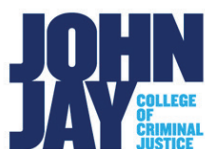


NEW YORK CITY POLICE REFORM AND REINVENTION COLLABORATIVE

# Assessing Progress in Reducing Racial Disparities in New York City Law Enforcement, 2013-2022

**STEPHEN KOPPEL AND MICHAEL REMPEL**

**DATA COLLABORATIVE FOR JUSTICE**



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# Assessing Progress in Reducing Racial Disparities in New York City Law Enforcement, 2013-2022

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## REPORT HISTORY AND FUNDING

In 2021, the [New York City Mayor's Office of Criminal Justice](#) (MOCJ) contracted with several research centers at John Jay College of Criminal Justice to support research and/or technical assistance related to 6 of the 132 reform initiatives contained within the [New York City Police Reform and Reinv<sup>e</sup>ntion Collaborative Plan](#) ("the Plan"). The Plan was the result of more than 85 listening sessions, roundtable discussions, town halls and stakeholder engagement meetings conducted by NYPD and community partners. In March 2021, the NYC Council adopted the Plan via [Resolution 1584](#) pursuant to [State Executive Order Number 203](#). The City's [Reform Implementation Working Group](#) was tasked with implementing and monitoring the progress of the 132 reform initiatives within the Plan. This report is aligned with reform initiative 79 of the Plan as directed by MOCJ.

## ACKNOWLEDGEMENTS

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### III KEY FINDINGS

## Executive Summary

As part of New York City's [Police Reform and Reinvention Collaborative Plan](#), this study assesses overall trends and racial disparities from 2013 to 2022 in four law enforcement practices: (1) pedestrian stops, (2) desk appearance tickets, (3) arrests, and (4) prosecutions by district attorneys.

### PEDESTRIAN STOPS

The total number of [pedestrian stops in New York City climbed](#) from less than 100,000 in 2002 to a high of 685,724 in 2011. This total was more than 3.5 times higher than just two years later in 2013, the first year represented in this report and the year the City's Stop, Question, and Frisk practices were ruled [unconstitutional](#).

- **CONTINUING STEEP DECLINE IN STOPS UNTIL 2022:** From 2013 to 2021, the total number of stops fell by 92% (from 191,851 in 2013 to 8,947 in 2021). That trend reversed in 2022, which saw a 69% increase in stops (up to 15,102)—the largest one-year increase over the past decade.
- **GROWING PROPORTION OF STOPS IN THE BRONX:** Stops fell sharply in all boroughs since 2013, though the decline was greatest in Queens and Brooklyn and smallest in the Bronx. From 2013 to 2022, the share of stops in Queens fell from 24% to 16%, but climbed from 13% to 30% in the Bronx, despite making up 17% of the City's 2022 population.
- **WIDENING RACIAL DISPARITIES:** *Black and Hispanic people made up 52% of New York City's population but 88% of people stopped in 2022; Black people alone accounted for 59% of stops, despite comprising just 23% of the City's population.* Over the ten-year period that began in 2013, stop rates declined by over 90% for all racial/ethnic groups. However, the largest declines were among white people, resulting in a corresponding rise in racial disparities. Compared to white people, police stopped Black people at a rate 7.5 times higher in 2013, a disparity that grew to 11.8 times higher in 2022; and police stopped Hispanic people at a rate 3.5 times higher than white people in 2013, growing to 5.1 times higher in 2022.
- **LARGER BLACK-WHITE DISPARITIES AMONG MEN AND YOUTH:** In 2022, 93% of people stopped were men—and police stopped Black men at a rate 13.7 times higher than white men (twice the disparity seen among women). In addition, 43% of people stopped were youth under the age of 25, and police stopped Black youth at a rate 18.6 times higher than white youth (a greater disparity than for older age groups).
- **INCREASING ARREST (“HIT”) RATES UNTIL 2022:** In 2013, just 8% of stops led to an arrest. As police made fewer stops over the following years, the proportion resulting in an arrest rose: peaking at 38% in 2021, before falling to 33% in 2022. Stops led to an arrest for 32% of Hispanic and 33% of Black people compared to 38% of white people in 2022. (In 2013, and as recently as 2019, these groups varied by 3 percentage points or less.)

### DESK APPEARANCE TICKETS (DATS)

When police officers issue a desk appearance ticket (DAT), the person is released from the precinct in lieu of spending about 24 hours in pre-arraignment detention. Evaluated in a separate [statewide study](#), reforms implemented in 2020 required police across New York to issue DATs for most misdemeanors and Class E felonies.

- **RISING DAT ISSUANCE SINCE 2019:** The DAT issuance rate declined in the years leading up to reform (from 29% in 2013 to 20% in 2019), before rising by 23 percentage points from 2019 to 2021. However, DAT issuance fell from 43% in 2021 to 29% in 2022, in part reflecting rollbacks to the reforms put in place May 2022.



## IV

### KEY FINDINGS

- **DECLINING RACIAL DISPARITIES:** In 2013, white people were 10 percentage points more likely to receive a DAT compared to Black people and 6 percentage points more likely compared to Hispanic people. By 2022, the Black-white gap narrowed to 6 percentage points, while the Hispanic-white gap was eliminated. (In 2022, police issued a DAT to 32% of Hispanic and white people vs. 26% of Black people.)

### MISDEMEANOR ARRESTS

The full report examines trends in both misdemeanor and felony arrests. Below are key findings for misdemeanors—the cases where police retain more discretion, on average, in how to respond to alleged offenses.

- **FEWER ARRESTS UNTIL 2021 AND 2022:** From 2013 to 2022, the annual number of misdemeanor arrests fell by two-thirds (from 296,956 to 102,537). This included a sharp 75% drop from 2013 to 2020, followed by 13% and 23% respective increases from 2020 to 2021 and 2021 to 2022. (Felony arrests saw a more modest 32% drop from 2013 to 2020, followed by 9% and 20% increases over the next two years.)
- **SIMILAR RACIAL DISPARITIES:** Among misdemeanors, population-adjusted arrest rates declined by close to two-thirds across all racial/ethnic groups. In 2022, Black people were 6.1 times more likely than white people to be arrested for a misdemeanor in 2022, while Hispanic people were 3.9 times more likely— results pointing to little change from a decade earlier.
- **LARGEST DISPARITIES FOR MARIJUANA AND THEFT OF SERVICES:** Across nine especially common misdemeanors examined, the largest racial disparities involved marijuana arrests—92% Black or Hispanic in the last full year (2020) before legalization—and theft of services (i.e., mainly turnstile jumping)—89% Black or Hispanic in 2022.
- **FEWER YOUTH ARRESTS BUT RISING DISPARITIES:** In 2022, youth under age 25 accounted for 18% of misdemeanor arrests, down from 34% in 2013. However, racial disparities widened, with Black youth 8.3 times more likely to be arrested on a misdemeanor than white youth in 2022 (compared to 4.6 times in 2013) and Hispanic youth 4.7 times more likely to be arrested on a misdemeanor (compared to 2.9 in 2013). Disparities barely changed for older age groups.

### PROSECUTIONS

Because district attorneys prosecute most arrests, trends in cases pursued by New York City's District Attorney's Offices generally echoed those for arrests made by police. For example, from 2013 to 2022, the number of misdemeanor prosecutions fell by two-thirds (from 292,943 to 101,064), mirroring the net drop in misdemeanor arrests. In 2022, Black people were 6.2 times more likely than white people to be prosecuted for a misdemeanor and 8.9 times more likely to be prosecuted for a felony—reflecting similar differences to those found, respectively, for misdemeanor and felony arrests.

## Chapter I. Introduction

In the wake of the police-involved death of George Floyd and ensuing public demonstrations, former New York Governor Andrew Cuomo issued [Executive Order 203](#) in June 2020, mandating that local governments develop plans to reform their respective police departments. The goals of police reform included increasing public safety while promoting greater police accountability, reducing racial disparities in law enforcement, and mitigating potential adverse effects of over-policing on low-income communities.

Authorized as part of New York City's resulting [Police Reform and Reinvention Collaborative Plan](#), which was adopted by the City Council on March 25, 2021, this study examines trends in the City from 2013 to 2022 in four law enforcement practices: **pedestrian stops, desk appearance tickets, arrests, and prosecutions by district attorneys**. For each of these practices, three main questions are addressed.

1. **TEN-YEAR TRENDS:** *What has been the citywide and boroughwide prevalence of each law enforcement practice over the past decade (2013-2022)?*
2. **CURRENT RACIAL DISPARITIES:** *What were the magnitudes of Black-white and Hispanic-white disparities in 2022, the most recent year for which data was available and the first full year following the adoption of the Police Reform and Reinvention Collaborative plan?*
3. **RACIAL DISPARITIES TRENDS:** *How did racial and ethnic disparities in 2022 compare to those in prior years—focusing on a ten-year baseline (2013), a more recent pre-pandemic year (2019), and the year prior to the current mayoral administration (2021)?*

Additionally, the analysis examines racial disparities in each law enforcement practice broken down by **borough, gender, age group, and charge type**.<sup>1</sup>

The analysis is informed by the City Council's placement of this study under the objective of **decriminalizing poverty**—indicating an interest in reducing unnecessary low-level enforcement and reducing disproportionate police contact by race, ethnicity, and socioeconomic status. Under this same objective, the Data Collaborative for Justice has separately analyzed racial disparities and community impacts over the past decade in the issuance of [criminal](#) and [civil](#) summonses.<sup>2</sup>

## DATA, METHODS, AND DEFINITIONS

### Data Sources

The data in this report covers the period from 2013 to 2022 (the latest year for which data was available). Separate data sources were used for each enforcement practice.

- **PEDESTRIAN STOPS:** Pedestrian stop data were extracted from the New York Police Department's open-source [Stop, Question, and Frisk dataset](#).
- **DESK APPEARANCE TICKETS:** Desk appearance ticket data were obtained from court data provided by the New York State Office of Court Administration.
- **ARRESTS:** Arrest data were extracted from the [New York Police Department's open-source Arrests dataset](#), which includes information about alleged misdemeanor and felony crimes as well as low-level violations and infractions.
- **PROSECUTIONS:** Prosecution data were obtained from court data provided by the Office of Court Administration (the same dataset noted above).

**Racial Groups**

People were divided into three main racial/ethnic groups: non-Hispanic Black, Hispanic, and non-Hispanic white.<sup>3</sup> For simplicity, throughout the report these groups are referred to as Black, Hispanic, and white. For certain analyses, people who did not fall into one of these categories were grouped together as additional racial/ethnic groups (referred to as “other” throughout this report).

**Population-Specific Rates**

Annual population estimates were obtained from the Census Bureau’s Population Estimate Program (PEP) database; namely, the county-level Population Estimates by Demographic Characteristics dataset, which includes population estimates broken down by county, age, gender, race, and Hispanic origin.<sup>4</sup>

Population-specific rates are calculated by dividing the total number of enforcement actions for a particular group (numerator) by the annual population size for that race/ethnicity (denominator). For example, if 100,000 Hispanic people are arrested in a year and an estimated 1,000,000 Hispanics lived in New York City at the time, the arrest enforcement rate for Hispanics would be 10,000 per 100,000 people. For easier interpretation, all rates in this report are expressed per 100,000 people.

**Caveat.** By benchmarking solely against population size, this methodology has the benefit of capturing racial disparities resulting from the broadest possible range of factors (e.g., bias in policing, poverty, educational disadvantage). However, attributing racially disparate outcomes to any particular cause would require a more complex analysis.<sup>5</sup>

Readers interested in replicating portions of the analysis that rely on public data (i.e., pedestrian stops and arrests) can find the code used [here](#).

## Chapter 2. Pedestrian Stops, 2013-2022

This chapter examines disparities in pedestrian stops. Public data used for the analysis documents investigative encounters between uniformed officers and civilians where a person was detained (i.e., did not feel free to walk away) and possibly frisked. Commonly referred to as *Terry* stops, such encounters require a showing that the officer had “reasonable suspicion” that a crime had been or was about to be committed.<sup>6</sup>

### BACKGROUND: THE CITY’S STOP, QUESTION, AND FRISK ERA

During the mayoral administration of Michael Bloomberg, New York City’s [pedestrian stops climbed from just under 100,000 in 2002 to a high of 685,724 in 2011](#).<sup>7</sup> For context, this was over 3.5 times higher than the total for 2013, the first year represented in this report’s ten-year analysis.

On August 12, 2013, U.S. District Court Judge Shira Scheindlin ruled the City’s “Stop, Question, and Frisk” policies [unconstitutional](#). This precipitated the sharp decline in stops seen from 2013 to 2014 (shown below), the first full year post-ruling.

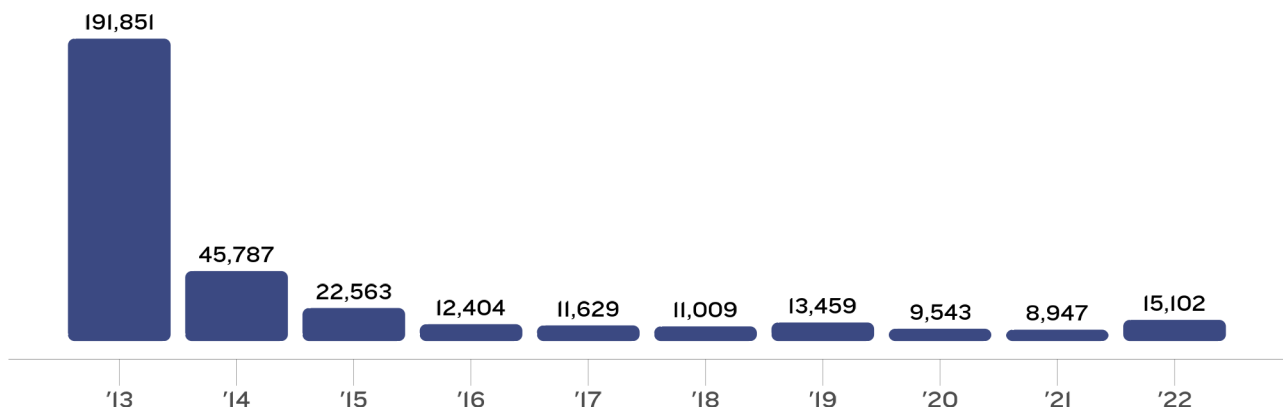
### CITYWIDE AND BOROUGHWISE TRENDS IN PEDESTRIAN STOPS SINCE 2013

**From 2013 to 2021, the total number of stops fell by 92% (from 191,851 in 2013 to 8,947 in 2021). That trend reversed in 2022, which saw a 69% increase in stops (up to 15,102), the largest one-year increase over the past decade (Figure 2.1).**

Stops also fell sharply in all boroughs, with the largest declines seen in Brooklyn (from 72,402 in 2013 to 2,962 in 2021; -96%) and Queens (45,556 in 2013 to 1,399 in 2021; -97%) (Figure 2.2). In 2022, while the total number of stops rose in all boroughs, the Bronx saw by far the largest increase (up 137% from 1,898 in 2021 to 4,495 in 2022, more than double the increase seen in other boroughs).

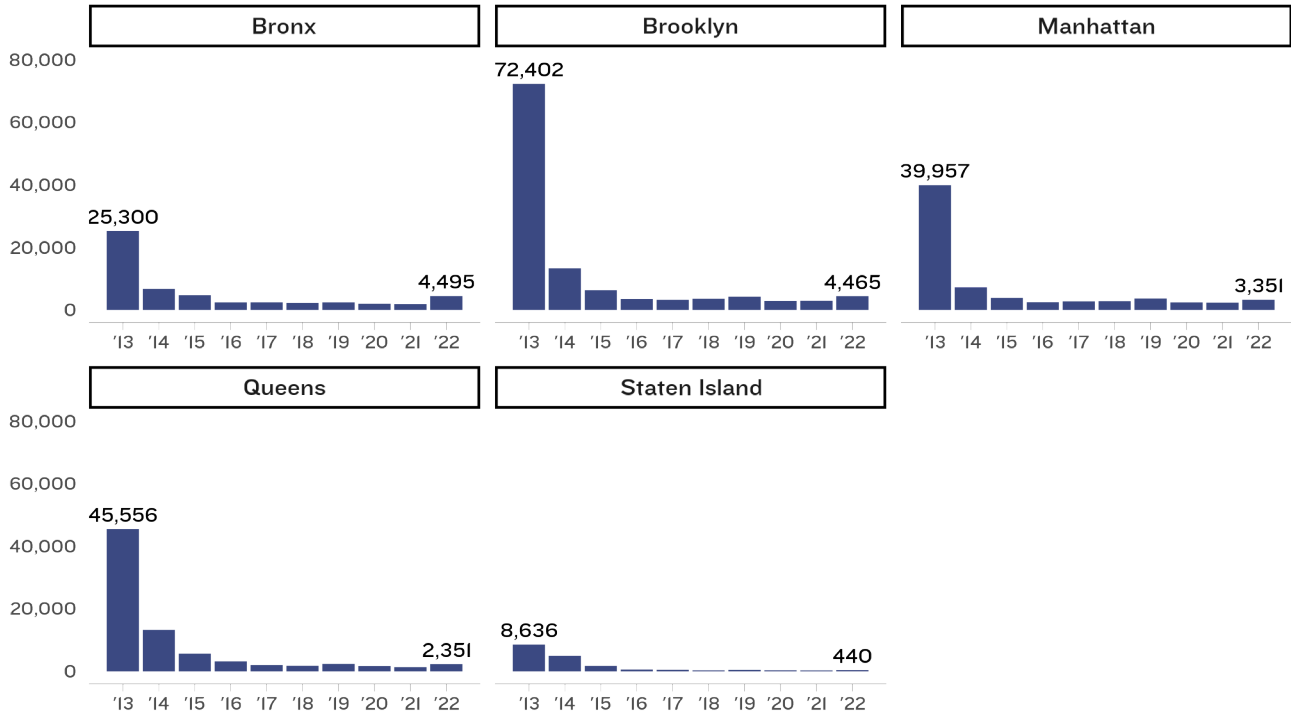
Figure 2.3 shows trends in stops broken down by borough. In 2013, Queens accounted for nearly 1 in 4 stops (23.7%), but by 2022 fell to about 1 in 6 (15.6%). The Bronx accounted for 13.2% of stops in 2013, but by 2021 made up 21.2% and in 2022 increased to nearly 1 in 3 (29.8%).

**FIGURE 2.1**  
**TOTAL PEDESTRIAN STOPS CITYWIDE**

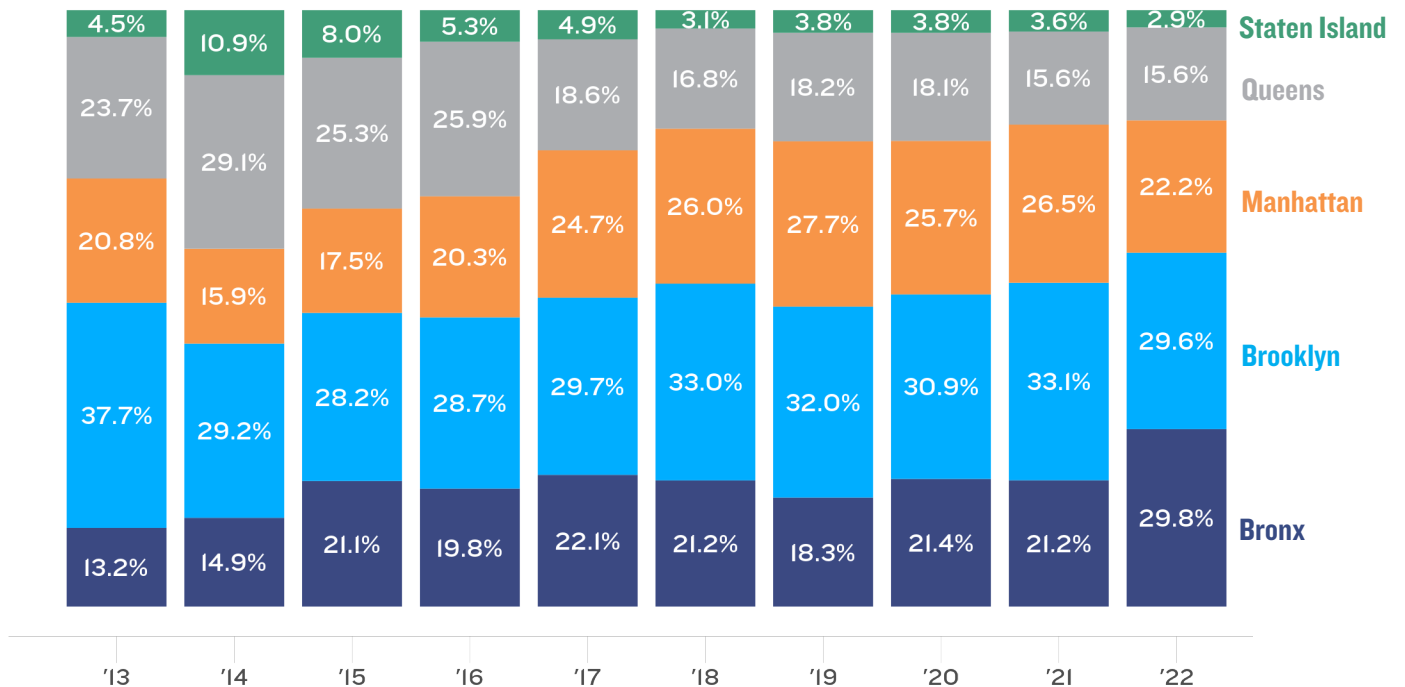


**PEDESTRIAN STOPS, 2013-2022**

**FIGURE 2.2**  
**TOTAL PEDESTRIAN STOPS BY BOROUGH**



**FIGURE 2.3**  
**TOTAL PEDESTRIAN STOPS BY BOROUGH, %**



**RACIAL DISPARITIES IN PEDESTRIAN STOPS SINCE 2013**

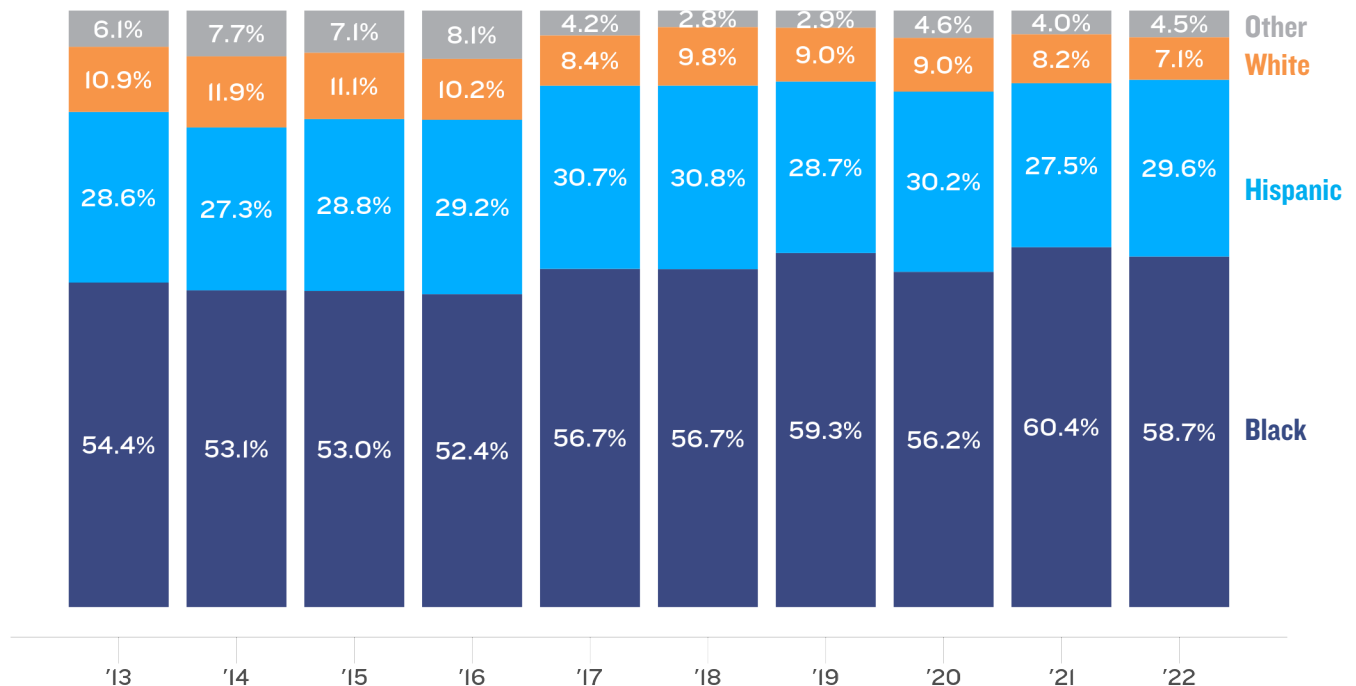
**By 2022, Black and Hispanic people combined made up 88% of people stopped.** Throughout the ten-year period, the proportion of Black people ranged from 53-60%, landing towards the upper end of that range at 59% in 2022. The proportion of Hispanic people ranged from 27-31%, settling at 30% in 2022 (Figure 2.4).

Accounting for population size, the rate of pedestrian stops per 100,000 people fell sharply over the past decade for all three racial/ethnic groups (Figure 2.5). Compared to the 2013 baseline, stop rates declined by 92% for Black people, 93% for Hispanic people, and 95% for white people. This was despite sharp increases in 2022 over the previous year for all groups (38% for white, 74% for Hispanic, and 58% for Black people).

Whereas the full ten-year trend saw a marked decline in absolute numbers of stops, Black and Hispanic people experienced *widening racial disparities* in their relative likelihoods of being stopped. **Black people were stopped at a rate 7.5 times higher than white people in 2013, a disparity that grew to 9.4 times higher by 2019 and 11.8 times higher in 2022 (Figure 2.6).** Hispanic people were stopped at a rate 3.5 times higher than white people in 2013, growing to 4.0 times higher in 2019 and 5.1 higher in 2022.

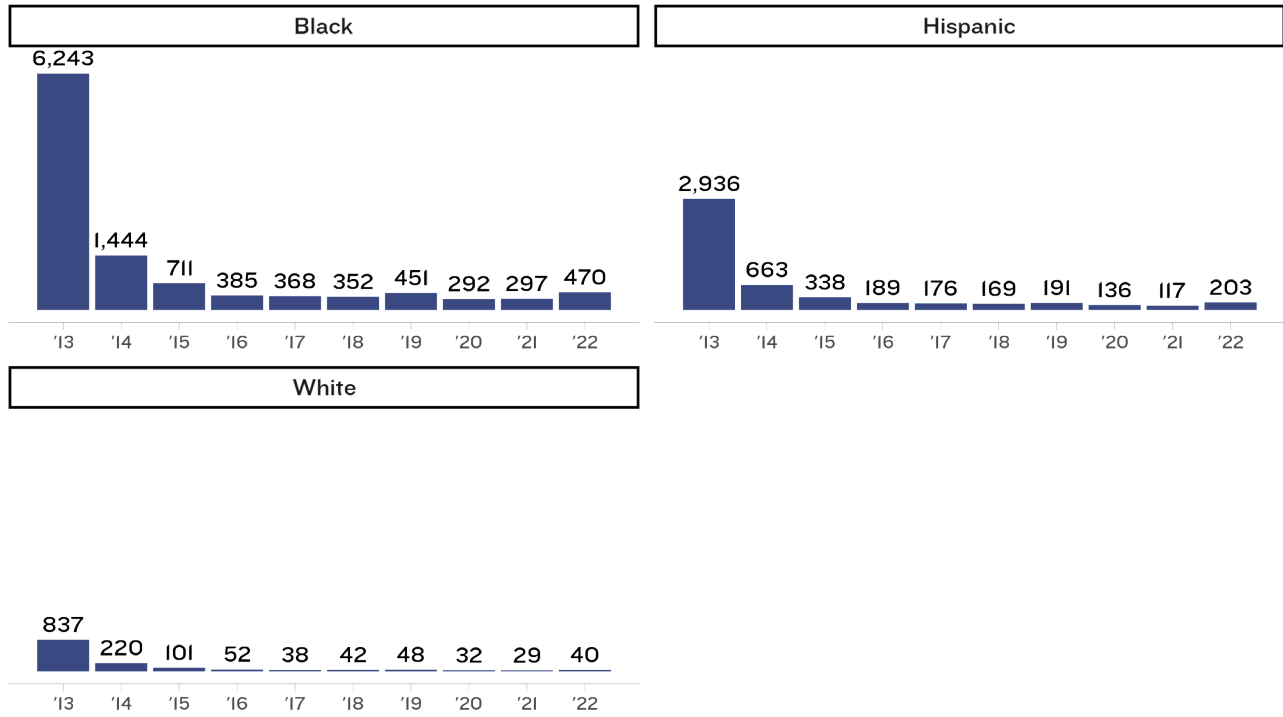
In 2013, just 8% of stops led to an arrest (Figure 2.7). As police made fewer stops over the following years, the proportion that resulted in arrest rose: peaking at 38% in 2021, before falling to 33% in 2022. **Stops led to an arrest for 32% of Hispanic and 33% of Black people in 2022 compared to 38% of white people.** In 2013, and as recently as 2019, these groups varied by 3 percentage points or less.

**FIGURE 2.4**  
**TOTAL PEDESTRIAN STOPS BY RACE/ETHNICITY, %**

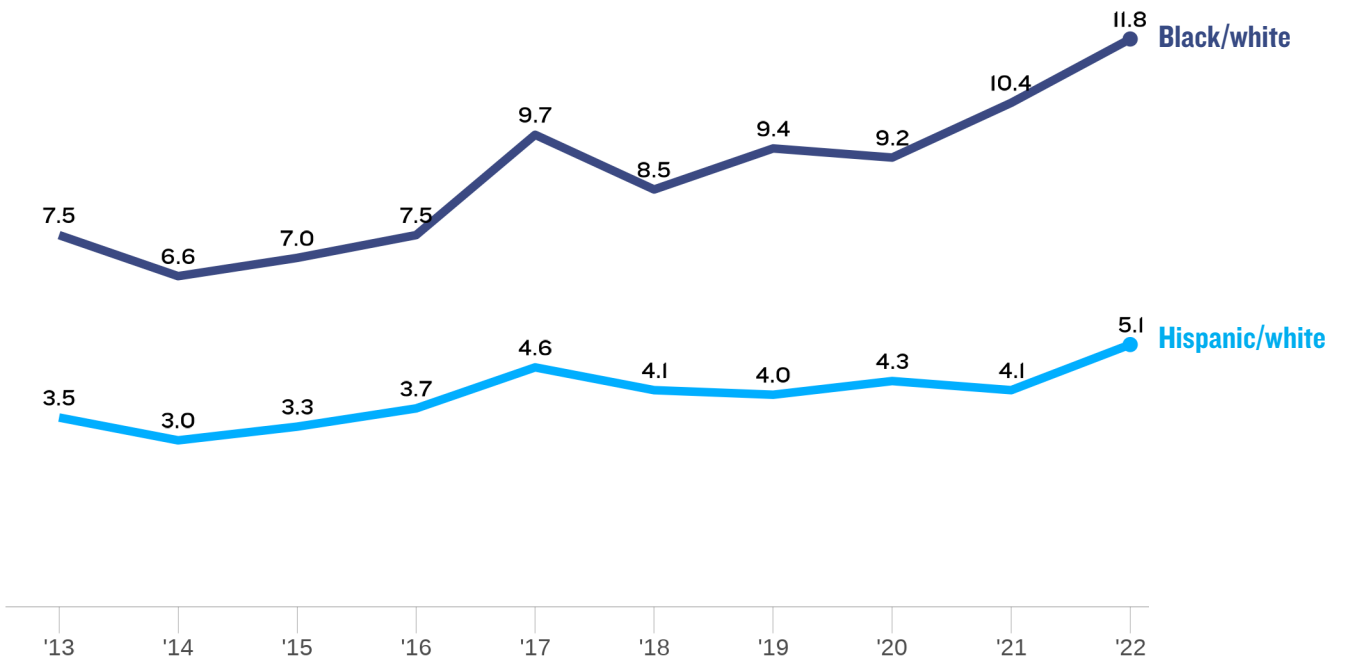


**PEDESTRIAN STOPS, 2013-2022**

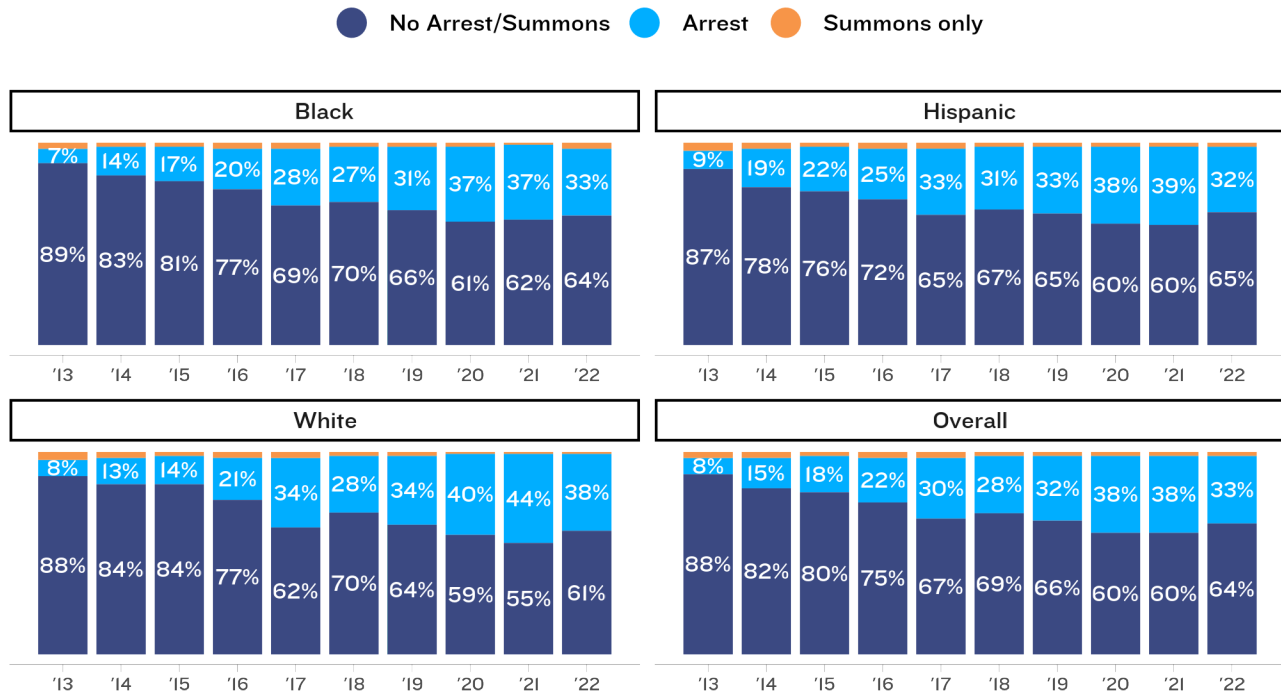
**FIGURE 2.5**  
**PEDESTRIAN STOPS RATE (PER 100,000 PEOPLE)**



**FIGURE 2.6**  
**PEDESTRIAN STOP RACIAL DISPARITY RATIO**



**FIGURE 2.7**  
**TOTAL PEDESTRIAN STOPS BY "HIT RATE" AND RACE/ETHNICITY, %**



**RACIAL DISPARITIES IN STOPS BY BOROUGH**

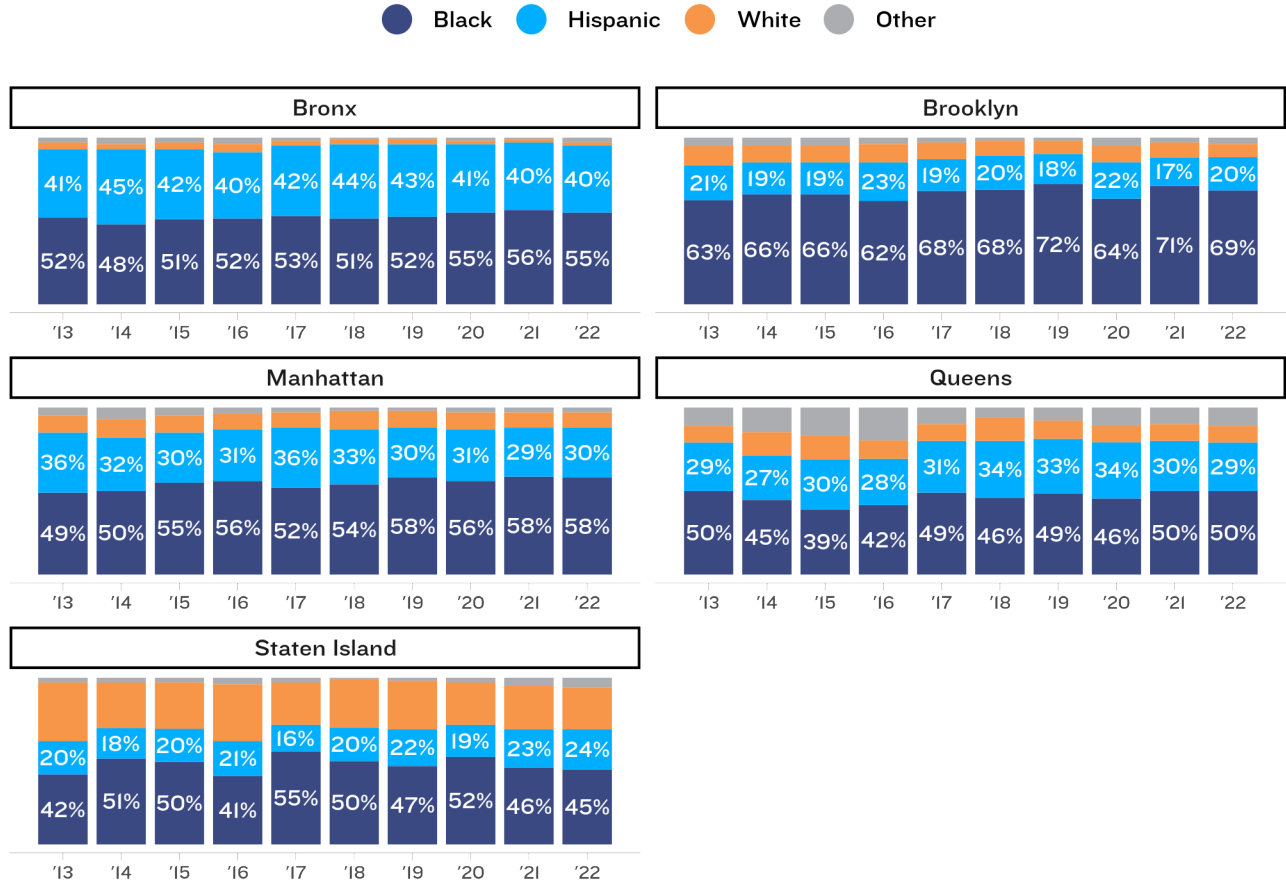
In all boroughs except Staten Island, more than three-quarters of people stopped in nearly all years were Black or Hispanic. The percentage of Black people stopped was highest in Brooklyn (ranging from 62-72%), while the percentage of Hispanic people stopped was highest in the Bronx (ranging from 40-45%) (Figure 2.8).

Mirroring the overall citywide pattern, all racial/ethnic groups experienced significant declines in absolute numbers of stops since 2013. Yet in relative terms, the Black-white disparity in the rate of stops increased in all boroughs except Queens, and the Hispanic-white disparity increased in all boroughs except Queens and Manhattan.

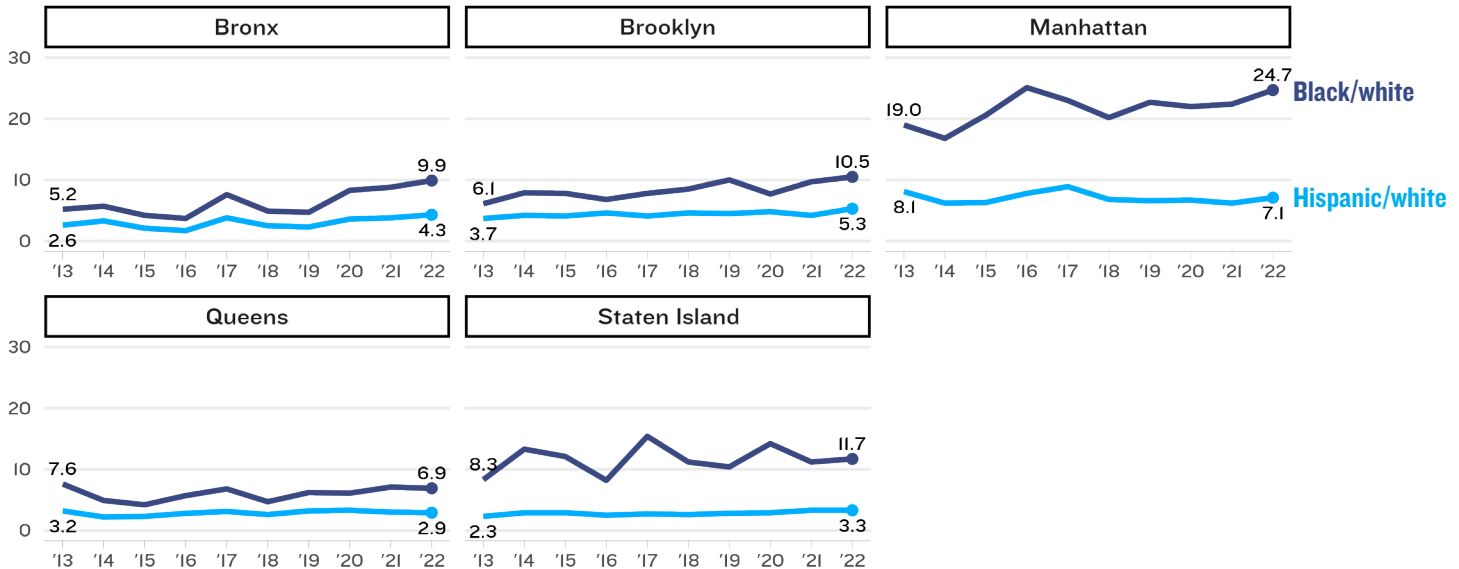
**The largest racial disparities of any borough were found in Manhattan across all ten years examined.** Relative to their population size, by 2022 police were 25 times more likely to stop Black people than white people in Manhattan, from 10 to 12 times more likely in the Bronx, Brooklyn, and Staten Island, and 7 times more likely in Queens. Police were 7 times more likely to stop Hispanic people than white people in Manhattan, with the Hispanic-white disparity in the four other boroughs ranging from 3 to 5 times higher for Hispanic people (Figure 2.9).



**FIGURE 2.8**  
**TOTAL PEDESTRIAN STOPS BY BOROUGH AND RACE, %**



**FIGURE 2.9**  
**PEDESTRIAN STOP RACIAL DISPARITY RATIO BY BOROUGH**



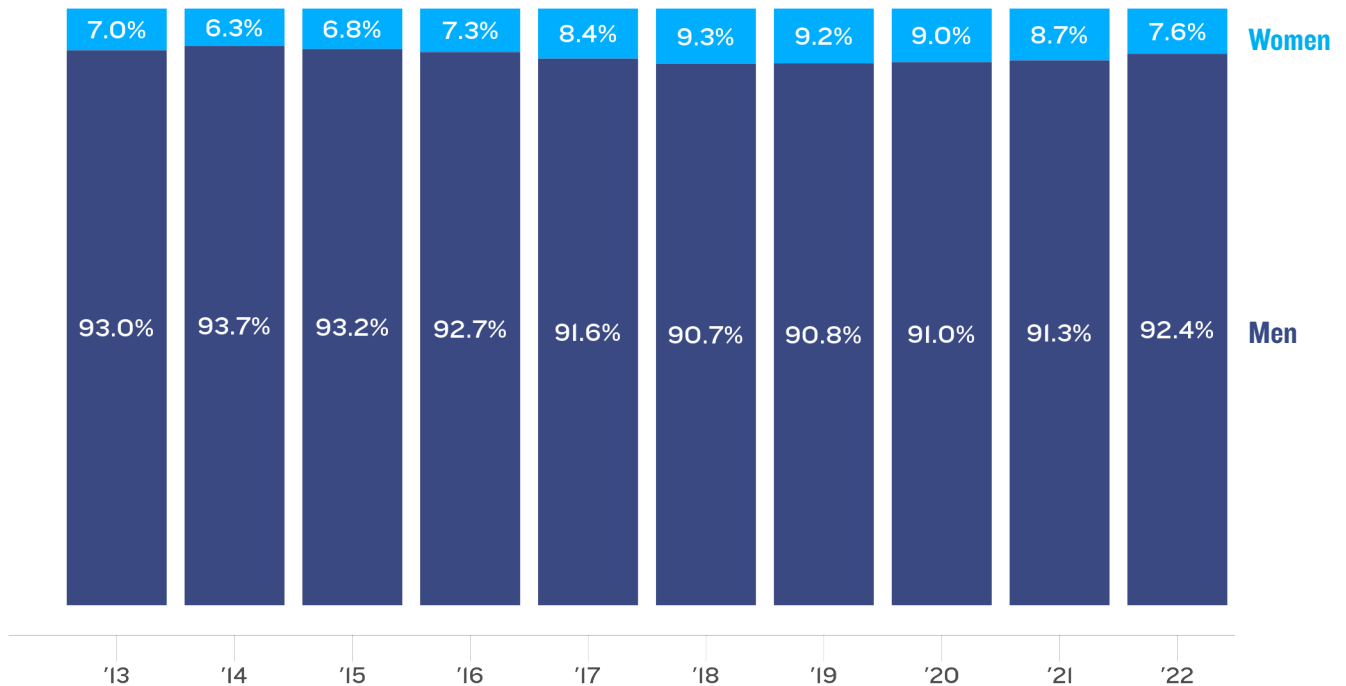
**RACIAL DISPARITIES IN STOPS BY GENDER**

**Across all years, women accounted for less than 10% of stops (ranging from 6-9%) (Figure 2.10).<sup>8</sup>** In absolute terms, police stopped women 1,139 times in 2022, while stopping men 13,829 times (reductions of 91% and 92% since 2013, respectively).

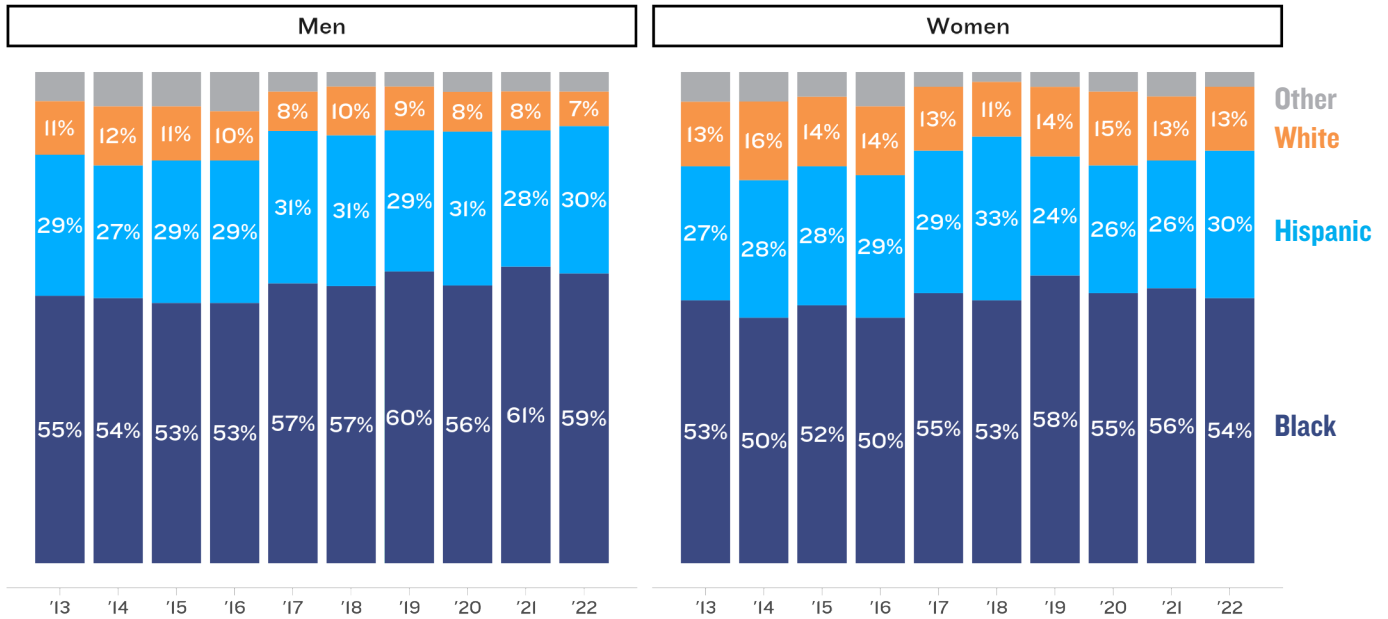
In general, there were larger racial disparities for Black and Hispanic men than women. Across all ten years, Black and Hispanic people combined accounted for a higher percentage of stops among men than women; in 2022, 89% of men subject to stops were Black or Hispanic, while 84% of women were Black or Hispanic (Figure 2.11).

**Black-white and Hispanic-white disparities remained similar among women, while significantly increasing among men—especially Black men (Figure 2.12).** From 2013 to 2022, the rate of stops grew from 8.3 to 13.7 times higher for Black than white men; while the rate of stops changed only marginally from 5.5 to 6.0 times higher for Black than white women. Showing the same pattern of rising disparities among men, in particular, the rate of stops grew from 3.6 to 5.5 times higher for Hispanic than white men while barely changing from 2.7 to 3.0 times higher among Hispanic than white women.

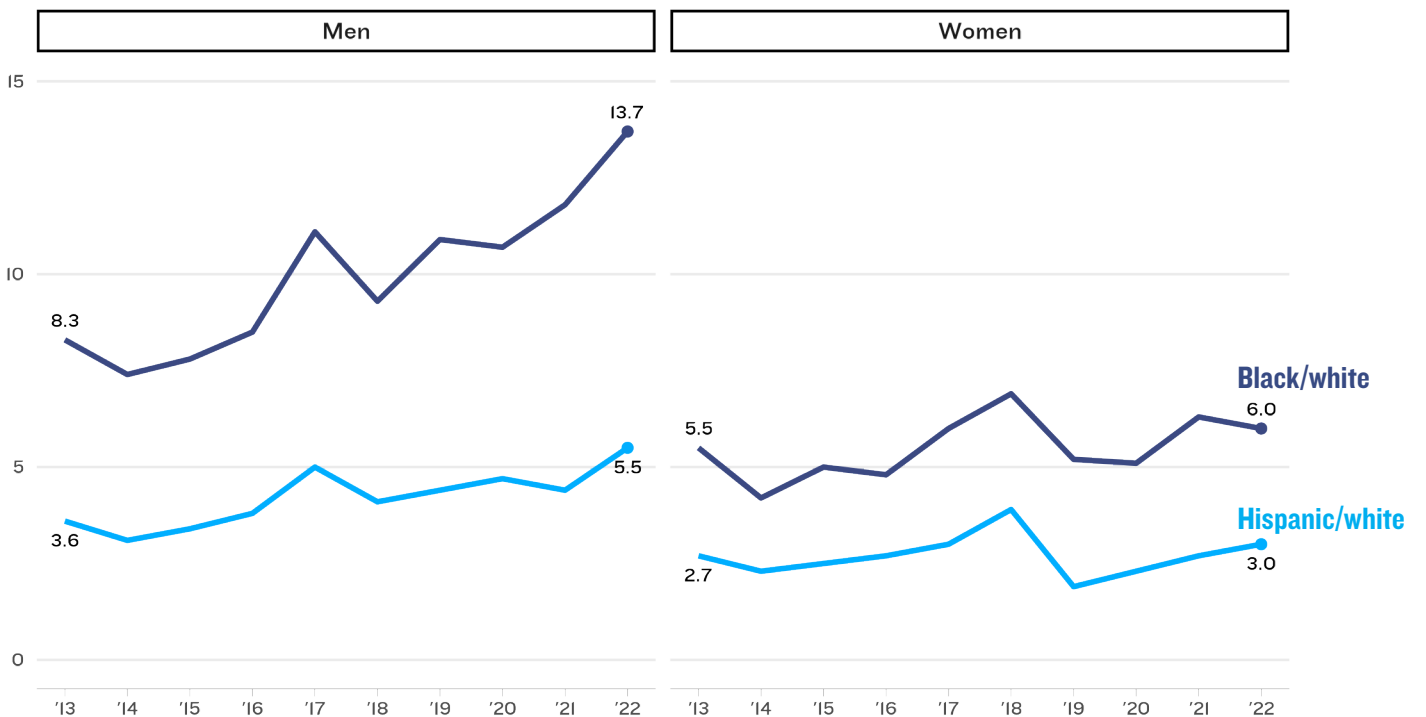
**FIGURE 2.10**  
**TOTAL PEDESTRIAN STOPS BY GENDER, %**



**FIGURE 2.11**  
**TOTAL PEDESTRIAN STOPS BY GENDER AND RACE, %**



**FIGURE 2.12**  
**PEDESTRIAN STOP RACIAL DISPARITY RATIO BY GENDER**



**RACIAL DISPARITIES IN STOPS BY AGE**

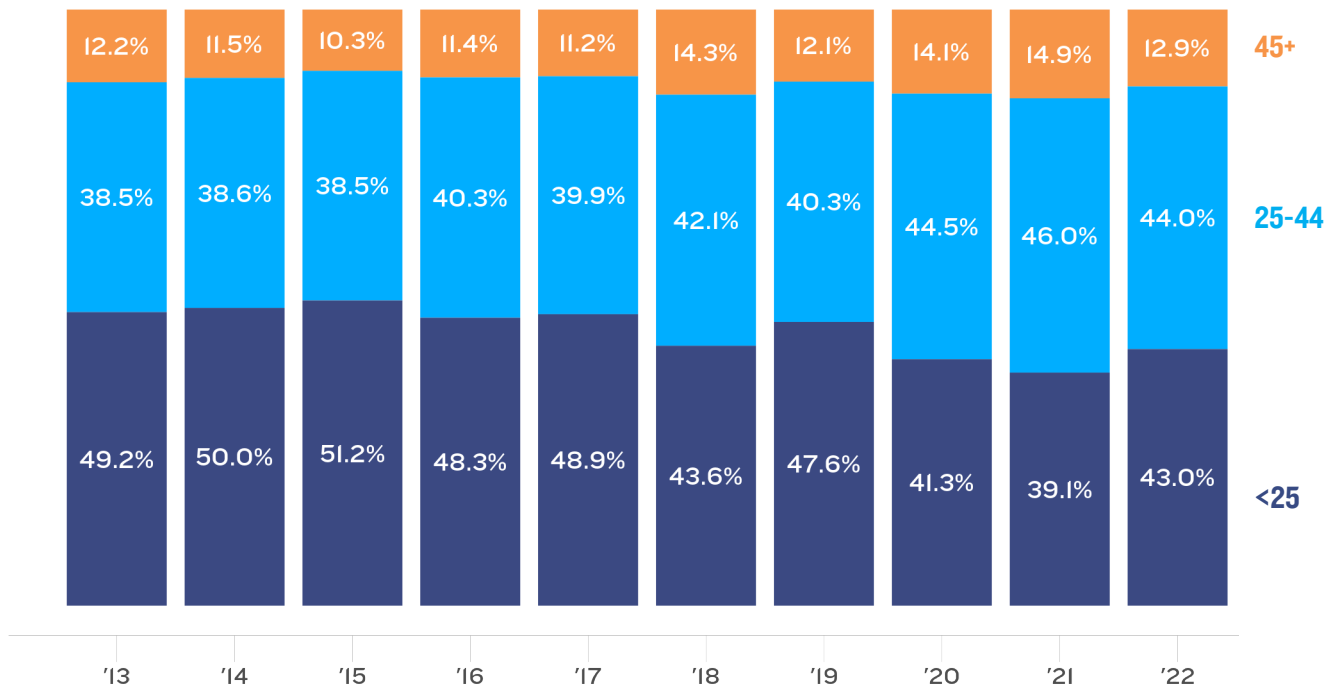
From 2013 to 2022, the proportion of people stopped who were under 25 fell from 49% to 43%; while those from 25 to 44 rose from 39% to 44%, and those 45 or above remained roughly stable (**Figure 2.13**).<sup>9</sup>

Throughout this period, the proportion of Black people was slightly higher for those under 25 (54-66%) than those 25 to 44 (50-56%) and those 45 or above (51-60%), while the Hispanic percentage was roughly similar for all age groups (**Figure 2.14**).

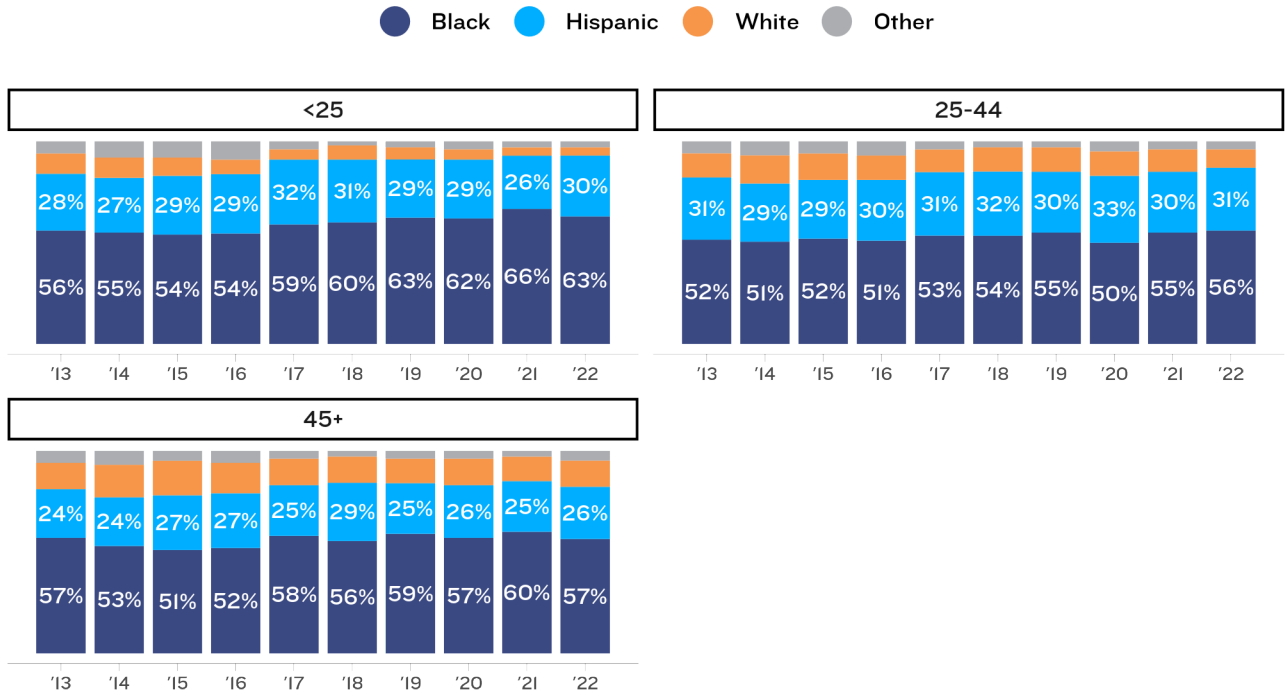
Over the past decade, among people under 25 there were substantial increases in the Black-white (+12.9) and Hispanic-white (+4.0) racial disparity ratios, with most of the change occurring since 2019 (**Figure 2.15**). By 2022, for those under 25, the rate of stops was 18.6 times higher for Black than white people and 6.3 higher for Hispanic than white people. By contrast, the increases in disparities over time were far smaller for those 25 to 44 and remained about the same for those 45 and up.

**Upshot:** As illustrated in **Figure 2.15**, by 2022, racial disparities in stop rates impacting Black people were almost twice as large for people under 25 than for people in either of the two other age groups; and disparities impacting Hispanic people were also greatest for the under 25 age group.

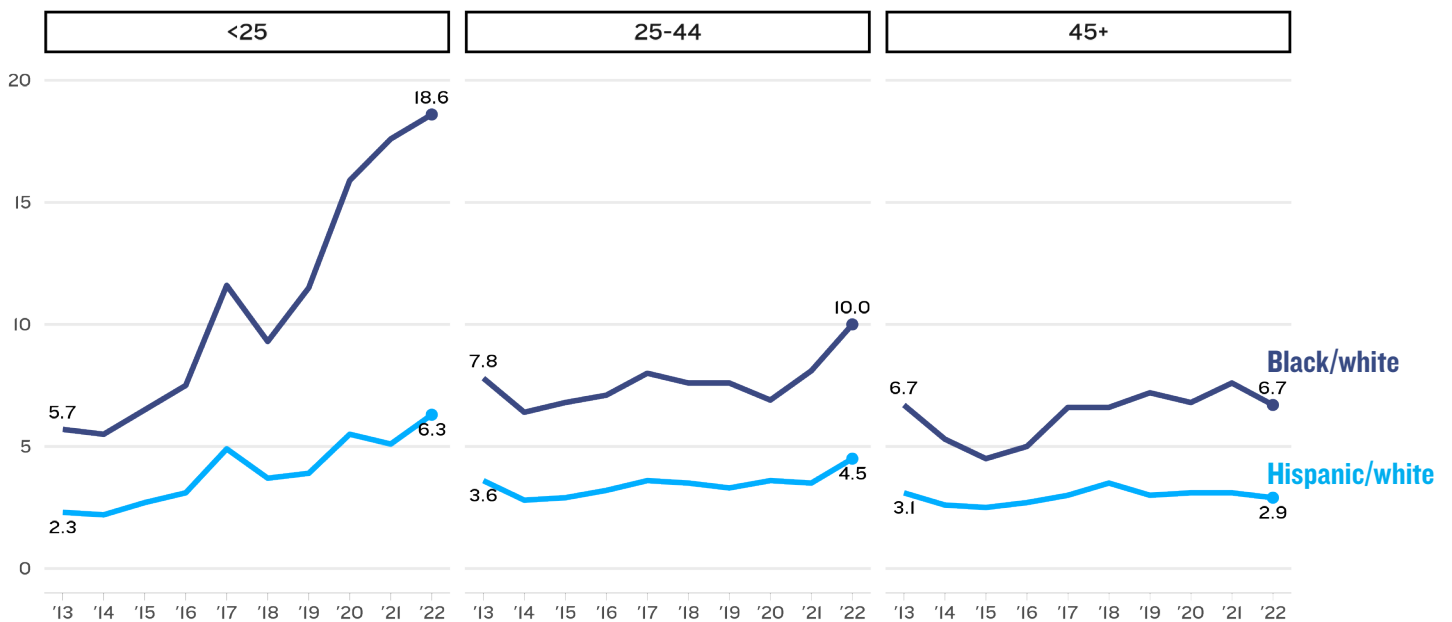
**FIGURE 2.13**  
**TOTAL PEDESTRIAN STOPS BY AGE, %**



**FIGURE 2.14**  
TOTAL PEDESTRIAN STOPS BY AGE AND RACE, %



**FIGURE 2.15**  
PEDESTRIAN STOP RACIAL DISPARITY RATIO BY AGE

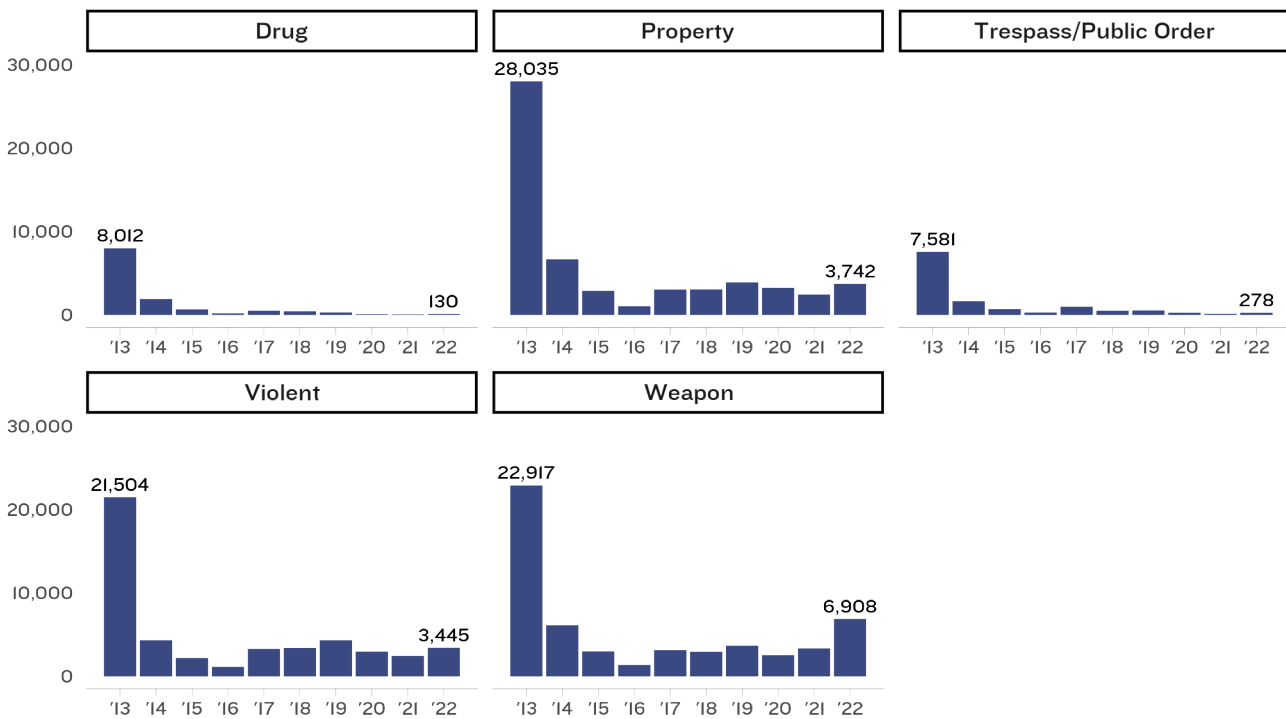


**RACIAL DISPARITIES IN STOPS BY SUSPECTED CRIME TYPE**

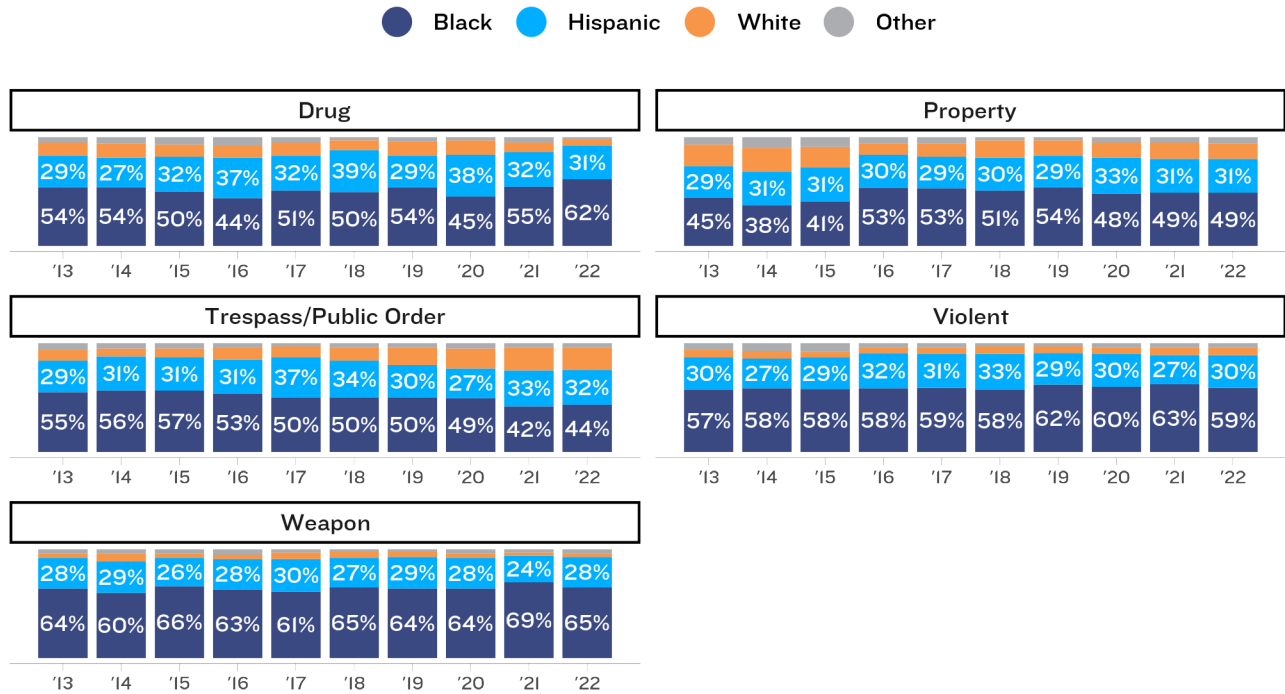
From 2013 to 2021, the total number of stops fell sharply for each type of suspected offense.<sup>10</sup> However, this trend reversed in 2022, with the largest increase seen for weapons-related stops (a 106% increase from 3,356 in 2021 to 6,908 in 2022) (**Figure 2.16**). In addition, across the ten-year period, the percentage of Black people was consistently highest among those stopped for a suspected weapons crime (60-69%) (**Figure 2.17**).

Racial disparities remained similar for all suspected crime types across the ten years—with the exception of stops for suspected weapon crime (**Figures 2.18**). By 2022, Black and Hispanic people were 34 times and 13 times, respectively, more likely than white people to be stopped for a suspected weapons crime.

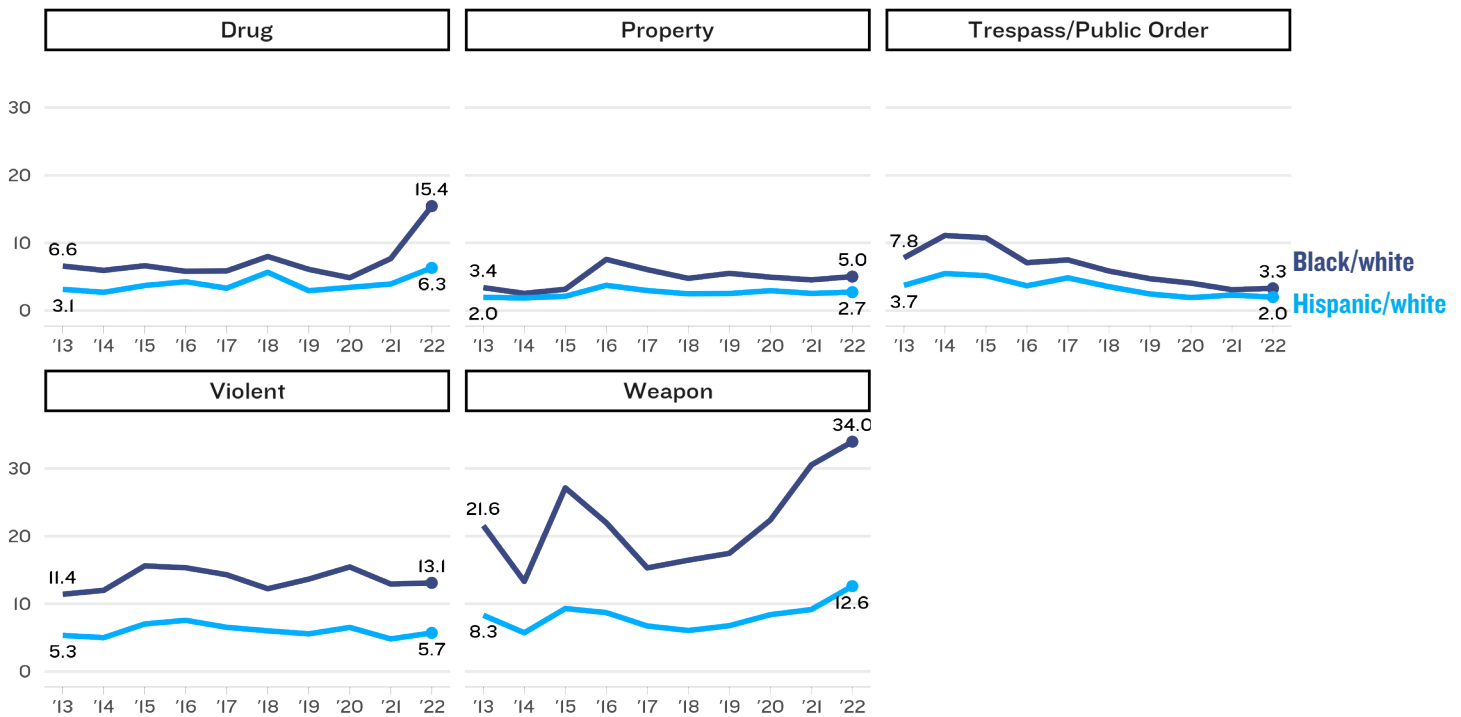
**FIGURE 2.16**  
**TOTAL PEDESTRIAN STOPS BY SUSPECTED CRIME TYPE**



**FIGURE 2.17**  
**TOTAL PEDESTRIAN STOPS BY SUSPECTED CRIME TYPE AND RACE, %**



**FIGURE 2.18**  
**PEDESTRIAN STOP RACIAL DISPARITY RATIO BY SUSPECTED CRIME TYPE**



**SUMMARY TABLE: RACIAL DISPARITIES IN PEDESTRIAN STOPS**

Subgroup	Black-white Disparities			Hispanic-white Disparities		
	Black-white Ratio in 2022	Change 2022 vs. 2013	Change 2022 vs. 2019	Hispanic-white Ratio in 2022	Change 2022 vs. 2013	Change 2022 vs. 2019
Overall	11.8	+4.3	+2.4	5.1	+1.6	+1.1
Bronx	9.9	+4.7	+5.2	4.3	+1.7	+2.0
Brooklyn	10.5	+4.4	+0.5	5.3	+1.6	+0.8
Manhattan	24.7	+5.7	+2.0	7.1	-1.0	+0.5
Queens	6.9	-0.7	+0.7	2.9	-0.3	-0.3
Staten Island	11.7	+3.4	+1.3	3.3	+1.0	+0.5
Women	6.0	+0.5	+0.8	3.0	+0.3	+1.1
Men	13.7	+5.4	+2.8	5.5	+1.9	+1.1
<25	18.6	+12.9	+7.1	6.3	+4.0	+2.4
25-44	10.0	+2.2	+2.4	4.5	+0.9	+1.2
45+	6.7	0.0	-0.5	2.9	-0.2	-0.1
Drug	15.4	+8.8	+9.3	6.3	+3.2	+3.4
Property	5.0	+1.6	-0.5	2.7	+0.7	+0.2
Trespass/Public Order	3.3	-4.5	-1.4	2.0	-1.7	-0.5
Violent	13.1	+1.7	-0.6	5.7	+0.4	+0.1
Weapon	34.0	+12.4	+16.5	12.6	+4.3	+5.8

**Note:** A negative change means a racial disparity ratio narrowed; a positive change means a racial disparity ratio widened. Note that in 2022 there were no categories in which white people were more likely to be stopped than Black or Hispanic people (indicated by a racial disparity ratio below 1).



## Chapter 3. Desk Appearance Tickets, 2013-2022

This chapter examines disparities in the issuance of desk appearance tickets (DATs). It's important to note that in 2020, [substantial reforms](#) went into effect requiring that DATs be issued for most "E" felony or lesser offenses, with several exceptions described below.<sup>11</sup>

### BACKGROUND: WHAT IS A DESK APPEARANCE TICKET?

In New York, there are primarily two types of arrests:

1. **Summary arrest:** a person is taken directly from a police precinct to court and held in custody until arraignment, which typically occurs within 24-48 hours.
2. **Desk appearance ticket:** a person is released from a police precinct and required to return to court for arraignment on a later date. Police are required to issue a DAT for most misdemeanors and "E" felonies provided that certain eligibility criteria are met, including: the person can prove their identity, has no currently open warrants and no previous warrants within the past two years, and is not charged with a domestic violence or sex offense (among other exceptions).

Receiving a desk appearance ticket (DAT) allows a person to avoid pre-arraignment detention over the approximately 24-hour period from arrest to arraignment—from their perspective, making it preferable to a summary arrest. A higher rate of DAT issuance, then, indicates reduced involvement in the criminal justice system and potentially fewer negative collateral consequences.

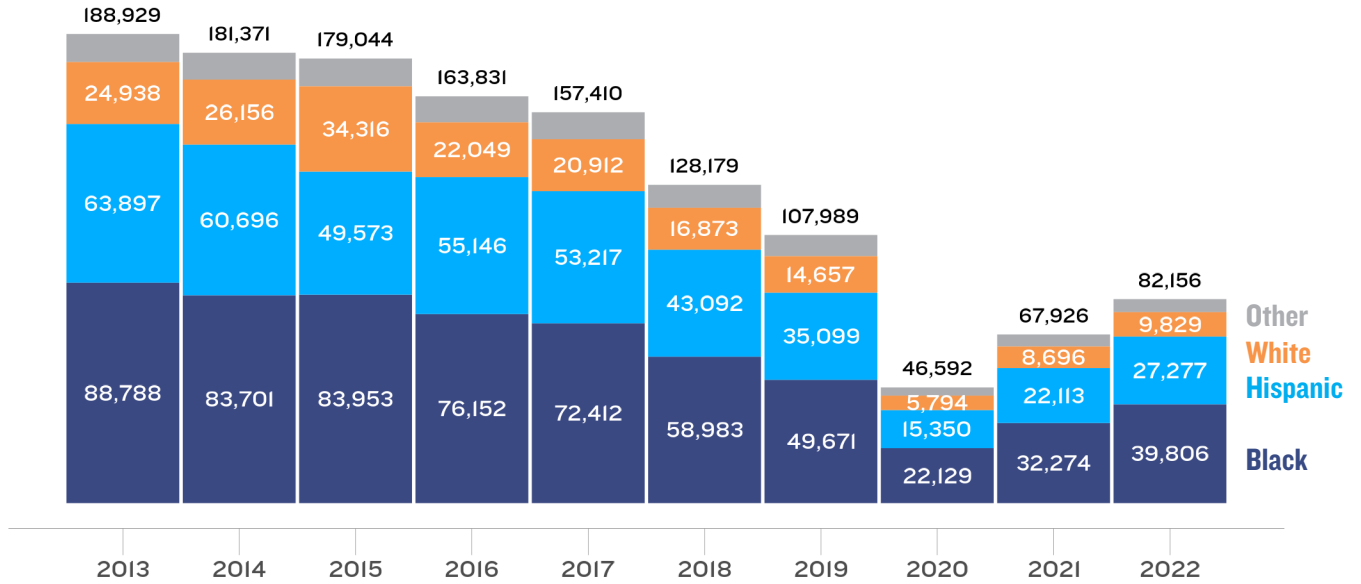
**For this analysis, racial disparities were measured based on the simple difference in the DAT issuance rate between different racial/ethnic groups among the subset of DAT eligible arrest charges.** As defined here, DAT-eligible arrest charges include all "E" felony or lesser charges, with exceptions for several statutorily excluded offenses,<sup>12</sup> and cases involving domestic violence.<sup>13</sup> Note that due to data limitations, certain eligibility criteria could not be factored into the analysis; e.g., ability of the person to demonstrate their identity to the arresting officer's satisfaction.

For context on the cases potentially impacted by higher or lower DAT issuance rates, **Figure 3.1** displays the total number of DAT-eligible arrest charges overall and for each racial/ethnic group by year.<sup>14</sup>

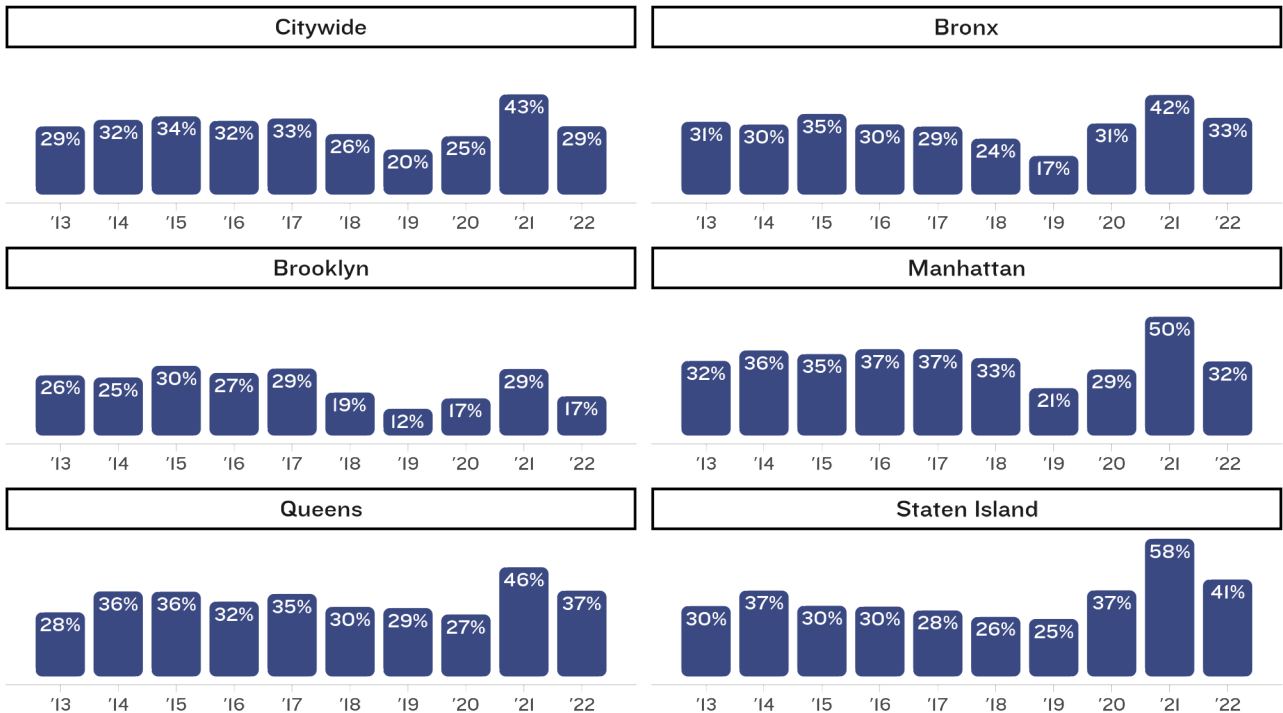
### CITYWIDE AND BOROUGHWISE TRENDS IN DAT ISSUANCE RATES

**After declining from 2017 to 2019, the citywide DAT issuance rate rose by 23 percentage points from 2019 to 2021—at least in part reflecting the intended effects of New York State's 2020 DAT reforms (Figure 3.2).** At the borough level, the largest increases during this time were seen in Staten Island (33 percentage points) and Manhattan (29 percentage points). DAT issuance then declined in 2022, a development that prior research has linked partly to subsequent amendments to the DAT reforms that made fewer cases subject to a mandatory DAT beginning May 2022.<sup>15</sup>

**FIGURE 3.1**  
**TOTAL NUMBER OF DAT-ELIGIBLE ARREST CHARGES BY RACE**



**FIGURE 3.2**  
**DAT ISSUANCE RATE CITYWIDE AND BY BOROUGH**



**RACIAL DISPARITIES IN DAT ISSUANCE**

Over the past decade, the desk appearance ticket issuance rate was generally highest among white people relative to other groups (**Figure 3.3**). However, the gap separating different racial/ethnic groups narrowed from 2013 to 2022 by approximately 5-6 percentage points, with most of the change occurring from 2019 to 2022.

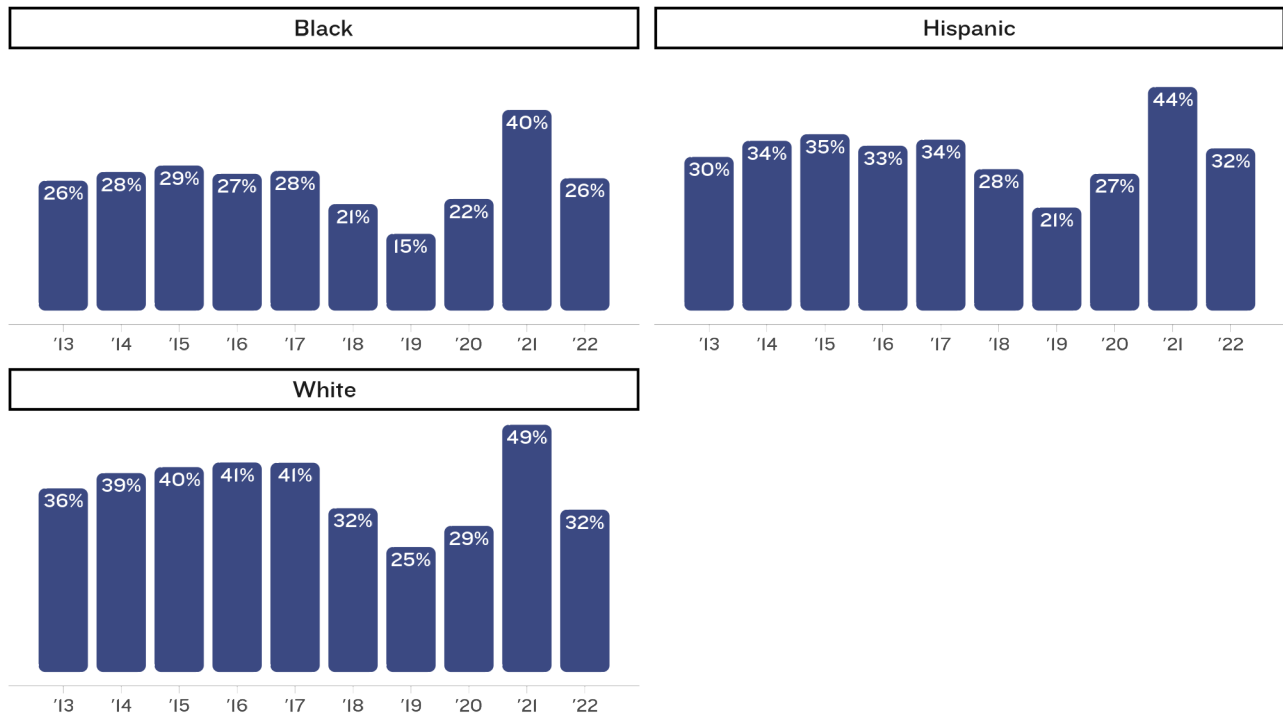
In 2013, 10 percentage points separated DAT issuance among Black and white people (26% vs. 36%), with Hispanic people falling in the middle (30%). By 2022, Hispanic and white people had identical DAT issuance rates (32%), with the rate for Black people 6 percentage points lower (26%).

**Figure 3.3** shows that from 2019 and 2021, DAT issuance rates rose sharply for all racial/ethnic groups, before reversing course from 2021 to 2022 (corresponding to the overall citywide trends shown above).

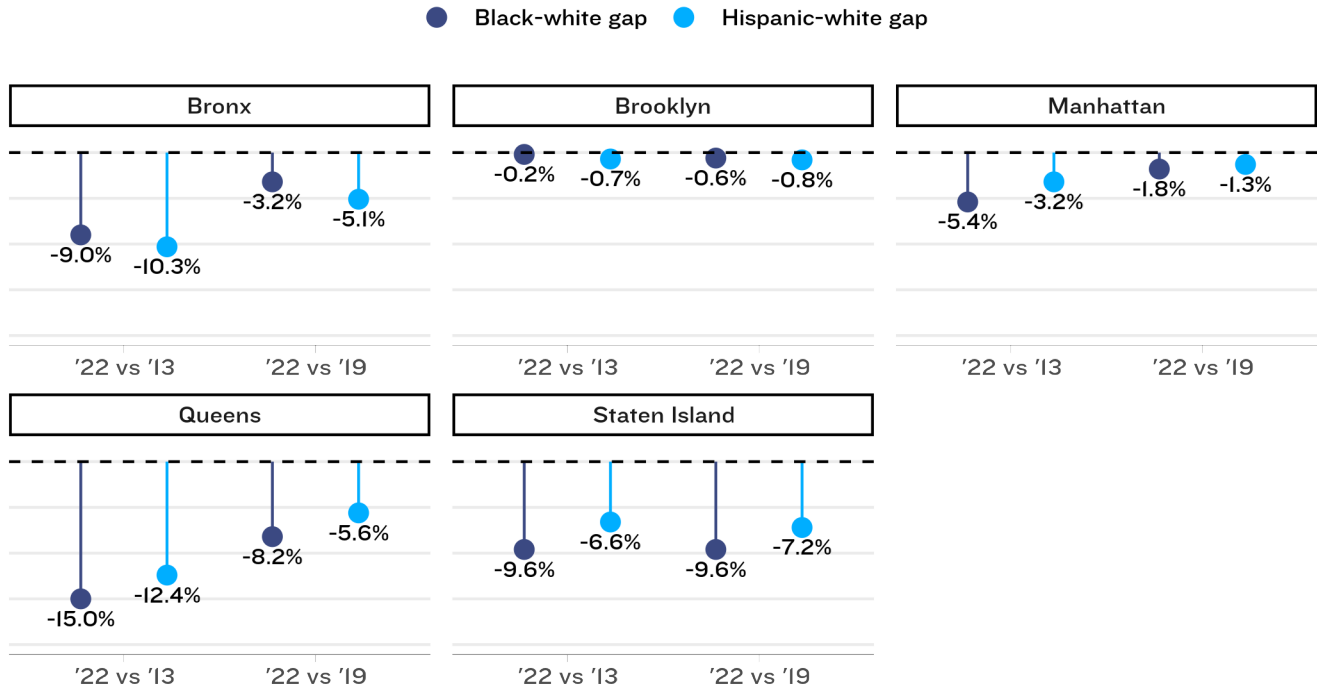
**Upshot: From 2013 to 2022, racial disparities narrowed, citywide and in all boroughs, with the largest decreases seen in Queens, Staten Island, and the Bronx.** The Black-white and Hispanic-white gaps in DAT issuance rates declined, respectively, by 15 and 12 percentage points in Queens, 10 and 7 points in Staten Island, and 9 and 10 points in the Bronx. A large portion of these reductions occurred between 2019 and 2022 (**Figure 3.4**).

**FIGURE 3.3**

**DAT ISSUANCE RATE (PERCENT OF DATS AMONG DAT-ELIGIBLE CHARGES)**



**FIGURE 3.4**  
**CHANGE IN BLACK-WHITE AND HISPANIC-WHITE DAT ISSUANCE RATES BY BOROUGH**



### ADDITIONAL BREAKDOWNS BY GENDER AND AGE

**Just as racial disparities in DAT issuance declined in the past decade, so too did gender- and age-based disparities.** Across all ten years, women were more likely than men to receive a DAT, though the gender gap narrowed over time—especially comparing 2019 (29% vs. 18%) to 2022 (31% vs. 29%).

Compared to 2013, racial disparities in DAT issuance narrowed among both women and men (**Figure 3.5**). From 2013 to 2022, the Black-white gap declined by 6 percentage points among women and by 4 percentage points among men. The Hispanic-white gap declined by 5 percentage points among men. Among women, the disparity flipped with Hispanic women 2 percentage points less likely than white women to receive a DAT in 2013, and 5 percentage points more likely in 2022.

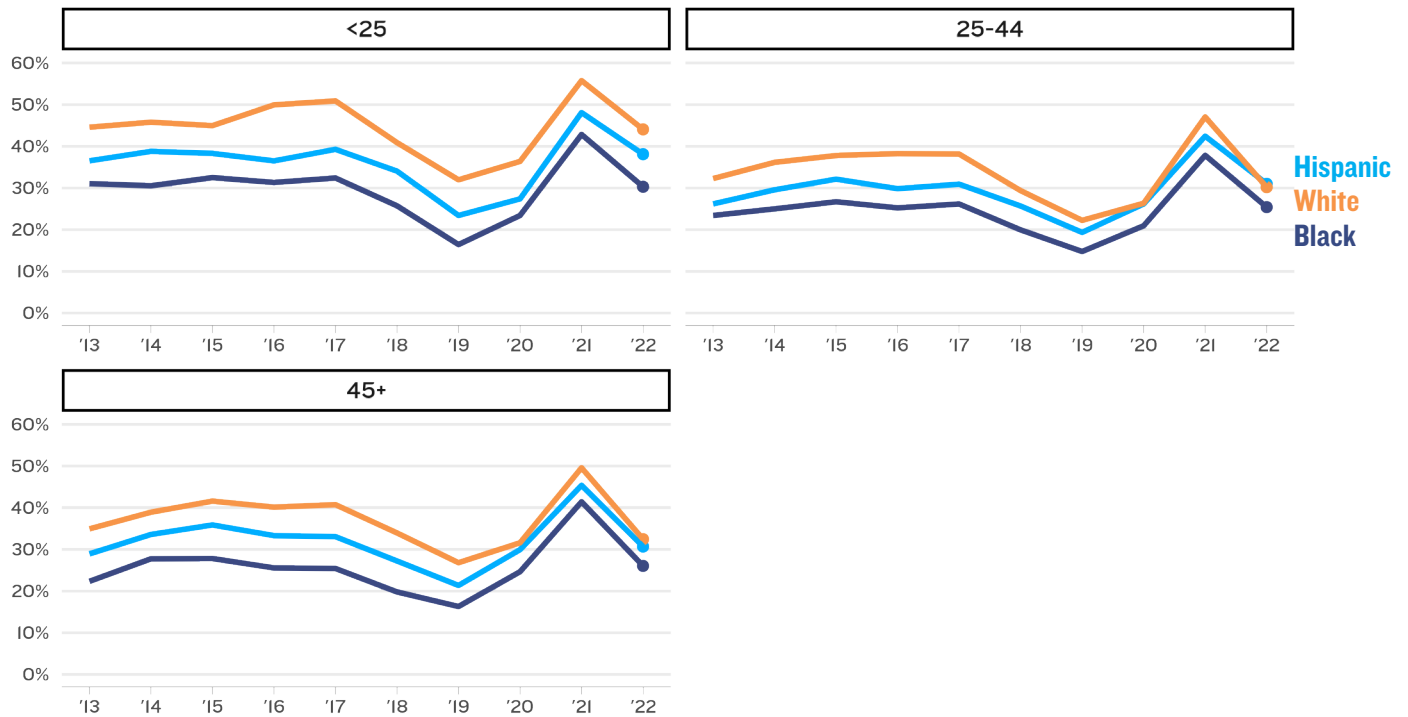
Regarding age differences, **people in the youngest age group (under age 25) were more likely than others to receive a DAT in every year, though this gap narrowed over time.** In 2013, DAT issuance rates for people under age 25, ages 25-44, and ages 45 and up were, respectively, 35%, 26%, and 26%, compared to 34%, 28%, and 28% in 2022.

Since 2019, racial disparities in DAT issuance rates narrowed for all age categories, with the largest reductions observed for people 45 or older and the smallest reductions seen for people under age 25 (**Figure 3.6**). By 2022, DAT issuance rates were 30% for Black people, 38% for Hispanic people, and 44% for white people under age 25 (a range of 14 percentage points, compared to ranges of 6 percentage points for the two older age groups in 2022).

**FIGURE 3.5**  
RACIAL DISPARITIES IN DAT ISSUANCE BY GENDER



**FIGURE 3.6**  
RACIAL DISPARITIES IN DAT ISSUANCE BY AGE



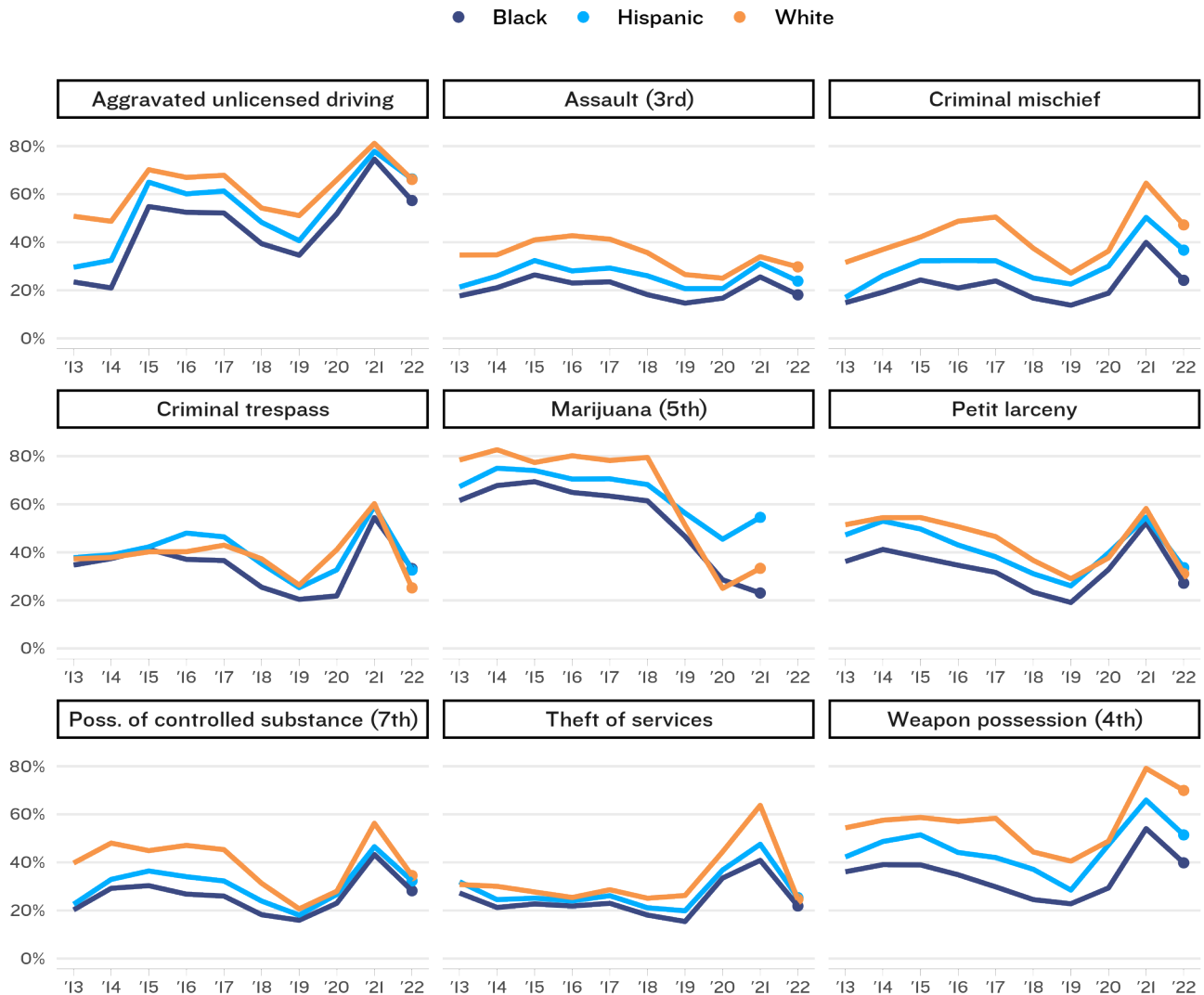
**BREAKDOWNS BY CHARGE**

Across all years, DAT issuance rates varied considerably by charge.<sup>16</sup> The breakdown below presents data on the nine arrest charges with the highest frequency of DATs issued in the past decade (**Figure 3.7**). (See Appendix B for charge details.)

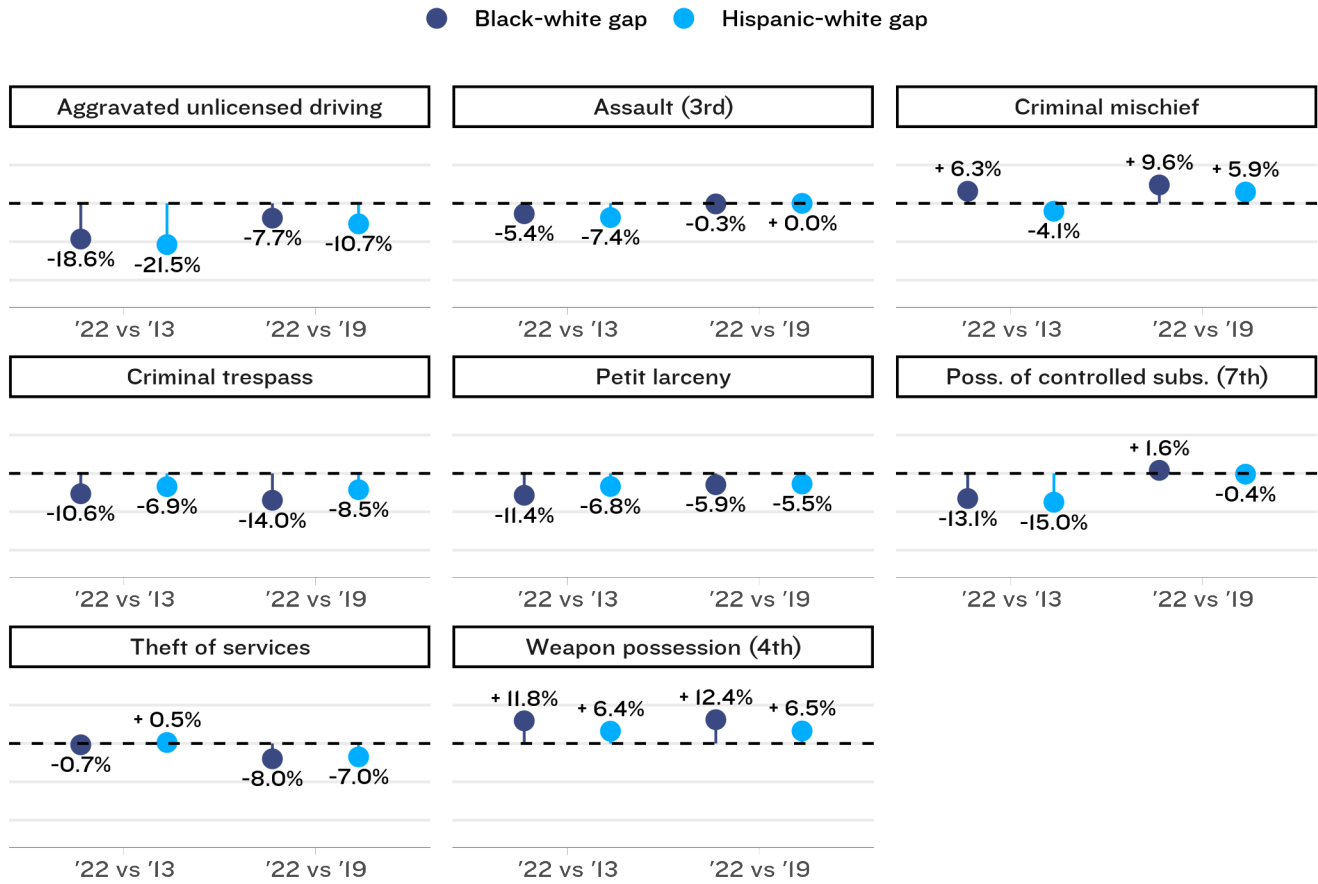
Relative to 2013, the overall DAT issuance rate in 2022 was up for aggravated unlicensed driving (+32 percentage points), criminal mischief (+12 percentage points), misdemeanor weapon possession (+7 percentage points), and possession of a controlled substance (+5 percentage points), and down for petit larceny (-14 percentage points), theft of services (-6 percentage points), criminal trespass (-6 percentage points), and assault in the 3rd degree (-1 percentage point).

Compared to both 2013 and 2019, racial disparities generally narrowed for these nine charges. **Exceptions:** Criminal mischief and misdemeanor weapons possession saw widening disparities (**Figure 3.8**).

**FIGURE 3.7**  
**RACIAL DISPARITIES IN DAT ISSUANCE BY CHARGE TYPE**



**FIGURE 3.8**  
**CHANGE IN BLACK-WHITE AND HISPANIC-WHITE DAT ISSUANCE RATES BY CHARGE TYPE**



**SUMMARY TABLE: RACIAL DISPARITIES IN DESK APPEARANCE ISSUANCE**

Subgroup	DAT Issuance Rate in 2022	Black-white Disparities			Hispanic-white Disparities		
		Black-white Disparity in 2022	Change 2022 vs. 2013	Change 2022 vs. 2019	Hispanic-white Ratio in 2022	Change 2022 vs. 2013	Change 2022 vs. 2019
Overall	29.4%	5.8%	-4.6%	-3.6%	0.0%	-5.8%	-4.2%
Bronx	32.9%	2.1%	-9.0%	-3.2%	-2.4%	-10.3%	-5.1%
Brooklyn	17.4%	5.9%	-0.2%	-0.6%	3.8%	-0.7%	-0.8%
Manhattan	31.8%	6.1%	-5.4%	-1.8%	1.9%	-3.2%	-1.3%
Queens	36.6%	3.0%	-15.0%	-8.2%	0.3%	-12.4%	-5.6%
Staten Island	41.2%	1.1%	-9.6%	-9.6%	-1.4%	-6.6%	-7.2%
Women	31.4%	5.7%	-6.3%	1.5%	-4.9%	-7.2%	-1.3%
Men	29.0%	5.9%	-4.1%	-4.6%	1.0%	-5.0%	-4.7%
<25	34.5%	13.8%	0.2%	-1.8%	6.0%	-2.1%	-2.6%
25-44	28.1%	4.8%	-4.1%	-2.7%	-0.8%	-6.9%	-3.7%
45+	28.4%	6.4%	-6.2%	-4.1%	1.8%	-4.2%	-3.7%
Aggravated unlicensed driving	61.9%	8.8%	-18.6%	-7.7%	-0.2%	-21.5%	-10.7%
Assault (3rd)	21.6%	11.6%	-5.4%	-0.3%	5.9%	-7.4%	0.0%
Criminal mischief	32.0%	23.0%	6.3%	9.6%	10.5%	-4.1%	5.9%
Criminal trespass	32.8%	-8.0%	-10.6%	-14.0%	-7.4%	-6.9%	-8.5%
Petit larceny	30.7%	3.9%	-11.4%	-5.9%	-2.6%	-6.8%	-5.5%
Poss. of controlled subs. (7th)	31.0%	6.3%	-13.1%	1.6%	2.2%	-15.0%	-0.4%
Theft of services	23.5%	2.8%	-0.7%	-8.0%	-0.7%	0.5%	-7.0%
Weapon possession (4th)	48.3%	30.1%	11.8%	12.4%	18.5%	6.4%	6.5%

**Note:** A negative disparity indicates a higher DAT issuance rate for Black people or Hispanic people compared to white people.



## Chapter 4. Misdemeanor and Felony Arrests, 2013-2022

This chapter examines trends in both misdemeanor and felony arrests from 2013 to 2022. **Among these categories, the analysis of trends in misdemeanor or lesser offenses is particularly relevant to the City’s final [Police Reform and Reinvention Collaborative Plan](#).<sup>17</sup>** Trends in felony arrests tend to be driven more by fluctuations in the underlying crime rate rather than policy changes. Given that misdemeanor trends more clearly reflect low-level enforcement policies, they receive greater attention.

### CITYWIDE AND BOROUGHWISE ARREST TRENDS

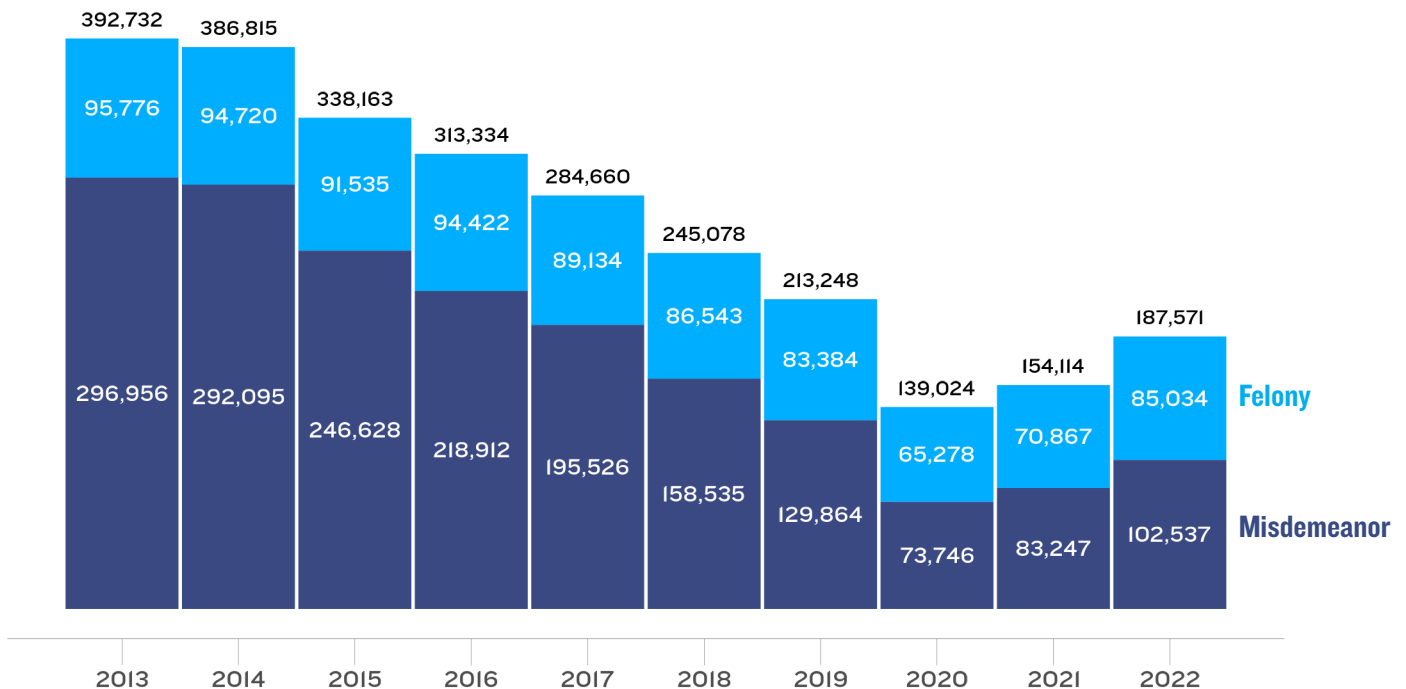
**From 2013 to 2022, the annual number of misdemeanor arrests fell by two-thirds (from 296,956 to 102,537) (Figure 4.1). This included a sharp 75% drop from 2013 to 2020, followed by a respective 13% increase from 2020 (73,746) to 2021 (83,247) and 23% increase from 2021 to 2022 (102,537).**

**By contrast, felony arrests saw modest changes—an 11% drop from 2013 to 2022** (from 95,776 to 85,034), reflecting a smaller 32% decrease from 2013 to 2020 followed by modestly smaller 9% and 20% respective increases from 2020 to 2021 and 2021 to 2022.

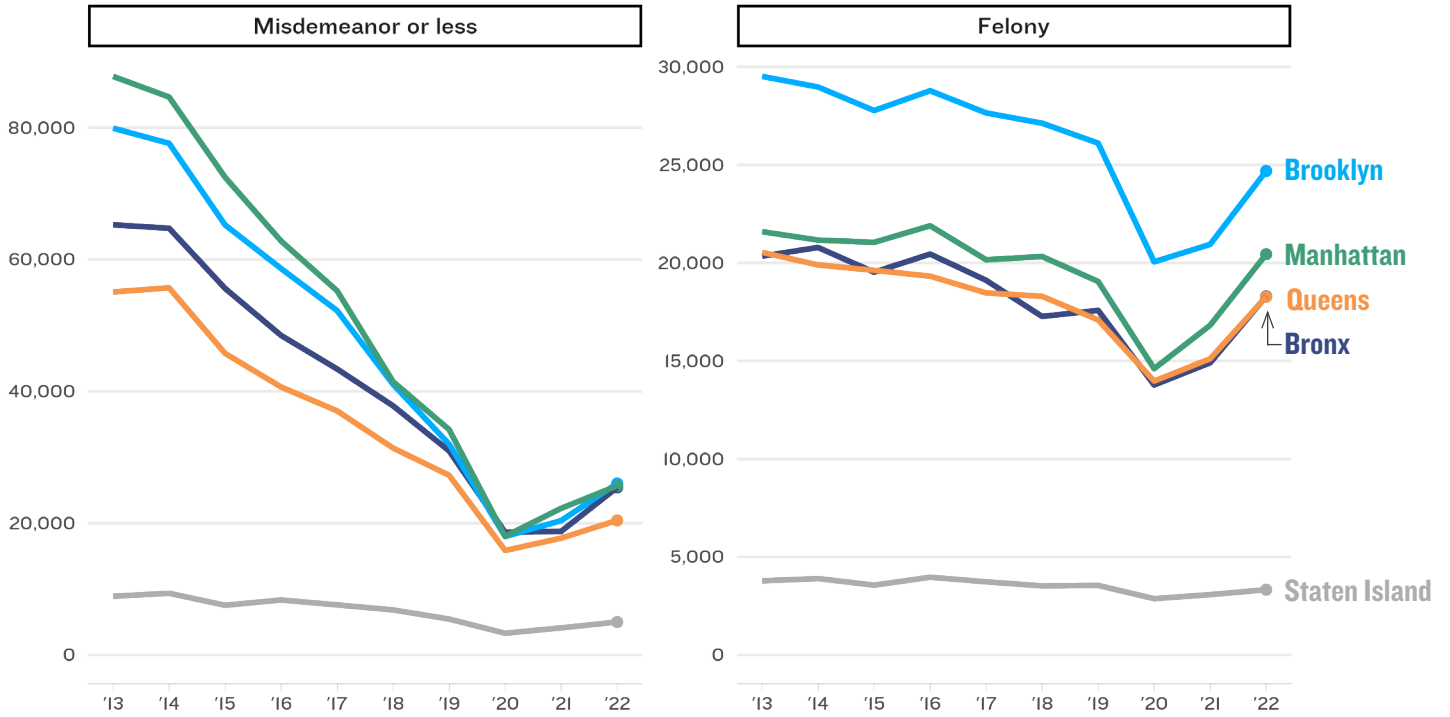
Arrests also fell sharply in all boroughs. For instance, over the past decade, the total number of misdemeanor arrests fell sharply in the Bronx (65,262 to 25,426; -61%), Brooklyn (79,923 to 26,019; -67%), Manhattan (87,785 to 25,667; -71%), Queens (55,077 to 20,419; -63%), and Staten Island (8,909 to 5,006; -44%) (Figure 4.2).

Figure 4.3 illustrates changes over time in the borough composition of arrests.

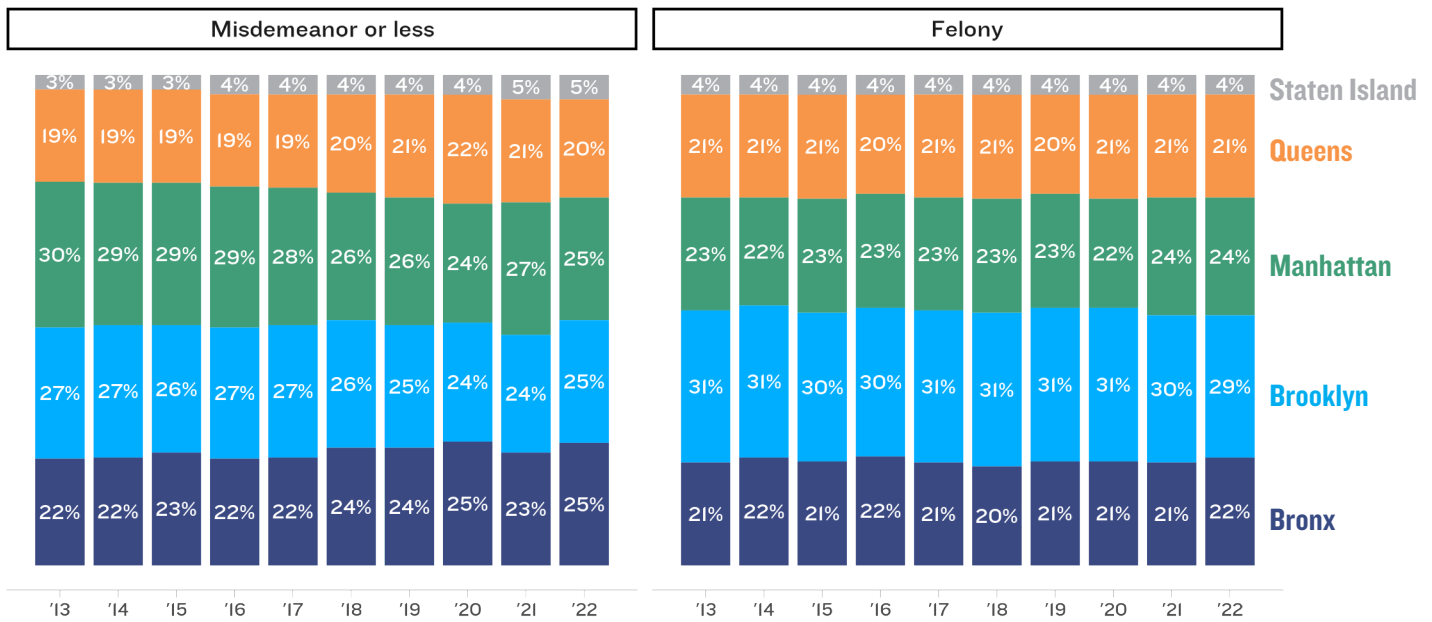
**FIGURE 4.1  
ARRESTS BY SEVERITY**



**FIGURE 4.2**  
**ARRESTS BY SEVERITY AND BOROUGH**



**FIGURE 4.3**  
**ARRESTS BY SEVERITY AND BOROUGH, %**



**RACIAL DISPARITIES IN ARRESTS SINCE 2013**

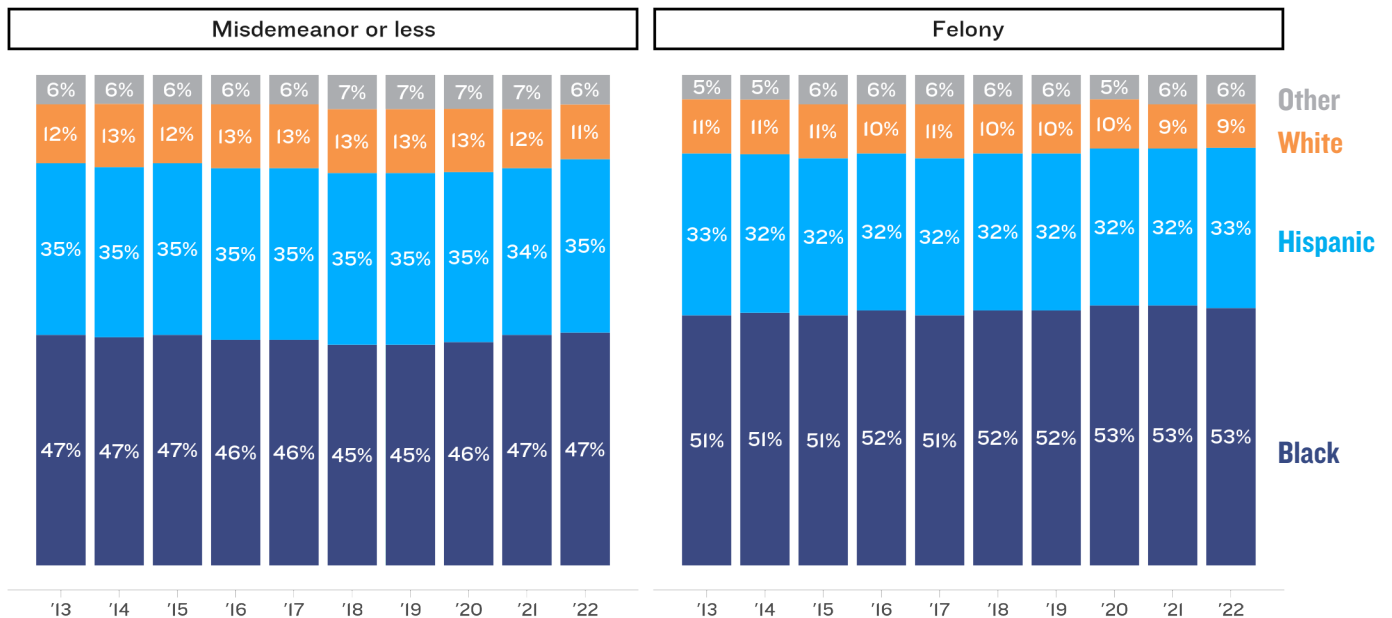
Mirroring the overall trends shown above, all racial/ethnic groups saw sharp declines in misdemeanor arrests, alongside more modest declines in felony arrests. From 2013 to 2022, misdemeanor arrests declined by 65% for Black people, 65% for Hispanic people, and 68% for white people, while felony arrests declined by 8% for Black people, 11% for Hispanic people, and 30% for white people.

From year to year, there was little change in the racial/ethnic makeup of arrests (**Figure 4.4**). Across all ten years, the percentage of Black people arrested for misdemeanors ranged from 45% to 47%, while the percentage of Hispanic people ranged from 34% to 35%. The percentages of Black and Hispanic people arrested for felonies ranged from 51% to 53% and 32% to 33%, respectively.

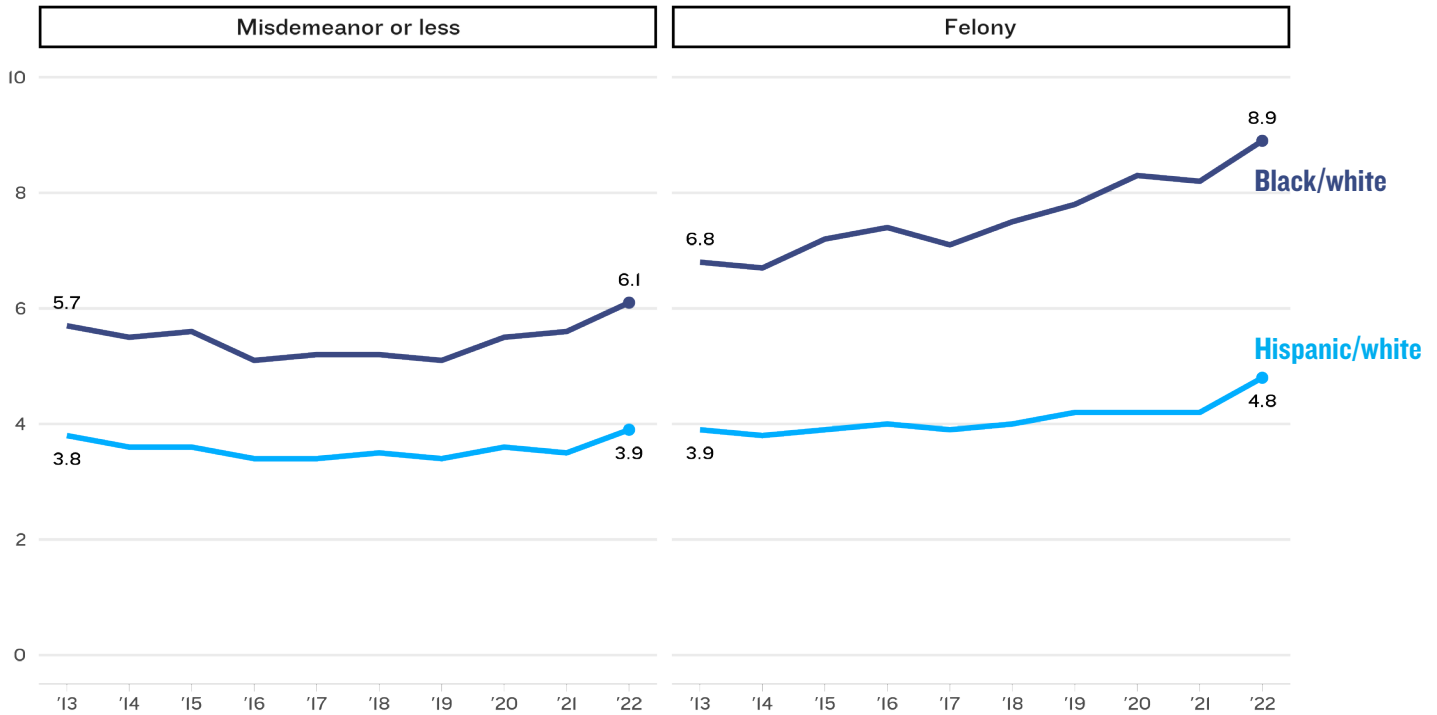
Accounting for population size, **Black people were 6.1 times more likely than white people to be arrested for a misdemeanor in 2022, with Hispanic people 3.9 times more likely to experience a misdemeanor arrest—reflecting little change from a decade earlier (Figure 4.5).**

**On the other hand, racial disparities in felony arrests widened,** with Black people growing from 6.8 to 8.9 times more likely than white people to be arrested for a felony and Hispanic people growing from 3.9 to 4.8 times.

**FIGURE 4.4**  
**ARRESTS BY SEVERITY AND RACIAL/ETHNIC COMPOSITION, %**



**FIGURE 4.5**  
**ARREST RACIAL DISPARITY RATIO BY SEVERITY**

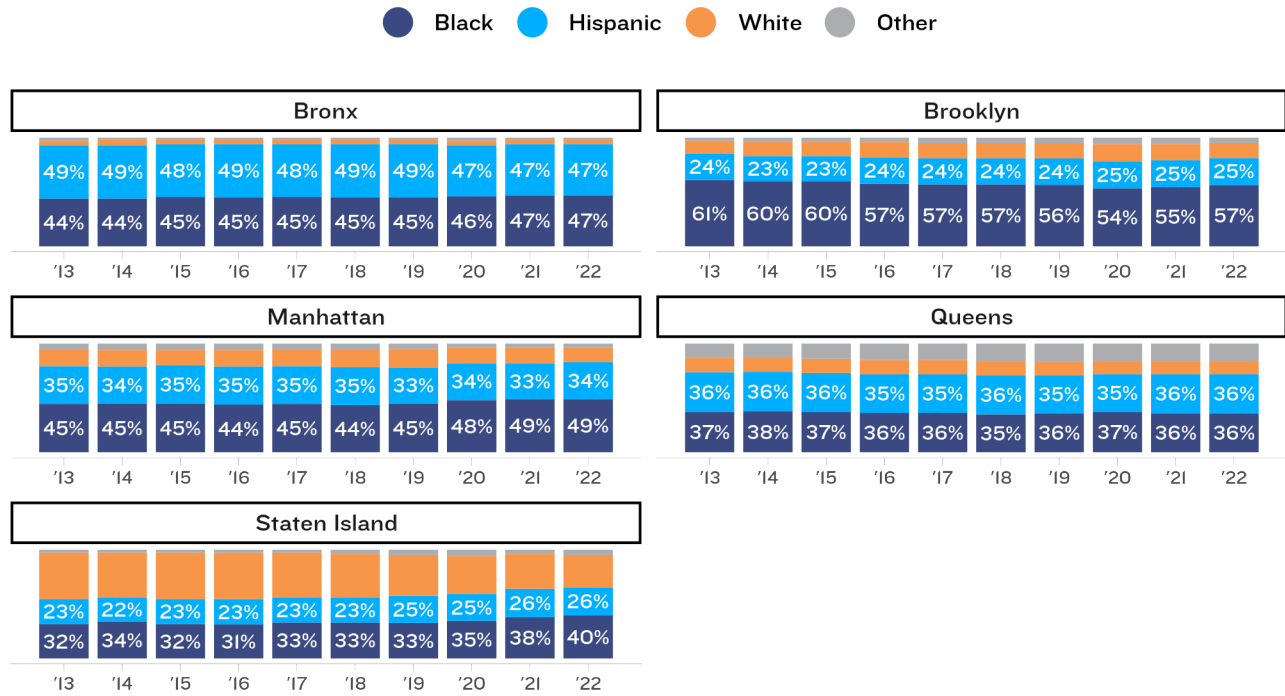


**RACIAL DISPARITIES IN ARRESTS BY BOROUGH**

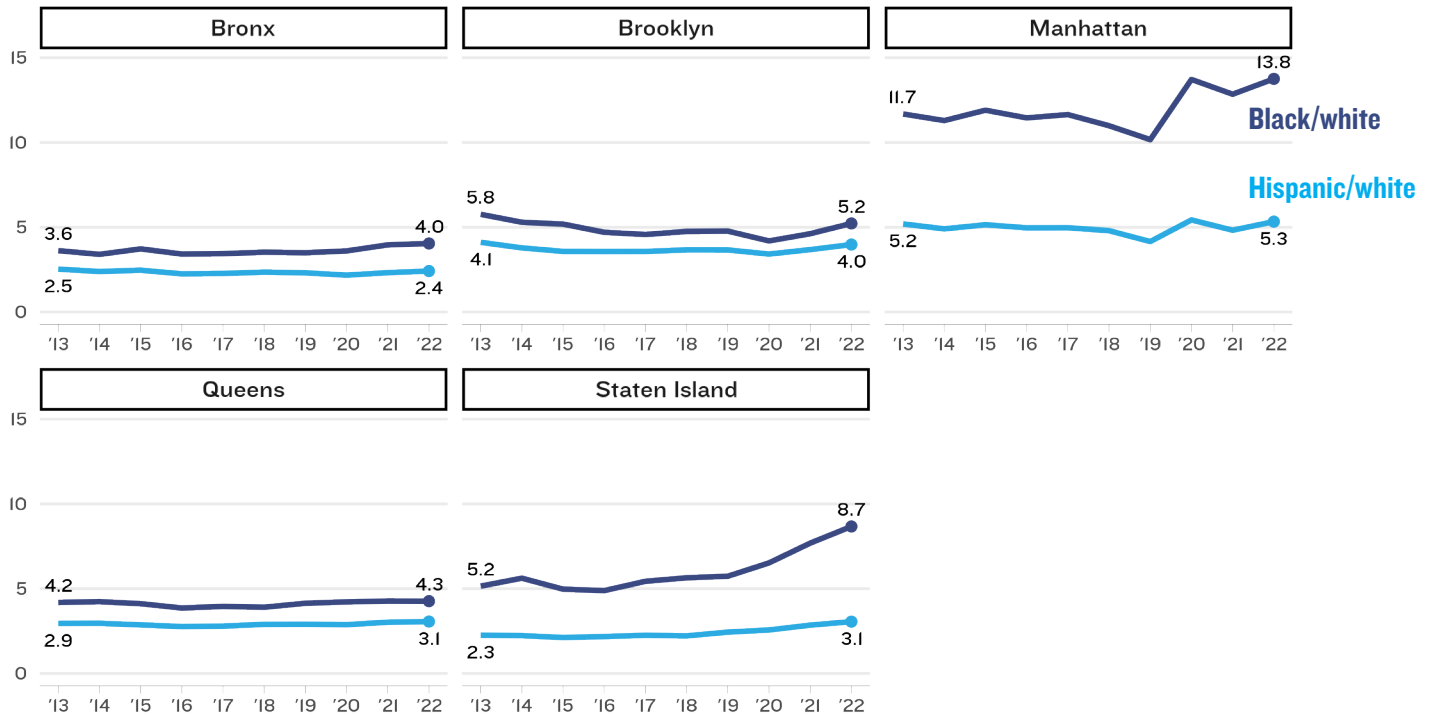
Across NYC’s five boroughs, the percentage of Black people arrested for a misdemeanor was highest in Brooklyn (ranging from 54-61%), while the percentage of Hispanic people was highest in the Bronx (ranging from 47-49%) (Figure 4.6). (Appendix A.1 includes equivalent results for felony arrests.)

From 2013 to 2022, the Black-white and Hispanic-white disparity ratios for people arrested for a misdemeanor narrowed slightly in Brooklyn, but widened in all other boroughs, with the largest growth seen for Black people in Staten Island (+3.5) and Manhattan (+2.1) (Figure 4.7). Among felonies, racial disparities widened in every borough, with the largest growth seen for Black people in Manhattan (+5.4) and Staten Island (+4.2) (Figure 4.8).

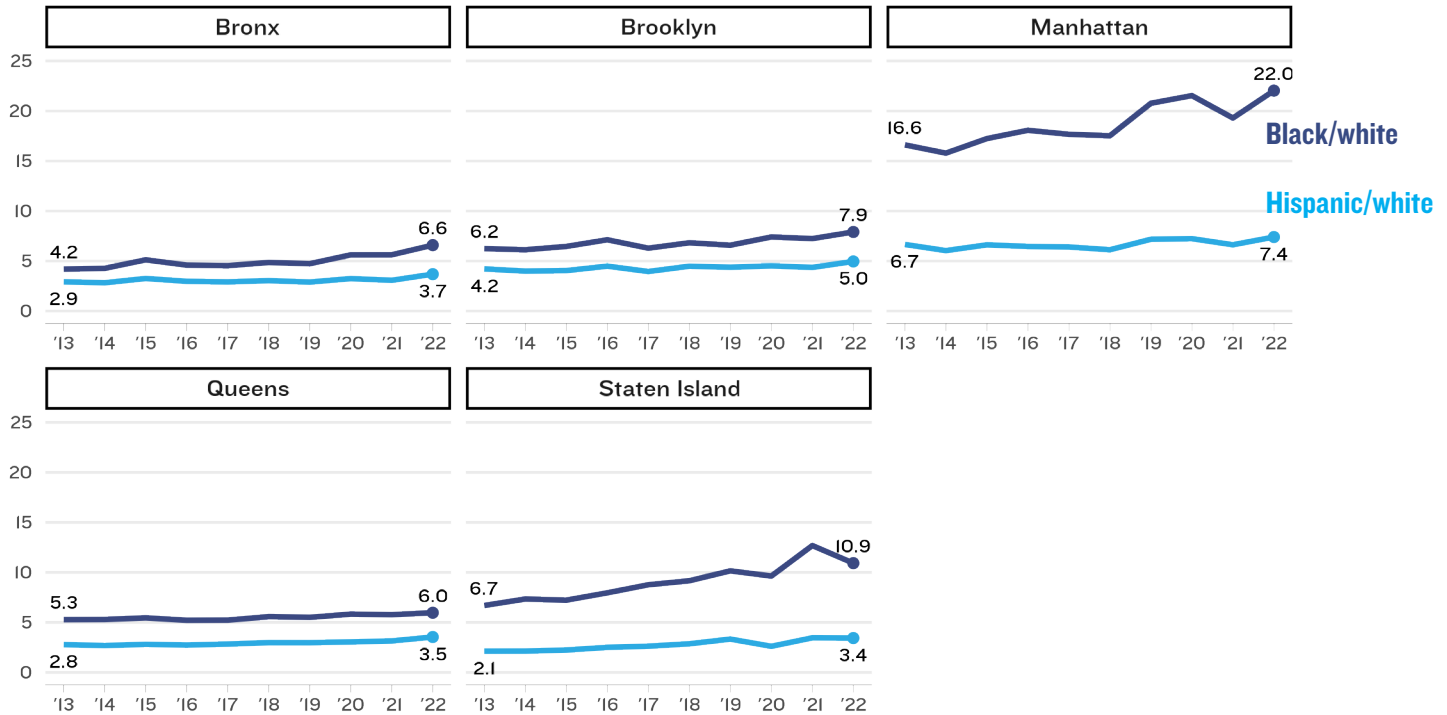
**FIGURE 4.6**  
MISDEMEANOR ARRESTS BY BOROUGH AND RACE, %



**FIGURE 4.7**  
MISDEMEANOR ARREST RACIAL DISPARITY RATIO BY BOROUGH



**FIGURE 4.8**  
**FELONY ARREST RACIAL DISPARITY RATIO BY BOROUGH**



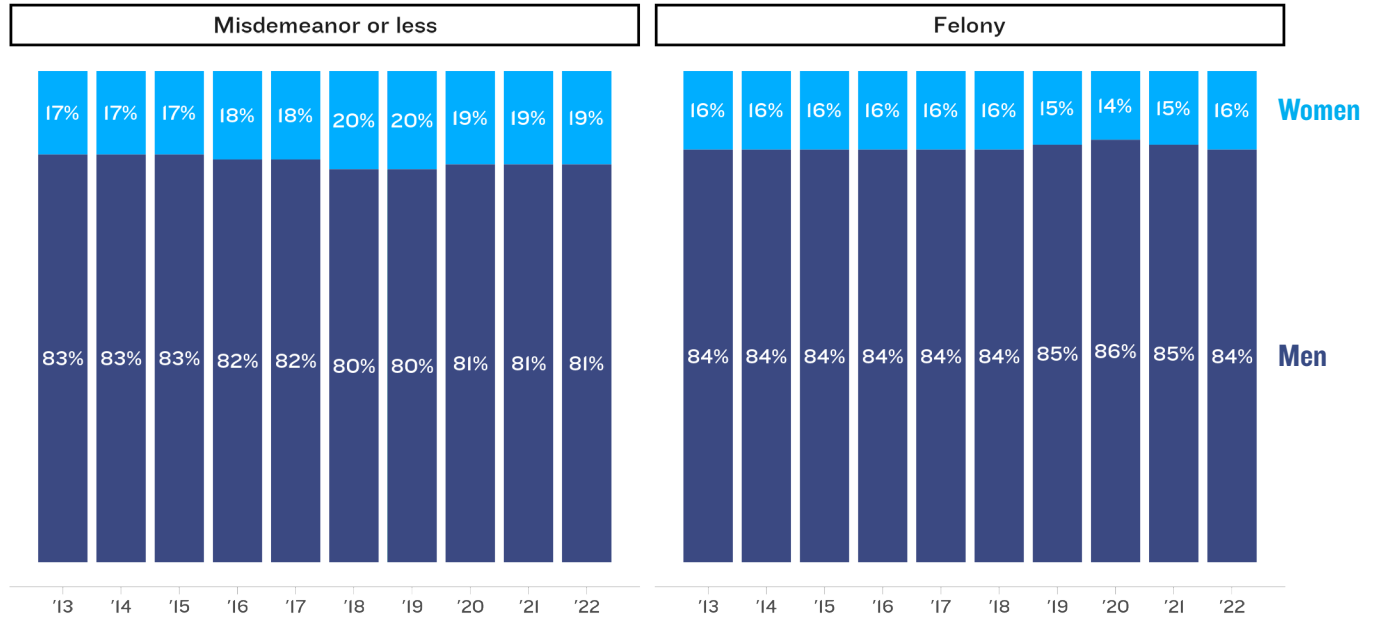
**RACIAL DISPARITIES IN ARRESTS BY GENDER**

In 2022, among women there were 29,620 misdemeanor arrests (down 61% from 2013) and 13,350 felony arrests (down 13% from 2013), while among men there were 82,917 misdemeanor arrests (down 66% from 2013) and 71,684 felony arrests (down 11% from 2013).

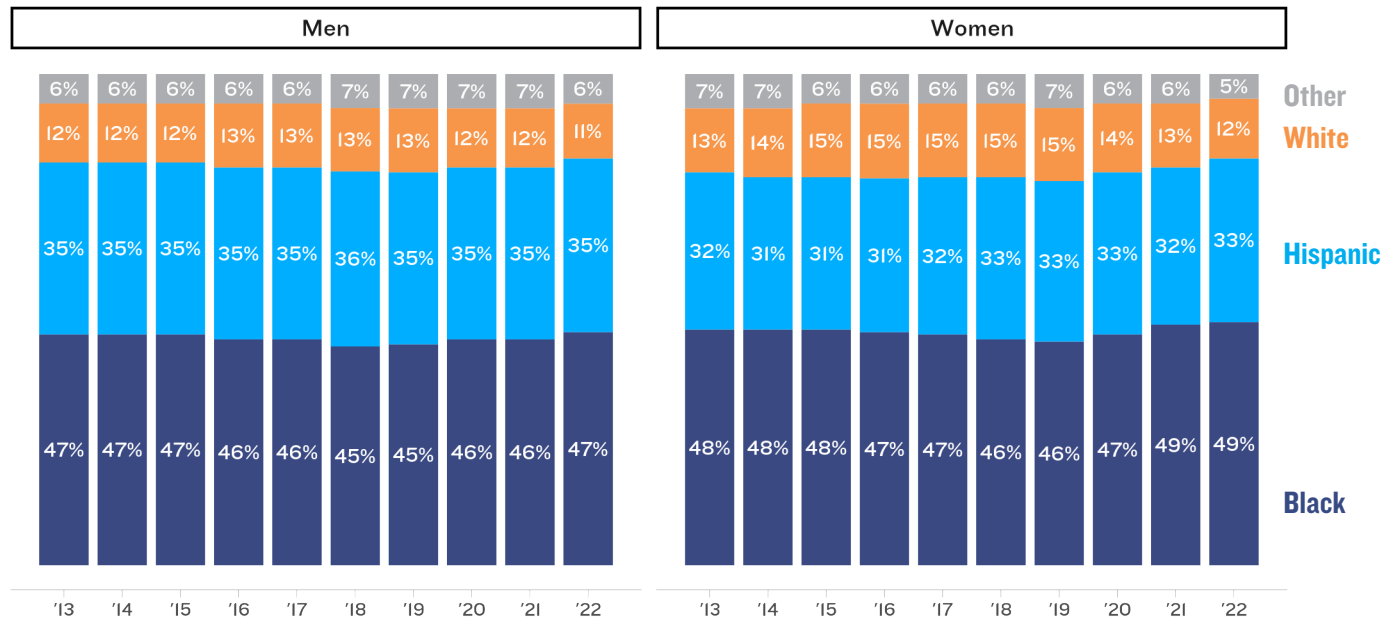
Shown in **Figure 4.9**, women accounted for 17-20% of misdemeanor arrests and 14-16% of felony arrests, with little change over the past decade. Among misdemeanor arrests Black and Hispanic people accounted for 79-82% of women and 80-82% of men (**Figure 4.10**), while among felony arrests Black and Hispanic people accounted for 79-84% of women and 84-85% of men (**Figure 4.11**).

**Racial disparities were higher for men than woman among both misdemeanor and felony arrests (Figures 4.12-13).** Over the ten-year period, disparity ratios remained relatively stable except for the Black-white ratio among felony arrests, which rose from 7.4 in 2013 to 10.1 in 2022.

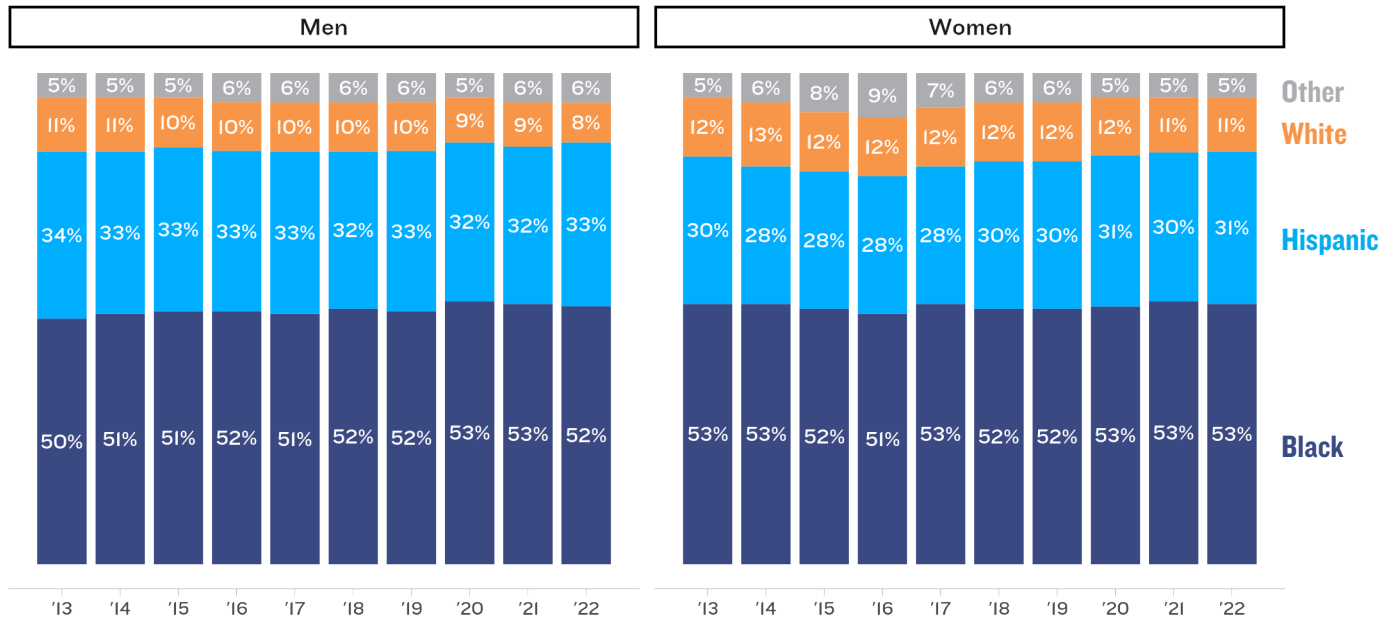
**FIGURE 4.9**  
ARRESTS BY SEVERITY AND GENDER COMPOSITION, %



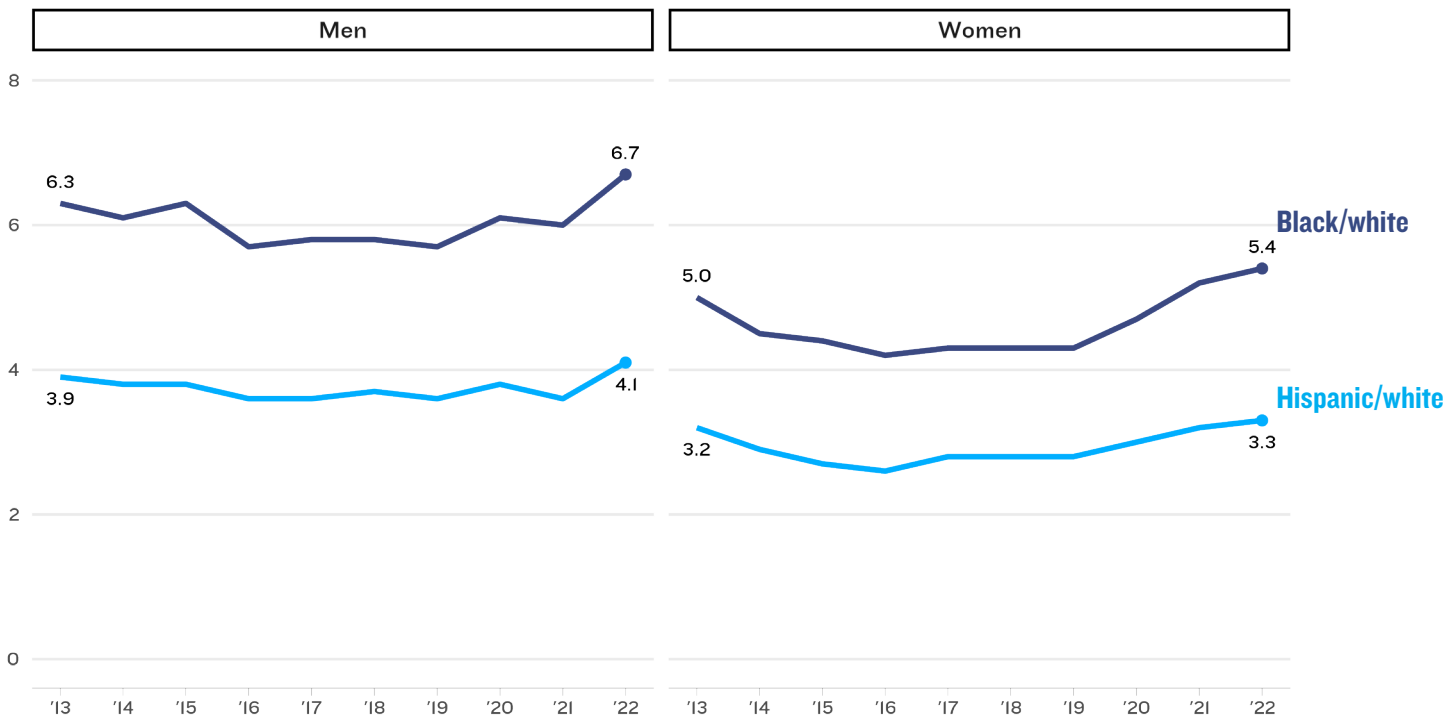
**FIGURE 4.10**  
MISDEMEANOR ARRESTS BY RACE/ETHNICITY FOR WOMEN AND MEN, %



**FIGURE 4.11**  
**FELONY ARRESTS BY RACE/ETHNICITY FOR WOMEN AND MEN, %**

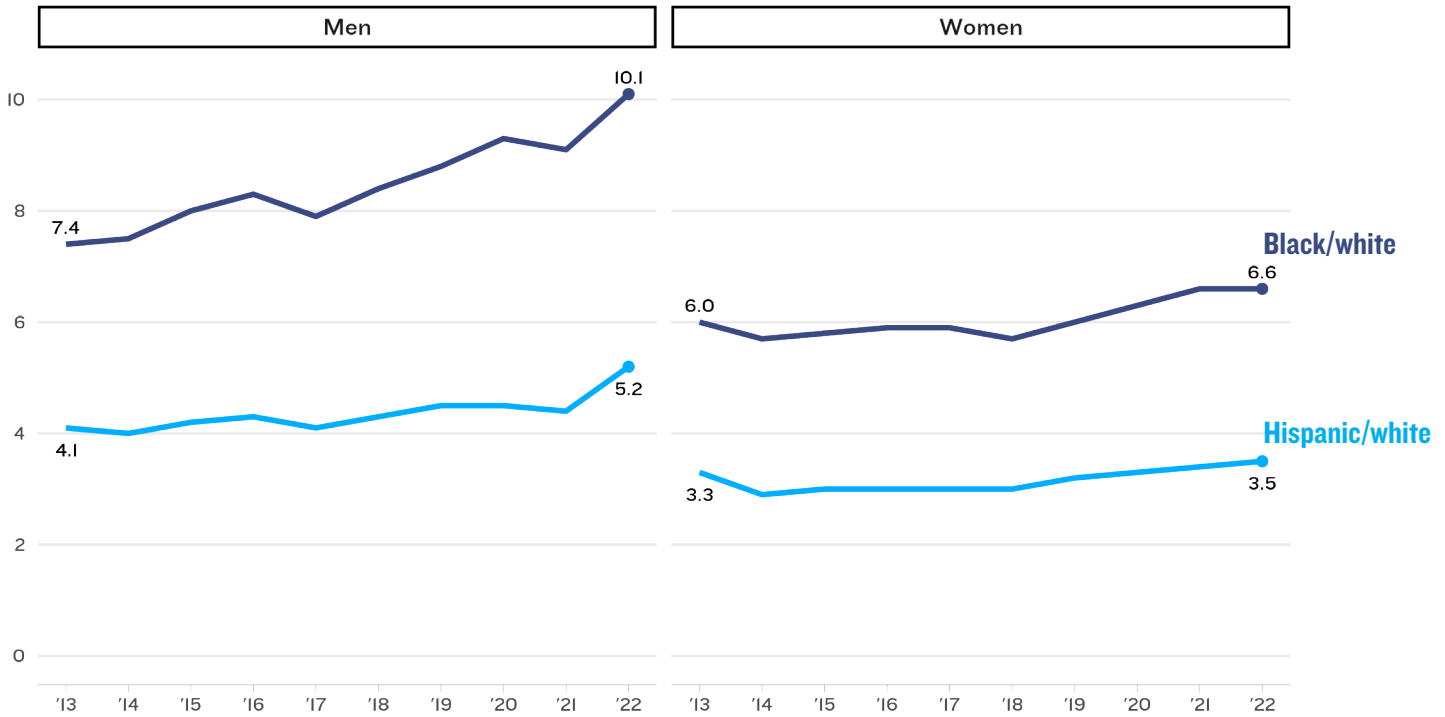


**FIGURE 4.12**  
**MISDEMEANOR RACIAL DISPARITY RATIO BY GENDER**





**FIGURE 4.13**  
**FELONY RACIAL DISPARITY RATIO BY GENDER**



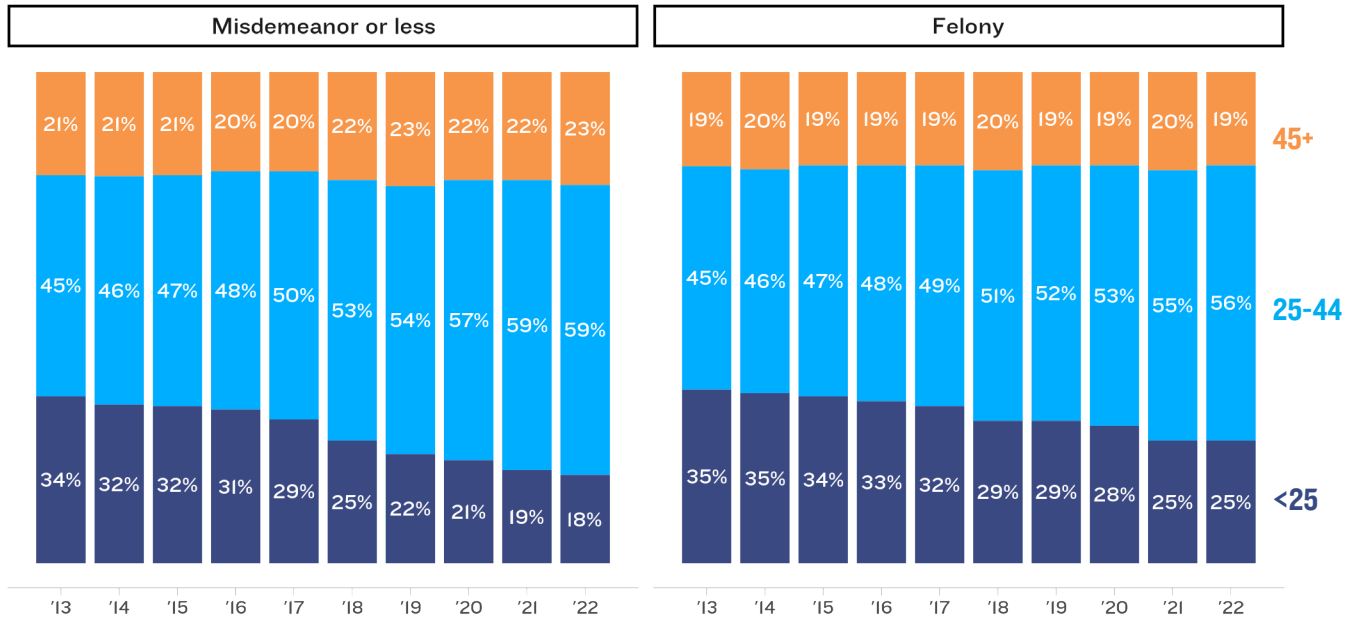
**RACIAL DISPARITIES IN ARRESTS BY AGE**

From 2013 to 2022, misdemeanor arrests declined substantially: 81% for people under 25 (from 100,589 to 18,643), 55% for those aged 25-44 (from 134,948 to 60,064), and 55% for those 45 and older (from 61,419 to 23,830). Felony arrests also dropped by 38% for people under 25 (from 33,895 to 20,989) and by 12% for those 45 and older (from 18,495 to 16,224), but *increased* by 10% for those aged 25-44 (from 43,386 to 47,821).

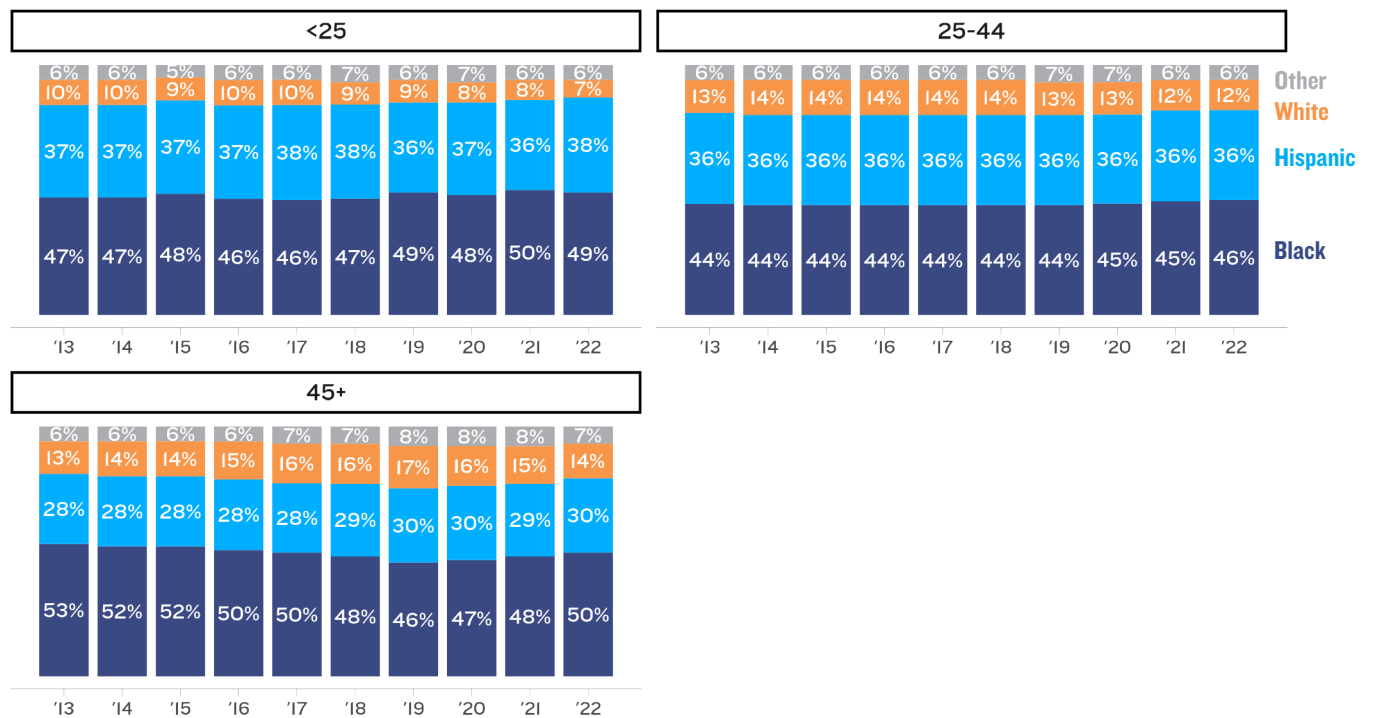
By 2022, people under 25 made up 18% of misdemeanor arrests (down from 34% in 2013) and 25% of felony arrests (down from 35%), while 25-44-year-olds accounted for 59% of misdemeanor arrests (up from 45%) and 56% of felony arrests (up from 45%) (**Figure 4.14**).

**Over the ten-year period, Black and Hispanic people accounted for the highest proportion of misdemeanor arrests of people under 25 (83-87%) (Figure 4.15).** Among this age group, there were substantial increases in racial disparity ratios in both misdemeanor and felony arrests (**Figure 4.16 and Figure 4.17**).

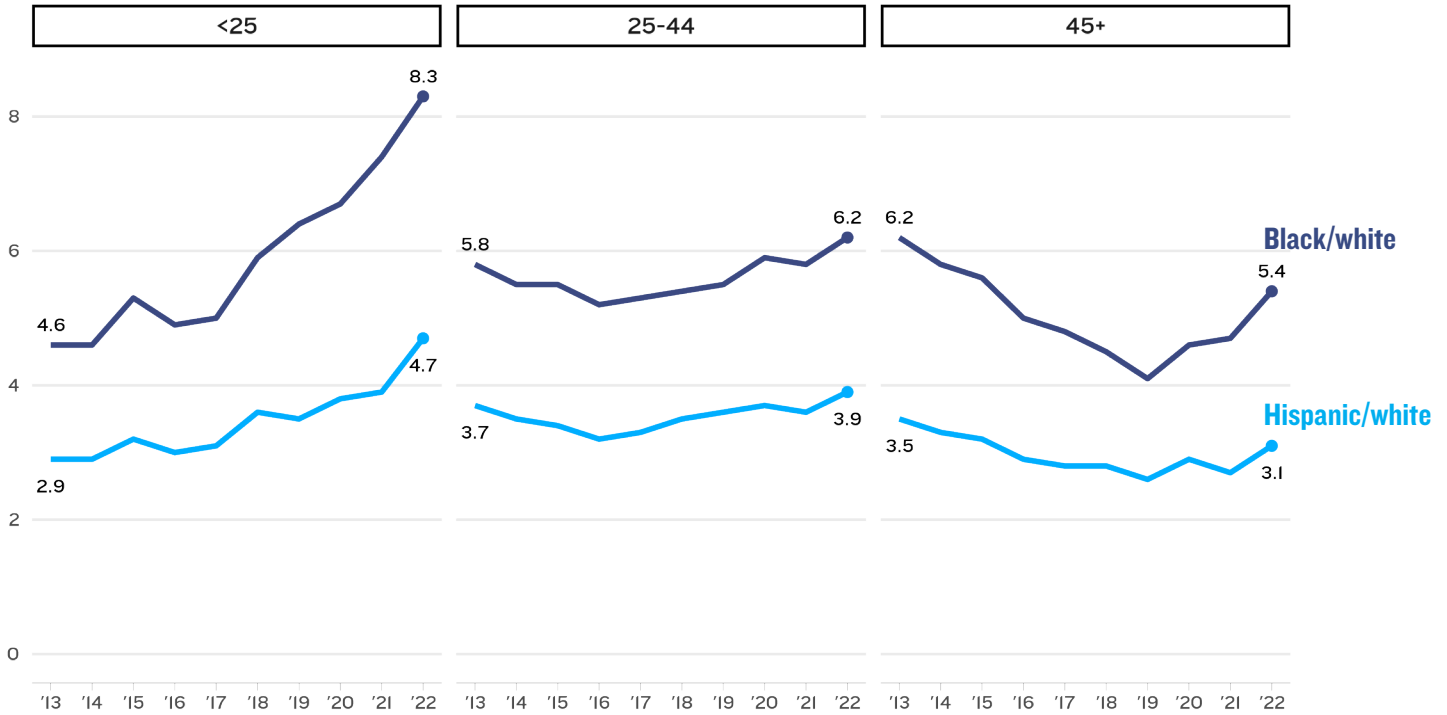
**FIGURE 4.14**  
ARRESTS BY SEVERITY AND AGE, %



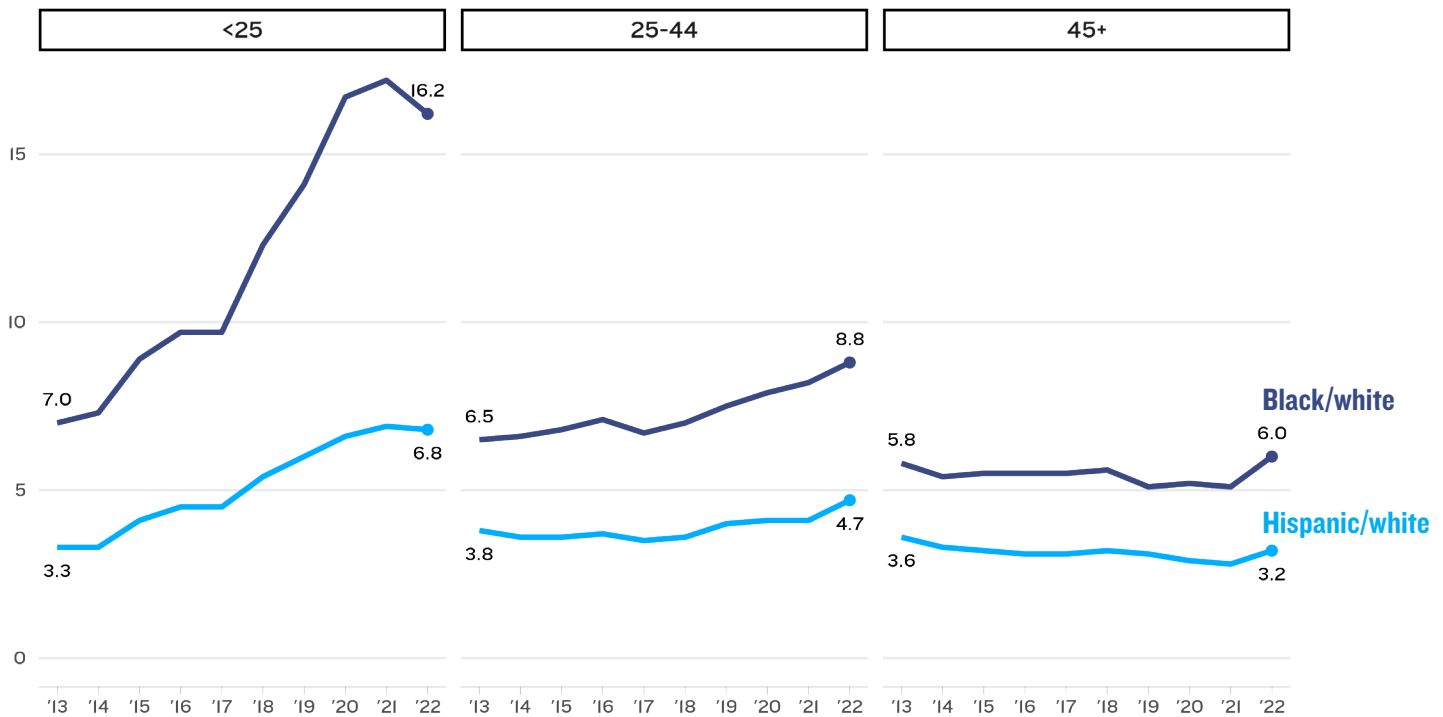
**FIGURE 4.15**  
MISDEMEANOR ARRESTS BY AGE AND RACE, %



**FIGURE 4.16**  
MISDEMEANOR RACIAL DISPARITY RATIO BY AGE



**FIGURE 4.17**  
FELONY RACIAL DISPARITY RATIO BY AGE



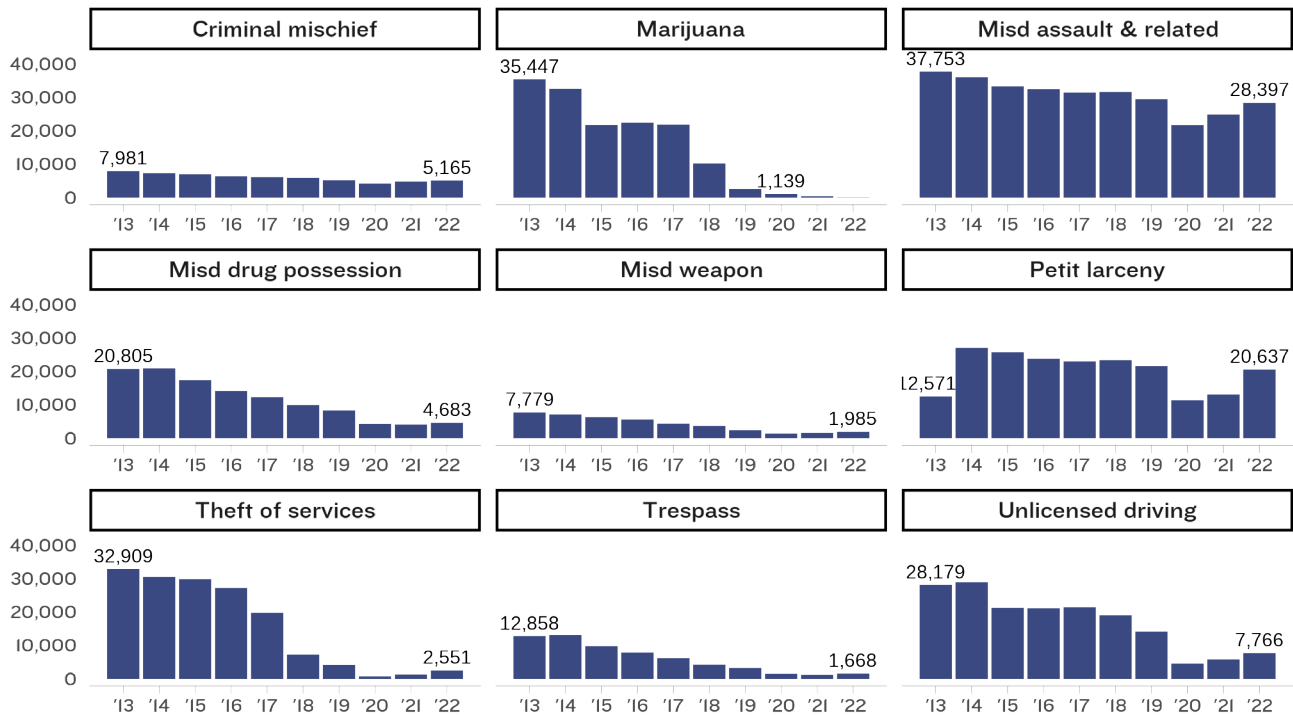
**RACIAL DISPARITIES IN MISDEMEANOR ARRESTS BY CHARGE TYPE**

We examined nine categories of particularly common misdemeanor charges. From 2013 to 2022, arrests decreased for marijuana possession (-97% before decriminalization in 2021), theft of services/turnstile jumping (-92%), trespass (-87%), drug possession (-78%), weapons possession (-75%), unlicensed driving (-72%), criminal mischief (-35%), assault and related (-25%), while they *increased* for petit larceny (+64%) (Figure 4.18) (See Appendix B for charge details.). In 2021 and 2022, arrests for these offenses saw modest increases consistent with the overall trends shown above.

In 2022, the percentage of Black people arrested was highest for theft of services/turnstile jumping (62%), Hispanic people for assault and related charges (36%),<sup>18</sup> and white people for drug possession (18%) (Figure 4.19).

Relative to the general population, Black people in 2022 were 10.9 times more likely than white people to be arrested for theft of services and 9.6 times more likely to be arrested for unlicensed driving, the largest disparities among the nine charges. Since 2019, Black-white and Hispanic-white racial disparity ratios decreased for trespass, and increased for marijuana crimes (until the latter’s decriminalization), theft of services and unlicensed driving (Figure 4.20).

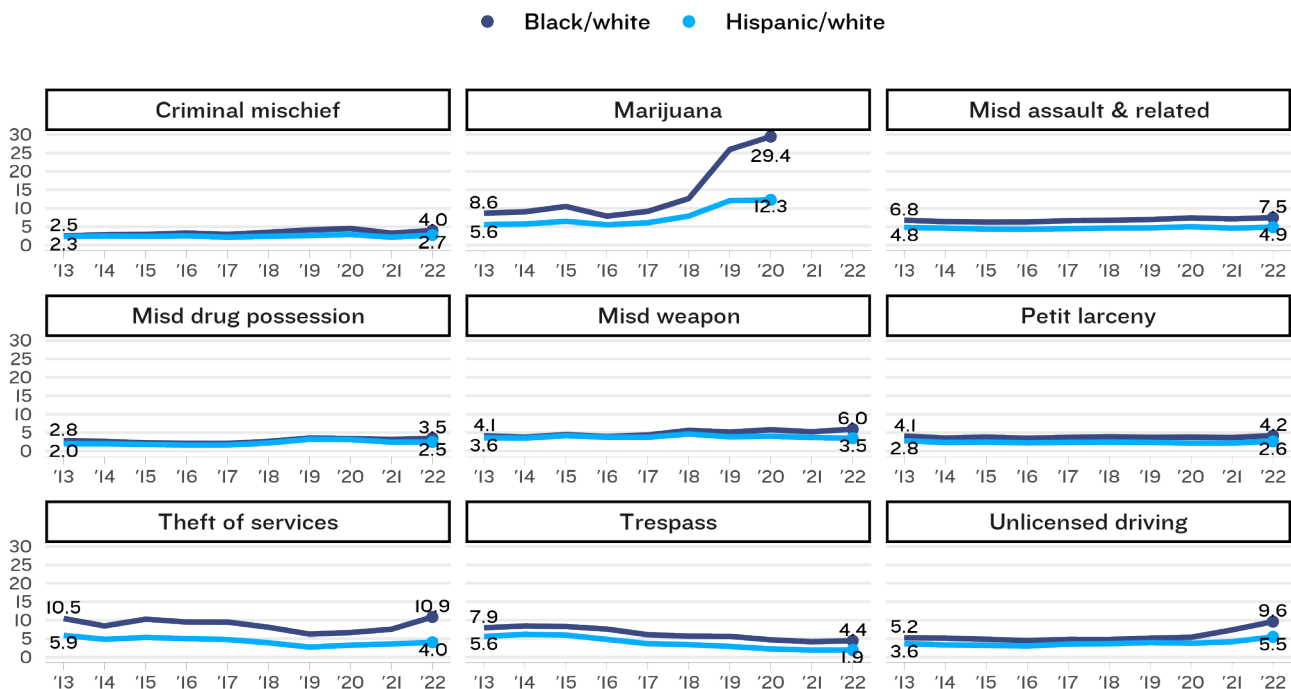
**FIGURE 4.18**  
**MISDEMEANOR ARRESTS BY CHARGE CATEGORY**



**FIGURE 4.19**  
**RACIAL/ETHNIC COMPOSITION OF MISDEMEANOR ARRESTS BY CHARGE CATEGORY, %**



**FIGURE 4.20**  
**RACIAL DISPARITY RATIO BY MISDEMEANOR CHARGE CATEGORY**

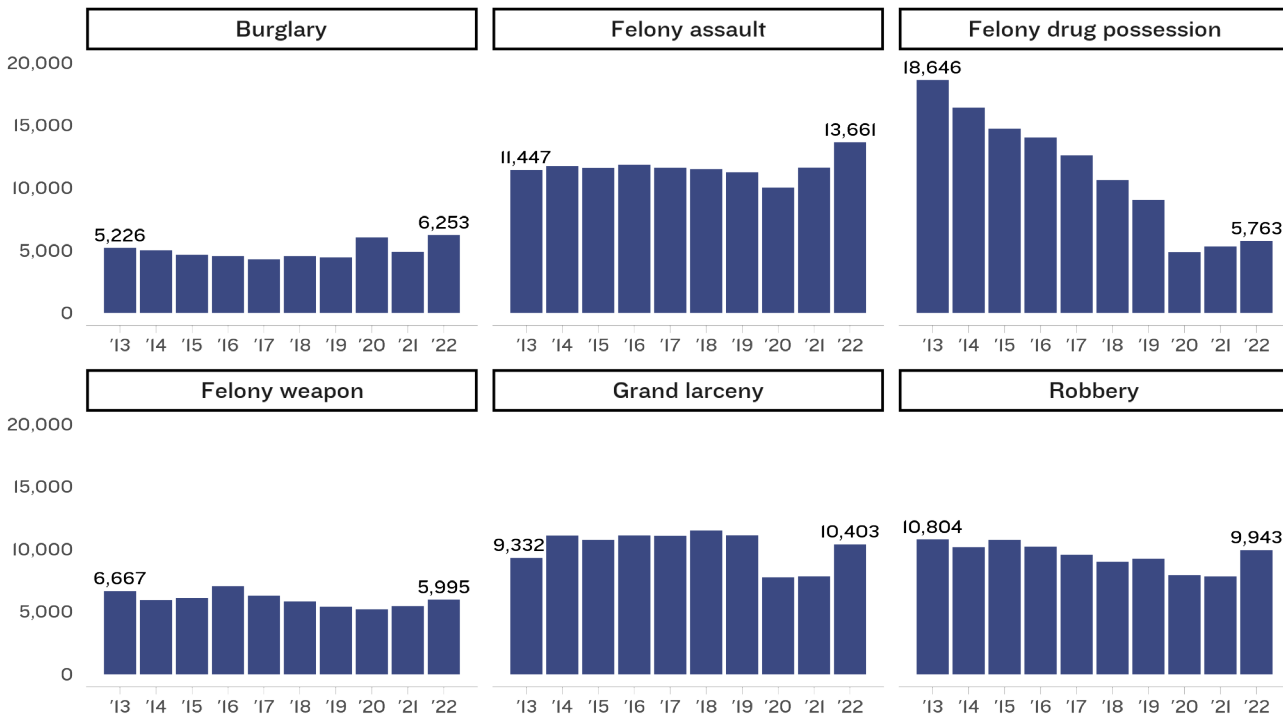


**RACIAL DISPARITIES IN FELONY ARRESTS BY CHARGE TYPE**

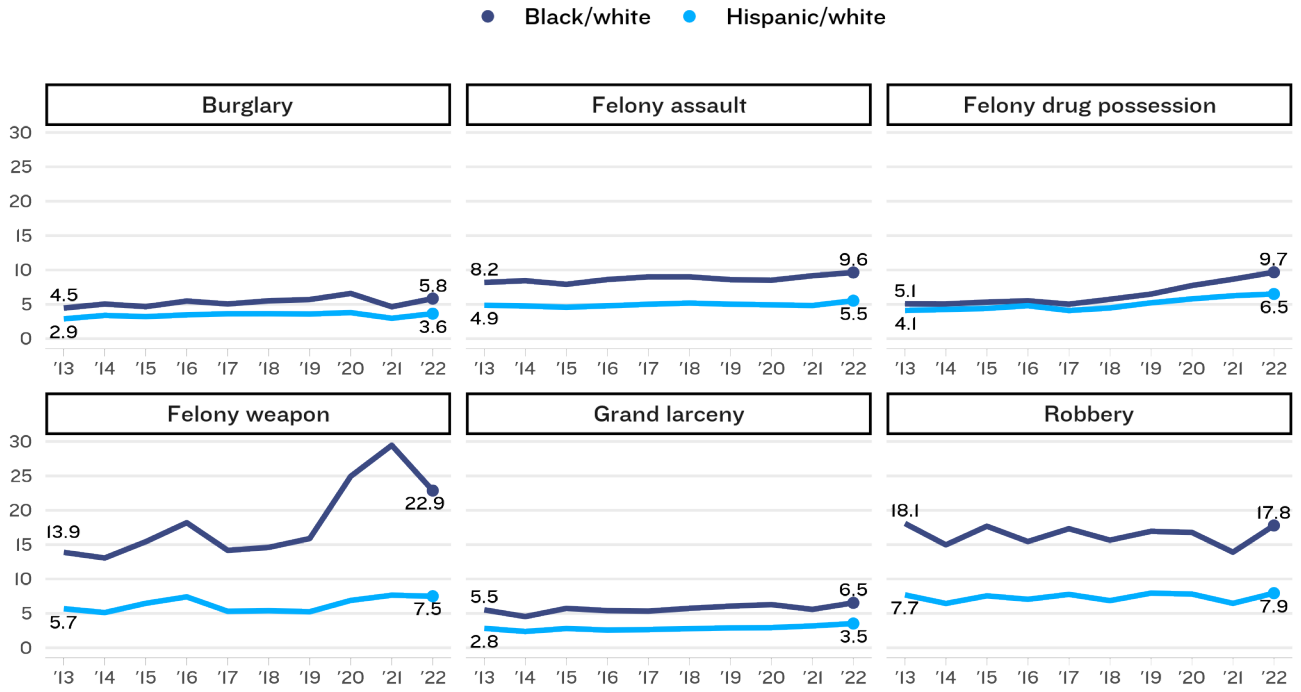
From 2013 to 2022, felony arrests decreased substantially for drug possession (-69%) and by smaller magnitudes for weapons felonies (-10%) and robbery (-8%), while increasing for burglary (+20%), assault (+19%), and grand larceny (+12%) (Figure 4.21) (See Appendix B for charge details.). In 2022, the percentage of Black people arrested was highest for weapons (67%) and robbery (60%), Hispanic people for drug possession (39%), and white people for burglary (12%) (See Appendix A.1 for the racial/ethnic composition for all key charges).

Relative to the general population, Black people in 2022 were 23 times more likely than white people to be arrested for weapons felonies, 18 times more likely to be arrested for robbery, and about 10 times more likely to be arrested for assault and drug possession. The same four charges showed the largest disparities for Hispanic people (Figure 4.22). The largest increase in the Black-white racial disparity ratio since 2013 was for felony weapons arrests, with most of the change occurring since 2019.

**FIGURE 4.21**  
**TOTAL ARRESTS BY FELONY CHARGE CATEGORY**



**FIGURE 4.22**  
**RACIAL DISPARITY RATIO BY FELONY CHARGE CATEGORY**



**SUMMARY TABLE: RACIAL DISPARITIES IN MISDEMEANOR ARRESTS**

Subgroup	Black-white Disparities			Hispanic-white Disparities		
	Black-white Ratio in 2022	Change 2022 vs. 2013	Change 2022 vs. 2019	Hispanic-white Ratio in 2022	Change 2022 vs. 2013	Change 2022 vs. 2019
Overall	6.1	+0.4	+1.0	3.9	+0.1	+0.05
Bronx	4.0	+0.4	+0.5	2.4	-0.1	+0.1
Brooklyn	5.2	-0.5	+0.5	4.0	-0.1	+0.3
Manhattan	13.8	+2.1	+3.6	5.3	+0.1	+1.2
Queens	4.3	+0.1	+0.1	3.1	+0.1	+0.2
Staten Island	8.7	+3.5	+2.9	3.1	+0.8	+0.6
Women	5.4	+0.5	+1.2	3.3	+0.1	+0.5
Men	6.7	+0.4	+1.0	4.1	+0.1	+0.5
Age <25	8.3	+3.8	+2.0	4.7	+1.8	+1.2
Ages 25-44	6.2	+0.4	+0.7	3.9	+0.2	+0.3
Ages 45+	5.4	-0.8	+1.3	3.1	-0.4	+0.5
Aggravated unlicensed driving	9.6	+4.4	+4.5	5.5	+1.9	+1.6
Assault (3rd)	7.4	+0.7	+0.5	4.9	+0.1	+0.2
Criminal mischief	4.0	+1.5	-0.1	2.7	+0.4	+0.1
Marijuana poss. (vs. 2020)	29.4	+20.8	+3.4	12.3	+6.7	+0.2
Poss. of controlled subs. (7th)	3.5	+0.6	-0.1	2.5	+0.5	-0.7
Weapon possession (4th)	6.0	+1.8	+0.8	3.5	-0.1	-0.4
Petit larceny	4.2	+0.1	+0.5	2.6	-0.2	+0.3
Theft of services	10.9	+0.4	+4.7	4.0	-1.9	+1.3
Trespass	4.4	-3.5	-1.2	1.9	-3.7	-1.0

**Note:** A negative change means a racial disparity ratio narrowed; a positive change means a racial disparity ratio widened. Note that in 2022 there were no categories in which white people were more likely to be stopped than Black or Hispanic people (indicated by a racial disparity ratio below 1).



**SUMMARY TABLE: RACIAL DISPARITIES IN FELONY ARRESTS (KEY COMPARISONS)**

Subgroup	Black-white Disparities			Hispanic-white Disparities		
	Black-white Ratio in 2022	Change 2022 vs. 2013	Change 2022 vs. 2019	Hispanic-white Ratio in 2022	Change 2022 vs. 2013	Change 2022 vs. 2019
Overall	8.9	+2.1	+1.1	4.8	+0.9	+0.6
Women	6.6	+0.6	+0.6	3.5	+0.2	+0.3
Men	10.1	+2.7	+1.3	5.2	+1.1	+0.7
<25 Years	16.2	+9.1	+2.1	6.8	+3.5	+0.9
Burglary	5.9	+1.3	+0.1	3.6	+0.7	+0.0
Felony assault	9.6	+1.4	+1.0	6.5	+0.6	+0.5
Felony drug possession	22.9	+4.6	+3.2	7.5	+2.4	+1.3
Felony weapons	23.0	+9.0	+7.0	8.0	+1.8	+2.3
Grand larceny	6.5	+1.0	+0.4	3.5	+0.7	+0.6
Robbery	17.8	-0.3	+0.9	7.9	+0.2	+0.0

**Note:** A negative change means a racial disparity ratio narrowed; a positive change means a racial disparity ratio widened. Note that in 2022 there were no categories in which white people were more likely to be stopped than Black or Hispanic people (indicated by a racial disparity ratio below 1).

## Chapter 5. Prosecutions, 2013-2022

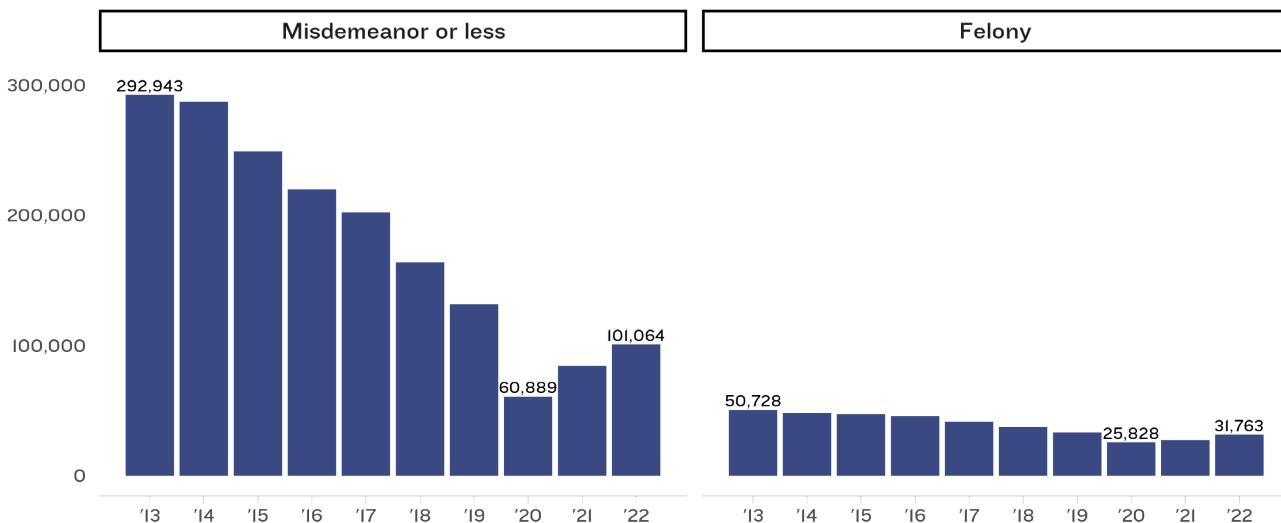
District Attorneys may choose not to file certain arrest charges in court, either by declining to prosecute or downgrading the charge level. But given that most NYC arrests are prosecuted, racial disparities for prosecuted cases were largely consistent with the results for arrests shown in the previous chapter. As a result, this chapter focuses on key citywide, boroughwide, and charge-based trends, omitting demographic breakdowns by gender and age due to their similarity to the previous chapter's results.

### OVERALL PROSECUTION TRENDS

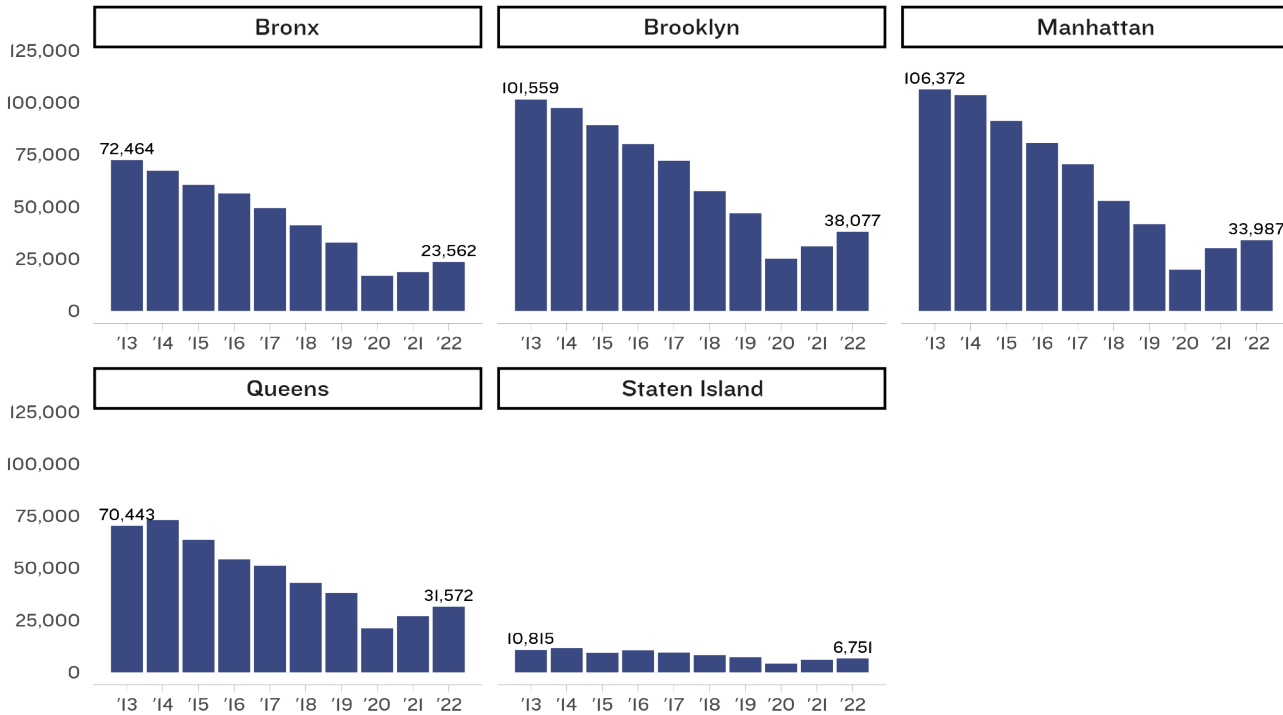
Key citywide and borough-specific findings include:

- Misdemeanor Prosecutions:** From 2013 to 2022, the number of misdemeanor prosecutions fell by two-thirds (from 292,943 to 101,064), identical to the drop shown in Chapter 4 for arrests (**Figure 5.1**).<sup>19</sup> Misdemeanor prosecutions declined for Black people by 65%, for Hispanic people by 66%, and for white people by 69%.
- Felony Prosecutions:** Over the same decade, felony prosecutions fell by 37% (from 50,728 to 31,763) (**Figure 5.1**), with a 33% decline for Black people, a 45% decline for Hispanic people, and a 49% decline for white people.
- Low Point in 2020:** Consistent with arrest trends, prosecutions reached a low point during the first year of Covid-19 related court closures in 2020 (**Figure 5.1**). Between 2020 and 2022, misdemeanor prosecutions then rose by 66% and felony prosecutions by 23%.
- Borough Trends:** Prosecutions also fell sharply in all five boroughs since 2013. Consistent with arrest trends, Staten Island again saw the smallest decline (38%), Queens saw a drop of 55%, and the Bronx, Brooklyn, and Manhattan saw ten-year declines exceeding 60% (**Figure 5.2**).

**FIGURE 5.1**  
PROSECUTIONS BY CHARGE SEVERITY



**FIGURE 5.2**  
**PROSECUTIONS BY BOROUGH**



**RAMIFICATIONS FOR CITYWIDE RACIAL DISPARITIES**

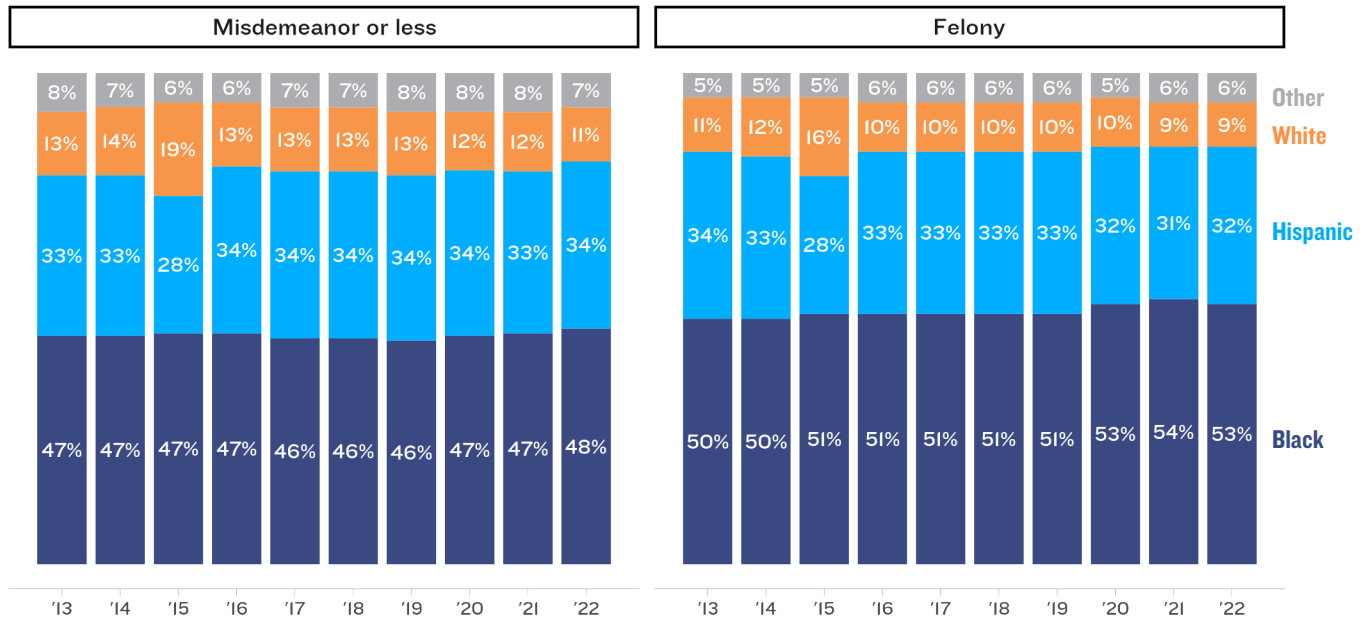
Ten-year changes in the racial composition of prosecuted cases were mostly small in magnitude (**Figure 5.3**).<sup>20</sup> Exceptions were largely found among felony prosecutions, including a 3 percentage-point increase in the Black share and corresponding 2 percentage-point declines in the Hispanic and white shares.

By 2022, the percentage of prosecutions involving Black people was slightly higher for felonies (53%) than misdemeanors (48%), whereas the percentage involving Hispanic people was slightly higher for misdemeanors (from 34% to 32%), as was the percentage involving white people (from 11% to 9%).

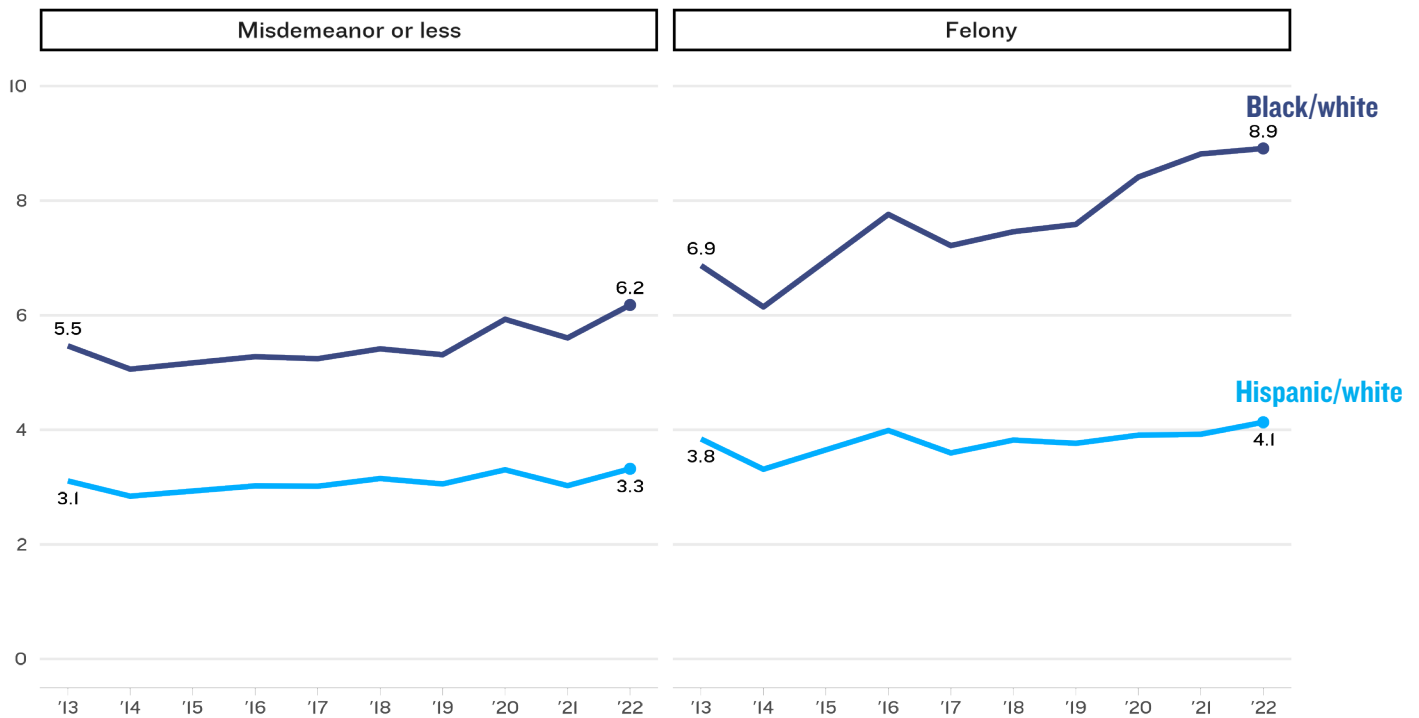
Accounting for population size, Black-white disparities increased somewhat for both charge severity types, with considerably larger increases observed among felony prosecutions (**Figure 5.4**). By 2022, Black people were 6.2 times more likely than white people to be prosecuted for a misdemeanor and 8.9 times more likely to be prosecuted for a felony.

Despite modest year-to-year fluctuations, there was little change in Hispanic-white disparities. Nearly identical to the 2013 figures, Hispanic people were 3.3 times more likely to be prosecuted for a misdemeanor and 4.1 times more for a felony in 2022.

**FIGURE 5.3**  
**RACIAL COMPOSITION OF MISDEMEANOR AND FELONY PROSECUTIONS, %**



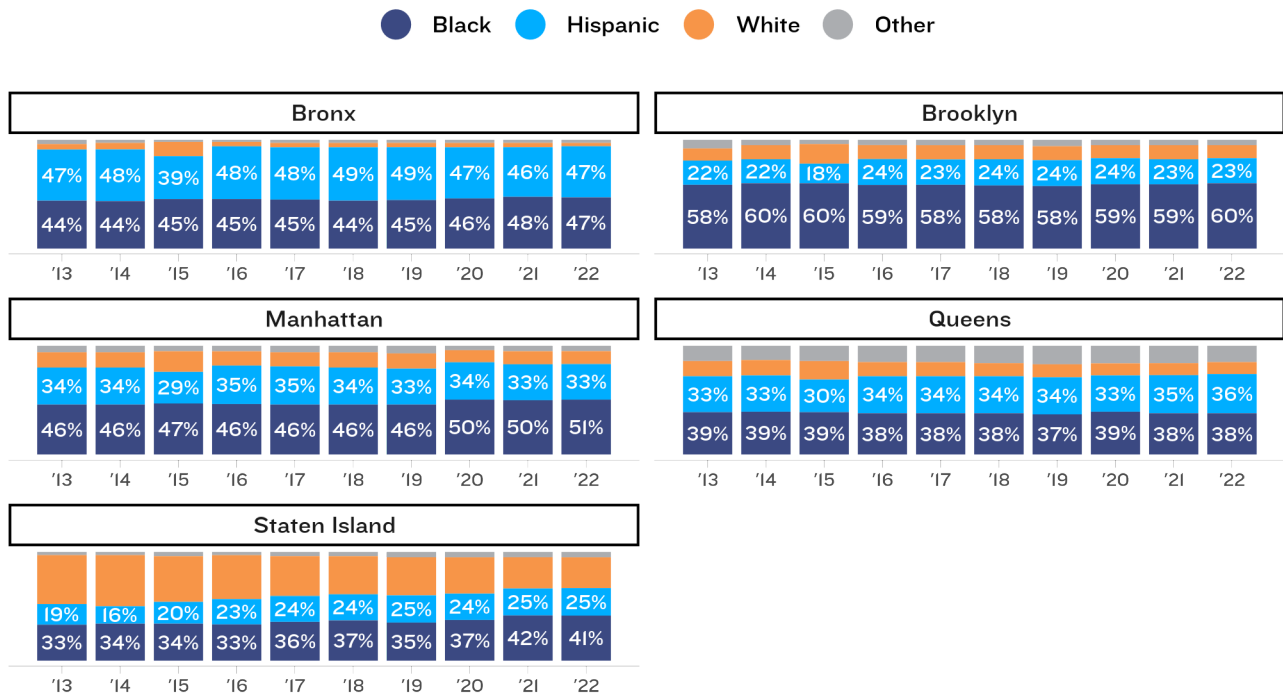
**FIGURE 5.4**  
**PROSECUTION RACIAL DISPARITY RATIO BY CHARGE SEVERITY**



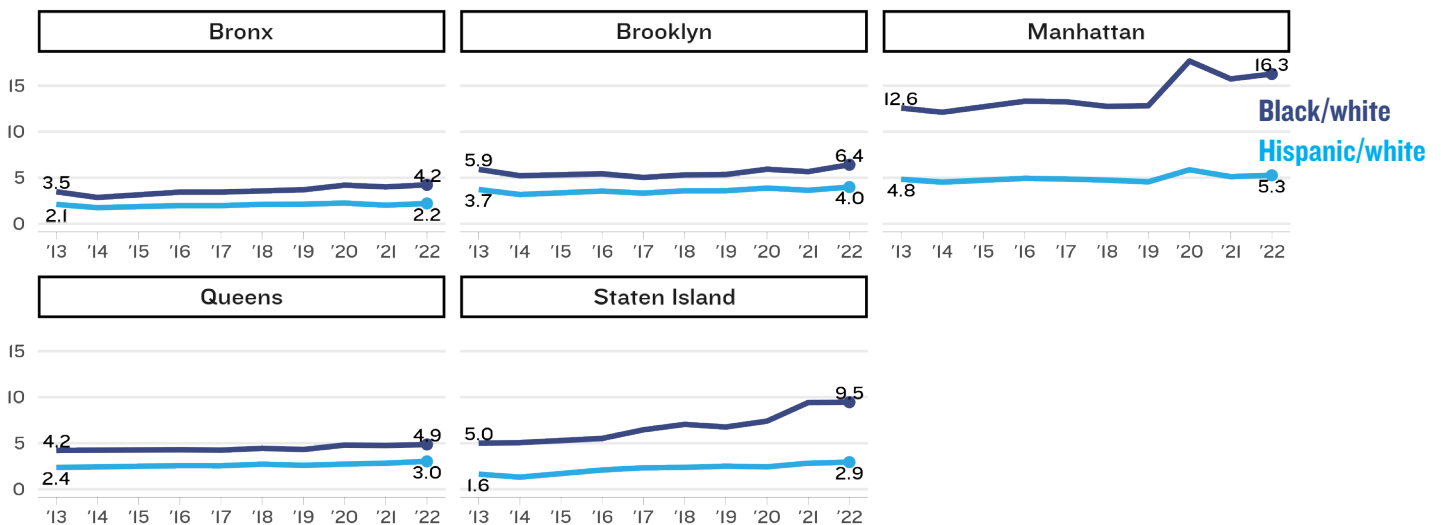
**RACIAL DISPARITIES BY BOROUGH**

Across the five boroughs, Black people made up the highest percentage of those prosecuted in Brooklyn (ranging from 58-60%), while Hispanic people made up the highest percentage of those prosecuted in the Bronx (ranging from 46-49%)<sup>21</sup> (Figure 5.5). From 2013 to 2022, the racial disparity ratios for prosecutions widened in all boroughs, with the largest growth seen for Black people in Staten Island (+4.5) and Manhattan (+3.7) (Figure 5.6).

**FIGURE 5.5**  
**RACIAL COMPOSITION BY BOROUGH, %**



**FIGURE 5.6**  
**PROSECUTION RACIAL DISPARITY RATIO BY BOROUGH**

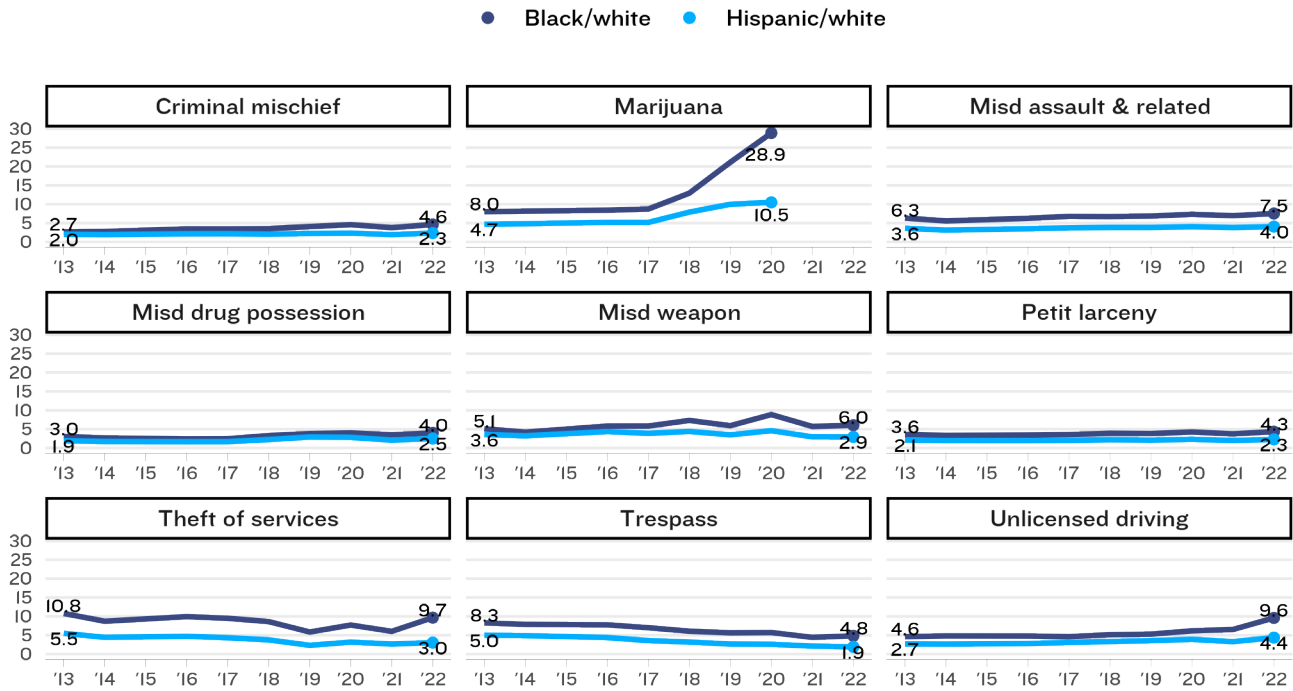


**RACIAL DISPARITIES BY CHARGE TYPE**

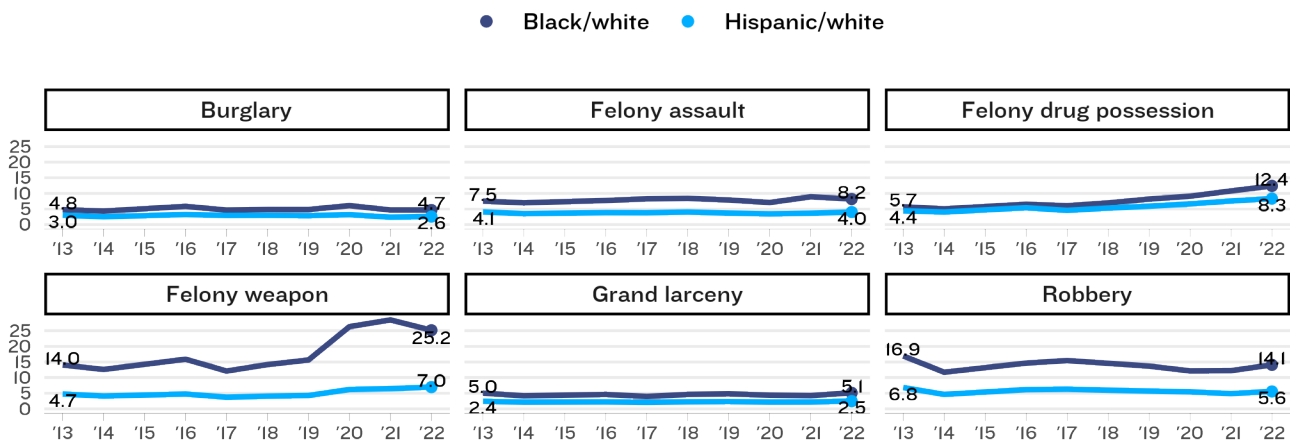
For the nine misdemeanor and six felony charges examined above in Chapter 4, racial disparities in prosecutions closely mirrored those for arrests. Among misdemeanors, racial disparities increased for theft of services, unlicensed driving, and marijuana (until its decriminalization), and decreased for trespass (Figure 5.7). Among felonies, racial disparities increased for felony weapons drug possession charges—especially from 2019 to 2022 (Figure 5.8).

(See Appendix B for trends in annual prosecution totals and racial compositions for each charge type.)

**FIGURE 5.7**  
**MISDEMEANOR PROSECUTION RACIAL DISPARITY RATIO BY CHARGE CATEGORY**



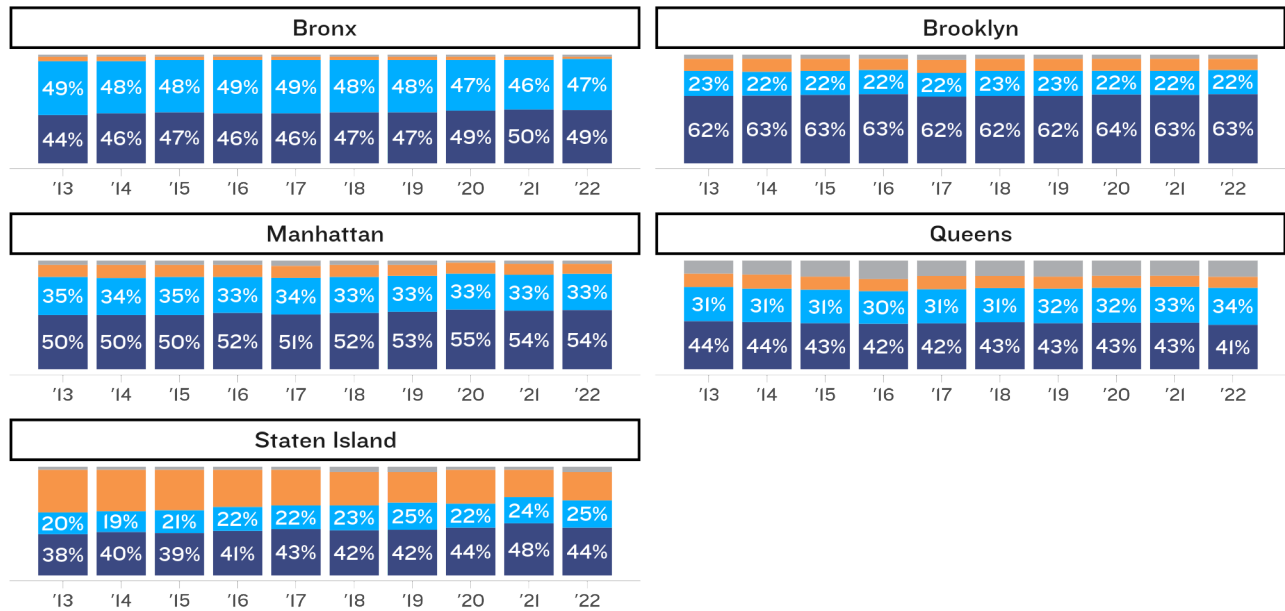
**FIGURE 5.8**  
**FELONY PROSECUTION RACIAL DISPARITY RATIO BY CHARGE CATEGORY**



## Appendix A. Supplemental Figures for Arrests and Prosecutions

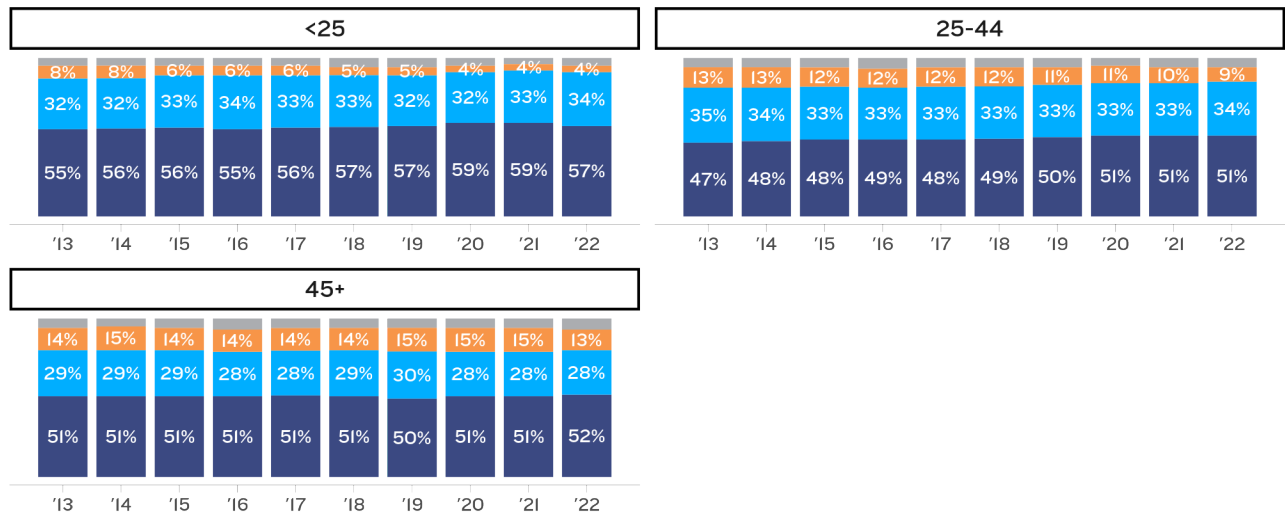
**FIGURE A1**  
**FELONY ARRESTS BY BOROUGH AND RACE, %**

● Black ● Hispanic ● White ● Other



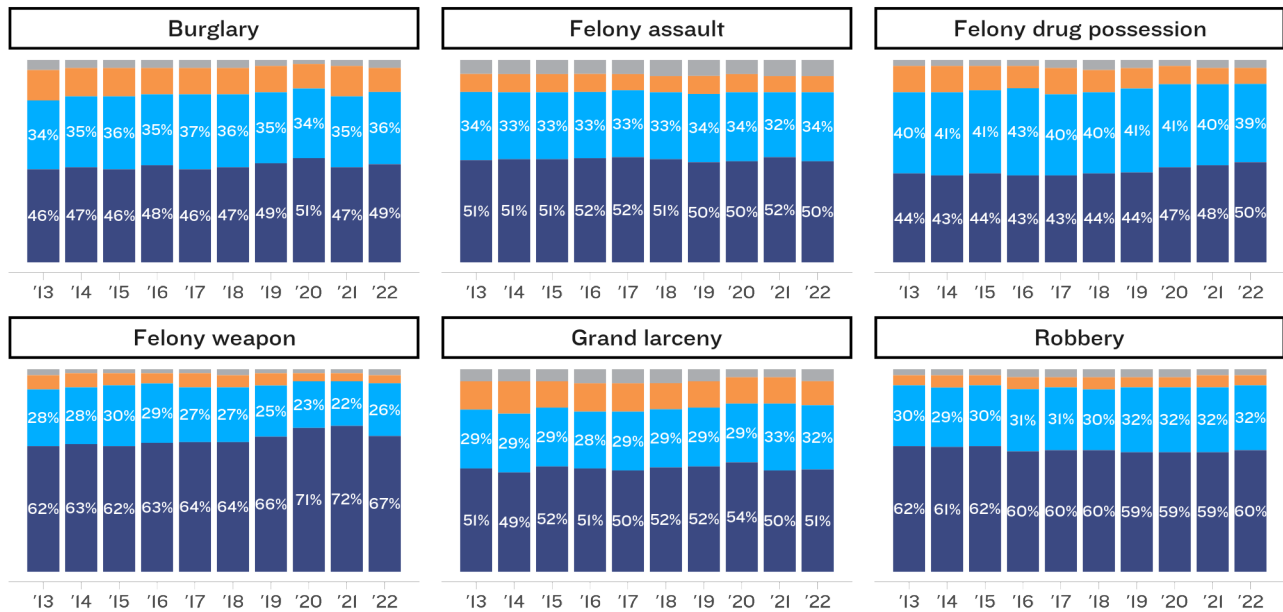
**FIGURE A2**  
**FELONY ARRESTS BY BOROUGH AND RACE, %**

● Black ● Hispanic ● White ● Other

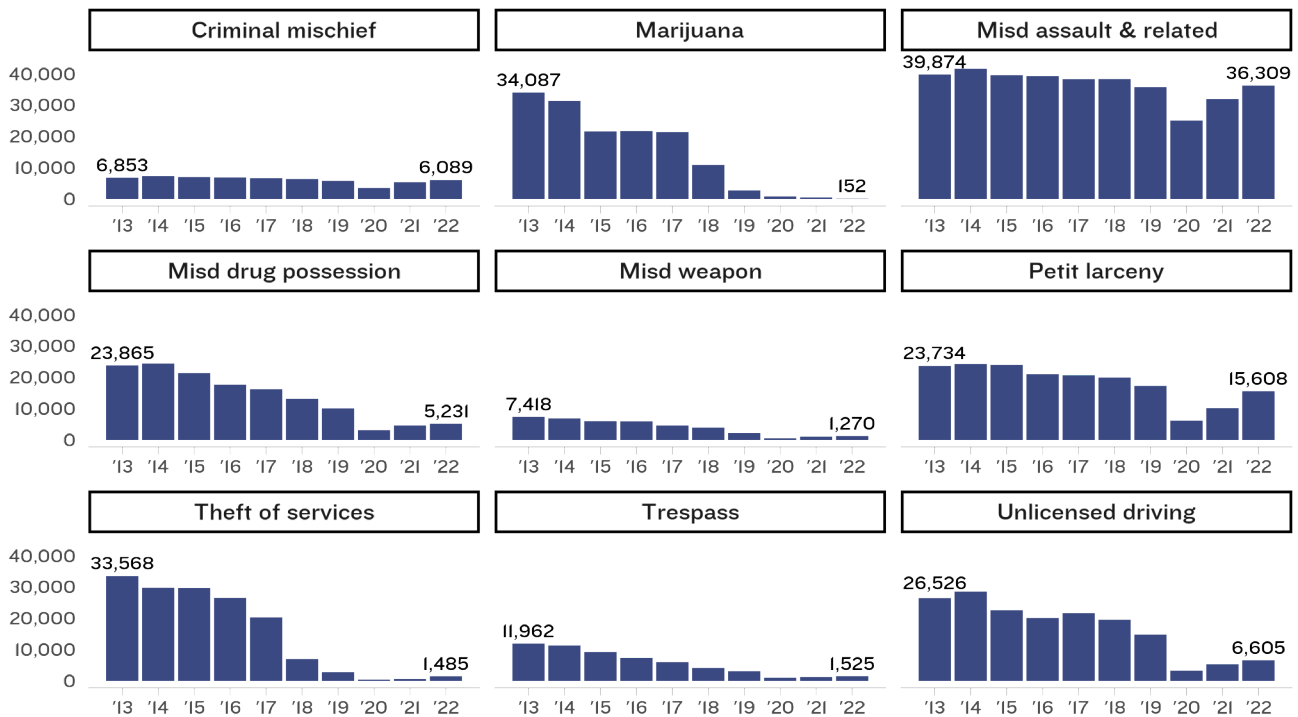


**FIGURE A3**  
**FELONY ARRESTS BY CHARGE CATEGORY AND RACE, %**

● Black ● Hispanic ● White ● Other



**FIGURE A4**  
**FELONY ARRESTS BY CHARGE CATEGORY AND RACE**

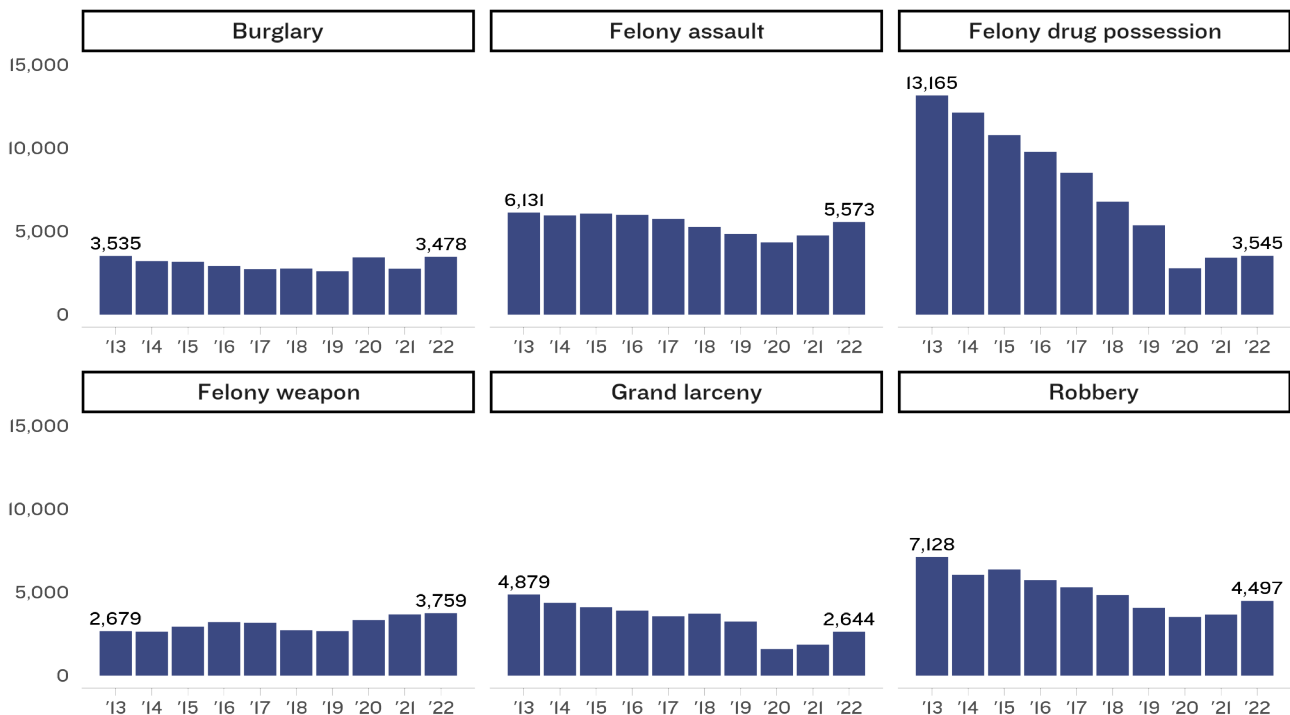




**FIGURE A5**  
**MISDEMEANOR PROSECUTIONS BY CHARGE CATEGORY AND RACE, %**

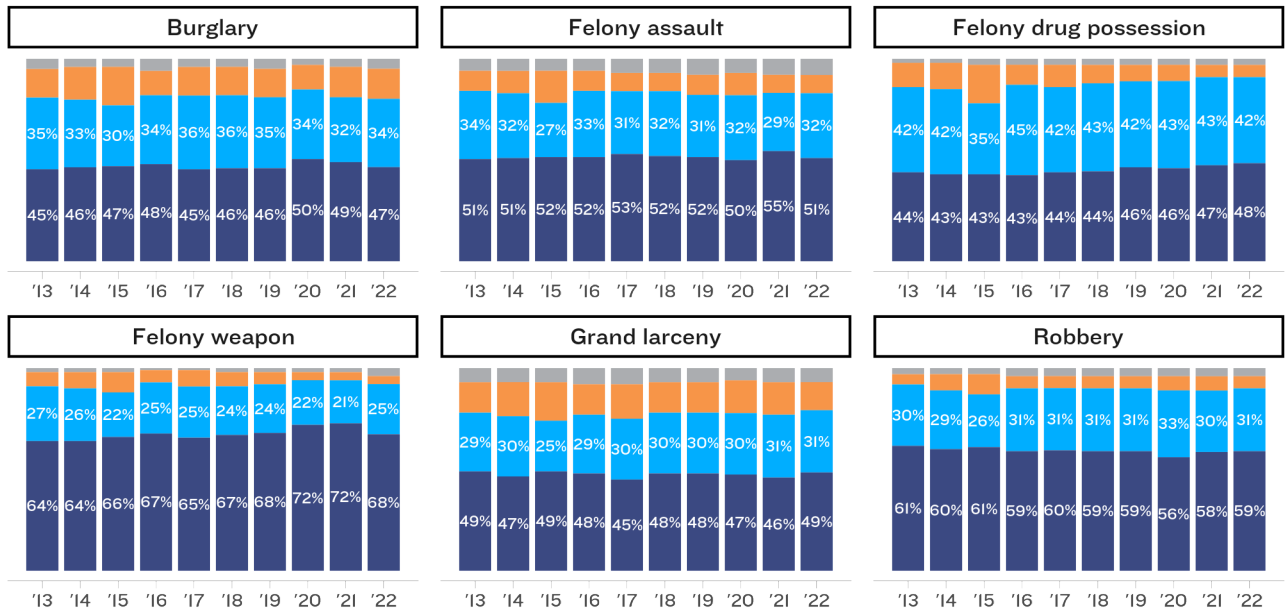


**FIGURE A6**  
**FELONY PROSECUTIONS BY CHARGE CATEGORY**



**FIGURE A7**  
**FELONY PROSECUTIONS BY CHARGE CATEGORY AND RACE, %**

● Black ● Hispanic ● White ● Other



**Appendix B. Definition of Key Charge Categories****MISDEMEANOR DAT-ELIGIBLE CHARGES**

Category	Penal Law Charges
Aggravated Unlicensed Driving	Vehicle and Traffic Law Section 511
Assault	Assault in the 3rd Degree (PL 120.00)
Criminal Mischief	Criminal Mischief in the 4th Degree (PL 145.00)
Criminal Trespass	Criminal Trespass in the 3rd Degree (PL 140.10)
Marijuana	Criminal Possession of Marijuana in the 5th (PL 221.10)
Petit Larceny	Petit Larceny (property < \$1,000) (PL 155.25)
Misdemeanor Drug Possession	Criminal Possession of a Controlled Substance in the 7th Degree (PL 220.03)
Misdemeanor Weapon	Criminal Possession of a Weapon in the 4th Degree (PL 265.01)

**Note:** includes all misdemeanor charges within each section.

**MISDEMEANOR CHARGE CLASSIFICATION**

Category	Penal Law Charges
Assault and Related	Assault and Related Offenses (PL 120.00) except Stalking (120.45, 120.50)
Criminal Mischief	Criminal Mischief and Related Offenses (PL 145)
Misdemeanor Drug Possession	Criminal Possession of a Controlled Substance in the 7th Degree (PL 220.03)
Misdemeanor Marijuana	Offenses Involving Marijuana (PL 221) and Cannabis (PL 222)
Petit Larceny	Petit Larceny (property < \$1,000) (PL 155.25)
Theft of Services	Theft of Services (PL 165.15)
Trespassing	Trespass (PL 140.05, PL 140.10, PL 140.15)
Unlicensed Driving	Operation while license or privilege is suspended or revoked; aggravated unlicensed operation (VTL 511)
Misdemeanor Weapon	Criminal Possession of a Weapon in the 4th Degree (PL 265.01)

**Note:** includes all misdemeanor charges within each section.

**APPENDIX B. CHARGE CATEGORY DEFINITIONS****FELONY CHARGE CLASSIFICATION**

Category	Penal Law Charges
Felony Assault	Assault in the 2nd Degree (120.05),
Assault in the 1st Degree (120.10)	Assault in the 3rd Degree (PL 120.00)
Burglary	Burglary in the 3rd Degree (PL 140.20), Burglary in the 2nd Degree (PL 140.25), Burglary in the 1st Degree (PL 140.30)
Felony Drug Possession	Controlled Substance Offenses (PL 220)
Grand larceny	Larceny (PL 155)
Robbery	Robbery in the 3rd Degree (PL 160.05), Robbery in the 2nd Degree (PL 160.10), Robbery in the 1st Degree (PL 160.15)
Felony Weapon	Firearms (PL 265)

**Note:** includes all felony charges within each section.

- 1** Note that cases with missing data for a particular variable were excluded. For example, borough breakdowns exclude a small number of cases where the location of the enforcement action was not provided.
- 2** Stenkamp, Anna and Rempel, Michael (2024). [Racial and Neighborhood Disparities in New York City Criminal Summons Practices](#). New York, NY: Data Collaborative for Justice; and Koppel, Stephen and Stenkamp, Anna. (2024). [Racial Disparities in New York City Civil Summonses, 2019-2022](#). New York, NY: Data Collaborative for Justice.
- 3** Asians were not represented as a separate category due to inconsistencies in coding practices across the various datasets and over time. For example, the NYPD data includes a combined category for “Asian/Pacific Islander,” whereas the Office of Court Administration data includes a broad category for “Asian” that can be further divided into Hispanic and non-Hispanic Asian.
- 4** The Census Bureau’s race/ethnicity categories were “bridged” separately for the NYPD and OCA’s datasets due to methodological differences in the classification of Hispanics. Whereas the NYPD dataset includes categories for Black-Hispanic or white-Hispanic only, the OCA dataset has a separate field for Hispanics who identified as any race. Accordingly, the Hispanic population estimates used as denominators for the pedestrian stop and arrest analyses include people identifying as Black or white only, while the Hispanic population estimates used as denominators for the prosecution analysis include Hispanics who identified as any other race. Census estimates exclude all children under the age of 10.
- 5** While there is no consensus on how to best isolate racial bias in law enforcement, prior research has attempted to rule out alternative explanations for racially disparate outcomes by comparison to various “internal benchmarks” at the officer level (e.g., racial composition of enforcement actions for “similarly situated” officers) and “external benchmarks” at the precinct level (e.g., prior criminal recent activity, racial composition of the residential population, racial composition of crime-suspect descriptions). See: Fagan, Jeffrey. (2010). [Expert Report in David Floyd et al. v. City of New York et al.](#), U.S. District Court for the Southern District of New York, 08 Civ. 01034 (SAS); Gelman, Andrew, Fagan, Jeffrey, and Kiss, Alex. (2007). [An Analysis of the New York City Police Department’s “Stop-and-Frisk” Policy in the Context of Claims of Racial Bias](#). Journal of the American Statistical Association, 102, 813-823; Ridgeway, Greg. (2007). [Analysis of Racial Disparities in the New York Police Department’s Stop, Question, and Frisk Practices](#). Santa Monica, CA: RAND Corporation.
- 6** Note that the Stop, Question, and Frisk dataset is limited to “Level 3” stops and excludes other types of interactions between police officers and civilians (“Level 1” and “Level 2”), including traffic stops and general requests for information.
- 7** New York Civil Liberties Union (NYCLU). (n.d.). [Stop and Frisk Data](#).
- 8** Over the ten-year period, a small percentage of people were coded in the data as having a gender other than female or male (<1%). Given the small percentage and inconsistency in coding practices, both over time and across the various data sources, gender breakdowns throughout this report were restricted to females and males.
- 9** Children under the age of 10 were excluded from all analysis in this report.
- 10** Suspected crime types were sorted into offense categories consistent with Jeffrey Fagan’s 2010 landmark report on racial disparities in New York Police Department stop-and-frisk practices. See: Fagan, Jeffrey (2010), [Op Cit](#). For more details, all code used for classifying stops is available [here](#).

**11** Lu, Olive and Rempel, Michael (2024). [Evaluating the Impact of Desk Appearance Ticket Reform in New York State](#). New York, NY: Data Collaborative for Justice. See, also, Ferone, J., Herrschaft, B., Jassin, K., Low-Weiner, C., & Ouellet, A. (2023). [Reform in Action: Findings and Recommendations from a 3-Year Process Evaluation of New York's 2020 Criminal Legal Reforms](#). CUNY Institute for State & Local Governance.

**12** As set forth in CPL 150.20, the following charges were excluded: Rape in the 3rd degree (PL 130.25), Criminal sexual act in the 3rd (PL 130.40, Escape in the 2nd degree (PL 205.10), Absconding from temporary release in the 1st degree (PL 205.17), Absconding from community treatment facility (PL 205.19), Bail jumping in the 2nd degree (PL 215.16).

**13** Domestic violence cases were identified based on the arraignment hearing type.

**14** From 2019 to 2022, the data excludes a small fraction of DAT-eligible arrests where the individual completed a pre-arraignment diversion program. Such cases where a prosecutor declines to file charges with the court do not appear in our court dataset. Data separately shared by the Center for Justice Innovation indicates an estimated 1,699 people completed pre-arraignment diversion in 2019, 799 in 2020, 844 in 2021, and 1,030 in 2022. These numbers exclude a small percentage of diverted cases served by other providers. Nonetheless, they indicate that across all years, less than 2% of DAT-eligible arrests completed diversion and thus are omitted from our data.

**15** Lu, Olive and Rempel, Michael (2023), [Op Cit](#).

**16** Besides the breakdowns displayed among nine different types of charges, the approach in Chapter 4 also distinguishes trends based on charge severity (i.e., misdemeanor vs. felony). This breakdown did not produce findings of interest in the analysis of DAT issuance rates. Police issued a DAT in under 1% of Class E felony cases until after the 2020 reforms went into effect. Since 2020, it remained the case that the vast majority of DATs involved misdemeanors, leading the racial disparities trend for misdemeanors to mirror that for all charge severities combined (shown in Figure 2.3).

**17** For simplicity, the text consistently refers to “misdemeanors,” though consistent with the City Council’s interest in low-level enforcement, violations and infractions are included. Across all ten years examined, these lesser charges comprised 6.6% of all misdemeanor or lesser cases.

**18** While the share of Hispanics was highest for marijuana offenses (43%), this category was excluded due to the small number of such arrests following decriminalization in 2021.

**19** During the ten-year period, 7.6% of misdemeanor or lesser charges were for violations or infractions.

**20** Due to anomalous racial/ethnic data, racial compositions for the year 2015 shown in Figure 5.3 are likely inaccurate. Because of this, the data point for this year was left out of all subsequent figures.

**21** This excludes category percentages for the year 2015 due to anomalies in the racial/ethnic data noted in endnote 21 above.