Local Law 86: Quarterly and Semi-Annual Reporting of Individuals in DOC Custody

Fourth Quarter, 2017

Numbers are generated by the Department of Correction and New York Police Department and are reported to, and compiled by, the Mayor's Office of Criminal Justice. Charts 1, 3, 14, and 15 are reported on a quarterly basis, and charts 2, 4-13, and 16 are reported semi-annually.

DOC population data is reported in two different formats:

<u>Snapshot</u>: the population of individuals in DOC custody on a given day <u>Admissions</u>: a cumulative measure of individuals admitted to DOC custody over time

The 16 charts included in this report adhere to the following format:

Table Number: Title

"Language from Local Law 86 Requesting This Information"
[Chart with any needed notes of clarification]

Changes from Previous Reporting Cycles

Pretrial detainees with open parole violations were previously treated as pretrial detainees due to data availability. However, per statute requirements beginning with this report, all individuals with open cases and a parole warrant are now counted as parole violators.

The category amount pending was added to paragraph 13 for individuals who have had bail posted but are awaiting surety review to determine if the source of the funds is legitimate.

Table 1: Average Daily Population of Individuals in DOC Custody for Q4 2017

"The average daily population of inmates in the custody of the department of corrections."

Average Daily Population (10/1/17 - 12/31/17)				
Population by case borough*				
Bronx	1791			
Brooklyn	1998			
Manhattan	3145			
Queens	1679			
Staten Island	332			
No court**	201			

^{* &}quot;Case borough" refers to the borough of the current case or, if there is no current case, the original arraignment borough.

^{** &}quot;No court" refers to individuals in DOC custody without a pending or sentenced case in NYC, including but not limited to technical parole violators, New York state inmates testifying at NYC trials.

Table 2: Number of Individuals Admitted to DOC Custody By Status for Q3 & Q4 2017

"The number of inmates admitted to the custody of the Department of Correction during the reporting period who had been sentenced to a definite sentence, the number held on pending criminal charges, and the number in any other category."

Status	Number of Individuals Admitted 7/1/2017 through 12/31/2017
City sentenced	2630
Pre-trial detainee	19325
Other*	4388
Total	26343

^{*} Other category includes but is not limited to state-sentenced population awaiting transfer, technical parole violators, court ordered, state inmates testifying at NYC trials, etc.

Table 3: Status of Individuals in DOC Custody from Three Daily Snapshots

"Of the number of inmates in the custody of the department of corrections on the last Friday* of each calendar month of the reporting period, the percentage who had been sentenced to a definite sentence, the percentage held on pending criminal charges, and the percentage in any other category."

Status	10/30/17	11/30/17	12/28/17
City Sentenced	1055	1023	978
Pre-Trial Detainee	6154	5929	5782
Parole Violator	1552	1548	1481
Other	556	590	528
Total	9317	9090	8769

^{*} Due to DOC data structure, data is from the last Thursday of each calendar month in the reporting period, not the last Friday.

^{**} Other category includes but is not limited to state-sentenced population awaiting transfer, court ordered, state inmates testifying at NYC trials, etc.

Table 4: Percentage of Individuals in DOC Custody Remanded without Bail from Six Daily Snapshots

"Of the number of inmates in the custody of the department of correction on the last Friday* of each calendar month of the reporting period held on pending criminal charges, the percentage who were remanded without bail."

Status	07/27/17	08/31/17	09/28/17	10/26/17	11/30/17	12/28/27
Remanded without bail	41%	41%	41%	41%	41%	42%

^{*} Due to DOC data structure, data is from the last Thursday of each calendar month in the reporting period, not the last Friday.

Table 5: Number of City-Sentenced Individuals Admitted to DOC Custody, By Length of Sentence, for Q3 & Q4 2017

"The number of inmates in the custody of the department of correction who were sentenced to a definite sentence during the reporting period of the following length: (a) 1-15 days; (b) 16-30 days; (c) 31-90 days; (d) 91-180 days; or (e) more than 180 days."

	Number of Individuals Admitted 7/1/2017 through 12/31/2017						
Length of City Sentence (days)	Bronx	Brooklyn	Manhattan	Queens	Staten Island	Total	
1-15	180	239	507	263	110	1299	
16-30	53	84	220	90	36	483	
31-90	86	115	261	97	48	607	
91-180	57	141	199	96	32	525	
181 - 365	48	87	118	43	18	314	
Total	424	666	1305	589	244	3228	

Table 6: Percentage Breakdown of Individuals in DOC Custody, By City Sentence Length, from Six Daily Snapshots

"Of the number inmates in the custody of the department of correction on the last Friday* of each calendar month of the reporting period who were sentenced to a definite sentence, the percentage of inmates whose sentences were of the following lengths: (a) 1-15 days; (b) 16-30 days; (c) 31-90 days; (d) 91-180 days; or (e) more than 180 days."

Length of City Sentence (days)**	07/27/17	08/31/17	09/28/17	10/26/17	11/30/17	12/28/27
1-15	5%	5%	5%	4%	4%	3%
16-30	5%	5%	5%	5%	5%	5%
31-90	18%	19%	19%	17%	18%	18%
91-180	35%	34%	33%	35%	35%	36%
181 - 365	36%	38%	38%	39%	38%	38%
Total	100%	100%	100%	100%	100%	100%

^{*} Due to DOC data structure, data is from the last Thursday of each calendar month in the reporting period, not the last Friday.

Table 7: Number of Individuals, Admitted to DOC Custody, By Charge Severity for Q3 & Q4 2017

"The number of inmates admitted to the custody of the department of correction during the reporting period on pending criminal charges who were charged with offenses of the following severity: (a) class A felonies; (b) class B or C felonies; (c) class D or E felonies; (d) misdemeanors; or (e) non-criminal charges."

	Number of Individuals Admitted 7/1/2017 through 12/31/2017						
Charge Severity*	Bronx	Brooklyn	Manhattan	Queens	Staten Island	Total	
Class A Felonies	131	70	253	74	7	535	
Class B or C Felonies	1294	1538	1646	988	212	5678	
Class D or E Felonies	700	1524	1898	1313	316	5751	
Misdemeanors	1274	1305	2012	1595	362	6548	
Other Offenses**	74	68	77	129	13	361	
Converted Warrants†	55	79	180	130	8	452	
Total	3528	4584	6066	4229	918	19325	

^{*} Charge severity represents top charge at admission.

^{**} Other offenses include non-criminal charges and other assorted offenses such as violations, VTL violations, civil offenses, and recently created offenses not yet categorized in DOC's database.

[†] Converted warrants category includes fugitives from other jurisdictions, bench warrants, miscellaneous court orders for detention

Table 8: Percentage Breakdown of Individuals in DOC Custody, By Charge Severity, from Six Daily Snapshots

"Of the number of inmates in the custody of the department of correction on the last Friday* of each calendar month of the reporting period held on pending criminal charges, the percentage charged with offenses of the following severity: (a) class A felonies; (b) class B or C felonies; (c) class D or E felonies; (d) misdemeanors; or (e) non-criminal charges."

Charge severity**	07/27/17	08/31/17	09/28/17	10/26/17	11/30/17	12/28/27
Class A Felonies	15%	15%	15%	15%	16%	16%
Class B or C Felonies	51%	50%	50%	50%	50%	51%
Class D or E Felonies	24%	24%	24%	24%	24%	24%
Misdemeanors	7%	6%	6%	6%	6%	6%
Other Offenses†	1.1%	1.2%	1.5%	1.6%	1.7%	1.2%
Converted Warrants††	2%	3%	3%	3%	2%	2%
Total	100%	100%	100%	100%	100%	100%

^{*} Due to DOC data structure, data is from the last Thursday of each calendar month in the reporting period, not the last Friday.

^{**} Charge severity represents top charge at admission.

[†] Other offenses include non-criminal charges and other assorted offenses such as violations, VTL violations, civil offenses, and recently created offenses not yet categorized in DOC's database.

^{††} Converted warrants category includes fugitives from other jurisdictions, bench warrants, miscellaneous court orders for detention

Table 9: Number of Individuals Admitted to DOC Custody, By Charge Type, for Q3 & Q4 2016

"The number of inmates admitted to the custody of the department of correction during the reporting period on pending criminal charges who were charged with offenses of the following severity: (a) class A felonies disaggregated by offense; (b) violent felonies as defined in section 70.02 of the penal law; (c) non-violent felonies as defined in section 70.02 of the penal law; (d) misdemeanors; or (e) non-criminal charges."

	Number of Individuals Admitted 7/1/2016 through 12/31/2016							
Charge Type	Bronx	Brooklyn	Manhattan	Queens	Staten Island	Total		
Total Class A Felonies	131	70	253	74	7	535		
105.17	7	3	2	0	0	12		
110-125.27	0	0	1	1	0	2		
110-220.21	1	0	6	0	0	7		
125.25	54	44	25	20	4	147		
125.27	1	0	2	0	1	4		
130.95	1	0	4	0	0	5		
130.96	3	0	6	2	0	11		
135.25	1	3	1	4	0	9		
150.20	0	1	0	0	0	1		
220.18	21	7	17	15	0	60		
220.21	23	5	144	14	0	186		
220.41	8	6	14	15	1	44		
220.43	2	1	31	3	1	38		
220.77	9	0	0	0	0	9		
Violent Felonies Per PL 70.02	1154	1700	1402	1178	227	5661		
Non-Violent Felonies Per PL 70.02	971	1432	2395	1197	308	6303		
Misdemeanors	1274	1305	2012	1595	362	6548		
Other offenses*	74	68	77	129	13	361		
Converted Warrants**	55	79	180	130	8	452		
Total	3528	4584	6066	4229	918	19325		

^{*} Other offenses include non-criminal charges and other assorted offenses such as violations, VTL violations, civil offenses, and recently created offenses not yet categorized in DOC's database.

^{**} Converted warrants category includes fugitives from other jurisdictions, bench warrants, miscellaneous court orders for detention

Table 10: Percentage Breakdown of Individuals in DOC Custody, By Charge Type, from Six Daily Snapshots

"Of the number of inmates in the custody of the department of correction on the last Friday* of each calendar month of the reporting period held on pending criminal charges, the percentage charged with offenses of the following severity: (a) class A felonies disaggregated by offense; (b) violent felonies as defined in section 70.02 of the penal law; (c) non-violent felonies as defined in section 70.02 of the penal law; (d) misdemeanors; or (e) non-criminal charges."

Charge severity	07/28/16	08/25/16	09/29/16	10/27/16	11/24/16	12/29/16
Total Class A Felonies	15%	15%	15%	15%	16%	16%
105.17	0.4%	0.4%	0.5%	0.5%	0.5%	0.5%
110-125.27	0.1%	0.1%	0.1%	0.1%	0.1%	0.2%
110-220.21	0.2%	0.1%	0.1%	0.1%	0.1%	0.1%
125.25	8.0%	8.0%	7.9%	8.1%	8.4%	8.5%
125.26	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
125.27	0.3%	0.3%	0.3%	0.4%	0.3%	0.3%
130.95	0.3%	0.2%	0.2%	0.2%	0.2%	0.3%
130.96	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%
135.25	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%
150.20	0.0%	0.1%	0.1%	0.1%	0.0%	0.1%
220.18	0.7%	0.5%	0.5%	0.7%	0.6%	0.6%
220.21	2.4%	2.6%	2.6%	2.4%	2.7%	2.6%
220.41	0.5%	0.5%	0.5%	0.6%	0.6%	0.7%
220.43	0.7%	0.8%	0.7%	0.9%	0.8%	0.8%
220.77	1.0%	1.0%	0.9%	0.8%	0.8%	1.1%
Violent Felonies Per PL 70.02	46%	46%	46%	47%	47%	47%
Non-Violent Felonies Per PL 70.02	44%	44%	44%	43%	44%	44%
Misdemeanors	7%	6%	6%	6%	6%	6%
Other Offenses**	1.1%	1.2%	1.5%	1.6%	1.7%	1.2%
Converted Warrants†	2%	3%	3%	3%	2%	2%
Total	100%	100%	100%	100%	100%	100%

^{*} Due to DOC data structure, data is from the last Thursday of each calendar month in the reporting period, not the last Friday.

^{**} Other offenses include non-criminal charges and other assorted offenses such as violations, VTL violations, civil offenses, and recently created offenses not yet categorized in DOC's database.

[†] Converted warrants category includes fugitives from other jurisdictions, bench warrants, miscellaneous court orders for detention

Table 11: Percentage Breakdown of Individuals in DOC Custody, By Charge Admitted, for Six Daily Snapshots

"Of the number of inmates in the custody of the department of correction on the last Friday* of each calendar month of the reporting period held on pending criminal charges, the percentage charged with offenses of the following type, including the attempt to commit any of such offense as defined in section 110 of the penal law:

(a) The following crimes as defined in the New York state penal law: (i) misdemeanor larceny as defined in sections 155.25, 140.35, and 165.40, (ii) misdemeanor drug possession as defined in sections 220.03, (iii) misdemeanor assault as defined in sections 120.00, 120.14, 120.15, 121.11, and 265.01, (iv) misdemeanor harassment or violation of a court order as defined in sections 215.50 and 240.30, (v) misdemeanor theft of services as defined in section 165.15, (vi) misdemeanor trespass as defined in sections 140.10 and 140.15, (vii) misdemeanor criminal mischief or graffiti as defined in sections 145.00 and 145.60, (viii) misdemeanor sexual crimes as defined in sections 130.52, 130.55, and 135.60, (ix) misdemeanor resisting arrest or obstructing governmental administration as defined in sections 205.30 and 195.05, (x) misdemeanor marijuana possession as defined in sections 221.10 and 221.40, (xi) felony vehicular assault or vehicular manslaughter as defined in sections 120.03, 120.04, 120.04, 120.04, 120.04, 120.04, 120.04, 120.04, 120.04, 120.04, 120.04, 120.04, 120.04, 120.04, 120.05, 125.12

Charge	07/27/17	08/31/17	09/28/17	10/26/17	11/30/17	12/28/27
Misdemeanor larceny	0.9%	0.9%	0.8%	0.8%	0.8%	0.7%
Misdemeanor drug possession	0.4%	0.4%	0.4%	0.4%	0.4%	0.6%
Misdemeanor assault	2.3%	2.1%	2.1%	2.1%	1.9%	2.0%
Misdemeanor harassment or violation of a court order	1.1%	1.0%	1.1%	0.9%	0.7%	0.8%
Misdemeanor theft of services	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%
Misdemeanor trespass	0.2%	0.2%	0.3%	0.2%	0.1%	0.1%
Misdemeanor criminal mischief and graffiti	0.2%	0.1%	0.1%	0.2%	0.2%	0.2%
Misdemeanor sexual crimes	0.6%	0.4%	0.3%	0.4%	0.5%	0.5%
Misdemeanor resisting arrest or obstructing gov't admin	0.2%	0.2%	0.1%	0.2%	0.1%	0.2%
Misdemeanor marijuana possession	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%
Felony vehicular assault or manslaughter	0.1%	0.2%	0.2%	0.2%	0.3%	0.3%
Felony assault	6.5%	6.8%	6.5%	6.7%	6.4%	6.1%
Homicide offenses	14.7%	14.9%	14.6%	14.8%	15.3%	15.6%
Felony sexual assault	4.0%	3.9%	3.9%	4.1%	4.1%	4.3%
Kidnapping	0.7%	0.6%	0.7%	0.6%	0.6%	0.7%
Burglary	9.1%	8.8%	8.7%	8.9%	9.1%	9.8%
Arson	0.6%	0.7%	0.7%	0.6%	0.6%	0.6%
Robbery, grand larceny and stolen property offenses	18.7%	18.8%	18.8%	18.6%	18.6%	18.9%
Felony violation of a court order	2.1%	1.9%	2.1%	2.2%	2.1%	2.2%
Felony drug possession or sale	14.6%	15.0%	15.1%	14.6%	15.0%	14.5%
Firearm or weapons possession	6.2%	6.6%	6.7%	7.1%	7.1%	6.9%
Driving under the influence of alcohol	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Driving with suspended license	0.0%	0.0%	0.0%	0.1%	0.1%	0.1%
Any misdemeanor not enumerated above	1.1%	0.8%	0.8%	0.9%	0.8%	0.7%
Any felony not enumerated above	12.3%	11.5%	11.4%	11.1%	10.8%	10.8%
Other Offenses**	1.1%	1.2%	1.5%	1.6%	1.7%	1.2%
Converted warrants†	2.4%	2.9%	2.7%	2.6%	2.4%	2.4%
Total	100%	100%	100%	100%	100%	100%

^{*} Due to DOC data structure, data is from the last Thursday of each calendar month in the reporting period, not the last Friday.

^{**} Other offenses include non-criminal charges and other assorted offenses such as violations, VTL violations, civil offenses, and recently created offenses not yet categorized in DOC's database.

[†] Converted warrants category includes fugitives from other jurisdictions, miscellaneous court orders for detention

Table 12: Number of Individuals Admitted to DOC Custody, By Charge, for Q3 & Q4 2016

"The number of inmates admitted to the custody of the department of correction during the reporting period on pending criminal charges who were charged with offenses in the categories defined in subparagraphs a, b, and c of paragraph 11 of this subdivision."

Status	Inmates Admitted 7/1/2017 through 12/31/2017
Misdemeanor larceny	1100
Misdemeanor drug possession	525
Misdemeanor assault	2297
Misdemeanor harassment or violation of a court order	779
Misdemeanor theft of services	134
Misdemeanor trespass	162
Misdemeanor criminal mischief and graffiti	278
Misdemeanor sexual crimes	171
Misdemeanor resisting arrest or obstructing gov't admin	142
Misdemeanor marijuana possession	64
Felony vehicular assault or manslaughter	55
Felony assault	1379
Homicide offenses	384
Felony sexual assault	386
Kidnapping	35
Burglary	1042
Arson	42
Robbery, grand larceny and stolen property offenses	2869
Felony violation of a court order	704
Felony drug possession or sale	2266
Firearm or weapons possession	1110
Driving under the influence of alcohol	34
Driving with suspended license	114
Any misdemeanor not enumerated above	896
Any felony not enumerated above	1544
Other Offenses*	361
Converted warrants**	452
Total	19325

^{*} Other offenses include non-criminal charges and other assorted offenses such as violations, VTL violations, civil offenses, and recently created offenses not yet categorized in DOC's database.

^{**} Converted warrants category includes fugitives from other jurisdictions, miscellaneous court orders for detention

Table 13: Number of Individuals Admitted to DOC Custody, By Bail Amount, for Q3 & Q4 2017

"The number of inmates admitted to the custody of the department of correction during the reporting period on pending criminal charges who had bail fixed in the following amounts: (a) \$1; (b) \$2-\$500; (c) \$501-\$1000; (d) \$1001-\$2500; (e) \$2501-\$5000; (f) \$5001-\$10,000; (g) \$10,001-\$25,000; (h) \$25,001-\$50,000; (i) \$50,001-\$100,000; or (j) more than \$100,000."

	Number of Individuals Admitted 7/1/2017 through 12/31/2017					
Bail Amount*	Bronx	Brooklyn	Manhattan	Queens	Staten Island	Total
\$1**	187	122	188	123	17	637
\$2-500	148	191	291	136	20	786
\$501-1000	385	499	527	521	186	2118
\$1001-\$2500	608	619	721	528	151	2627
\$2501-\$5000	654	985	930	790	158	3517
\$5001-\$10000	421	668	807	537	88	2521
\$10001-\$25000	329	404	697	386	87	1903
\$25001-\$50000	142	200	430	261	40	1073
\$50001-\$100000	101	99	201	146	32	579
over \$100000	58	87	191	100	20	456
Amount Pending***	2	5	27	1	7	42
No bail*	493	705	1056	700	112	3066
Total	3528	4584	6066	4229	918	19325

^{*} Defendants with no bail set are those with remands in all of their cases. Bail figures indicate any individual admitted with bail set on a case; bail may not be the sole reason for the detention.

 $^{** \$1 \ \}text{bail is used to account for time spent in jail by a defendant who is already in jail for another case or hold.}$

^{***}Individuals with amount pending have had bail posted but are awaiting surety review to determine if the source of the funds is legitimate.

Table 14: Percentage Breakdown of Bail Amounts Set for Pretrial Defendants in DOC Custody on Three Daily Snapshots

"Of the number of inmates in the custody of the department of correction on the final Friday* of each calendar month of the reporting period who were held on pending criminal charges, the percentage who had bail fixed in the following amounts: (a) \$1; (b) \$2-\$500; (c) \$501-\$1000; (d) \$1001-\$2500; (e) \$2501-\$5000; (f) \$5001-\$10,000; (g) \$10,001-\$25,000; (h) \$25,001-\$50,000; (i) \$50,001-\$100,000; or (j) more than \$100,000."

Bail Amount**	10/30/17	11/30/17	12/28/17
\$1†	0%	0%	0%
\$2-500	0%	0%	0%
\$501-1000	2%	2%	1%
\$1001-\$2500	5%	4%	4%
\$2501-\$5000	8%	7%	7%
\$5001-\$10000	9%	9%	9%
\$10001-\$25000	12%	13%	13%
\$25001-\$50000	10%	10%	10%
\$50001-\$100000	10%	10%	10%
over \$100000	12%	13%	13%
No bail††	32%	33%	32%
Total	100%	100%	100%

^{*} Due to DOC data structure, data is from the last Thursday of each calendar month in the reporting period, not last Friday.

^{**} Due to DOC data structure, bail amount is the cumulative amount of bail in all the defendant's cases.

^{† \$1} bail is used to account for time spent in jail by a defendant who is already in jail for another case or hold.

^{††} Defendants with no bail set are those with remands in all of their cases.

Table 15: Percentage Breakdown of Time in Custody for Pretrial Defendants in DOC Custody, Snapshot on the Final Day of Q4

"Of the number of inmates in the custody of the department of correction on the final day of the reporting period who were held on pending criminal charges, the percentage who had been incarcerated for the following lengths of time: (a) 1-2 days; (b) 3-5 days; (c) 6-15 days; (d) 16-30 days; (e) 31-90 days; (f) 91-180 days; (g) 180 - 365 days; or (h) more than 365 days."

Time in Custody (days)	12/28/17
0*	0.2%
1-2	2%
3-5	2%
6-15	8%
16-30	9%
31-90	22%
91-180	20%
181-365	20%
Over 365	18%
Total	100%

^{*} Due to DOC data structure, individuals admitted to DOC custody between midnight and 5AM on the day of the snapshot are counted as having zero days in DOC custody.

Table 16: Reported Crimes and Arrests Per Capita By Borough for Q3 & Q4 2017

"(a) The number of crimes reported per capita; (b) The number of Class A felonies and violent felonies as defined by section 70.02 of the penal law reported per capita; (c) The number of arrests per capita for criminal offenses; and (d) The number of arrests for class A felonies

	Crimes reported per 100,000 people**	reported per 100,000	offenses per 100,000	Arrests for Class A felonies and 70.02 VFO per 100,000
Bronx	3095	455	2079	291
Brooklyn	2331	336	1404	193
Manhattan	3194	321	2203	196
Queens	1705	243	1112	149
Staten Isl.	1819	174	1150	117
Citywide	2428	319	1579	194

^{*} Borough population taken from July 2015 estimate from U.S. Census Bureau's 2010 Census

** Crimes reported per capita include misdemeanor and felony reported not complaints for violations and infractions

[†] Data on reported Class A felonies not available; data is provided only for reports of 70.02 violent felonies

Table 29: Defendants Assigned Supervised Release at Arraignment in CY 2017

"The number of defendants assigned supervised release at arraignment and the percentage of arraigned defendants who were assigned supervised release."

Defendants Assigned Supervised Released	4,256
Total Arraignments	253,275*
Percentage of Total Arraignments Assigned	2%

^{*}Total Criminal Court Arraignments in CY2017