not decline in kind. In some instances, such as for felony cases in NYC and Suburban NYC, median bail amounts increased over the course of 2020.<sup>17</sup>

- In Upstate, median cash bail for felonies was exactly \$5,000 throughout 2019 and 2020; and was \$500 in six of eight quarters for misdemeanors.
- In Suburban NYC, bail for felony cases oscillated between \$7,500 and \$5,000 throughout 2020 but increased to \$10,000 in the 2nd quarter of 2020. Bail also increased in the 2nd quarter of 2020 for misdemeanors, from \$500 to \$1,000.
- In NYC, median cash bail for felonies was \$7,500 for most of 2019 and but increased to \$10,000 throughout 2020. For misdemeanors, bail increased from \$1,000 in 2019 to \$2,500 in 2020.

**Table 9. Quarterly Median Bail Set at Arrestment by Charge Severity and Geography**

Upstate City & District Courts	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec
<b>2019</b>				
Felony (n = 8,704)	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Misdemeanor (n = 12,035)	\$ 750	\$ 500	\$ 500	\$ 650
Violation (n = 928)	\$ 250	\$ 240	\$ 250	\$ 250
<b>2020</b>				
Felony (n = 5,318)	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Misdemeanor (n = 4,283)	\$ 500	\$ 500	\$ 500	\$ 500
Violation (n = 261)	\$ 100	\$ 300	\$ 100	\$ 150
Suburban New York City	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec
<b>2019</b>				
Felony (n = 8,096)	\$ 7,500	\$ 5,000	\$ 7,500	\$ 5,000
Misdemeanor (n = 10,279)	\$ 500	\$ 500	\$ 500	\$ 500
Violation (n = 805)	\$ 250	\$ 300	\$ 250	\$ 250

Note: Cases where the bail amount was set at \$1 were excluded as these are reliably placeholders rather than a real dollar amount. N denotes the total number of cases in each category that had bail set per year.

**Table 9. Quarterly Median Bail Set at Arraignment by Charge Severity and Geography**

<b>2020</b>				
Felony (n = 3,147)	\$ 5,000	\$ 10,000	\$ 10,000	\$ 10,000
Misdemeanor (n = 2,672)	\$ 500	\$ 1,000	\$ 1,000	\$ 1,000
Violation (n = 211)	\$ 25	\$ 25	\$ 25	\$ 25
<b>New York City</b>	<b>Jan-Mar</b>	<b>Apr-Jun</b>	<b>Jul-Sep</b>	<b>Oct-Dec</b>
<b>2019</b>				
Felony (n = 14,716)	\$ 7,500	\$ 5,000	\$ 7,500	\$ 7,500
Misdemeanor (n = 6,404)	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Violation (n = 41)	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,500
<b>2020</b>				
Felony (n = 7,691)	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Misdemeanor (n = 1,002)	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500

Note: Cases where the bail amount was set at \$1 were excluded as these are reliably placeholders rather than a real dollar amount. N denotes the total number of cases in each category that had bail set per year.

## CONCLUSION

This report compares arraignment outcomes between 2019 and 2020 and across each distinct quarter of 2020 for all of New York State – the first such statewide study to date. While the findings provide some insight into the effects of the 2020 Bail Reforms on bail and pretrial release decisions, other factors including the Covid-19 pandemic and associated disruptions in social and legal functioning may also explain the observed outcomes. DCJ will continue to track the arraignment outcomes in New York State in 2021 and beyond as more data become available, especially as courts resume normal operations post-pandemic.

## FUTURE RESEARCH QUESTIONS

In 2022, DCJ is planning to publish findings regarding the following questions, at a minimum:

1. How will the 2020 Bail Reforms continue to impact bail and release outcomes post-Covid-19?
2. How do the 2020 Bail Reforms affect the use of different release conditions, including release on recognizance (which involves people’s promise to return on their own without additional conditions), supervised release, and electronic monitoring?
3. What are the effects of different release conditions on court appearance rates?
4. What are the effects of bail, remand, and release on re-arrest and violent felony re-arrest—and how are the reforms impacting re-arrest rates, overall?
5. How are the 2020 Bail Reforms impacting disposition and sentencing outcomes?

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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 Law enforcement in New York State is now required to issue desk appearance tickets (“DATs” or “universal appearance tickets”), rather than make a custodial arrest for a number of criminal charges. The reforms also established new timelines for discovery turnover in criminal cases, which now require prosecutors to present materials within 20-35 days of arraignment.
- 2 Rempel, M. & Weill, J. (2021), Op Cit.
- 3 Futher, from March to April 2020, the New York City pretrial jail population fell to a low of 2,621 (Rempel & Rodriguez, 2020; Rempel & Weill, 2021).
- 4 Between January and March 2020, the pretrial population in non-New York City jails fell by 8% from 4,492 to 4,118 (Kim, Hood, & Connors, 2021).
- 5 For example, between March 16 and April 30, 2020, the New York City Department of Correction released almost 500 people held for violating conditions of parole, and over 300 people serving a city sentence were permitted to serve the remainder of their sentences at home (NYC Mayor’s Office of Criminal Justice, 2020).
- 6 In the original bail reforms passed in April 2019, nine categories of charges remained bail-eligible (mostly violent felonies). Under the 2020 amendments, certain misdemeanors including bail jumping and escape from custody, and nonviolent felonies including vehicular and aggravated assault, crimes resulting in death, sex trafficking, and select hate crimes became bail eligible. See Rempel & Rodriguez. (2020) for a detailed list of additional bail-eligible charges.
- 7 The FBI’s Uniform Crime Reporting program (UCR) defines eight categories of “index crimes” that are viewed as the most serious crimes: aggravated assault, forcible rape, murder, robbery, arson, burglary, larceny-theft, and motor vehicle theft.
- 8 It is important to note that while there was a significant percentage increase in murders from 2019 to 2020, the volume of murders remained relatively low, increasing from 570 in 2019 to 831 in 2020. In contrast, the volume of motor vehicle thefts increased from 12,702 in 2019 to 19,573 in 2020 (New York State Division of Criminal Justice Services, 2021b).
- 9 In an update on their original report, which focused on violent crime in 2020, the authors made a special point of acknowledging that, while homicide rates increased to 11.4 deaths per 100,000 residents in 34 cities across the country, this was still well below historical highs – in 1995, there were 19.4 homicide deaths per 100,000 residents in the same cities (Rosenfeld, Abt, & Lopez, 2021).
- 10 In New York City, DAs decline to prosecute cases during pre-arraignment while outside of New York City (this happens at arraignment). As a result, it is difficult to make comparisons of cases disposed at arraignment across the three geographies.
- 11 The substantial decline in arraignments does not necessarily reflect a similar decline in overall enforcement. Data from the New York State Division of Criminal Justice Services (2021c) show that felony and misdemeanor arrests in New York State declined by 28% from 356,709 in 2019 to 255,592 in 2020.
- 12 Cases with \$1 bail amounts were excluded from the analysis as these are reliably placeholders often denoting remand rather than real dollar amounts.
- 13 We used unweighted total percentages by assuming the same charge distribution in both years but if we instead calculate weighted percentages, results would somewhat vary. For example, in NYC,

the weighted overall ROR rates are 78% in 2019 and 76% in 2020, whereas the unweighted rates are 76% and 77%, respectively.

14 The low volume and proportion of violations arraigned in New York City may be the result of the continued decline in the issuance of criminal summonses. DCJ found that from 2003 to 2019, criminal summons issuance in New York City declined by 87%. Further, 2.5 years pre- and post-implementation of the Criminal Justice Reform Act (2016), the number of criminal summonses issued in New York City declined by 72%, from 757,669 summonses between June 2014 and December 2016 to 214,258 between June 2017 and December 2019 (Tomascak, Chauhan, & Meizlish, 2020).

15 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, 2019).

16 Race effects for the state are likely masking regional differences, e.g., larger white populations in Upstate counties compared to New York City, which can not be captured in the absence of regression models.

17 Analysis from the Envision Freedom Fund shows that bail amounts continued to increase between July 2020 and June 2021. During this period, in nine of 42 counties, bail was set above the statewide median in over 50% of cases. In Albany, Richmond, and Bronx counties, median bail set for felony cases reached \$15,000 (Adel, 2022)

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# APPENDIX A – DATA AND DEFINITIONS

## Data and Sample

The full dataset from the New York State Office of Court Administration (OCA) includes 74 city and district courts. We exclude five courts that did not have data for the full 2019 calendar year (Suffolk 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> District Courts). In 20 counties across New York State, 100% of arraignments are in approximately 1,200 town and village courts, which are not represented in the data (Allegany, Delaware, Essex, Franklin, Greene, Hamilton, Lewis, Livingston, Orleans, Putnam, Rockland, Schoharie, Schuyler, Seneca, Sullivan, Tioga, Washington, Wayne, Wyoming, and Yates counties).

The OCA 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).

## Definition of Charge Categories

Consistent with past DCJ work, arraignment charge penal codes are grouped into seven broad categories: Person, Property, Weapons, Other Drugs, Marijuana, Vehicle and Driving, and Other. For this report, each category includes felonies, misdemeanors, and violations related to that category. For example, grand larceny in the 4<sup>th</sup> degree (an E felony) and petit larceny (an A misdemeanor) are both categorized as Property charges. The most common Weapons charge in 2020 was criminal possession of a weapon in the 2<sup>nd</sup> degree (PL § 265.03). The most common Other Drug charge in 2020 was criminal possession of a controlled substance in the 7<sup>th</sup> degree (PL § 220.03). The most common Vehicle and Driving charge in 2020 was aggravated unlicensed operation (VTL § 511).

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. The most common Property charge in 2020 was petit larceny (PL § 155.25).

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. The most common Person charge in 2020 was assault in the 3<sup>rd</sup> degree (PL § 120.00)

We categorize charges as “Other” when the details of the charge are not clearly defined due to lack of information or ambiguity. The most common charge in this category in 2020 was criminal mischief in the 4<sup>th</sup> degree (PL § 145.00).

## APPENDIX B: QUARTERLY ARRAIGNMENT OUTCOMES IN NEW YORK STATE IN 2020 BY GEOGRAPHY

Quarterly Arraignment Outcomes in New York State in 2020					
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Volume Change
<b>Statewide</b>	<b>78,283</b>	<b>27,450</b>	<b>53,559</b>	<b>53,666</b>	<b>-31%</b>
Disposed at Arraignment	21,867	1,677	9,787	10,596	-52%
Remand	1,326	907	1,267	1,232	-7%
Bail set and Posted	1,117	1,053	1,536	1,279	15%
Bail set and Not Posted	4,347	3,633	6,115	5,507	27%
Non-Monetary Conditions	4,888	1,539	4,160	5,055	3%
ROR	44,738	18,641	30,694	29,997	-33%
<b>Upstate City &amp; District Courts</b>	<b>20,103</b>	<b>8,081</b>	<b>22,333</b>	<b>16,581</b>	<b>-18%</b>
Disposed at Arraignment	4,920	560	4,907	3,825	-22%
Remand	1,007	690	948	907	-10%
Bail set and Posted	536	550	789	611	14%
Bail set and Not Posted	1,640	1,405	2,363	1,968	20%
Non-Monetary Conditions	819	768	1,145	971	19%
ROR	11,181	4,108	12,181	8,299	-26%
<b>Suburban New York City</b>	<b>29,182</b>	<b>4,180</b>	<b>14,547</b>	<b>14,083</b>	<b>-52%</b>
Disposed at Arraignment	10,424	203	3,285	3,699	-65%
Remand	189	102	106	130	-31%
Bail set and Posted	386	342	467	394	2%
Bail set and Not Posted	1,155	792	1,338	1,156	0%
Non-Monetary Conditions	803	750	1,068	1,276	59%
ROR	16,225	1,991	8,283	7,428	-54%
<b>New York City</b>	<b>28,998</b>	<b>15,189</b>	<b>16,679</b>	<b>23,002</b>	<b>-21%</b>
Disposed at Arraignment	6,523	914	1,595	3,072	-53%
Remand	130	115	213	195	50%
Bail set and Posted	195	161	280	274	41%
Bail set and Not Posted	1,552	1,436	2,414	2,383	54%
Non-Monetary Conditions	3,266	21	1,947	2,808	-14%
ROR	17,332	12,542	10,230	14,270	-18%

## APPENDIX C: ARRAIGNMENTS AND PRETRIAL RELEASES IN NEW YORK STATE BY COURTS

Arraignments and Release with Non-Monetary Conditions in New York State by Court								
	2019			2020			Volume Change	Proportion Change
	Total	Release with Non-Monetary Conditions	%	Total	Release with Non-Monetary Conditions	%		
<b>Upstate City &amp; District Courts</b>	<b>90,488</b>	<b>46,122</b>	<b>51%</b>	<b>67,098</b>	<b>39,472</b>	<b>59%</b>	<b>-26%</b>	<b>8%</b>
Albany County								
Albany City Criminal Court	3,294	1,446	44%	2,047	1,207	59%	-38%	15%
Albany City Traffic Court	184	56	30%	22	5	23%	-88%	-7%
Cohoes City Court	736	322	44%	646	313	48%	-12%	4%
Watervliet City Court	438	147	34%	263	147	56%	-40%	22%
Broome County								
Binghamton City Court	3,393	1,582	47%	2,374	1,392	59%	-30%	12%
Cattaraugus County								
Olean City Court	775	434	56%	667	335	50%	-14%	-6%
Salamanca City Court	614	264	43%	442	247	56%	-28%	13%
Cayuga County								
Auburn City Court	1,171	539	46%	1,032	568	55%	-12%	9%
Chautauqua County								
Dunkirk City Court	604	336	56%	505	374	74%	-16%	18%
Jamestown City Court	2,710	927	34%	2,765	1,479	53%	2%	19%
Chemung County								
Elmira City Court	1,909	701	37%	1,443	954	66%	-24%	29%
Chenango County								
Norwich City Court	405	184	45%	385	191	50%	-5%	5%
Clinton County								
Plattsburgh City Court	731	436	60%	662	368	56%	-9%	-4%
Columbia County								
Hudson City Court	580	250	43%	419	196	47%	-28%	3%
Cortland County								
Cortland City Court	1,261	669	53%	713	425	60%	-43%	7%
Dutchess County								
Beacon City Court	505	274	54%	311	158	51%	-38%	-3%
Poughkeepsie City Court	1,897	756	40%	1,061	531	50%	-44%	10%
Erie County								
Buffalo City Court	14,980	6,928	46%	9,242	4,494	49%	-38%	3%
Lackawanna City Court	994	557	56%	552	301	55%	-44%	-1%
Tonawanda City Court	778	272	35%	478	262	55%	-39%	20%
Fulton County								
Gloversville City Court	1,011	375	37%	676	315	47%	-33%	10%
Johnstown City Court	468	194	41%	215	169	79%	-54%	38%
Genesee County								
Batavia City Court	764	434	57%	527	327	62%	-31%	5%
Herkimer County								
Little Falls City Court	209	134	64%	90	64	71%	-57%	7%

Arraignments and Release with Non-Monetary Conditions in New York State by Court								
	2019			2020			Volume Change	Proportion Change
	Total	Release with Non-Monetary Conditions	%	Total	Release with Non-Monetary Conditions	%		
<b>Upstate City &amp; District Courts</b>	<b>90,488</b>	<b>46,122</b>	<b>51%</b>	<b>67,098</b>	<b>39,472</b>	<b>59%</b>	<b>-26%</b>	<b>8%</b>
Jefferson County								
Watertown City Court	1,416	972	69%	1,109	759	68%	-22%	-1%
Madison County								
Oneida City Court	811	446	55%	901	500	55%	11%	0%
Monroe County								
Rochester City Court	9,115	3,903	43%	7,120	5,128	72%	-22%	29%
Montgomery County								
Amsterdam City Court	919	349	38%	687	340	49%	-25%	11%
Niagara County								
Lockport City Court	1,219	577	47%	714	487	68%	-41%	21%
Niagara Falls City Court	3,038	1,737	57%	2,556	1,626	64%	-16%	7%
North Tonawanda City Court	976	478	49%	616	337	55%	-37%	6%
Oneida County								
Rome City Court	2,069	902	44%	1,112	498	45%	-46%	1%
Sherrill City Court	36	12	33%	17	9	53%	-53%	20%
Utica City Court	4,423	1,980	45%	3,054	1,636	54%	-31%	9%
Onondaga County								
Syracuse City Court	9,836	5,269	54%	6,967	4,290	62%	-29%	8%
Ontario County								
Canandaigua City Court	438	251	57%	350	229	65%	-20%	8%
Geneva City Court	603	285	47%	400	252	63%	-34%	16%
Orange County								
Middletown City Court	2,013	881	44%	1,364	684	50%	-32%	6%
Newburgh City Court	2,583	1,396	54%	1,319	767	58%	-49%	4%
Port Jervis City Court	994	461	46%	416	241	58%	-58%	12%
Oswego County								
Fulton City Court	637	363	57%	540	369	68%	-15%	11%
Oswego City Court	1,468	853	58%	1,176	675	57%	-20%	-1%
Otsego County								
Oneonta City Court	710	375	53%	341	221	65%	-52%	12%
Rensselaer County								
Rensselaer City Court	243	153	63%	178	128	72%	-27%	9%
Troy City Court	2,336	1,440	62%	1,483	1,036	70%	-37%	8%
Saratoga County								
Mechanicville City Court	458	308	67%	306	128	42%	-33%	-15%
Saratoga Springs City Court	1,279	577	45%	1,212	752	62%	-5%	17%
Schenectady County								
Schenectady City Court	3,235	1,514	47%	2,479	1,383	56%	-23%	9%

Arraignments and Release with Non-Monetary Conditions in New York State by Court								
	2019			2020			Volume Change	Proportion Change
	Total	Release with Non-Monetary Conditions	%	Total	Release with Non-Monetary Conditions	%		
<b>Upstate City &amp; District Courts</b>	<b>90,488</b>	<b>46,122</b>	<b>51%</b>	<b>67,098</b>	<b>39,472</b>	<b>59%</b>	<b>-26%</b>	<b>8%</b>
St. Lawrence County								
Ogdensburg City Court	556	282	51%	504	274	54%	-9%	3%
Steuben County								
Corning City Court	574	295	51%	506	285	56%	-12%	5%
Hornell City Court	446	285	64%	348	245	70%	-22%	6%
Tompkins County								
Ithaca City Court	890	378	42%	637	244	38%	-28%	-4%
Ulster County								
Kingston City Court	1,272	796	63%	1,080	766	71%	-15%	8%
Warren County								
Glens Falls City Court	745	387	52%	607	361	59%	-19%	7%
<b>Suburban New York City</b>	<b>90,003</b>	<b>46,724</b>	<b>52%</b>	<b>61,992</b>	<b>37,824</b>	<b>61%</b>	<b>-31%</b>	<b>9%</b>
Nassau County								
Glen Cove City Court	954	224	23%	378	117	31%	-60%	8%
Long Beach City Court	1,501	340	23%	876	157	18%	-42%	-5%
Nassau District Court	29,223	13,130	45%	13,939	7,553	54%	-52%	9%
Suffolk County								
Suffolk 1st District Court	47,295	27,255	58%	37,471	24,980	67%	-21%	9%
Westchester County								
Mount Vernon City Court	3,192	1,393	44%	2,235	1,127	50%	-30%	6%
New Rochelle City Court	2,203	522	24%	1,366	652	48%	-38%	24%
Peekskill City Court	1,130	532	47%	692	331	48%	-39%	1%
Rye City Court	203	79	39%	123	69	56%	-39%	17%
White Plains City Court	2,105	812	39%	1,398	750	54%	-34%	15%
Yonkers City Court	5,247	2,437	46%	3,893	2,088	54%	-26%	8%
<b>New York City</b>	<b>160,920</b>	<b>99,009</b>	<b>62%</b>	<b>83,868</b>	<b>62,416</b>	<b>74%</b>	<b>-48%</b>	<b>13%</b>
Bronx	31,823	18,846	59%	16,623	11,501	69%	-48%	10%
Brooklyn	45,018	28,962	64%	24,215	18,608	77%	-46%	13%
Manhattan	40,234	22,956	57%	18,612	13,236	71%	-54%	14%
Queens	36,678	23,476	64%	20,317	15,906	78%	-45%	14%
Staten Island	7,167	4,769	67%	4,101	3,165	77%	-43%	11%

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**DATA COLLABORATIVE** FOR **JUSTICE**

AT **JOHN JAY COLLEGE**

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**STRENGTH IN NUMBERS**

