Criminal Convictions in New York State, 1980-2021

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DATA COLLABORATIVE FOR JUSTICE AT JOHN JAY COLLEGE

STRENGTH IN NUMBERS

JOHN JAY COLLEGE OF CRIMINAL JUSTICE

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Interactive Maps Showing Conviction Numbers by County and Race/Ethnicity: Available Here.

Executive Summary

The purpose of this study is to examine criminal convictions and attendant racial disparities in New York State from 1980 to 2021. The project also includes a series of interactive maps indicating, for each of the State's 62 counties, conviction numbers in 2019, the conviction rate per 1,000 people, conviction rates for those with a first conviction in 2019 per 1,000 people, and disparities in conviction rates among different racial/ethnic groups. Prior research has amply documented the potential lifetime repercussions of a conviction record, including barriers to housing, employment, and income. A recent study found that a misdemeanor conviction leads to a 16% reduction in annual earnings, while a felony conviction leads to a 22% earnings reduction.

Statewide Conviction Numbers Since 1980

From 1980 to 2021, just over 6.6 million New York criminal cases ended in a conviction.

- **Changes in Annual Conviction Totals From 1980 to 2021:** In 1980, there were just over 71,000 statewide convictions. After rising sharply in the 1980s, and fluctuating from about 170,000 to 200,000 per year from 1990 to 2010, annual convictions dropped to 109,000 in 2019, and continued to decline significantly in 2020 and 2021. The COVID-19 pandemic may have played a unique role explaining the last two years of results; for this reason, 2019 is considered throughout this report as the most recent year with conviction numbers generally representative of current practice.

- **Charges:** Over three-quarters (77%) of statewide convictions from 1980 to 2021 were for a misdemeanor, with 23% involving a felony.

- **Region of the State:** Over the same 41-year time span, New York City accounted for 52% of the State's convictions; however, that proportion has changed over time. Whereas the City accounted for 53% in 1980, its share of convictions declined to 33% in 2019, when 18% involved the suburban counties of Nassau, Suffolk, Westchester, and Rockland, and 49% involved the upstate region.

- **Demographics:** From 1980 to 2021, 82% of convictions involved men. From 1985 to 2021, 42% of convictions involved Black people (though they made up 15% of the State's population in 2019), 20% involved Hispanic people, and 36% involved white people. Relative to their numbers in the State's general population as of 2019, convictions involved Black people about 2.2 times more often than white people.

People with Convictions

From 1980 to 2021, the 6.6 million total statewide convictions represented just under 2.2 million people. About 820,000 people had criminal conviction(s) in New York City (38%), about 380,000 in suburban counties, and about 940,000 in upstate. Three quarters had a misdemeanor conviction as the most serious on their record.

- **Number of Convictions Per Person:** While averaging three convictions apiece, over half (53%) of people with a conviction had a total of only one.

- **Recency of Convictions:** The most recent conviction was more than 20 years ago for 47% of people, 11 to 20 years ago for 26%, and within the past ten years for 27%.

- **People Newly Accumulating a Conviction Record:** In the 2019 pre-pandemic year, 107,481 people were convicted, of which 30,458 (28%) experienced their first conviction (and, hence, were newly exposed to resulting repercussions).

- **Racial Disparities:** Since 1980, about 1.1 million white, 640,000 Black, 380,000 Hispanic, and 41,000 Asian New Yorkers accumulated a conviction. The State's general population makeup has changed over time, but focusing on the most recent pre-COVID year of 2019, 41% of people convicted in 2019 were white compared to 58% of the population; 37% were Black compared to 15% of the population; 20% were Hispanic compared to 18% of the population; and 2% were Asian compared to 9% of the population. The conviction rate per 100,000 people in 2019 was 3.1 times higher for Black than white people, 1.5 times higher for Hispanic than white people, and 0.3 times lower for Asian than white people.

- **Wider Disparities in New York City:** In 2019, the conviction rate was 5.7 times higher for Black than white people in the City, 5.5 higher in the suburbs, and 4.8 higher in upstate. The rate for Hispanic people was 3.5 times higher than white people in NYC, 2.5 higher in the suburbs, and 2.0 higher in upstate.

- **County-Level Variations in Conviction Rates and Racial Disparities:** Schenectady County had the highest conviction rate in 2019 at 4.5 convictions per 1,000 people, while Kings County (Brooklyn) had the lowest at 0.3 per 1,000. Racial disparities were largest in Manhattan and Franklin County. In 2019, Black people in Manhattan were 14 times more likely to be convicted than white people, and Hispanic people were 6 times more likely. In Franklin County, the conviction rate for Asian people was 25 times higher than for white people.

Chapter 1. Introduction

The purpose of this research brief is to examine criminal convictions and attendant racial disparities across New York State since 1980.

Most of the State's arrests do *not* result in a criminal conviction,[1] but when they do, they can have lifetime repercussions. In 2019 (the most recent year data is available and not potentially skewed by the COVID-19 pandemic), 44% of New York State's 124,000 disposed felony arrests and 21% of the State's 238,000 misdemeanor arrests ended in a criminal conviction.[2] This research brief analyzes the charges and demographic makeup of these convictions, total numbers of people impacted, prevalence in each State region and county, and racial disparities in comparison to the general population.

Consequences of Criminal Convictions

Prior research has amply documented the potential lifetime harms of a criminal conviction, which can include blocked access to housing, employment, and income, as well as deportation for immigrants.[3] For example, private landlords and public housing developments can deny people housing based on a conviction record.[4] Although New York City and State laws provide some protections, schools, employers, and agencies that issue professional licenses can reject certain applicants who have criminal convictions.[5] Those admitted to school often cannot receive adequate financial aid,[6] and some states (including New York) will not offer certain professional licensures to people with *certain* convictions.[7] The government can also deny access to public benefits, such as food stamps or cash assistance.[8] In some states, people with a conviction cannot vote or serve on a jury.[9] Criminal convictions can create delays or denials in immigration proceedings or lead to deportation.[10]

Research also points to the negative impacts of existing criminal convictions on future criminal cases; people are more likely to be arrested and convicted of new offenses if they have prior convictions, regardless of their culpability on the new offense.[11]

Moreover, a [recent study](#) found that a misdemeanor conviction leads to a 16% reduction in annual earnings, a felony conviction leads to a 22% earnings reduction, and a conviction accompanied by imprisonment leads to a 52% earnings reduction.[12]

Clean Slate Legislation

To mitigate convictions' deleterious effects, reformers at the federal and state levels have proposed "Clean Slate" legislation that would seal most old convictions from people's criminal records for most civil purposes.[13]

In New York, pending [State legislation](#) would automatically seal misdemeanor convictions that are at least three years old and felony convictions that are at least seven years old, not counting time in prison, once a person has completed all requirements. Sex offense convictions would be exempted from sealing. For someone to be eligible for having cases sealed, they must have completed the waiting period since their most recent conviction, completed probation or parole, and not have any subsequent pending cases. Conviction records would still be available to select public officials who might need that information (like a judge, and potentially, other litigants if the individual becomes involved in a future legal matter). But with limited carve-outs, potential employers and landlords would not be able to see old convictions.[14]

Results from a Prior Study in New York City

By examining convictions across New York State, this research brief expands on an earlier Data Collaborative for Justice study of [convictions in New York City from 1980 to 2019](.)[15] The earlier report found that over this span, there were nearly 11 million arrests in New York City (NYC), which resulted in 3.4 million convictions of almost 746,000 people. Convictions for misdemeanor offenses made up the majority of convictions (77%), while felonies accounted for 23%.

The nearly 746,000 people with NYC convictions were predominantly Black (42%) or Hispanic (37%). Eighty-four percent were male. Forty-two percent had only one conviction on their record. For 64%, their most recent conviction was over ten years ago.

These findings indicate that most NYC convictions were for low-level offenses, and most people with convictions had only one or a few of them, most of which occurred a long time ago. Additionally, there were significant racial disparities relative to the City's general population, which was just 24% Black and 27% Hispanic as of 2019.[16]

Questions for Current Report

For all of New York State, this research brief addresses five main research questions:

1. Convictions in New York State: How many convictions have there been statewide from 1980 to 2021, overall and within the State's three major regions and its 62 counties? What is the trend, if any, in annual convictions over the past 41 years?

2. People with Convictions: Considering that some people have been convicted multiple times, how many people in New York State (as well as within its regions and counties) have accumulated criminal convictions since 1980?

3. Conviction Charges: What is the charge severity makeup (misdemeanor or felony) among convictions?

4. Racial Disparities: At statewide, regional, and county levels, to what extent do racial disparities exist in total convictions and people with convictions?

5. Gender Composition: What is the breakdown of convictions and people with them between men and women? (Unfortunately, available data treats gender as binary.)

Accompanying this report is a set of maps (available [here](.)) offering visual illustrations of racial and county-wide disparities in NYS convictions. The maps show, for each county: 1) total number of convictions in 2019 and convictions per 1,000 people; 2) total number of people with a conviction in 2019 and conviction rates per 1,000; 3) total number of people with a first conviction in 2019 and conviction rates per 1,000; and 4) the racial disparity between convictions respectively accumulated by Black, Hispanic, or Asian people in 2019 compared to white people. Conviction rates are based on the total county population over 18 years of age in 2019.

Data Source and its Limitations

This study relies on deidentified arrest and conviction data provided by the New York State Division of Criminal Justice Services (DCJS). DCJS maintains records of all fingerprintable misdemeanor and felony arrests of adults in New York State.

As detailed in the State's Criminal Procedure Law (CPL), people are fingerprinted following arrest or arraignment for felonies or statutorily defined misdemeanors in the Penal Law. Additional offenses may also result in criminal fingerprinting under specific situations defined by law (CPL § 160.10). While it is not the only exclusion, Vehicle and Traffic Law misdemeanors, and especially the common misdemeanor of driving with a suspended or revoked license, are *not* fingerprinted, leading our findings regarding total convictions and misdemeanor convictions to constitute modest undercounts.

Additionally, about 2% of convictions contained in the DCJS data did not have any charge severity identified. These convictions are not included in our calculations, leading to an additional modest undercount of total convictions. It is possible, however, that some of these convictions without a charge classification were for violations or infractions. Violations and infractions are not technically "crimes," do not become part of someone's permanent criminal record, and, as such, convictions for these lesser charges were excluded.

Regarding demographic data, the New York Police Department (NYPD) did not report ethnicity from 1982 to 1984. This led to an undercount of Hispanic people and an overcount of white people during these years. Therefore, analyses of race/ethnicity data begin in 1985. In addition, DCJS data for all years only contains a binary gender variable, which does not allow us to identify non-binary or transgender individuals.

A final limitation is that our results concerning how many people have accumulated New York State convictions since 1980, while accurate on their face, are estimates insofar as we do not know how many such people are currently living in the State. We excluded from these estimates people who were either serving a life sentence or over 70 years of age as of December 31, 2021 (the last date of available data). However, we have no way of distinguishing people who do not currently live in New York State even though they accumulated a New York conviction. To improve their accuracy and utility, the maps accompanying this report for the State's 62 counties have nearly all of their data points tethered to 2019. Among other advantages, this also means that our maps depict 2019 conviction rates per 1,000 people with the use of county-level census information that is also accurate as of 2019.

Chapter 2. Statewide Conviction Numbers

From 1980 through 2021, 6,616,292 New York State arrests ended in a conviction.[17] Annual convictions rose during the 1980s, remained high through about 2008, and have been declining since then (Exhibit 2.1). There was an unusually sharp drop in convictions in 2020 (presumably related to the COVID-19 pandemic), followed by a modest rebound in 2021.[18]

Exhibit 2.1:
Annual Convictions in New York State
by Charge Level, 1980-2021
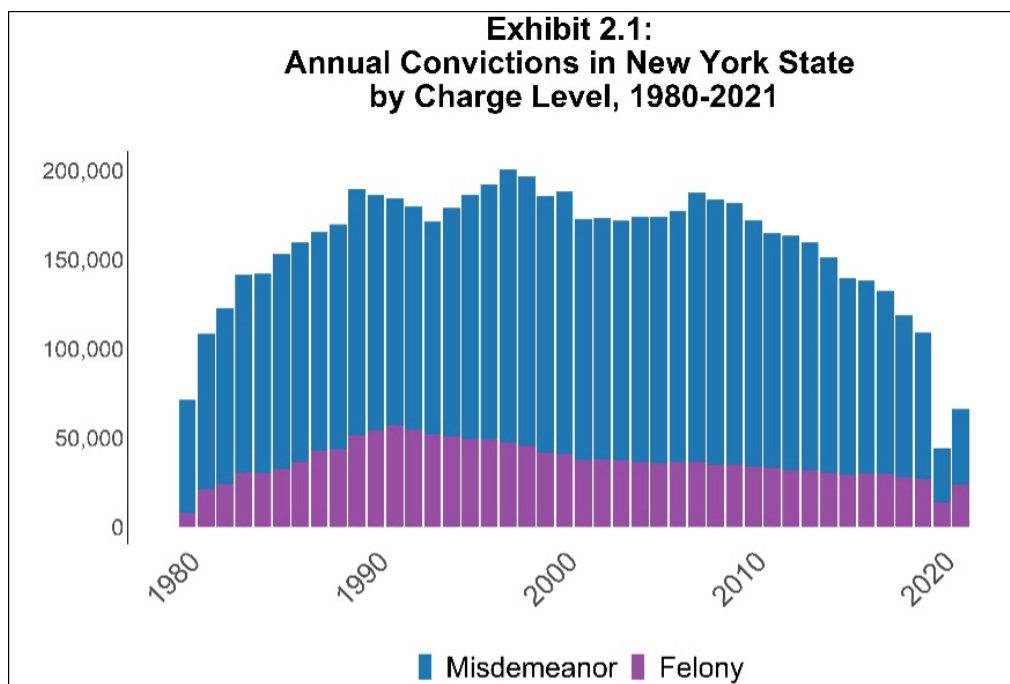
Seventy-seven percent of convictions in New York State were for a misdemeanor, while 23% were for a felony (Exhibit 2.2).

Grasping the magnitude of the over 6.6 million total convictions that accumulated over four decades can be daunting. For context, in Exhibit 2.2 (and subsequent exhibits in this report), we also provide a one-year snapshot: the number of convictions in 2019, the most recent year of available data that is not potentially skewed by the COVID-19 pandemic.

In 2019, there were 108,624 convictions statewide. Roughly the same breakdown of misdemeanor convictions and felony convictions held true in 2019 as for the full period: in 2019, 76% were for a misdemeanor while 24% were for a felony.

Exhibit 2.2: Convictions by Charge Level				
	1980-2021		2019*	
	Number	Percent	Number	Percent
Total Convictions	6,616,292	100%	108,624	100%
Charge Severity				
Misdemeanor	5,098,234	77%	82,075	76%
Felony	1,518,058	23%	26,549	24%
* For context, we provide figures for 2019, which is the most recent year of available data that is not potentially skewed by the COVID-19 pandemic.				

Demographics

Of all statewide convictions from 1985 to 2021, Black people made up 42%, Hispanic people 20%, and white people 36% (Exhibits 2.3 and 2.4).[19]

In the recent 2019 year, Black people made up 37% of convictions, Hispanic people 20%, and white people 41%. By comparison, Black people made up 15% of the 2019 New York State population, Hispanic people 18%, and white people 58%.[20]

Over the full 40-plus year period, **82% of convictions were of men** (and this was true of 81% of convictions in 2019; see Exhibits 2.3[21] and 2.5).

Exhibit 2.3: Convictions by Demographics				
	1980-2021		**2019***	
	Number	**Percent**	**Number**	**Percent**
Total Convictions	6,616,292	100%	108,624	100%
Race-Ethnicity`				
Black	2,518,955	42%	39,740	37%
Hispanic	1,225,112	20%	21,421	20%
White	2,169,709	36%	44,358	41%
Asian[i]	74,771	1%	2,019	2%
Other/Unknown	42,844	1%	1,086	1%
Gender^				
Male	5,431,225	82%	88,323	81%
Female	1,182,968	18%	20,255	19%

* As a one-year snapshot, we provide figures for 2019, the most recent year of data that is not potentially skewed by the COVID-19 pandemic.
` From 1980-1984, there were 584,901 convictions for which we do not report race-ethnicity data (9% of all convictions), due to an undercounting of Hispanic people and an overcounting of white people during that time. See Chapter 1 for more detail. The percentages for race-ethnicity are based on convictions from 1985 to 2021.
[i] DCJS data codes this category as "Asian/Indian." See Endnote 19 for further explanation.
^ Less than 0.1% of cases were missing information about gender for both the full 40-year period and for 2019.

Exhibit 2.4:
Annual Convictions in New York State
by Race-Ethnicity, 1985-2021

Black   Hispanic   White   Asian   Other

Exhibit 2.5:
Annual Convictions in New York State
by Gender, 1980-2021

Female   Male
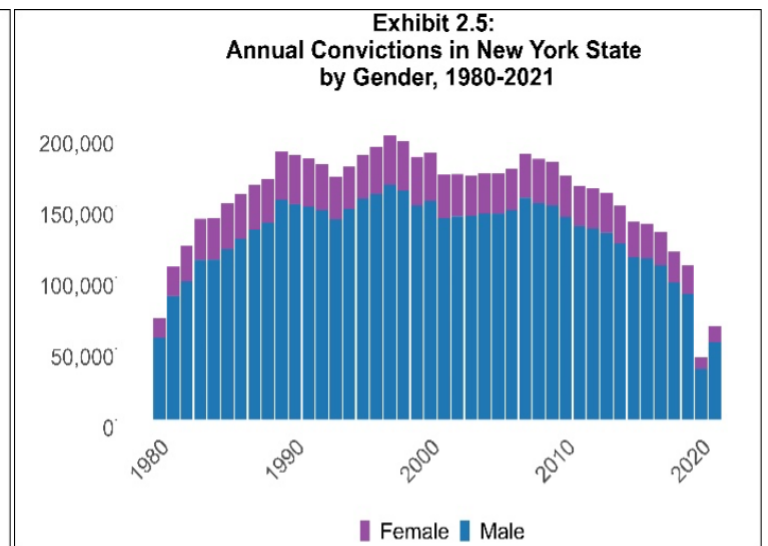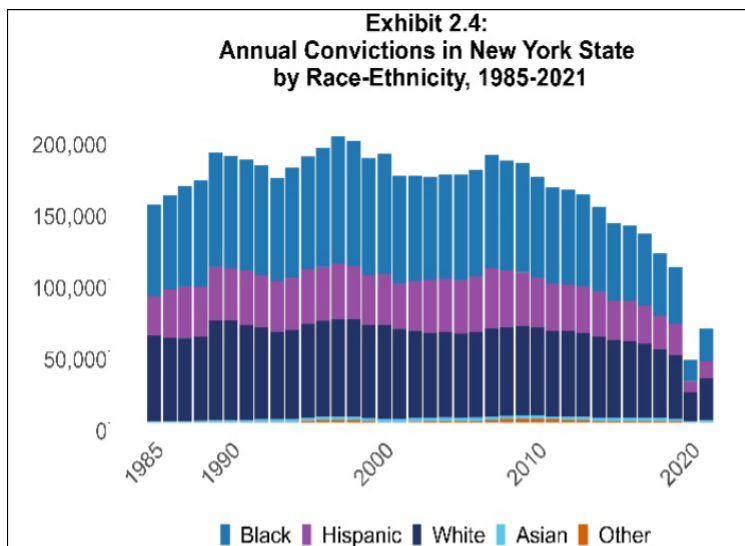
For another perspective on changes over time, Appendix A provides a breakdown of convictions by charge level and demographics for the selected years of 1980, 1990, 2000, 2010, and 2019.

Geography: Convictions by State Region and County

To understand the makeup of criminal convictions across the state, we divided New York into three regions. The first includes the five counties (boroughs) that make up **New York City**. The second includes the **Suburban NYC Counties** of Nassau, Rockland, Suffolk, and Westchester. We refer to the remaining 53 counties as **Upstate New York**.

Over the entire period from 1980 to 2021, New York City cases made up the largest proportion of convictions at 52% (see Exhibit 2.6).

The past four decades, however, have seen a significant shift in the regional breakdown of convictions from more than half to only one-third arising in New York City (see Appendix A).[22] In 1980, 53% of convictions were in New York City, 9% in Suburban NYC, and 37% in Upstate. After relatively little change from 1980 to 2000, New York City's share plummeted to 33% by 2019, while Suburban NYC's share rose to 18%, and Upstate NY's share rose to 49%.

Put into context based on the population in each region, in 2019 the conviction rate per 100,000 people in 2019 was 590 in New York City, 990 in Suburban NYC, and 250 in Upstate.

We also analyzed convictions at the county level. Limited results can be found in Appendix C, supplemented by expanded details in our online maps.

| Exhibit 2.6: Number of Convictions by Region				
	1980-2021		**2019***	
	Number	**Percent**	**Number**	**Percent**
Total Convictions	6,616,292	100%	108,624	100%
Region^				
New York City	3,421,129	52%	36,272	33%
Suburban NYC	916,056	14%	19,575	18%
Upstate NY	2,279,094	34%	52,777	49%
* For context, we provide figures for 2019, which is the most recent year of available data that is not potentially skewed by the COVID-19 pandemic. ^ Less than 0.1% of cases over the full 40-year period (n=13) were missing information about disposition geography.				

Chapter 3. People with Convictions

We also wanted to understand the number of *people* impacted by New York State criminal conviction records. We calculated this estimate based on the number of unique individuals represented in our dataset and presumed to be alive and not serving a life sentence as of December 31, 2021.[23] Limitations of this method are noted at the end of Chapter 1.

From 1980 to 2021, the 6,616,292 *convictions* in New York State represented an estimated 2,143,475 *individual people* (Exhibit 3.1).[24] For 76% of people, the highest (most serious) conviction on their record was for a misdemeanor offense. Twenty-four percent of people had a felony as their highest charge on their record. (People with felony convictions as their highest charge may also have misdemeanor convictions.)

By **region** (see Appendix B), this breaks down into 817,148 people with criminal convictions from New York City (38%), 382,113 people from Suburban NYC Counties (18%), and 944,214 people from Upstate New York (44%).[25]

Concerning roughly how many people are newly accumulating a conviction on their record in each successive year, the 108,624 statewide convictions in 2019 involved *107,481* people. Of those, 30,458 (28%) experienced their first conviction in 2019 (and, hence, were newly exposed to the potential lifetime repercussions).

Exhibit 3.1. Number of People with Convictions from New York State, 1980-2021

6,616,292 Convictions → 2,143,475 People with Convictions as of December 31, 2021

Misdemeanor highest conviction
1,625,381
(76%)

Felony Highest Conviction
518,094
(24%)
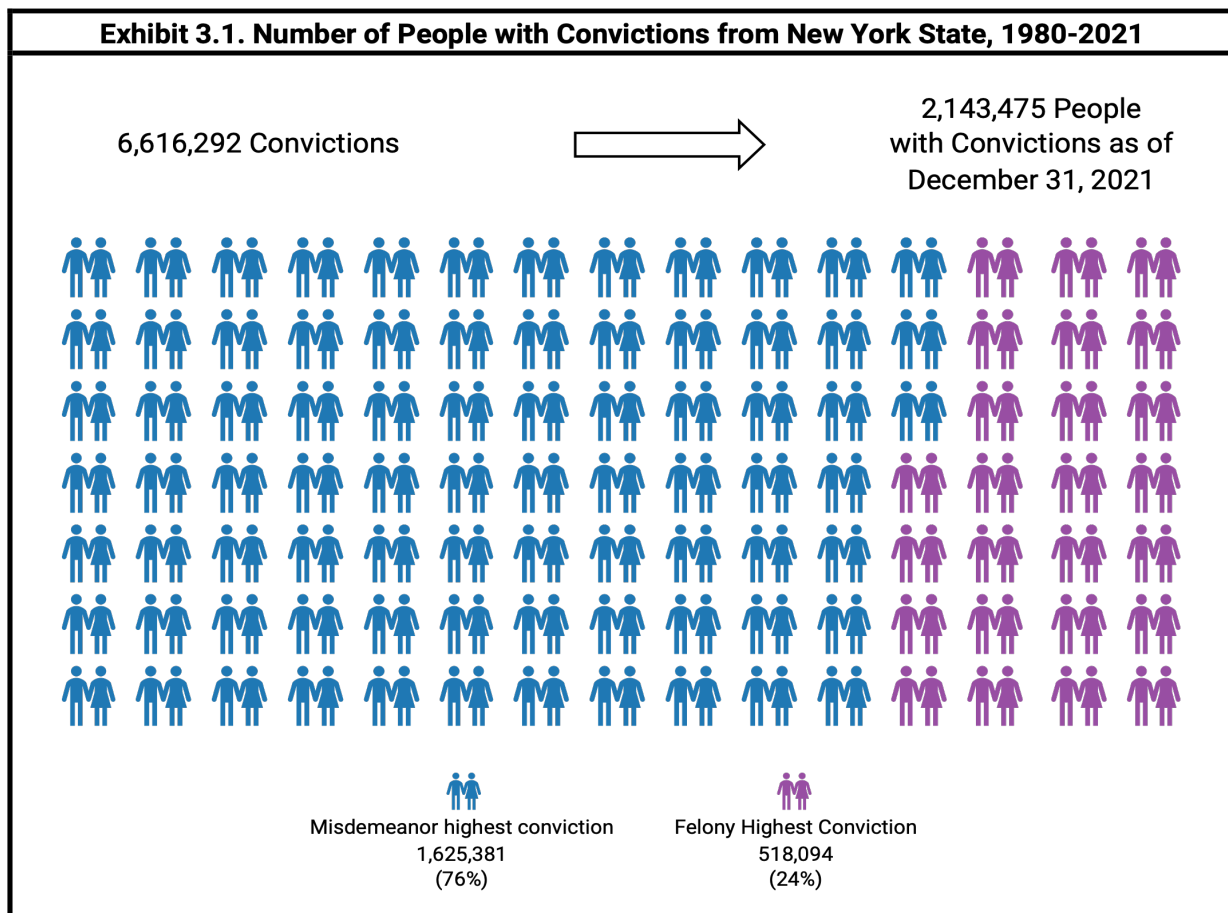
Conviction History

We also looked at how long ago each person's most recent conviction occurred, and how many convictions made up a given person's criminal record.

We found that over half of people with convictions had ones that were decades old; for 47% of people, their most recent conviction was over 20 years ago (Exhibit 3.2). Only about 27% had convictions in the past ten years.

Additionally, most people had a low number of convictions on their record.[26] **More than half of people (53%) had only one conviction**; at the other end of the spectrum, only 5% of people had over ten convictions (Exhibit 3.3). The average number of convictions on a person's record was three, and the median was one (Appendix B).

Exhibit 3.2:
Time Since Most Recent Conviction,
as of 12/31/2021

Exhibit 3.3:
Number of Convictions on a Person's Record,
as of 12/31/2021

Demographics

Gender

Eighty percent of people with convictions from 1980 to 2021 were men (Exhibit 3.4). The gender breakdown of people with convictions varied by region (Exhibit 3.7). While in New York City, 85% of people with convictions were men, meaning women made up only 15%, **women made up larger proportions with convictions in Suburban NYC (19%) and Upstate (24%)**. (As noted in Chapter 1, DCJS data is limited by only including a binary gender variable.)

Race-Ethnicity

Statewide, white people accounted for 49% of people (totaling 1,058,797 people) with convictions from 1980 to 2021. Black people made up 30% (totaling 639,618), Hispanic people 18% (totaling 382,861), and Asian people 2% (totaling 41,380).[27] As a reference point for comparison, people living in New York State in 2019 were 15% Black, 18% Hispanic, 58% white, and 9% Asian.[28] Although the State's demographic makeup has changed since 1980 (when some of the people studied accumulated their convictions), available data makes clear that Black people have faced significantly greater exposure to convictions than any other racial/ethnic group relative to their share of the general population.

Exhibit 3.4:
Percent of People Convicted by Gender,
as of 12/31/2021

Exhibit 3.5:
Percent of People Convicted by Race,
as of 12/31/2021
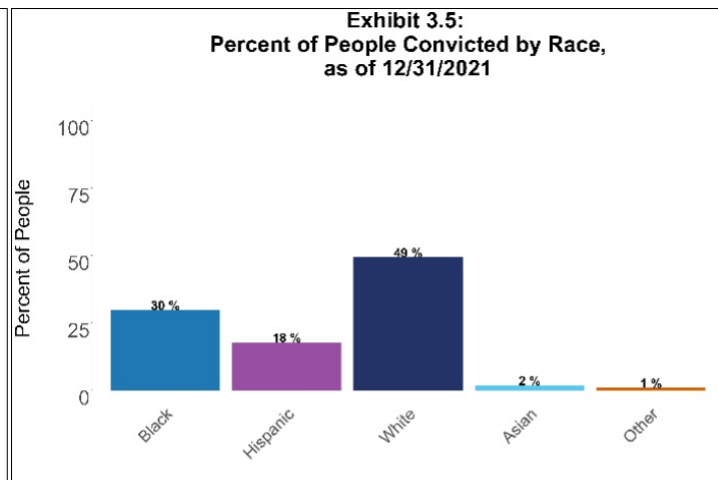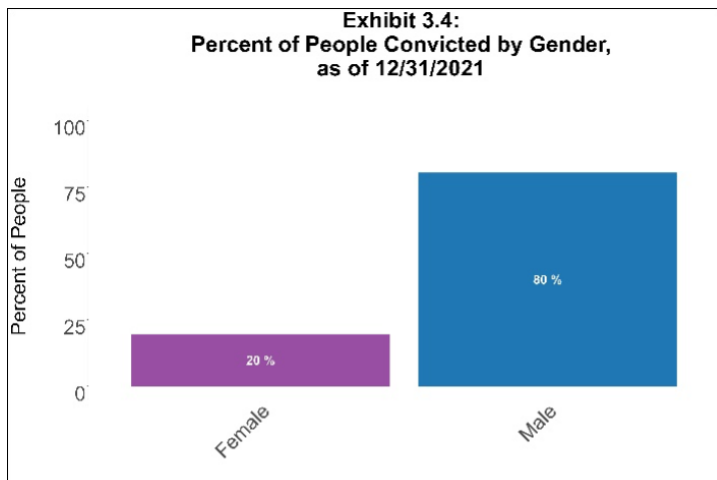
Racial disparities among people with convictions, especially impacting Black people, become clearer when examining statewide *rate-ratios*[29] that compare the number of people of different race-ethnic groups with convictions to their respective numbers in New York State's 2019 population.

Across the entire span from 1980 to 2021, Black people were 2.2 times more likely than white people to have a criminal conviction on their record (Exhibit 3.6). For Hispanic people, the rate-ratio was just over one, meaning that Hispanic people and white people were about equally likely to have a conviction relative to their representation in the population. For Asian people, the rate-ratio was 0.1, meaning that Asian people were less likely than white people to have a conviction.

Focusing on the racial-ethnic distribution of people with a conviction specifically in 2019, the conviction rate relative to the same year's general population numbers was 3.1 times higher for Black than white people, 1.5 times higher for Hispanic than white people, and 0.3 times lower for Asian than white people.

Exhibit 3.6:
Conviction-Population Rate-Ratio by Race-Ethnicity in 2019
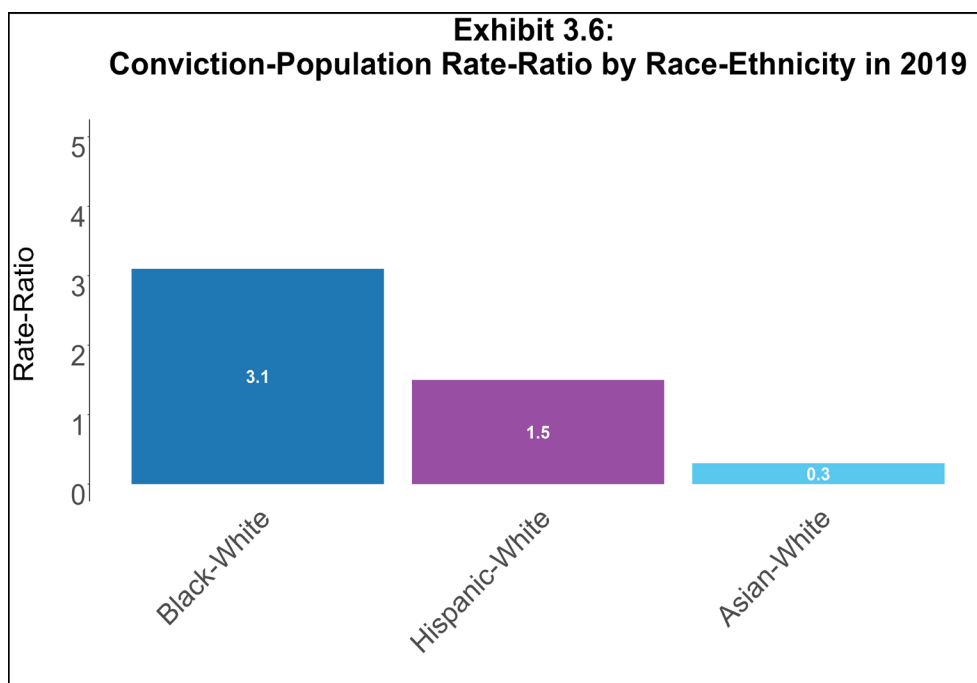
Conviction Rates by Race-Ethnicity and Region

Concerning the racial-ethnic breakdown within regions, Black people made up the largest proportion of convictions in New York City (44%). In Suburban NYC and Upstate, white people made up the largest proportions with convictions (53% and 74%, respectively; see Exhibit 3.7).

Exhibit 3.7: Percent of People Convicted by Region and Demographics, 1980-2021						
	New York City		**Suburban NYC**		**Upstate NY**	
	N	**%**	**N**	**%**	**N**	**%**
Total with Convictions	817,148		382,113		944,214	
Race-Ethnicity						
Black	357,920	44%	98,820	26%	178,738	19%
Hispanic	291,449	36%	63,244	17%	47,044	5%
White	140,121	17%	203,971	53%	698,609	74%
Asian	24,022	3%	5,595	1%	11,648	1%
Other/Unknown	3,636	<1%	10,483	3%	8,175	1%
Gender^						
Male	691,495	85%	308,291	81%	721,573	76%
Female	125,577	15%	73,630	19%	222,206	24%

^ Less than 0.01% of people (n=77) were missing information about gender.

Relative to their general populations in the recent year of 2019, disparities varied by region (Exhibit 3.8). **In New York City, Black people had a conviction rate 5.7 times higher than that of white people. In Suburban NYC and Upstate, respectively, Black people were convicted at a rate 5.5 and 4.8 times that of white people.** The Hispanic-White rate-ratio was 3.5 in New York City, 2.5 in the suburbs, and 2.0 in upstate, and across the state Asian people were less likely to be convicted than white people, relative to the population. The counties with the largest racial disparities were New York (Manhattan), and Franklin County. Black people in Manhattan were 14 times more likely to be convicted than white people and Hispanic people were 6 times more likely to be convicted. Asian people in Franklin County were 25 times more likely to be convicted than white people. In comparing racial disparities, we found smaller disparities for the entire state than for each of the three regions individually. Because there are far larger percentages of white people living outside than inside NYC, and because convictions are generally more prevalent outside NYC, regional disparities in conviction rates reduce the magnitude of racial disparities when adopting a statewide perspective. However, Black and Hispanic people are generally more likely to be convicted than white people independent of regional disparities.

Exhibit 3.8: Conviction-to-Population Rate-Ratio by Region, 2019			
	New York City	**Suburban NYC**	**Upstate**
Black-White	5.7	5.5	4.8
Hispanic-White	3.5	2.5	2.0
Asian-White	0.6	0.4	0.7

Chapter 4. Conclusion

This report looks at the number of *convictions* in New York State from 1980 to 2021 (Chapter 2), and the number of *people* who have criminal convictions (Chapter 3).

We found there were over 6.6 million convictions, representing almost 2.2 million people. Of all convictions, 77% were for misdemeanor offenses. Of people with a conviction, 53% had only one on their record, and 73% had their most recent conviction over 10 years ago. People with convictions were predominantly white (49%) and male (80%). Relative to their representation in the residential population, the conviction rate in 2019 for Black people statewide was 3.1 times higher than for white people. Additionally, there were regional differences in conviction volume and in the characteristics of people with convictions.

In recent years, criminal legal system reforms in New York State—and elsewhere—have focused on shrinking the system's footprint to reduce the negative impacts that the system has on security, stability, and opportunity for impacted people and communities. Policymakers, advocates, researchers, and the public have also focused on the disproportionate impacts that this system has on Black and Hispanic communities—although earnest intentions have not always translated to concrete reductions in racial and ethnic disparities to-date. We hope that, as we stated in the Data Collaborative for Justice's prior report on convictions in New York City, the current findings will add to dialogue and reforms that promote racial justice and opportunity.

> **For More Information:** This report includes a separate link to a series of interactive maps portraying the number of convictions, people with convictions, rates per 100,000 people in the general population, and racial disparities for each one of the State's 62 counties. In addition, Appendix C below includes some of the county-level data in a simple tabular form.

Appendix A. Conviction Numbers for Select Years

Number of Convictions for Select Years, by Charge Level, Region, and Race										
	1980		**1990**		**2000**		**2010**		**2019**	
	N	**%**	**N**	**%**	**N**	**%**	**N**	**%**	**N**	**%**
Total Convictions	71,308	100%	186,080	100%	187,844	100%	171,795	100%	108,624	100%
Charge Level										
Misdemeanor	63,676	89%	132,370	71%	147,639	79%	138,296	81%	82,075	76%
Felony	7,632	11%	53,710	29%	40,205	21%	33,499	19%	26,549	24%
Region										
New York City	38,078	53%	99,226	53%	104,099	55%	82,349	48%	36,272	33%
Suburban NYC	6,761	9%	29,001	16%	22,418	12%	26,697	16%	19,575	18%
Upstate New York	26,469	27%	57,852	31%	61,327	33%	62,749	37%	52,777	49%
Race-Ethnicity										
Black	28,574	40%	78,410	42%	83,926	45%	70,304	41%	39,740	37%
Hispanic	10,128	14%	36,419	20%	35,694	19%	35,047	20%	21,421	20%
White	32,048	45%	69,242	37%	65,665	35%	61,448	36%	44,358	41%
Asian	204	<1%	1,872	1%	2,000	1%	2,277	1%	2,019	2%
Other	354	<1%	137	<1%	559	<1%	2,719	2%	1,086	1%

Additional years available upon request.

Appendix B. Details on People with Convictions

People with Convictions, by Charge Level, Region, and Demographics*		
	Number	**Percent**
Total Persons	2,143,475	100
Charge Severity		
Misdemeanor	1,625,381	76%
Felony	518,094	24%
Region		
New York City	817,148	38%
Suburban NYC	382,113	18%
Upstate NY	944,214	44%
Race-Ethnicity`		
Black	639,618	30%
Hispanic	382,861	18%
White	1,058,797	49%
Asian	41,380	2%
Other	20,819	<1 percent
Gender^		
Male	1,721,849	80%
Female	421,009	20%
Number of Convictions		
Average Convictions		3
Median Number of Convictions		1

* As of December 31, 2021.
` Race-ethnicity data may slightly undercount a small number of Hispanic people (and overcount white people) whose only convictions came from an arrest by the NYPD during 1982-1984. See discussion in Chapter 1.
^ Less than 0.1% of people (n=607) were missing information about gender.

Appendix C. Conviction Numbers by County

Note: Please see our published maps for additional county-level detail (available here).

County	Total Convictions, 1980-2019	Misdemeanor Convictions, 1980-2019	Felony Convictions, 1980-2019	People with Convictions, As of 12/31/21	People with Misdemeanor Conv. Highest, As of 12/31/21	People with Felony Conv. Highest, As of 12/31/21	People Convicted in 2019	People Convicted in 2019, Misdemeanor Highest	People convicted in 2019, Felony Highest	People with Convictions per 1,000 in 2019	2019 County Population
Albany	136,008	108,705	27,303	47,624	39,562	8,062	2,042	1,504	538	8	250,068
Allegany	13,829	11,334	2,495	6,843	6,000	843	258	210	48	7	37,247
Bronx	742,449	573,981	168,468	169,897	110,143	59,754	4,547	3,203	1,344	4	1,076,664
Broome	90,471	70,269	20,202	36,638	30,517	6,121	1,567	1,173	394	10	155,560
Cattaraugus	26,105	20,327	5,778	12,573	10,862	1,711	640	497	143	11	59,937
Cayuga	31,434	26,122	5,312	12,067	10,648	1,419	624	494	130	10	62,031
Chautauqua	54,089	44,524	9,565	22,158	19,467	2,691	922	771	151	9	102,176
Chemung	46,398	37,067	9,331	18,278	15,434	2,844	861	640	221	13	66,568
Chenango	16,563	13,759	2,804	7,029	6,288	741	316	226	90	8	37,958
Clinton	33,742	26,797	6,945	16,024	14,074	1,950	791	548	243	12	66,055
Columbia	19,341	15,199	4,142	8,666	7,350	1,316	363	245	118	7	49,720
Cortland	18,348	14,534	3,814	7,178	6,195	983	391	299	92	10	38,698
Delaware	13,685	11,701	1,984	6,413	5,784	629	224	165	59	6	37,309
Dutchess	75,050	61,365	13,685	32,527	28,109	4418	1,602	1,288	314	7	237,558
Erie	234,051	179,419	54,632	89,792	72,046	17,746	4,087	3,217	870	6	731,783
Essex	11,347	9,321	2,026	5,618	5,031	587	239	192	47	8	31,305
Franklin	19,566	16,169	3,397	9,167	8,118	1,049	362	279	83	9	40,417
Fulton	18,004	14,295	3,709	7,081	6,025	1,056	422	315	107	10	42,710
Genesee	23,028	17,242	5,786	10,131	8,492	1,639	605	451	154	13	46,051
Greene	16,202	12,950	3,252	7,163	6,224	939	362	285	77	9	39,515
Hamilton	1,386	1,120	266	771	678	93	15	7	8	8	3,890
Herkimer	18,628	14,818	3,810	8,375	7,246	1,129	307	217	90	6	49,187
Jefferson	38,709	29,430	9,279	18,058	14,817	3,241	670	469	201	14	85,560
Kings	673,945	495,869	178,076	183,742	113,694	70,048	4,565	3,119	1,446	2	1,995,328
Lewis	5,260	3,692	1,568	2,506	1,972	534	122	79	43	7	20,445
Livingston	24,084	18,097	5,987	11,279	9,660	1,619	474	327	147	9	52,201
Madison	19,243	15,626	3,617	8,109	7,051	1,058	417	310	107	13	57,390
Monroe	235,425	181,726	53,699	93,539	77,005	16,534	4,267	3,278	989	7	587,409

County	Total Convictions, 1980-2019	Misdemeanor Convictions, 1980-2019	Felony Convictions, 1980-2019	People with Convictions, As of 12/31/21	People with Misdemeanor Conv. Highest, As of 12/31/21	People with Felony Conv. Highest, As of 12/31/21	People Convicted in 2019	People Convicted in 2019, Misdemeanor Highest	People convicted in 2019, Felony Highest	People with Convictions per 1,000 in 2019	2019 County Population
Montgomery	19,680	15,641	4,039	8,192	6,967	1,225	470	326	144	17	37,996
Nassau	292,066	227,085	64,981	135,317	112,515	22,802	5,322	4,220	1,102	6	1,062,767
New York	1,465,976	1,158,678	307,298	289,296	185,757	103,539	9,715	6,417	3,298	6	1,397,057
Niagara	60,148	49,375	10,773	23,746	20,192	3,554	1,106	902	204	12	168,296
Oneida	83,611	64,635	18,976	32,410	26,457	5,953	1,624	1,318	306	9	181,034
Onondaga	145,732	107,364	38,368	51,607	38,829	12,778	2,977	2,185	792	8	363,789
Ontario	48,144	36,000	12,144	21,416	17,989	3,427	945	688	257	11	87,192
Orange	112,385	88,879	23,506	48,744	40,907	7,837	2,111	1,493	618	7	282,793
Orleans	13,909	10,912	2,997	5,885	4,891	994	310	234	76	9	32,850
Oswego	34,175	26,931	7,244	14,473	12,063	2,410	848	716	132	9	93,217
Otsego	13,767	10,999	2,768	6,259	5,314	945	241	182	59	5	50,269
Putnam	14,318	11,203	3,115	7,657	6,561	1096	288	238	50	4	78,919
Queens	455,050	313,808	141,242	155,575	99,626	55,949	4,712	3,416	1,296	3	1,825,065
Rensselaer	46,476	35,917	10,559	16,576	13,679	2,897	761	582	179	6	128,104
Richmond	83,709	65,921	17,788	26,901	20,235	6,666	1,546	1,088	458	4	370,655
Rockland	45,713	31,085	14,628	23,363	17,377	5,986	766	498	268	3	233,530
St. Lawrence	30,505	23,743	6,762	14,738	12,536	2,202	560	354	206	7	86,740
Saratoga	48,654	39,683	8,971	19,695	17,493	2,202	1,282	1,009	273	7	182,013
Schenectady	57,351	44,735	12,616	18,370	15,143	3,227	908	625	283	6	121,385
Schoharie	7,929	6,532	1,397	3,713	3,304	409	160	111	49	7	25,679
Schuyler	6,212	4,830	1,382	3,044	2,639	405	98	68	30	10	14,470
Seneca	15,880	12,755	3,125	6,502	5,776	726	266	200	66	6	27,511
Steuben	34,576	25,841	8,735	15,353	12,983	2,370	792	532	260	10	75,516
Suffolk	332,337	249,868	82,469	133,881	108,150	25,731	5,662	4,393	1,269	5	1,165,619
Sullivan	35,784	27,260	8,524	15,451	12,451	3,000	693	526	167	12	59,174
Tioga	16,229	12,958	3,271	8,155	7,085	1,070	249	177	72	6	38,415
Tompkins	23,294	18,713	4,581	10,028	8,689	1,339	420	340	80	5	87,374
Ulster	61,416	49,736	11,680	28,161	24,854	3,307	1,268	983	285	9	146,740
Warren	29,537	24,172	5,365	11,637	10,293	1,344	657	525	132	13	52,468
Washington	20,314	16,087	4,227	8,860	7,570	1,290	414	286	128	8	49,880
Wayne	39,164	31,783	7,381	16,472	14,666	1,806	457	355	102	6	71,029
Westchester	245,940	194,990	50,950	94,063	76,689	17,374	3,871	3,161	710	5	753,789
Wyoming	11,778	8,400	3,378	5,088	4,171	917	356	250	106	11	32,289
Yates	8,130	6,246	1,884	3,593	3,030	563	164	123	41	8	19,456

Endnotes

[1] Criminal convictions reflect a range of factors, including evidence of guilt (or a lack thereof), prosecutors' decisions of whether to downgrade arrest charges, or plea negotiating processes involving the prosecution and defense. In this report, we only focus on cases that result in a criminal conviction. Note that because violations are not technically a "crime" and do not create a permanent criminal record, convictions for a violation-level offense are not a criminal conviction. In 2019, 19% of felony arrests and 30% of misdemeanor arrests were reduced to a violation or other type of non-criminal conviction. For more information on statewide conviction rates, see New York State Division of Criminal Justice Services. Dispositions of Adult Arrests (18 and older), 2017-2021. Available at: https://www.criminaljustice.ny.gov/crimnet/ojsa/dispos/index.htm.

[2] IBID.

[3] See, e.g., American Bar Association. (2018). Collateral Consequences of Convictions: Judicial Bench Book. Available at: https://www.ojp.gov/pdffiles1/nij/grants/251583.pdf; Cadoff, B., Bond, E., Chauhan, P., & Meizlish, A. (2021). Criminal Conviction Records in New York City (1980-2019). New York, NY: Data Collaborative for Justice. Available at: https://datacollaborativeforjustice.org/work/racial-justice/criminal-conviction-records-in-new-york-city-1980-2019/; Chin, G. (2017). "Collateral Consequences." Pp. 371-395 in Luna, E., ed. Reforming Criminal justice: Volume 4: Punishment, Incarceration, and Release. The Academy of Justice. Available at: https://law.asu.edu/sites/default/files/pdf/academy_for_justice/Reforming-Criminal-Justice_Vol_4.pdf

[4] The primary way landlords and property managers obtain individuals' criminal records is through background checks. Fair Housing Center for Rights and Research. (2019). Fair Housing for People with Criminal Records. Available at: https://www.thehousingcenter.org/resources/criminal-history/.

[5] Center for Justice and Opportunity. (2020). Getting to Work with a Criminal Record. New York State License Guides, 2020 expanded edition. Available at: https://justiceandopportunity.org/research/getting-to-work-with-a-criminal-record-new-york-state-license-guides-2020-expanded-edition/.

[6] Federal Student Aid. (n.d.). Eligibility for Students with Criminal Convictions. Available at: https://studentaid.gov/understand-aid/eligibility/requirements/criminal-convictions.

[7] Collateral Consequences Resource Center. (2020). 50-State Comparison: Limits on Use of Criminal Record in Employment, Licensing, and Housing. Available at: https://ccresourcecenter.org/state-restoration-profiles/50-state-comparisoncomparison-of-criminal-records-in-licensing-and-employment/.

[8] Thompson, D. & Burnside, A. (2022). No More Double Punishments: Lifting the ban on SNAP and TANF for people with Prior Felony Drug Convictions. Center for Law and Social Policy. Available at: https://www.clasp.org/publications/report/brief/no-more-double-punishments/.

[9] Uggen, C., Larson, R., Shannon, S., & Steward, R. (2022). Locked out 2022: Estimates of People Denied Voting Rights. Washington, DC: Sentencing Project. Available at: https://www.sentencingproject.org/reports/locked-out-2022-estimates-of-people-denied-voting-rights/.

[10] New York State Unified Court System. (2019). Immigration Consequences. Available at: https://nycourts.gov/courthelp/criminal/immigrationConsequences.shtml.

[11] See, e.g., Stolzenberg, S., D'Alessio, S.J., Flexon. (2020). The Usual Suspects: Prior Criminal Record and the Probability of Arrest. Police Quarterly, 24(1), 31-54; and Martinez, B.P., Petersen, N., & Omori, M. (2019). Time, Money, and Punishment: Institutional Racial-Ethnic Inequalities in Pretrial Detention and Case Outcomes. Crime & Delinquency, 66(6-7), 837–863.

[12] Craigie, T., Grawert, A., & Kimble, C. (2020). Conviction, Imprisonment, and Lost Earnings: How Involvement with the Criminal Justice System Deepens Inequality. New York, NY: Brennan Center for Justice. Available at: https://www.brennancenter.org/our-work/research-reports/conviction-imprisonment-and-lost-earnings-how-involvement-criminal.

[13] Clean Slate Initiative. (2023). About. Available at: https://www.cleanslateinitiative.org/about.

[14] The New York State Senate. (2023). Senate Bill S211A: Relates to the Automatic Sealing of Certain Convictions. Available at: https://www.nysenate.gov/legislation/bills/2023/S211

[15] Cadoff, B., et al. (2021), Op Cit.

[16] Over time, the racial makeup of New York City stayed relatively consistent, with a few exceptions. See, Appendix D of Cadoff, B., et al. (2021), Op Cit.

[17] From 1980-2021, 79,687 convictions (representing 1.2% of the total) were for sex offenses, classified under Penal Law Article 130. In 2019, there were 1,554 convictions for sex offenses (representing 1.4% of the total). Notably, under New York's pending Clean Slate legislation, these convictions would be ineligible for sealing.

[18] Convictions dropped dramatically in 2020 because the COVID-19 pandemic severely limited case processing, leading unusually high numbers of cases to linger unresolved. The trend in 2021 is likewise challenging to interpret: criminal system processes remained slowed due to the ongoing pandemic, and yet many cases that had not been processed in 2020 were processed in 2021.

[19] The race-ethnicity categories listed in DCJS data are: Black, Hispanic, White, Asian/Indian, and Other/ Unknown. Based on conversations with DCJS staff, we understand that the "Asian/Indian" category is reported on police arrest forms, and therefore the understanding of "Indian" may change based on the officer or department filling out the form. To simplify the figures and avoid causing confusion, we refer to this category as "Asian" in this report.

[20] United States Census 2019 5-year estimates for counties in New York State of people ages 18 and above.

[21] DCJS data codes this category as "Asian/Indian." See Endnote 19 for further explanation.

[22] Convictions are a function of arrests. Analyzing arrest trends are beyond the scope of this report. For more information, see Cadoff, B. et al. (2021), Op Cit.; and see Patten, M., Hood, Q. O., Low-Weiner, C., Bond, E., Hatten, D., & Chauhan, P. (2018). Trends in Misdemeanor Arrests in New York 1980 to 2017. New York, NY: Data Collaborative for Justice. Available at: https://datacollaborativeforjustice.org/work/misdemeanors/trends-in-misdemeanor-arrests-in-new-york-1980-2017/.

[23] Individual people were identified using an anonymized pseudo-identifier provided by DCJS. To keep our estimates conservative, we excluded people serving life prison sentences and people who would have been 70 years or older as of December 31, 2021. We made no assumptions regarding the possibility that people convicted in New York State in past years may not currently live in the State. We also made no assumptions regarding the possibility that people convicted in other states may be living in New York State.

[24] A total of 79,041 people (representing 3.6% of people with a conviction from 1980 to 2021) had a conviction for a sex offense on their record, classified under Penal Law Article 130.

[25] Geographic analyses at the person-level are based on the region or county of the most recent conviction. This means, for example, that a person with a 1990 conviction in Broome County and a 1993 conviction in Bronx County will appear in Bronx County's estimate.

[26] If a person was convicted for multiple offenses on the same day, we counted each conviction separately (e.g., someone convicted of trespassing and petit larceny associated with the same arrest encounter would have two convictions, since that is what would show up on a criminal background check). However, if a person's record included two convictions that occurred on the same day where the arrest charge, arrest date, conviction charge, and conviction date were the same, we considered those data points to be administrative duplicates and counted them as a single conviction.

[27] As explained in Chapter 1, the NYPD did not report ethnicity data from 1982-1984, leading to an undercount of Hispanic people and an overcount of white people during that time. However, because demographic data is included for each case, the race-ethnicity information for any person who also had a case by any other department or during any other time is drawn from that other case. Therefore, our analyses of race-ethnicity by person are more accurate over the full 1980-2021 period than case-specific convictions because the only people impacted by this data reporting limitation are those who had only one conviction where the arrest was made between 1982 and 1984 by the NYPD.

[28] United States Census 2019 ACS 5-year estimates for counties in New York State.

[29] Rate-ratios provide the relative likelihood that someone in one group has a conviction, compared to another group. For example, the Black-White rate-ratio of 2.2 means that a Black person is 2.2 times more likely to have a conviction than a white person, even when accounting for the differences in population for each group. A rate-ratio is computed by calculating the conviction rate (people with convictions divided by population) for each group, and then dividing one conviction rate (here, the Black conviction rate) by another (here, the white conviction rate).