

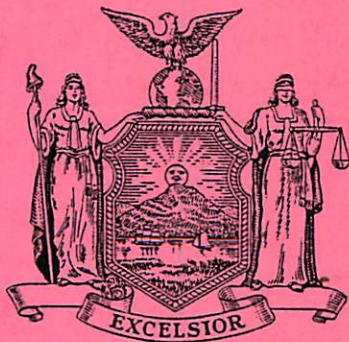
# State of New York

## Department of Correctional Services

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Albany, New York 12226

### CHARACTERISTICS OF NEW COMMITMENTS

1999



George E. Pataki  
Governor



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Commissioner

## **CHARACTERISTICS OF NEW COMMITMENTS**

**1999**

This document describes the population of new court commitments to the New York State Department of Correctional Services during calendar year 1999. These tables present information on legal history characteristics of new commitments (e.g. crime, minimum sentence, prior criminal record) and demographic characteristics (e.g. age, sex, ethnic status, county of commitment). In addition, several tables show trends in new court commitments across the years 1996 through 1999.

# DIVISION OF PROGRAM PLANNING, RESEARCH AND EVALUATION

## SUMMARY

### 1. Total number of admissions

There were 29,482 total admissions to the New York State Department of Correctional Services in calendar year 1999. Of these 19,164 (65%) were new court commitments, 8,903 (30%) were returned parole violators and 1,415 (5%) were other admissions (see Table 1.1, p. 4 and Figure 1, p. 3).

### 2. Commitment Offense

Twenty-eight percent (5,369) of 1999 new commitments were violent felony offenders, 45% (8,521) drug offenders, 16% (3,123) property or other offenders, 8% (1,555) coercive crime offenders and 3% (596) Youthful and Juvenile Offenders. (see Table 2.1, p. 8 and Figure 2, p. 7).

The proportion of violent felony offense commitments of the total commitments eased from 29% to 28% from 1996 to 1999. The same was true of the proportion of drug offense commitments which dropped from 46% to 45%. (see Table 2.2, p. 10).

From January 1, 1996 to December 31, 1999, the proportion of violent felons under DOCS' custody rose from 51.3% to 53.3%. (see p. 9).

### 3. Second felony offenders

Fifty percent (N=9,601) of 1999 new court commitments were sentenced as first felony offenders, 49% (N=9,380) as second felony offenders and 1% (N=183) as persistent felony offenders (see Table 3.1, p. 13; Figure 3, p. 12).

### 4. Felony Class

Almost half (49%) of new felony commitments in 1999 were for Class D or E felonies (see Figure 4, p. 20). Over 60% of both Class D and E commitments were sentenced as second felony offenders (see Table 4.2, p. 27).

### 5. Average minimum sentence

The average minimum sentence for 1999 new court commitments was 44 months. For persons sentenced as a first or second felony offender the average was 42 months. For persons sentenced as a persistent felony offender the average was 210 months. (see Table 5.2, p. 36)

The average minimum term for legislatively designated violent felony offenders committed in 1999 was 81 months. For drug offenders the average was 34 months. For property and other offenders the average was 22 months (see Table 5.2, p. 36).

**6. Prior adult criminal record**

Examination of the prior adult criminal record of 1999 new court commitments, shows 12% had no prior adult arrest, 7% had a prior adult arrest but no conviction, 21% had a prior conviction but received a sentence other than jail or prison, 31% had served a prior local jail sentence, and 29% had previously served a state or federal term (see Table 6.1, p. 52 and Figure 6, p. 51).

**7. Drug Commitments**

Of the drug commitments received in 1999 72% were the result of a drug sale conviction. (see Table 7.4, p. 59).

**8. Gender**

Men were 92% of 1999 new court commitments (N=17,666), women were 8% (N=1,498) (see Table 2.1, p. 8 and Figure 8, p. 69).

The 1,498 women committed in 1999 were the fewest since 1988, but they were still more than double the number of women received in 1986 (721) (see Table 8.2, p. 71).

**9. Race/Ethnic Status**

Whites were 18% of 1999 new court commitments, African Americans 49%, Hispanics 31% and all others 2% (see Table 9.1, p. 74 and Figure 9, p. 73).

**10. Age**

The average age of 1999 new court commitments was 31.1 years. For males the average age was 30.9 years, for females 33.9 years (see Table 10.1, p. 89).



11. **Region of the State**

In 1999, only 58% (N=11,163) of court commitments were from New York City, 12% (N=2,267) were from suburban New York City counties, 16% (N=2,972) were from upstate counties with a population center of 50,000 or more, and 14% (N=2,762) were from the remaining upstate counties (see Table 11.1, p. 107 and Figure 11, p. 101).

In 1996 commitments from New York City constituted 68% of all the commitments received by the New York State Department of Correctional Services (see Table 11.5, p. 110).

12. **Country of Birth**

Of the 19,096 new commitments for whom there is information on birth country, 88% were born in the United States or one of its possessions, 7% were born in the nations bordering the Caribbean, and 5% were born in another country. (see Table 12.2, p. 114).

13. **Education**

The average educational level (based on last grade completed as reported by the inmate) among 1999 new court commitments was 10th grade. (see Table 13.1, p. 126). Based on tests administered at reception to the Department, the average reading level was 7th grade, the average mathematics level was 6th grade (see Tables 13.2, 13.3, pp. 117-118).

14. **Marital Status**

Seventy-one percent of 1999 new court commitments were single, never legally married; 15% were married; 4% reported common-law relationships; and 10% were divorced, widowed or separated (see Table 14.1, p. 123).

15. **Jail Time**

Average jail time served by new commitments has risen steadily to 7.5 months in 1999 from 6.2 months in 1996 (see Table 15.1, p. 125).

16. **Life Without Parole**

Twenty-five inmate new commitments were received in 1999 with minimum sentences of Life Without Parole (see Table 16.1, p. 137). All were committed for Murder 1<sup>st</sup>. The Life Without Parole commitments ranged in age from 20 years to 55 years. Twelve were committed from New York City, one came from suburban New York, while the other 12 were committed from Upstate New York (see Table 16.1, p. 130).

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# CHARACTERISTICS OF NEW COURT COMMITMENTS 1999

## INTRODUCTION

This report is one of a series designed to make data available on the inmate population of the New York State Department of Correctional Services. The report presents basic descriptive information on selected characteristics of offenders admitted to Department custody as court commitments. Information on criminal justice system variables is presented (e.g., commitment offense type, prior adult criminal record) as well as information on demographic variables (e.g., ethnic status). In addition, at several stages in the report, commitments in 1999 are compared with commitments received in each of the three preceding years to determine whether any significant shifts have occurred over the period 1996 through 1999.

The overall finding of this latest report in an annual series is "downward change in most areas with a few notable increases." Total admissions for 1999 were 29,482, a small increase from 28,936 in 1998. However, new court commitments declined to 19,164 from 19,497 in 1998, the seventh year in a row this has occurred. All other admissions also declined, falling from 1,760 in 1998 to 1,417 in 1999. However, the increase in returned parole violators from 7,679 in 1998 to 8,901 in 1999 more than compensated for these declines.

New court commitments are the main focus of this annual report. In this category, it was found that most component populations fell. Male new commitments fell from 17,954 in 1998 to 17,666 in 1999. Female new commitments fell from 1,543 in 1998 to 1,498 in 1999. African-American and Hispanic new commitments decreased in 1999 from 1998 levels though new commitments among Whites and "other" groups increased.

Among crime categories, new commitments for violent felony offenses were about the same in 1999 (N=5,369) as in 1998 (N=5,393). New commitments for drug offenses fell from 9,082 in 1998 to 8,521 in 1999.

## Section 1

### TYPE OF ADMISSION

Individuals may be committed to state prison following conviction of a felony offense in a New York State court. For some offenses the court is required by law to sentence an individual to a state correctional facility. For other felony offenses a period of incarceration in state prison is one of several sentencing alternatives available to the judge.

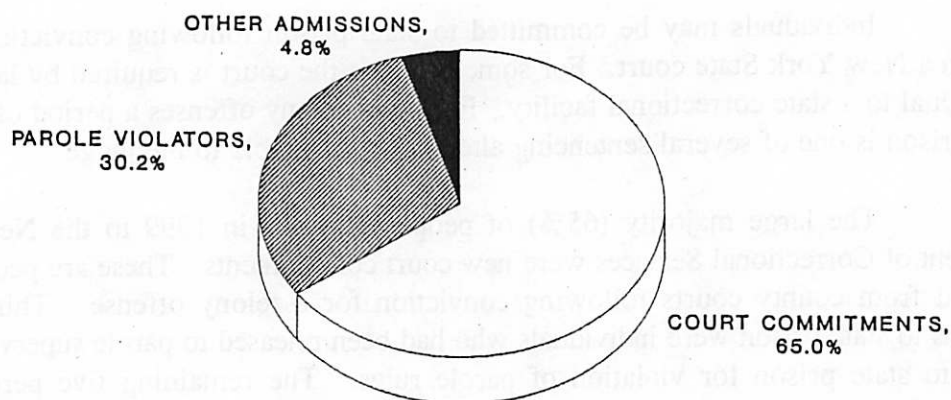
The large majority (65%) of people admitted in 1999 to the New York State Department of Correctional Services were new court commitments. These are people who were committed from county courts following conviction for a felony offense. Thirty percent of admissions to state prison were individuals who had been released to parole supervision and then returned to state prison for violation of parole rules. The remaining five percent were re-admissions to state prison for other reasons. Figure 1 shows the proportion of admissions that fall into each of three general categories: (1) new court commitments, (2) returned parole violators, and (3) all other admissions. Detailed data for each of these general categories is examined in the analysis which follows.

#### New Court Commitments

Table 1.1 presents the number of 1999 admissions to state prison that fall into each specific admission category. These specific admission categories are grouped into three larger categories. The first of these larger categories is referred to as new court commitments and it comprises 65% (N=19,164) of total admissions. New court commitments are persons who have been convicted of a felony offense and are sentenced to state prison as a result of this conviction.

There are several subcategories in the new court commitment pool. The first group, labeled "new commitments", are persons committed to state prison for conviction of a felony offense. They comprise 19,101 or almost the entire portion of this category (see Table 1.1). Included in the new commitments group are people who were on parole at the time they committed the offense for which they were admitted to prison in 1999. Persons identified as "new term absconders from temporary release" in Table 1.1 (N=32) are people who had been incarcerated on a previous conviction and had been approved for temporary release. These inmates absconded from the temporary release program and were returned to DOCS custody in 1999 on a new conviction charge after they committed a new crime. There were also 30 individuals who were arrested while in the community on temporary release and these persons were also returned to prison following conviction on the new charges. One person committed on a felony was re-sentenced subsequently on a non-felony charge and released. Consequently, many tables showing felony class (e.g., tables in Section 4) do not include this individual.

Figure 1  
DEPARTMENT OF CORRECTIONAL SERVICES  
TOTAL ADMISSIONS - 1999



ADMISSION TYPE  
TOTAL ADMISSIONS IN 1999  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

ADMISSION TYPE	NUMBER	PERCENT
NEW COURT COMMITMENTS	19,164	65.0%
RETURNED PAROLE VIOLATORS	8,903	30.2%
ALL OTHER ADMISSIONS	1,415	4.8%
TOTAL ADMISSIONS	29,482	100.0%



TABLE 1.1 ADMISSION TYPE BY GENDER; 1999 TOTAL ADMISSIONS

ADMISSION TYPE	MALE		FEMALE		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
NEW COURT COMMITMENTS						
NEW COMMITMENT	17605	64.6%	1496	67.6%	19101	64.8%
NEW TERM ABSCONDER FROM TEMPORARY RELEASE	32	.1%	0	.0%	32	.1%
NEW TERM ESCAPEE	1	.0%	0	.0%	1	.0%
NEW TERM TEMPORARY RELEASE ARREST	28	.1%	2	.1%	30	.1%
SUBTOTAL	17666	64.8%	1498	67.7%	19164	65.0%
RETURNED FROM PAROLE						
RETURN COURT DISCHARGE ON PAROLE	1	.0%	0	.0%	1	.0%
RETURN PAROLE VIOLATOR	6681	24.5%	614	27.7%	7295	24.7%
RETURN CONDITIONAL RELEASE VIOLATOR	1607	5.9%	0	.0%	1607	5.5%
SUBTOTAL	8289	30.4%	614	27.7%	8903	30.2%
OTHER ADMISSIONS						
RETURN FROM COURT ORDERED DISCHARGE	54	.2%	5	.2%	59	.2%
RETURN STATUTORY RELEASE VIOLATOR	1	.0%	0	.0%	1	.0%
RETURN ESCAPEE	5	.0%	1	.0%	6	.0%
RETURN ABSCONDER FROM TEMPORARY RELEASE	564	2.1%	72	3.3%	636	2.2%
RETURN FROM OFFICE OF MENTAL HEALTH	546	2.0%	16	.7%	562	1.9%
RETURN OTHER AGENCY	16	.1%	2	.1%	18	.1%
RETURN TEMPORARY RELEASE ARREST	116	.4%	5	.2%	121	.4%
OTHER	12	.0%	0	.0%	12	.0%
SUBTOTAL	1314	4.8%	101	4.6%	1415	4.8%
GRAND TOTAL	27269	100.0%	2213	100.0%	29482	100.0%

## **Returned Parole Violators**

The second large category of admissions to state prison consists of returned parole violators. Until October 1, 1995, all felony offenders committed to prison in New York State received an indeterminate sentence which had a minimum term and a maximum term. For those inmates who received an indeterminate sentence, once they had served their minimum sentence they could, at the discretion of the Board of Parole, be released to parole supervision. Furthermore, once inmates with indeterminate sentences have reached their conditional release date (defined as service of two-thirds of the maximum sentence) they must, by law, be released to parole supervision if they accept parole supervision. Beginning October 1, 1995, inmates could be given a determinate sentence. Inmates with a determinate sentence must serve 6/7ths of the sentence before reaching the conditional release date. The grant of parole may be revoked if the parolee violates the rules that are a condition of release on parole. People whose parole status has been revoked are returned to state prison to continue service of the original sentence until such time as they are re-released by the Board of Parole, reach their conditional release dates, or reach the maximum expiration date of their sentences. People returned for violation of parole were 30% (N=8,903) of 1999 admissions.

## **Other Admissions**

The third large category of admissions to state prison (labeled "other admissions", see Table 1.1) contains a range of different reasons for re-admission to state prison. "Returns from court ordered discharge" refers to individuals who had appealed the original conviction and while court proceedings were taking place the court had ordered that they be discharged from custody. People whose criminal charges (and sentence) were upheld by the appellate courts and who were returned to state prison fall into this category (N=59). "Returned escapees" (N=6) are inmates who had escaped from Department custody and were then returned. Similarly, the category "returned absconders from temporary release" (N=636) accounts for inmates who had been placed in the Department's temporary release program and who absconded from this program and were then returned to custody. The number of returns in this category was significantly lower than the 886 in 1998 and less than a fifth of the 3,531 recorded in 1994. This is a direct result of Governor Pataki's Executive Order restricting the eligible crimes of inmates who participate in the Department's Work Release Program.

Inmates transferred to Central New York Psychiatric Center for mental health services are passed to the legal custody of the Office of Mental Health. These individuals continue to earn time toward the service of their sentence. Inmates who are returned to the Department of Correctional Services from the Office of Mental Health are identified as "Returns from Office of Mental Health" (N=562). "Return from other agency" (N=18) refers to persons who were transferred from the Department to another state, to the federal system, or to other criminal justice agencies and who were subsequently returned to the Department. "Return temporary release arrest" (N=121) refers to inmates who were arrested while out on work release and then returned to Department custody. These inmates did not receive a new sentence prior to their return to DOCS' custody. There were an additional 12 admissions to the Department in 1999 categorized as "other."

## Section 2

### COMMITMENT OFFENSE

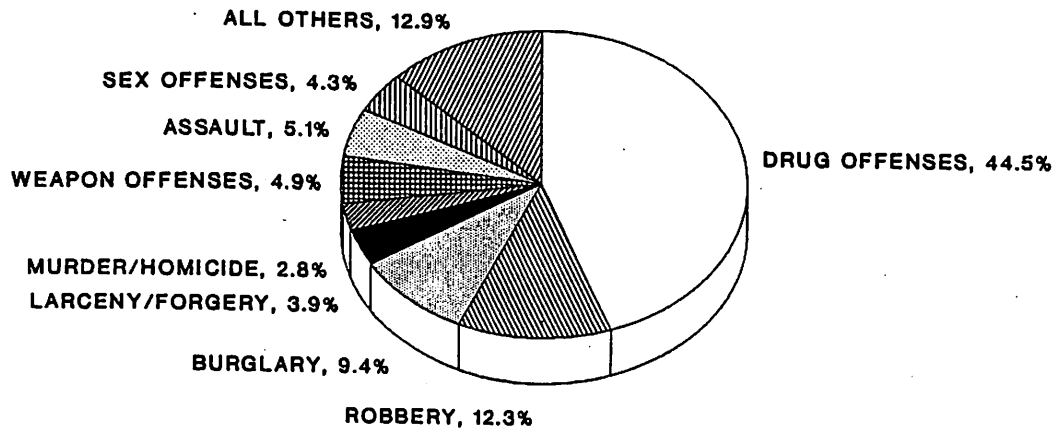
The commitment crime for the persons who were new court commitments to the Department of Correctional Services in 1999 is presented in Table 2.1 and in Figure 2. Commitment crimes are grouped into several larger categories, the first of which is termed "violent felony". During a 1978 special session the New York State Legislature enacted laws designed to provide for more severe penalties for certain violent felony crimes (see N.Y.S. Penal Law Section 70.02). The Legislature designated certain crimes as "violent felony offenses" (e.g., Attempted Murder 2nd, Manslaughter 1st, Rape 1st, Robbery 1st, Assault 1st). The Legislature did not include Murder 1st, Murder 2nd, Kidnapping 1st and Arson 1st in the designated violent felony legislation because these crimes as class A-1 felony offenses already carry the most severe sentences ranging from 15 years to Life imprisonment or even death. However, due to their violent nature and commensurate sentencing structure, we include Murder 1st, Murder 2nd, Kidnapping 1st and Arson 1st in the violent felony group.

Persons convicted of violent felony crimes were 28% (N=5,369 cases) of 1999 new court commitments.

The second general category is labeled "other coercive" crimes. It includes crimes that are of a violent or coercive nature but were not designated by the legislature as violent felony crimes. These "other coercive" crimes accounted for 8% (N=1,555) of new court commitments. The third category includes all felony classes of drug commitments. Forty-five percent (N=8,521) of 1999 new court commitments were for drug offenses. The fourth general category is termed "property and other" and contains non-violent offenses such as Burglary 3rd, Grand Larceny, Forgery, and Stolen Property. Property and other felonies comprised 16% of 1999 new court commitments (N=3,123).

The last general category, entitled Youthful Offenders and Juvenile Offenders, were 3.1% (N=596) of new court commitments. Youthful Offenders (N=557) are persons aged 16 to 19 at the date of the offense who were convicted of a felony crime, but were subsequently granted Youthful Offender status by the court. (See New York State Criminal Procedure Law Section 720.10). Juvenile Offenders (N=39) are persons who committed especially serious violent felony offenses before their sixteenth birthday and were tried as adult offenders. (See NYS CPL 70.05. Also see Appendix A, Section 4, of this report for offenses that pertain to Juvenile Offenders and the sentences that apply to them).

Figure 2  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
CRIME



COMMITMENT CRIME  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

CRIME TYPE BY OFFENSE	NUMBER	PERCENT	CRIME BY CATEGORY	NUMBER	PERCENT
DRUG OFFENSES	8,521	44.5%	VIOLENT FELONY	5,369	28.0%
ROBBERY	2,357	12.3%	OTHER COERCIVE	1,555	8.1%
BURGLARY	1,793	9.4%	DRUG OFFENSES	8,521	44.5%
MURDER/HOMICIDE	746	3.9%	PROPERTY OFFENSES	3,123	16.3%
WEAPONS OFFENSES	529	2.8%	YOUTHFUL/JUVENILE	596	3.1%
LARCENY/FORGERY	933	4.9%	TOTAL	19,164	100.0%
ASSAULT	986	5.1%			
SEX OFFENSES	826	4.3%			
ALL OTHERS	2,473	12.9%			
TOTAL	19,164	100.0%			



TABLE 2.1 CRIME BY SEX; 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	MALE		FEMALE		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>VIOLENT FELONY</b>						
MURDER	270	1.5%	10	.7%	280	1.5%
ATTEMPTED MURDER	162	.9%	7	.5%	169	.9%
MANSLAUGHTER 1ST	161	.9%	18	1.2%	179	.9%
RAPE 1ST	165	.9%	1	.1%	166	.9%
ROBBERY 1ST	885	5.0%	25	1.7%	910	4.7%
ROBBERY 2ND	933	5.3%	38	2.5%	971	5.1%
ASSAULT 1ST	294	1.7%	29	1.9%	323	1.7%
ASSAULT 2ND	426	2.4%	45	3.0%	471	2.5%
BURGLARY 1ST	136	.8%	2	.1%	138	.7%
BURGLARY 2ND	719	4.1%	34	2.3%	753	3.9%
ARSON 1ST,2ND	30	.2%	5	.3%	35	.2%
SODOMY 1ST	130	.7%	2	.1%	132	.7%
SEX.AB-1ST,Ag.2	262	1.5%	6	.4%	268	1.4%
WEAPONS OFFENSES	519	2.9%	10	.7%	529	2.8%
KIDNAPPING 1ST,2ND	33	.2%	5	.3%	38	.2%
CONSPIRACY 1ST	6	.0%	0	.0%	6	.0%
OTHER VIOLENT FELONIES	1	.0%	0	.0%	1	.0%
<b>SUBTOTAL</b>	<b>5132</b>	<b>29.1%</b>	<b>237</b>	<b>15.8%</b>	<b>5369</b>	<b>28.0%</b>
<b>OTHER COERCIVE</b>						
MANSLAUGHTER 2ND	66	.4%	7	.5%	73	.4%
OTHER HOMICIDE	35	.2%	10	.7%	45	.2%
ROBBERY 3RD	444	2.5%	32	2.1%	476	2.5%
ATT ASSAULT 2ND	180	1.0%	12	.8%	192	1.0%
CONSPIRACY 2,3,4	124	.7%	16	1.1%	140	.7%
OTHER WEAPONS	169	1.0%	5	.3%	174	.9%
OTHER SEX OFFENSES	255	1.4%	5	.3%	260	1.4%
OTHER COERCIVE	176	1.0%	19	1.3%	195	1.0%
<b>SUBTOTAL</b>	<b>1449</b>	<b>8.2%</b>	<b>106</b>	<b>7.1%</b>	<b>1555</b>	<b>8.1%</b>
<b>DRUG OFFENSES</b>						
DRUG SALE	5440	30.8%	658	43.9%	6098	31.8%
DRUG POSSESSION	2209	12.5%	214	14.3%	2423	12.6%
<b>SUBTOTAL</b>	<b>7649</b>	<b>43.3%</b>	<b>872</b>	<b>58.2%</b>	<b>8521</b>	<b>44.5%</b>
<b>PROPERTY AND OTHER OFFENSES</b>						
BURGLARY 3RD	878	5.0%	24	1.6%	902	4.7%
GRAND LARCENY	518	2.9%	101	6.7%	619	3.2%
FORGERY	250	1.4%	64	4.3%	314	1.6%
STOLEN PROPERTY	284	1.6%	16	1.1%	300	1.6%
DRIVE INTOXICATED	516	2.9%	18	1.2%	534	2.8%
ALL OTHER FELONIES	434	2.5%	20	1.3%	454	2.4%
<b>SUBTOTAL</b>	<b>2880</b>	<b>16.3%</b>	<b>243</b>	<b>16.2%</b>	<b>3123</b>	<b>16.3%</b>
<b>YOUTHFUL/JUVENILE</b>						
YOUTHFUL OFFENDER	517	2.9%	40	2.7%	557	2.9%
JUVENILE OFFENDER	39	.2%	0	.0%	39	.2%
<b>SUBTOTAL</b>	<b>556</b>	<b>3.1%</b>	<b>40</b>	<b>2.7%</b>	<b>596</b>	<b>3.1%</b>
<b>GRAND TOTAL</b>	<b>17666</b>	<b>100.0%</b>	<b>1498</b>	<b>100.0%</b>	<b>19164</b>	<b>100.0%</b>

## **Gender Differences in Commitment Crime**

The population of persons committed to state prison in 1999 was predominately men (92%). Women were only 8% (N=1,498) of the 19,164 persons committed to state prison in 1999.

Among men committed to state prison in 1999, 29% were convicted of a violent felony crime. This is nearly twice the percent of women (16%) committed to state prison for violent offenses (see Table 2.1).

Women committed to state prison were, however, more likely to have been convicted of a drug offense than were men. Among women committed to state prison, 58% were convicted of a drug offense compared with 43% of men.

## **Shifts in Commitment Crime 1996-1999**

The number of violent felony offenders committed to state prison has declined each year for the last four years. There were 6,185 violent felony offenders committed in 1996 but only 5,369 in 1999. The proportion of new court commitments made up of violent felons has remained constant for the last three years at 28%, down slightly from the 29% recorded in 1996. Drug offenders decreased slightly from 46% in 1996 to 44% in 1999; property and other offenses rose from 14% to 16%.

It must be noted that over the same time period, from January 1, 1996 to December 31, 1999, the proportion of violent felons under DOCS' custody rose from 51.3% to 53.3%. Additionally, the actual number of violent felons in the inmate population rose by 6.6% from 35,686 to 38,059. (See "Men and Women Undercustody: 1987-1998", DOCS Research, 1999 and "The Hub System: Profile of Inmates Undercustody on January 1, 2000", DOCS Research.)

TABLE 2.2  
CRIME BY YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996		1997		1998		1999	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>VIOLENT FELONY</b>								
MURDER	368	1.7%	353	1.7%	304	1.6%	280	1.5%
ATTEMPTED MURDER	204	1.0%	217	1.0%	171	.9%	169	.9%
MANSLAUGHTER 1ST	224	1.1%	224	1.1%	189	1.0%	179	.9%
RAPE 1ST	185	.9%	188	.9%	172	.9%	166	.9%
ROBBERY 1ST	1233	5.8%	1109	5.3%	989	5.1%	910	4.7%
ROBBERY 2ND	1179	5.6%	1033	5.0%	931	4.8%	971	5.1%
ASSAULT 1ST	283	1.3%	298	1.4%	291	1.5%	323	1.7%
ASSAULT 2ND	380	1.8%	397	1.9%	420	2.2%	471	2.5%
BURGLARY 1ST	136	.6%	166	.8%	126	.6%	138	.7%
BURGLARY 2ND	906	4.3%	786	3.8%	792	4.1%	753	3.9%
ARSON 1ST,2ND	49	.2%	42	.2%	33	.2%	35	.2%
SODOMY 1ST	129	.6%	99	.5%	98	.5%	132	.7%
SEX AB-1ST, Ag. 2	199	.9%	200	1.0%	249	1.3%	268	1.4%
WEAPONS OFFENSES	633	3.0%	660	3.2%	582	3.0%	529	2.8%
KIDNAPPING 1ST,2ND	73	.3%	52	.2%	42	.2%	38	.2%
CONSPIRACY 1ST	3	.0%	3	.0%	3	.0%	6	.0%
OTHER VIOLENT FELONIES	1	.0%	1	.0%	2	.0%	1	.0%
<b>TOTAL</b>	<b>6185</b>	<b>29.2%</b>	<b>5828</b>	<b>28.0%</b>	<b>5394</b>	<b>27.7%</b>	<b>5369</b>	<b>28.0%</b>
<b>OTHER COERCIVE</b>								
MANSLAUGHTER 2ND	64	.3%	81	.4%	71	.4%	73	.4%
OTHER HOMICIDE	42	.2%	47	.2%	33	.2%	45	.2%
ROBBERY 3RD	552	2.6%	522	2.5%	496	2.5%	476	2.5%
ATT ASSAULT 2ND	155	.7%	202	1.0%	197	1.0%	192	1.0%
CONSPIRACY 2,3,4	82	.4%	58	.3%	95	.5%	140	.7%
OTHER WEAPONS	192	.9%	194	.9%	198	1.0%	174	.9%
OTHER SEX OFFENSES	197	.9%	214	1.0%	264	1.4%	260	1.4%
OTHER COERCIVE	205	1.0%	200	1.0%	165	.8%	195	1.0%
<b>TOTAL</b>	<b>1489</b>	<b>7.0%</b>	<b>1518</b>	<b>7.3%</b>	<b>1519</b>	<b>7.8%</b>	<b>1555</b>	<b>8.1%</b>
<b>DRUG OFFENSES</b>								
DRUG SALE	7447	35.1%	7229	34.8%	6697	34.3%	6098	31.8%
DRUG POSSESSION	2395	11.3%	2574	12.4%	2385	12.2%	2423	12.6%
<b>TOTAL</b>	<b>9842</b>	<b>46.4%</b>	<b>9803</b>	<b>47.1%</b>	<b>9082</b>	<b>46.6%</b>	<b>8521</b>	<b>44.5%</b>
<b>PROPERTY AND OTHER OFFENSES</b>								
BURGLARY 3RD	1015	4.8%	969	4.7%	872	4.5%	902	4.7%
GRAND LARCENY	685	3.2%	697	3.4%	653	3.3%	619	3.2%
FORGERY	258	1.2%	268	1.3%	258	1.3%	314	1.6%
STOLEN PROPERTY	500	2.4%	408	2.0%	322	1.7%	300	1.6%
DRIVE INTOXICATED	298	1.4%	385	1.9%	378	1.9%	534	2.8%
ALL OTHER FELONIES	269	1.3%	365	1.8%	401	2.1%	454	2.4%
<b>TOTAL</b>	<b>3025</b>	<b>14.3%</b>	<b>3092</b>	<b>14.9%</b>	<b>2884</b>	<b>14.8%</b>	<b>3123</b>	<b>16.3%</b>
<b>YOUTHFUL/JUVENILE</b>								
YOUTHFUL OFFENDER	506	2.4%	518	2.5%	571	2.9%	557	2.9%
JUVENILE OFFENDER	145	.7%	43	.2%	47	.2%	39	.2%
<b>TOTAL</b>	<b>651</b>	<b>3.1%</b>	<b>561</b>	<b>2.7%</b>	<b>618</b>	<b>3.2%</b>	<b>596</b>	<b>3.1%</b>
<b>GRAND TOTAL</b>	<b>21192</b>	<b>100.0%</b>	<b>20802</b>	<b>100.0%</b>	<b>19497</b>	<b>100.0%</b>	<b>19164</b>	<b>100.0%</b>

### Section 3

## SECOND FELONY OFFENDER STATUS

The New York State Penal Law provides for more severe sentences for second felony offenders and for persistent felony offenders (see Appendix A). In addition, the penal law requires (with some exceptions) a mandatory state prison term for persons convicted of a second felony offense (see section 70.06 NYS Penal Law).

Among 1999 new court commitments 50% (N=9,601) were sentenced as first felony offenders, 49% as second felony offenders (N=9,380) and 1% (N=183) as persistent felony offenders (see Table 3.1 and Figure 3.1).

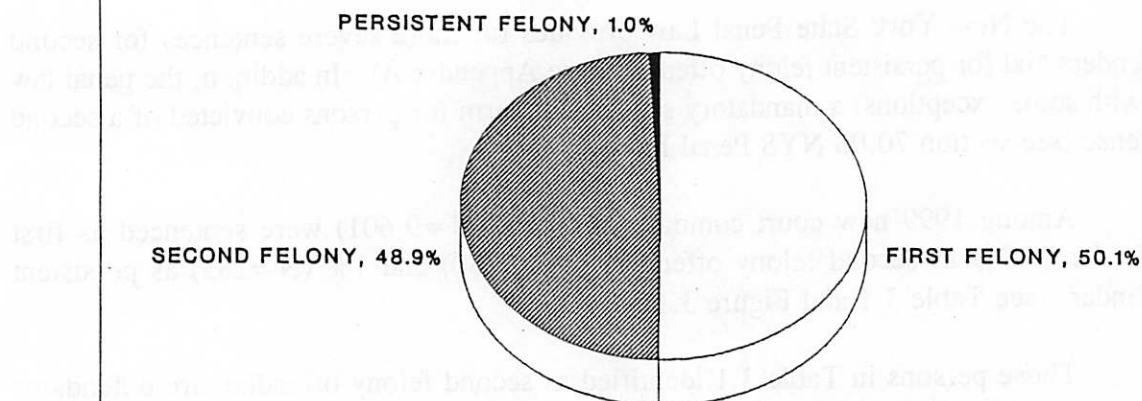
Those persons in Table 3.1 identified as second felony offenders are defendants who were sentenced by the trial court judge as a second felony offender. Some of those persons listed as first felony commitments have been convicted of prior felony crimes and some have previous sentences to state prison, but they were not sentenced as second felony offenders. This occurs because the statutes for class A-1 felony crimes do not contain provisions for sentencing as a second felony offender. The penalty for A-1 felony crimes is already the most severe so there is no need for additional enhancement in length of sentence.

There are differences in the percent of persons sentenced as second felony offenders in each general crime group. According to Table 3.1, in 1999, 59% of those committed for drug offenses and 53% of those committed for property offenses were sentenced as second felony offenders. Among those committed for violent felony crimes, 36% were sentenced as second felony offenders.

Table 3.2 also shows crime by second felony offender status, however the percentages are based on felony offender status rather than commitment crime.



Figure 3  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
PREDICATE SENTENCES



COMMITMENT CRIME BY PREDICATE SENTENCE STATUS  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

CRIME TYPE BY OFFENSE	TYPE OF SENTENCE						
	FIRST FELONY NUMBER PERCENT		SECOND FELONY NUMBER PERCENT		PERSISTENT FELONY NUMBER PERCENT		TOTAL NUMBER
VIOLENT FELONY	3,293	34.3%	1,924	20.5%	152	83.1%	5,369
OTHER COERCIVE	768	8.0%	775	8.3%	12	6.6%	1,555
DRUG OFFENSES	3,498	36.4%	5,015	53.5%	8	4.4%	8,521
PROPERTY OFFENSES	1,446	15.1%	1,666	17.8%	11	6.0%	3,123
YOUTHFUL/JUVENILE OFFENDER	596	6.2%	0	0.0%	0	0.0%	596
TOTAL	9,601	100.0%	9,380	100.0%	183	100.0%	19,164

TABLE 3.1  
CRIME BY FELONY STATUS (ROW PERCENTAGES); 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	first felony offender		second felony offender		persist felony offender		TOTAL	
	NUMBER	ROW PERCENT	NUMBER	ROW PERCENT	NUMBER	ROW PERCENT	NUMBER	ROW PERCENT
<b>VIOLENT FELONY</b>								
MURDER	280	100.0%	0	.0%	0	.0%	280	100.0%
ATTEMPTED MURDER	113	66.9%	51	30.2%	5	3.0%	169	100.0%
MANSLAUGHTER 1ST	132	73.7%	46	25.7%	1	.6%	179	100.0%
RAPE 1ST	105	63.3%	57	34.3%	4	2.4%	166	100.0%
ROBBERY 1ST	556	61.1%	323	35.5%	31	3.4%	910	100.0%
ROBBERY 2ND	565	58.2%	377	38.8%	29	3.0%	971	100.0%
ASSAULT 1ST	233	72.1%	85	26.3%	5	1.5%	323	100.0%
ASSAULT 2ND	279	59.2%	182	38.6%	10	2.1%	471	100.0%
BURGLARY 1ST	90	65.2%	45	32.6%	3	2.2%	138	100.0%
BURGLARY 2ND	348	46.2%	364	48.3%	41	5.4%	753	100.0%
ARSON 1ST,2ND	24	68.6%	11	31.4%	0	.0%	35	100.0%
SODOMY 1ST	96	72.7%	33	25.0%	3	2.3%	132	100.0%
SEX AB-1ST,Ag.2	206	76.9%	62	23.1%	0	.0%	268	100.0%
WEAPONS OFFENSES	230	43.5%	279	52.7%	20	3.8%	529	100.0%
KIDNAPPING 1ST,2ND	29	76.3%	9	23.7%	0	.0%	38	100.0%
OTHER VIOLENT FELONIES	7	100.0%	0	.0%	0	.0%	7	100.0%
<b>SUBTOTAL</b>	<b>3293</b>	<b>61.3%</b>	<b>1924</b>	<b>35.8%</b>	<b>152</b>	<b>2.8%</b>	<b>5369</b>	<b>100.0%</b>
<b>OTHER COERCIVE</b>								
MANSLAUGHTER 2ND	56	76.7%	16	21.9%	1	1.4%	73	100.0%
OTHER HOMICIDE	35	77.8%	10	22.2%	0	.0%	45	100.0%
ROBBERY 3RD	164	34.5%	308	64.7%	4	.8%	476	100.0%
ATT ASSAULT 2ND	69	35.9%	123	64.1%	0	.0%	192	100.0%
OTHER SEX OFFENSES	179	68.8%	80	30.8%	1	.4%	260	100.0%
OTHER COERCIVE	265	52.1%	238	46.8%	6	1.2%	509	100.0%
<b>SUBTOTAL</b>	<b>768</b>	<b>49.4%</b>	<b>775</b>	<b>49.8%</b>	<b>12</b>	<b>.8%</b>	<b>1555</b>	<b>100.0%</b>
<b>DRUG OFFENSES</b>								
DRUG SALE	2198	36.0%	3895	63.9%	5	.1%	6098	100.0%
DRUG POSSESSION	1300	53.7%	1120	46.2%	3	.1%	2423	100.0%
<b>SUBTOTAL</b>	<b>3498</b>	<b>41.1%</b>	<b>5015</b>	<b>58.9%</b>	<b>8</b>	<b>.1%</b>	<b>8521</b>	<b>100.0%</b>
<b>PROPERTY AND OTHER OFFENSES</b>								
BURGLARY 3RD	312	34.6%	588	65.2%	2	.2%	902	100.0%
GRAND LARCENY	212	34.2%	405	65.4%	2	.3%	619	100.0%
FORGERY	103	32.8%	207	65.9%	4	1.3%	314	100.0%
STOLEN PROPERTY	66	22.0%	232	77.3%	2	.7%	300	100.0%
DRIVE INTOXICATED	523	97.9%	10	1.9%	1	.2%	534	100.0%
ALL OTHER FELONIES	230	50.7%	224	49.3%	0	.0%	454	100.0%
<b>SUBTOTAL</b>	<b>1446</b>	<b>46.3%</b>	<b>1666</b>	<b>53.3%</b>	<b>11</b>	<b>.4%</b>	<b>3123</b>	<b>100.0%</b>
<b>YOUTHFUL/JUVENILE</b>								
YOUTHFUL OFFENDER	557	100.0%	0	.0%	0	.0%	557	100.0%
JUVENILE OFFENDER	39	100.0%	0	.0%	0	.0%	39	100.0%
<b>SUBTOTAL</b>	<b>596</b>	<b>100.0%</b>	<b>0</b>	<b>.0%</b>	<b>0</b>	<b>.0%</b>	<b>596</b>	<b>100.0%</b>
<b>GRAND TOTAL</b>	<b>9601</b>	<b>50.1%</b>	<b>9380</b>	<b>48.9%</b>	<b>183</b>	<b>1.0%</b>	<b>19164</b>	<b>100.0%</b>

TABLE 3.2  
CRIME BY FELONY STATUS (COLUMN PERCENTAGES); 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	first felony offender		second felony offender		persist felony offender		TOTAL	
	NUMBER	COLUMN PERCENT	NUMBER	COLUMN PERCENT	NUMBER	COLUMN PERCENT	NUMBER	COLUMN PERCENT
<b>VIOLENT FELONY</b>								
MURDER	280	2.9%	0	.0%	0	.0%	280	1.5%
ATTEMPTED MURDER	113	1.2%	51	.5%	5	2.7%	169	.9%
MANSLAUGHTER 1ST	132	1.4%	46	.5%	1	.5%	179	.9%
RAPE 1ST	105	1.1%	57	.6%	4	2.2%	166	.9%
ROBBERY 1ST	556	5.8%	323	3.4%	31	16.9%	910	4.7%
ROBBERY 2ND	565	5.9%	377	4.0%	29	15.8%	971	5.1%
ASSAULT 1ST	233	2.4%	85	.9%	5	2.7%	323	1.7%
ASSAULT 2ND	279	2.9%	182	1.9%	10	5.5%	471	2.5%
BURGLARY 1ST	90	.9%	45	.5%	3	1.6%	138	.7%
BURGLARY 2ND	348	3.6%	364	3.9%	41	22.4%	753	3.9%
ARSON 1ST,2ND	24	.2%	11	.1%	0	.0%	35	.2%
SODOMY 1ST	96	1.0%	33	.4%	3	1.6%	132	.7%
SEX.AB-1ST,Ag.2	206	2.1%	62	.7%	0	.0%	268	1.4%
WEAPONS OFFENSES	230	2.4%	279	3.0%	20	10.9%	529	2.8%
KIDNAPPING 1ST,2ND	29	.3%	9	.1%	0	.0%	38	.2%
OTHER VIOLENT FELONIES	7	.1%	0	.0%	0	.0%	7	.0%
<b>SUBTOTAL</b>	<b>3293</b>	<b>34.3%</b>	<b>1924</b>	<b>20.5%</b>	<b>152</b>	<b>83.1%</b>	<b>5369</b>	<b>28.0%</b>
<b>OTHER COERCIVE</b>								
MANSLAUGHTER 2ND	56	.6%	16	.2%	1	.5%	73	.4%
OTHER HOMICIDE	35	.4%	10	.1%	0	.0%	45	.2%
ROBBERY 3RD	164	.7%	308	3.3%	4	2.2%	476	2.5%
ATT ASSAULT 2ND	69	.7%	123	1.3%	0	.0%	192	1.0%
OTHER SEX OFFENSES	179	1.9%	80	.9%	1	.5%	260	1.4%
OTHER COERCIVE	265	2.8%	238	2.5%	6	3.3%	509	2.7%
<b>SUBTOTAL</b>	<b>768</b>	<b>8.0%</b>	<b>775</b>	<b>8.3%</b>	<b>12</b>	<b>6.6%</b>	<b>1555</b>	<b>8.1%</b>
<b>DRUG OFFENSES</b>								
DRUG SALE	2198	22.9%	3895	41.5%	5	2.7%	6098	31.8%
DRUG POSSESSION	1300	13.5%	1120	11.9%	3	1.6%	2423	12.6%
<b>SUBTOTAL</b>	<b>3498</b>	<b>36.4%</b>	<b>5015</b>	<b>53.5%</b>	<b>8</b>	<b>4.4%</b>	<b>8521</b>	<b>44.5%</b>
<b>PROPERTY AND OTHER OFFENSES</b>								
BURGLARY 3RD	312	3.2%	588	6.3%	2	1.1%	902	4.7%
GRAND LARCENY	212	2.2%	405	4.3%	2	1.1%	619	3.2%
FORGERY	103	1.1%	207	2.2%	4	2.2%	314	1.6%
STOLEN PROPERTY	66	.7%	232	2.5%	2	1.1%	300	1.6%
DRIVE INTOXICATED	523	5.4%	10	.1%	1	.5%	534	2.8%
ALL OTHER FELONIES	230	2.4%	224	2.4%	0	.0%	454	2.4%
<b>SUBTOTAL</b>	<b>1446</b>	<b>15.1%</b>	<b>1666</b>	<b>17.8%</b>	<b>11</b>	<b>6.0%</b>	<b>3123</b>	<b>16.3%</b>
<b>YOUTHFUL/JUVENILE</b>								
YOUTHFUL OFFENDER	557	5.8%	0	.0%	0	.0%	557	2.9%
JUVENILE OFFENDER	39	.4%	0	.0%	0	.0%	39	.2%
<b>SUBTOTAL</b>	<b>596</b>	<b>6.2%</b>	<b>0</b>	<b>.0%</b>	<b>0</b>	<b>.0%</b>	<b>596</b>	<b>3.1%</b>
<b>GRAND TOTAL</b>	<b>9601</b>	<b>100.0%</b>	<b>9380</b>	<b>100.0%</b>	<b>183</b>	<b>100.0%</b>	<b>19164</b>	<b>100.0%</b>

### **Proportion of Second Felony Offenders Decreases**

Data is presented in Table 3.3, according to commitment crime, on the number of persons committed to DOCS as a first, second, or persistent felony offender for the period 1996 through 1999. The proportion of commitments sentenced as a second felony offender decreased from 55% in 1996 (N=11,556), to 50% (N=9,380) in 1999.

The proportion of violent offenders sentenced as second felony offenders also dropped from 1996 (40%) to 1999 (36%). There was also a decrease among drug offenders sentenced as second felons from 64% in 1996 to 59% in 1999 (see Tables 3.3 and 3.4).

In 1996, 56% of commitments for other coercive offenses were second felony offenders; this fell to 50% in 1999. Among property offenders there was a decline in second felony offenders from 64% in 1996 to 53% in 1999. (See Tables 3.4 and 3.5 for the percent of first, second and persistent felony offenders within each specific crime group.)

TABLE 3.3 CRIME BY FELONY STATUS AND YEAR: 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996				1997				1998				1999			
	FIRST FELONY	SECOND FELONY	PERSIST FELONY	TOTAL	FIRST FELONY	SECOND FELONY	PERSIST FELONY	TOTAL	FIRST FELONY	SECOND FELONY	PERSIST FELONY	TOTAL	FIRST FELONY	SECOND FELONY	PERSIST FELONY	TOTAL
<b>VIOLENT FELONY</b>																
MURDER	368	0	0	368	353	0	0	353	304	0	0	304	280	0	0	280
ATTEMPTED MURDER	139	60	5	204	160	55	2	217	131	37	3	171	113	51	5	169
MANSLAUGHTER 1ST	128	57	2	187	160	59	5	224	133	55	3	191	132	46	1	179
RAPE 1ST	128	55	2	185	115	67	6	188	117	52	39	172	105	57	4	166
ROBBERY 1ST	709	474	50	1233	671	400	38	1109	602	348	30	989	556	323	31	910
ROBBERY 2ND	615	525	59	1199	549	451	33	1033	520	381	30	931	377	279	29	971
ASSAULT 1ST	179	96	8	283	193	100	5	298	206	81	4	291	233	85	5	323
ASSAULT 2ND	207	169	4	380	229	158	10	397	252	163	5	420	279	182	10	471
BURGLARY 1ST	69	59	8	136	97	61	8	166	69	46	11	126	90	45	3	138
BURGLARY 2ND	358	498	50	906	332	419	35	786	300	432	60	792	348	364	41	753
ARSON 1ST, 2ND	33	16	0	49	34	8	0	42	23	10	0	33	24	11	0	35
SODOMY 1ST	96	32	1	129	71	25	3	99	69	29	5	98	96	33	3	132
SEX AB-1ST, AG-2	145	52	1	198	143	57	0	200	176	68	5	249	206	62	0	268
WEAPONS OFFENSES	243	371	19	633	231	406	23	660	197	365	20	582	230	279	20	529
KIDNAPPING 1ST, 2ND	53	19	1	73	42	8	2	52	35	7	0	42	29	9	0	38
OTHER VIOLENT FELONIES	4	0	0	4	3	0	0	3	3	1	0	4	7	0	0	7
<b>TOTAL</b>	<b>3511</b>	<b>2483</b>	<b>191</b>	<b>6185</b>	<b>3383</b>	<b>2274</b>	<b>170</b>	<b>5827</b>	<b>3137</b>	<b>2075</b>	<b>181</b>	<b>5393</b>	<b>3293</b>	<b>1924</b>	<b>152</b>	<b>5369</b>
	56.8%	40.1%	3.1%	100.0%	58.1%	39.0%	2.9%	100.0%	58.2%	38.5%	3.4%	100.0%	61.3%	35.8%	2.8%	100.0%
<b>OTHER COERCIVE</b>																
MANSLAUGHTER 2ND	53	11	0	64	61	19	1	81	53	18	0	71	56	16	1	73
OTHER HOMICIDE	37	5	0	42	34	13	0	47	30	3	0	33	35	10	0	45
ROBBERY 3RD	176	374	2	552	175	342	5	522	186	310	0	496	164	308	4	476
ATT ASSAULT 2ND	41	113	1	155	50	151	1	202	60	136	1	197	69	123	0	192
OTHER SEX OFFENSES	124	73	0	197	130	84	0	214	156	106	2	264	179	80	1	260
OTHER COERCIVE	211	257	11	479	192	250	11	453	225	228	6	459	265	238	6	509
<b>TOTAL</b>	<b>642</b>	<b>833</b>	<b>14</b>	<b>1489</b>	<b>642</b>	<b>859</b>	<b>18</b>	<b>1519</b>	<b>710</b>	<b>801</b>	<b>9</b>	<b>1520</b>	<b>768</b>	<b>775</b>	<b>12</b>	<b>1555</b>
	43.1%	55.9%	.9%	100.0%	42.3%	56.6%	1.2%	100.0%	46.7%	52.7%	.6%	100.0%	49.4%	49.8%	.8%	100.0%
<b>DRUG OFFENSES</b>																
DRUG SALE	2275	5144	28	7447	2426	4791	12	7229	2242	4453	2	6697	2198	3895	5	6098
DRUG POSSESSION	1227	1161	7	2395	1364	1186	4	2574	1242	1140	3	2385	1300	1120	3	2423
<b>TOTAL</b>	<b>3502</b>	<b>6305</b>	<b>35</b>	<b>9842</b>	<b>3810</b>	<b>5977</b>	<b>16</b>	<b>9803</b>	<b>3484</b>	<b>5593</b>	<b>5</b>	<b>9082</b>	<b>3498</b>	<b>5015</b>	<b>8</b>	<b>8521</b>
	35.6%	64.1%	.4%	100.0%	38.9%	61.0%	.2%	100.0%	38.4%	61.6%	.1%	100.0%	41.1%	58.9%	.1%	100.0%
<b>PROPERTY AND OTHER OFFENSES</b>																
BURGLARY 3RD	278	734	3	1015	298	669	2	969	270	600	2	872	312	588	2	902
GRAND LARCENY	190	489	6	685	233	460	4	697	185	466	2	653	212	405	2	619
FORGERY	78	180	0	258	89	178	1	268	77	180	1	258	103	207	4	314
STOLEN PROPERTY	116	383	1	500	104	304	0	408	80	239	3	322	66	232	2	300
DRIVE INTOXICATED	289	373	2	664	373	11	1	385	367	10	1	378	523	10	1	534
ALL OTHER FELONIES	129	138	2	269	190	173	2	365	200	199	2	401	230	224	0	454
<b>TOTAL</b>	<b>1080</b>	<b>1931</b>	<b>14</b>	<b>3025</b>	<b>1287</b>	<b>1795</b>	<b>10</b>	<b>3092</b>	<b>1179</b>	<b>1494</b>	<b>11</b>	<b>2884</b>	<b>1446</b>	<b>1666</b>	<b>11</b>	<b>3123</b>
	35.7%	63.8%	.5%	100.0%	41.6%	58.1%	.3%	100.0%	40.9%	58.7%	.4%	100.0%	46.3%	53.3%	.4%	100.0%
<b>YOUTHFUL/JUVENILE</b>																
YOUTHFUL OFFENDER	506	0	0	506	518	0	0	518	571	0	0	571	557	0	0	557
JUVENILE OFFENDER	141	4	0	145	43	0	0	43	47	0	0	47	39	0	0	39
<b>TOTAL</b>	<b>647</b>	<b>4</b>	<b>0</b>	<b>651</b>	<b>561</b>	<b>0</b>	<b>0</b>	<b>561</b>	<b>618</b>	<b>0</b>	<b>0</b>	<b>618</b>	<b>596</b>	<b>0</b>	<b>0</b>	<b>596</b>
	99.4%	.6%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%
<b>GRAND TOTAL</b>	<b>9382</b>	<b>11556</b>	<b>254</b>	<b>21192</b>	<b>9683</b>	<b>10905</b>	<b>214</b>	<b>20802</b>	<b>9128</b>	<b>10163</b>	<b>206</b>	<b>19497</b>	<b>9601</b>	<b>9380</b>	<b>183</b>	<b>19164</b>
	44.3%	54.5%	1.2%	100.0%	46.5%	52.4%	1.0%	100.0%	46.8%	52.1%	1.1%	100.0%	50.1%	48.9%	1.0%	100.0%

TABLE 3.4 CRIME BY FELONY STATUS AND YEAR RECEIVED (ROW PERCENTAGES) ; 1996-1999 NEW COURT COMMITMENTS

-17-

COMMITMENT CRIME	1996			1997			1998			1999		
	FIRST FELONY	SECOND FELONY	PERSIST FELONY	FIRST FELONY	SECOND FELONY	PERSIST FELONY	FIRST FELONY	SECOND FELONY	PERSIST FELONY	FIRST FELONY	SECOND FELONY	PERSIST FELONY
VIOLENT FELONY												
MURDER	100.0%		.0%	100.0%		.0%	100.0%		.0%	100.0%		.0%
ATTEMPTED MURDER	68.1%	29.4%	2.5%	73.7%	25.3%	.9%	76.6%	21.6%	1.8%	66.9%	30.2%	3.0%
MANSLAUGHTER 1ST	73.7%	25.4%	.9%	71.4%	26.3%	2.2%	70.4%	29.1%	1.5%	75.7%	25.7%	.6%
RAPE 1ST	69.2%	29.7%	1.1%	61.2%	35.6%	3.2%	68.0%	30.2%	1.7%	63.3%	34.3%	2.4%
ROBBERY 1ST	57.5%	38.4%	4.1%	60.5%	36.1%	3.4%	60.9%	35.5%	3.9%	61.1%	35.5%	3.4%
ROBBERY 2ND	52.2%	44.5%	3.3%	53.1%	43.7%	3.2%	55.9%	40.9%	3.2%	58.2%	38.8%	3.0%
ASSAULT 1ST	63.3%	33.9%	2.8%	64.8%	33.6%	1.7%	70.8%	27.8%	1.4%	72.1%	26.3%	1.5%
ASSAULT 2ND	54.5%	44.4%	1.1%	57.7%	39.8%	2.5%	60.0%	38.8%	1.2%	59.2%	38.6%	2.1%
BURGLARY 1ST	50.7%	43.4%	5.9%	58.4%	36.7%	4.8%	54.8%	36.5%	8.7%	65.2%	32.6%	2.2%
BURGLARY 2ND	39.5%	55.0%	5.5%	42.2%	53.3%	4.5%	37.9%	54.3%	7.6%	46.2%	48.3%	5.4%
ARSON 1ST, 2ND	67.3%	32.7%	.0%	81.0%	19.0%	.0%	69.7%	30.3%	.0%	68.5%	31.4%	.0%
SODOMY 1ST	74.4%	24.8%	.8%	71.7%	25.3%	3.0%	70.4%	29.6%	.0%	72.7%	25.0%	2.3%
SEX AB-1ST, AG-2	72.9%	26.1%	1.0%	71.5%	26.5%	.0%	70.7%	27.3%	2.0%	76.9%	23.1%	.0%
WEAPONS OFFENSES	38.4%	58.6%	3.0%	35.0%	61.5%	3.5%	33.8%	62.7%	3.4%	43.5%	52.7%	3.8%
KIDNAPPING 1ST, 2ND	72.6%	26.0%	1.4%	80.8%	15.4%	3.8%	83.3%	16.7%	.0%	76.3%	23.7%	.0%
OTHER VIOLENT FELONIES	100.0%	.0%	.0%	100.0%	.0%	.0%	75.0%	25.0%	.0%	100.0%	.0%	.0%
TOTAL	56.8%	40.1%	3.1%	58.1%	39.0%	2.9%	58.2%	38.5%	3.4%	61.3%	35.8%	2.8%
OTHER COERCIVE												
MANSLAUGHTER 2ND	82.8%	17.2%	.0%	75.3%	23.5%	1.2%	74.6%	25.4%	.0%	76.7%	21.9%	1.4%
OTHER HOMICIDE	88.1%	11.9%	.0%	72.3%	27.7%	.0%	90.9%	9.1%	.0%	77.8%	22.2%	.0%
ROBBERY 3RD	31.9%	67.8%	.4%	33.5%	65.5%	1.0%	37.5%	62.5%	.0%	34.5%	64.7%	.8%
ATT ASSAULT 2ND	26.5%	72.9%	.6%	24.8%	74.8%	.5%	30.5%	69.0%	.5%	35.9%	64.1%	.0%
OTHER SEX OFFENSES	62.9%	37.1%	.0%	60.7%	39.3%	.0%	59.1%	40.2%	.0%	68.8%	31.2%	.0%
OTHER COERCIVE	44.1%	55.7%	2.3%	42.4%	55.2%	2.4%	49.0%	49.7%	1.3%	52.1%	46.8%	1.2%
TOTAL	43.1%	55.9%	.9%	42.3%	56.6%	1.2%	46.7%	52.7%	.6%	49.4%	49.8%	.8%
DRUG OFFENSES												
DRUG SALE	30.5%	69.1%	.4%	33.6%	66.3%	.2%	33.5%	66.5%	.0%	36.0%	63.9%	.1%
DRUG POSSESSION	51.2%	48.5%	.3%	53.8%	46.1%	.2%	52.1%	47.8%	.1%	53.7%	46.2%	.1%
TOTAL	35.6%	64.1%	.4%	38.9%	61.0%	.2%	38.4%	61.6%	.1%	41.1%	58.9%	.1%
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	27.4%	72.3%	.3%	30.8%	69.0%	.2%	31.0%	68.8%	.2%	34.6%	65.2%	.2%
GRAND LARCENY	27.7%	71.4%	.9%	33.4%	66.0%	.6%	28.3%	71.4%	.3%	34.2%	65.4%	.3%
FORGERY	30.2%	69.8%	.0%	33.2%	66.4%	.4%	29.8%	69.8%	.4%	32.8%	65.9%	1.3%
STOLEN PROPERTY	23.2%	76.6%	.2%	25.5%	74.5%	.0%	24.8%	74.2%	.9%	22.0%	77.3%	.7%
DRIVE INTOXICATED	97.0%	2.3%	.7%	96.9%	2.9%	.3%	97.1%	2.6%	.3%	97.9%	1.9%	.2%
ALL OTHER FELONIES	48.0%	51.3%	.7%	52.1%	47.4%	.5%	49.9%	49.6%	.5%	50.7%	49.3%	.0%
TOTAL	35.7%	63.8%	.5%	41.6%	58.1%	.3%	40.9%	58.7%	.4%	46.3%	53.3%	.4%
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	100.0%	.0%	.0%	100.0%	.0%	.0%	100.0%	.0%	.0%	100.0%	.0%	.0%
JUVENILE OFFENDER	97.2%	2.8%	.0%	100.0%	.0%	.0%	100.0%	.0%	.0%	100.0%	.0%	.0%
TOTAL	99.4%	.6%	.0%	100.0%	.0%	.0%	100.0%	.0%	.0%	100.0%	.0%	.0%
GRAND TOTAL	44.3%	54.5%	1.2%	46.5%	52.4%	1.0%	46.8%	52.1%	1.1%	50.1%	48.9%	1.0%

COMMITMENT CRIME	1996			1997			1998			1999		
	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL
<b>VIOLENT FELONY</b>												
MURDER	3.9%	.0%	1.7%	3.6%	.0%	1.7%	3.3%	.0%	1.6%	2.9%	.0%	1.5%
ATTEMPTED MURDER	1.5%	.6%	1.0%	1.7%	.5%	1.0%	1.4%	.4%	.9%	1.2%	.6%	.9%
MANSLAUGHTER 1ST	1.8%	.5%	1.1%	1.7%	.6%	1.1%	1.5%	.5%	1.0%	1.4%	.5%	.9%
RAPE 1ST	1.4%	.5%	.9%	1.2%	.7%	.9%	1.3%	.5%	.9%	1.1%	.6%	.9%
ROBBERY 1ST	7.6%	4.4%	5.8%	6.9%	3.9%	5.3%	6.6%	3.7%	5.1%	5.8%	3.7%	4.7%
ROBBERY 2ND	6.6%	4.8%	5.6%	5.7%	4.4%	5.0%	5.7%	4.0%	4.8%	5.9%	4.2%	5.1%
ASSAULT 1ST	1.9%	.9%	1.3%	2.0%	.9%	1.4%	2.3%	1.8%	1.5%	2.4%	.9%	1.7%
ASSAULT 2ND	2.2%	1.5%	1.8%	2.4%	1.5%	1.9%	2.8%	1.6%	2.2%	2.9%	2.0%	2.5%
BURGLARY 1ST	.7%	.6%	.6%	1.0%	.6%	.8%	.8%	.5%	.6%	.9%	.5%	.7%
BURGLARY 2ND	3.8%	4.6%	4.3%	3.4%	4.1%	3.8%	3.3%	4.7%	4.1%	3.6%	4.2%	3.9%
ARSON 1ST,2ND	.4%	.1%	.2%	.4%	.1%	.2%	.3%	.1%	.2%	.2%	.1%	.2%
SODOMY 1ST	1.0%	.3%	.6%	.7%	.3%	.5%	.8%	.3%	.5%	1.0%	.4%	.7%
SEX AB-1ST,Ag.2	1.5%	.5%	.9%	1.5%	.5%	1.0%	1.9%	.7%	1.3%	2.1%	.6%	1.4%
WEAPONS OFFENSES	2.6%	3.3%	3.0%	2.4%	3.9%	3.2%	2.2%	3.7%	3.0%	2.4%	3.1%	2.8%
KIDNAPPING 1ST,2ND	.6%	.2%	.3%	.4%	.1%	.2%	.4%	.1%	.2%	.3%	.1%	.2%
OTHER VIOLENT FELONIES	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.1%	.0%	.0%
<b>TOTAL</b>	<b>37.4%</b>	<b>22.6%</b>	<b>29.2%</b>	<b>34.9%</b>	<b>22.0%</b>	<b>28.0%</b>	<b>34.4%</b>	<b>21.8%</b>	<b>27.7%</b>	<b>34.3%</b>	<b>21.7%</b>	<b>28.0%</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	.6%	.1%	.3%	.6%	.2%	.4%	.6%	.2%	.4%	.6%	.2%	.4%
OTHER HOMICIDE	.4%	.0%	.2%	.4%	.1%	.2%	.3%	.0%	.2%	.4%	.1%	.2%
ROBBERY 3RD	1.9%	3.2%	2.6%	1.8%	3.1%	2.5%	2.0%	3.0%	2.5%	1.7%	3.3%	2.5%
ATT ASSAULT 2ND	.4%	1.0%	.7%	.5%	1.4%	1.0%	.7%	1.3%	1.0%	.7%	1.3%	1.0%
OTHER SEX OFFENSES	1.3%	.6%	.9%	1.3%	.8%	1.0%	1.7%	1.0%	1.4%	1.9%	.8%	1.4%
OTHER COERCIVE	2.2%	2.3%	2.3%	2.0%	2.3%	2.2%	2.5%	2.3%	2.4%	2.8%	2.6%	2.7%
<b>TOTAL</b>	<b>6.8%</b>	<b>7.2%</b>	<b>7.0%</b>	<b>6.6%</b>	<b>7.9%</b>	<b>7.3%</b>	<b>7.8%</b>	<b>7.8%</b>	<b>7.8%</b>	<b>8.0%</b>	<b>8.2%</b>	<b>8.1%</b>
<b>DRUG OFFENSES</b>												
DRUG SALE	24.2%	43.8%	35.1%	25.1%	43.2%	34.8%	24.6%	43.0%	34.3%	22.9%	40.8%	31.8%
DRUG POSSESSION	13.1%	9.9%	11.3%	14.3%	10.7%	12.4%	13.6%	11.0%	12.2%	13.5%	11.7%	12.6%
<b>TOTAL</b>	<b>37.3%</b>	<b>53.7%</b>	<b>46.4%</b>	<b>39.3%</b>	<b>53.9%</b>	<b>47.1%</b>	<b>38.2%</b>	<b>54.0%</b>	<b>46.6%</b>	<b>36.4%</b>	<b>52.5%</b>	<b>44.5%</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	3.0%	6.2%	4.8%	3.1%	6.0%	4.7%	3.0%	5.8%	4.5%	3.2%	6.2%	4.7%
GRAND LARCENY	2.0%	4.2%	3.2%	2.4%	4.2%	3.4%	2.0%	4.5%	3.3%	2.2%	4.3%	3.2%
FORGERY	.8%	1.5%	1.2%	.9%	1.6%	1.3%	.8%	1.7%	1.3%	1.1%	2.2%	1.6%
STOLEN PROPERTY	1.2%	3.3%	2.4%	1.1%	2.7%	2.0%	.9%	2.3%	1.7%	.7%	2.4%	1.6%
DRIVE INTOXICATED	3.1%	.1%	1.4%	3.9%	.1%	1.9%	4.0%	.1%	1.9%	5.4%	.1%	2.8%
ALL OTHER FELONIES	1.4%	1.2%	1.3%	2.0%	1.6%	1.8%	2.2%	1.9%	2.1%	2.4%	2.3%	2

## Section 4

### FELONY CLASS CATEGORY

In New York State felony offenses are classified into one of several felony class categories: Class A (including Class A-I and A-II), Class B, Class C, Class D, Class E, and Youthful Offender. In general, more serious offenses are categorized as Class A, Class B, or Class C felonies and the less serious offenses are categorized as Class D or Class E felonies. Youthful Offenders do not have a felony class. There are still less serious offenses that are treated as misdemeanors or violations, but only those convicted of a felony may be sentenced to state prison. Conviction for an "attempt" of a particular felony offense generally drops the conviction into the next lower felony class category. For instance, Robbery 1st is a Class B felony offense, but Attempted Robbery 1st is a Class C felony offense as is Robbery 2nd. The felony class category of the conviction offense is relevant because the sentencing laws are based on the felony class category. That is, the range of minimum and maximum sentences that apply to conviction for a particular offense are governed, in part, by the felony class of the offense.<sup>1</sup> Appendix A contains a brief summary of the range of minimum and maximum sentences for each felony class category.

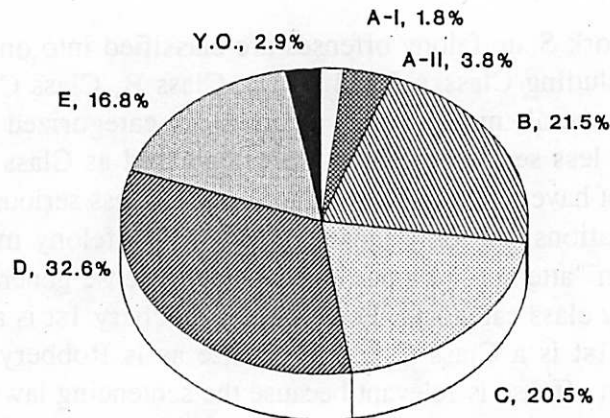
Table 4.1 shows the specific commitment crime, broken out by felony class category, for new court commitments committed to DOCS in 1999 (see also Figure 4). (Appendix B contains the Penal Law Section number for the offenses listed in Table 4.1.) The letters "ATT" before the offense indicate that the crime was an attempt. Two percent of 1999 new court commitments were Class A-I crimes (N=347). Class A-II offenses were 4% (N=733) of commitments. Offenses in the Class B felony category were 22% (N=4,126) of 1999 new court commitments. Class C felony offenders were also 21% (N=3,924) of 1999 commitments. The Class D felony category was the largest at 33% (N=6,251) of new commitments. Class E felony offenders comprised 17% (N=3,225) of new commitments. Youthful Offenders constituted 3% (N=557) of new commitments.

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<sup>1</sup>For example, the minimum sentence range for a Class D felony offense for a first felony, non violent offender is 1 year to 2 years and 4 months. The sentencing court judge must select a minimum term that falls between 1 year and 2 years 4 months. Other factors affect the range of sentences that apply to each felony class category. In general, if the offense is a legislatively designated violent felony the sentence length range is more severe. For a Class B first violent felon whose crime of conviction was committed prior to September 1, 1998, the lowest legally permissible minimum term is 3 years. For non-violent Class B first felony offenders, the lowest legally permissible minimum term is one year. Effective September 1, 1998, people convicted of a first violent felony offense will receive a determinate sentence. These offenders must, at a minimum, serve 6/7 of a maximum term set by the court. Offenders can earn 1/7 off the fixed term for good behavior. The Legislature had previously extended determinate sentencing to second violent felons effective October 1, 1995, see pages 32-43 below. It is also the case that the range of sentences that may be available to the judge after a conviction depends on whether the person is a first, second or persistent felony offender (see Appendix A). Persons who are convicted as second felony offenders face more severe penalties than do first felony offenders.



Figure 4  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
FELONY CLASS



COMMITMENT CRIME BY FELONY CLASS  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

OFFENSE ON COMMITMENT	FELONY CLASS							TOTAL
	A-I	A-II	B	C	D	E	Y.O.	
VIOLENT FELONY	299	0	1,562	1,460	1,891	157	0	5,369
OTHER COERCIVE	0	0	105	110	664	676	0	1,555
DRUG OFFENSES	41	733	2,413	2,273	2,469	592	0	8,521
PROPERTY/OTHER	0	0	24	72	1,226	1,800	0	3,122
YOUTHFUL OFFENDER	0	0	0	0	0	0	557	557
JUVENILE OFFENDER	7	0	22	9	1	0	0	39
TOTAL	347	733	4,126	3,924	6,251	3,225	557	19,163
PERCENT	1.8%	3.8%	21.5%	20.5%	32.6%	16.8%	2.9%	100.0%

TABLE 4.1  
CRIME AND FELONY CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (COLUMN PERCENTAGES)  
1999 NEW COURT COMMITMENTS

CRIME AND CRIME CLASS	first felony offender	second felony offender	persist felony offender	TOTAL
<b>A-I FELONY</b>				
MURDER 1ST	39	0	0	39
ATT MURDER 1ST	5	0	0	5
MURDER 2ND	241	0	0	241
ARSON 1ST	1	0	0	1
CSCS 1ST	20	0	0	20
CPCS 1ST	16	0	0	16
ATT CPCS 1ST	5	0	0	5
KIDNAPPING 1ST	7	0	0	7
CONSPIRACY 1ST	6	0	0	6
JO-KIDNAPPING 1ST	2	0	0	2
JO-MURDER 2ND	5	0	0	5
TOTAL	347 3.6%	0 .0%	0 .0%	347 1.8%
<b>A-II FELONY</b>				
CSCS 2ND	279	18	0	297
ATT CSCS 2ND	3	1	0	4
CPCS 2ND	400	21	1	422
ATT CPCS 2ND	10	0	0	10
TOTAL	692 7.2%	40 .4%	1 .5%	733 3.8%
<b>CLASS B FELONY</b>				
ATT MURDER 2ND	108	51	5	164
MANSLAUGHTER 1ST	127	43	1	171
RAPE 1ST	77	37	4	118
ROBBERY 1ST	384	220	26	630
ASSAULT 1ST B FELONY	138	46	4	188
GANG ASSAULT 1ST	4	1	0	5
BURGLARY 1ST	69	36	2	107
GRAND LARCEN 1ST	5	0	0	5
BUS CORRUPTION	12	1	0	13
ARSON 2ND	16	6	0	22
PROMO PROSTI 1ST	1	0	0	1
SODOMY 1ST	76	26	1	103
AG SEX ABUSE 1ST	2	1	0	3
SEX CONDUCT CHILD 1ST	20	3	0	23
CSCS 3RD	1026	608	2	1636
CPCS 3RD	476	173	0	649
CSCS AT SCHOOL	75	53	0	128
C POS WEAPON 1ST	1	0	0	1
USE FIREAMS 1ST	3	3	0	6
CRIM MISCHIEF 1ST	3	1	0	4
KIDNAPPING 2ND	15	5	0	20
INTIMIDATE WIT 1ST	1	0	0	1
CONSPIRACY 2ND	94	11	0	105
CRIM FACIL 1ST	1	0	0	1
JO-BURGLARY 1ST	1	0	0	1
JO-MANSLAUGHTER 1ST	3	0	0	3
ATT JO-MURDER 2ND	1	0	0	1
JO-RAPE 1ST	1	0	0	1
JO-ROBBERY 1ST	15	0	0	15
JO-ASSAULT 1ST DEGREE	1	0	0	1
TOTAL	2756 28.7%	1325 14.1%	45 24.6%	4126 21.5%

(continued)

TABLE 4.1  
CRIME AND FELONY CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (COLUMN PERCENTAGES)  
1999 NEW COURT COMMITMENTS

CRIME AND CRIME CLASS	first felony offender	second felony offender	persist felony offender	TOTAL
CLASS C FELONY				
ATT MANSLAUGHTER 1ST	5	3	0	8
MANSLAUGHTER 2ND	53	16	1	70
VEHICULR MANS� 1ST	1	0	0	1
ATT RAPE 1ST	28	20	0	48
ATT ROBBERY 1ST	172	103	5	280
ROBBERY 2ND	222	159	14	395
ATT ASSAULT 1ST B FELONY	82	28	1	111
ASSAULT 1ST	7	6	0	13
ATT AG ASSAULT POLICE	0	3	0	3
ATT GANG ASSAULT 1ST	1	0	0	1
GANG ASSAULT 2ND	4	0	0	4
ASLT POLICE/FIRE/EMT	1	0	0	1
ATT BURGLARY 1ST	21	9	1	31
BURGLARY 2ND	183	193	21	397
ATT GRAND LAR 1ST	0	1	0	1
GRAND LARCEN 2ND	33	9	0	42
STOLEN PROP 2ND	1	8	0	9
CRIM USURY 1ST	1	0	0	1
INSUR FRAUD 2ND	2	0	0	2
ATT BUS CORRUPTION	1	0	0	1
FORGERY 1ST	0	1	0	1
POS FORGE INS 1ST	4	1	1	6
ATT ARSON 2ND	7	5	0	12
ARSON 3RD	19	10	0	29
PROMO PROSTI 2ND	3	0	0	3
ATT SODOMY 1ST	20	7	2	29
AG SEX ABUSE 2ND	3	1	0	4
ATT SEX CONDUCT CHILD 1ST	0	1	0	1
ATT CSCS 3RD	525	1240	1	1766
ATT CPCS 3RD	80	195	1	276
CSCS 4TH	16	33	1	50
CPCS 4TH	83	71	0	154
CRIM SALE MARI 1	2	1	0	3
CRIM POS MARI 1	6	0	0	6
ATT CSCS AT SCHOOL	9	8	0	17
CSCS PRESCRIPTION	1	0	0	1
C POS WEAPON 2ND	69	38	3	110
SALE FIREARM 1ST	1	0	0	1
CHILD PORNOGRAPHY	1	1	0	2
ATT KIDNAPPING 2ND	7	4	0	11
ATT TAMP WITNESIST	0	1	0	1
CRIM DIVERS PRESCRIP 1ST	1	0	0	1
ATT CONSPIRACY 2ND	1	6	0	7
CRIM FACIL 2ND	4	1	0	5
JO-ASSAULT 1ST	4	0	0	4
JO-ROBBERY 2ND	5	0	0	5
TOTAL	1689 17.6%	2183 23.3%	52 28.4%	3924 20.5%

(continued)

TABLE 4.1  
CRIME AND FELONY CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (COLUMN PERCENTAGES)  
1999 NEW COURT COMMITMENTS

CRIME AND CRIME CLASS	first felony offender	second felony offender	persist felony offender	TOTAL
CLASS D FELONY				
ATT MANSLAUGHTER 2ND	3	0	0	3
VEHICULR MANSL 2ND	17	0	0	17
RAPE 2ND	47	13	1	61
ATT ROBBERY 2ND	343	218	15	576
ROBBERY 3RD	124	191	3	318
ATT ASSAULT 1ST	1	1	0	2
ASSAULT 2ND	272	180	10	462
RECK ENDANGER 1ST	43	32	0	75
VEHIC ASSAULT 1ST	2	2	0	4
ATT GANG ASSAULT 2ND	1	1	0	2
ATT ASLT				
POLICE/FIRE/EMT	1	1	0	2
ATT BURGLARY 2ND	165	171	20	356
BURGLARY 3RD	252	358	2	612
ATT GRAND LAR 2ND	7	5	0	12
GRAND LARCEN 3RD	52	42	0	94
WLFARE FRAUD 3 D				
FELONY	0	2	0	2
UNAU USE VEHIC 1ST	1	2	0	3
GR LAR 3RD AUTO	17	25	0	42
ATT STOLN PROP 2ND	1	0	0	1
STOLEN PROP 3RD	23	59	0	82
INSUR FRAUD 3RD	1	0	0	1
ATT FORGERY 1ST	0	1	0	1
ATT POS FORGE 1ST	2	3	0	5
FORGERY 2ND	29	69	1	99
POS FORGE INS 2ND	49	60	1	110
ATT ARSON 3RD	12	9	0	21
ATT PRO PROST 2ND	0	1	0	1
PROMO PROSTI 3RD	1	0	0	1
SODOMY 2ND	26	6	0	32
SEXUAL ABUSE 1ST	170	52	0	222
ATT AG SEX ABU 2ND	0	1	0	1
SEX CONDUCT CHILD 2ND	11	2	0	13
ATT CSCS 4TH	2	17	0	19
ATT CPCS 4TH	16	61	0	77
CSCS 5TH	203	1564	1	1768
CPCS 5TH	163	408	1	572
CRIM SALE MARI 2	6	2	0	8
CRIM POS MARI 2	13	11	0	24
ATT CSCS PRESCRIPTION	0	1	0	1
C POS WEAPON 3RD	102	106	5	213
ATT C POS WEAP 2ND	21	17	1	39
CR POS WEAP 3				
SUB1,2,3	48	62	4	114
ATT USE FIREARM2ND	1	0	0	1
SALE FIREARM 2ND	2	0	0	2
DWI: ALC OR DRGS 3				
OFF	85	3	0	88
ATT CHILD PORNOGRAPHY	2	0	0	2
PROMO CHILD SEX	2	0	0	2
CRIM MISCHIEF 2ND	10	8	0	18
CRIM TRESPASS 1ST	1	0	0	1
ESCAPE 1ST	0	1	0	1
CONTRABAND 1ST	4	10	0	14
HINDER PROSEC 1ST	2	0	0	2
COERCION 1ST	3	2	0	5
AGG.CRIMINAL CONTEMPT	12	10	0	22
TAMP WITNESS 2ND	0	1	0	1
BAIL JUMPING 1ST	3	4	0	7
PERJURY 1ST	3	1	0	4
BRIBERY 3RD	0	1	0	1
CONSPIRACY 3RD	3	6	0	9
CRIM SOLI 2ND	1	0	0	1
ATT CRIM FACIL 2ND	1	0	0	1
JO-CRIM POSS WEAP 3				
SCH	1	0	0	1
TOTAL	2383 24.8%	3803 40.5%	65 35.5%	6251 32.6%

(continued)

TABLE 4.1  
CRIME AND FELONY CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (COLUMN PERCENTAGES)  
1999 NEW COURT COMMITMENTS

CRIME AND CRIME CLASS	first felony offender	second felony offender	persist felony offender	TOTAL
CLASS E FELONY				
CRIM NEGLI HOMICIDE	17	10	0	27
ATT RAPE 2ND	6	4	0	10
RAPE 3RD	49	32	0	81
ATT ROBBERY 3RD	40	117	1	158
ATT ASSAULT 2ND	69	123	0	192
ATT RECK ENDANG1ST	2	9	0	11
VEHIC ASSAULT 2ND	7	2	0	9
MENACING	1	0	0	1
ATT BURGLARY 3RD	60	230	0	290
ATT GRAND LAR 3RD	4	12	0	16
GRAND LARSEN 4TH	69	200	1	270
COMPUTR TRESSPAS	1	0	0	1
C POS COMPUTR MAT	0	1	0	1
WLFARE FRAUD 4TH DEG	0	1	0	1
ATT WLFARE FRAUD 3 D				
FELONY	1	0	0	1
ATT UN USE VEH 1ST	0	1	0	1
UNAU USE VEHIC 2ND	4	24	0	28
ATT GR LAR 3RD AUTO	3	15	0	18
GR LAR 4TH AUTO	16	34	1	51
AUTO STRIPPING 2ND	1	35	0	36
ATT STOLN PROP 3RD	2	18	0	20
STOLEN PROP 4TH	39	147	2	188
FALSE BUS RCDS 1ST	1	0	0	1
FALSE INSTRUMENT	3	0	0	3
CRIM IMPERSONATION	2	6	0	8
DEFRAUD 1ST	4	12	0	16
INSUR FRAUD 4TH	0	1	0	1
ILLEGAL PROFESSION	1	0	0	1
MISUSE FOOD STAMPS	0	1	0	1
ATT FORGERY 2ND	6	40	1	47
ATT POS FORGE 2ND	13	31	0	44
ILL VEHIC PLATE	0	1	0	1
ARSON 4TH	8	3	0	11
ATT PRO PROST 3RD	1	0	0	1
ATT SODOMY 2ND	2	0	0	2
SODOMY 3RD	17	6	0	23
ATT SEX ABUSE 1ST	23	17	0	40
INCEST	4	1	0	5
ATT SEX CONDUCT CHILD				
2ND	0	1	0	1
ATT CSCS 5TH	22	345	0	367
ATT CPCS 5TH	26	167	0	193
ATT CR POS MARI2	1	4	0	5
CRIM SALE MARI 3	9	4	0	13
CRIM POS MARI 3	5	9	0	14
ATT C POS WEAP 3RD	30	115	11	156
ATT MFG TRANS WEAP	1	0	0	1
ATT CR POS WEAP 3				
SUB1-3	7	51	2	60
UNLAW BODY VEST	1	0	0	1
SALE FIREARM 3RD	2	3	0	5
DRIVE INTOX 2 OFF	434	7	1	442
2306	1	0	0	1
POS OBS SEX PERF BY				
CHILD	0	3	0	3
POS SEX PERF CHILD E				
FELON	1	2	0	3
DRIVE IMPAIR 2 OFF	4	0	0	4
LEAVE ACCIDENT SCENE	5	1	0	6
UNLICENSED DRIVER	46	5	0	51
FALSE REPORT 1ST	0	1	0	1
CRIM NUISANCE 1	0	2	0	2
AGG HAR: EMPEE BY				
INMATE	2	2	0	4
POS GAMBLING RECDS	0	2	0	2
ATT CR MISCHIEF2ND	1	4	0	5
CRIM MISCHIEF 3RD	13	14	0	27
ATT CR TRESPASS1ST	0	1	0	1
ATT ESCAPE 1ST	0	1	0	1
ESCAPE 2ND	1	5	0	6
ABSCONDING 1ST	0	1	0	1
ATT CONTRABAND 1ST	1	6	0	7
HINDER PROSEC 2ND	1	1	0	2
UNLAWFUL IMPRIS 1ST	3	9	0	12
ATT COERCION 1ST	0	1	0	1
ATT AGG.CRIM.CONTEMPT	0	4	0	4
BAIL JUMPING 2ND	0	17	0	17
TAMPERING EVIDENCE	0	2	0	2
CONTEMPT 1ST	71	83	0	154
TAMP WITNESS 3RD	3	2	0	5
ATT BAIL JUMP 1ST	0	1	0	1
ATT BRIBING WITNESS	1	0	0	1
ACCEPT COM BRIBE 1ST	1	0	0	1
INTIMIDATE WIT 3RD	0	4	0	4
ATT BRIBERY 3RD	0	1	0	1
CONSPIRACY 4TH	7	12	0	19
CRIM SOLI 3RD	0	1	0	1
FAIL DISCLOSE ORIG				
REC 1ST	0	1	0	1
TOTAL	1176 12.2%	2029 21.6%	20 10.9%	3225 16.8%

(continued)

TABLE 4.1  
CRIME AND FELONY CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (COLUMN PERCENTAGES)  
1999 NEW COURT COMMITMENTS

CRIME AND CRIME CLASS	first felony offender	second felony offender	persist felony offender	TOTAL
YOUTHFUL OFFENDER				
YOUTHFUL OFFENDER	6	0	0	6
YO ATT MURDER	6	0	0	6
YO MANSLAUGHTER	1	0	0	1
YO RAPE	2	0	0	2
YO ATT RAPE	2	0	0	2
YO ROBBERY	119	0	0	119
YO ATT ROBBERY	41	0	0	41
YO ASSAULT	22	0	0	22
YO ATT ASSAULT	6	0	0	6
YO BURGLARY	65	0	0	65
YO ATT BURGLARY	38	0	0	38
YO GRND LARCENY	10	0	0	10
YO ATT GRND LARCENY	1	0	0	1
YO GRND LAR AUTO	8	0	0	8
YO ATT GRND LAR AUTO	1	0	0	1
YO POS STOL PROP	13	0	0	13
YO ATT POS STOL PROP	1	0	0	1
YO FORGERY	1	0	0	1
YO ATT FORGERY	2	0	0	2
YO ARSON	3	0	0	3
YO ATT ARSON	1	0	0	1
YO SODOMY SEX ABUSE	7	0	0	7
YO ATT SODOMY SEX ABUSE	2	0	0	2
YO DRUG OFFENSE	119	0	0	119
YO ATT DRUG OFFENSE	39	0	0	39
YO DANG WEAPONS	10	0	0	10
YO ATT DANG WEAPONS	2	0	0	2
YO DRIVE INTOXICATED	1	0	0	1
YO CRIM MISCHIEF	6	0	0	6
YO ATT CRIM MISCHIEF	1	0	0	1
Y.O./J.O.	21	0	0	21
TOTAL	557 5.8%	0 .0%	0 .0%	557 2.9%
GRAND TOTAL	9600 100.0%	9380 100.0%	183 100.0%	19163 100.0%

Table 4.1 indicates that the first felony offender group had a higher concentration of persons sentenced for Class B (29%) felony offenses when compared with second felony offenders (14%). The second felony group had a higher concentration of Class D (41%) and Class E (22%) felony offenses than did the first felony group (25% and 12%, respectively). The B first felons and the B through E second felons include large numbers of drug offenders. However, the B and C first felons also include many violent felony offenders, which reflects an important fact about sentencing. The 1978 Violent Felony Offender Legislation requires a prison sentence for convictions of a Class B or C violent felony. For many of those sentenced as a second felony offender, it is the existence of a prior felony conviction that results in a state prison commitment. In 1973 the legislature passed laws that required persons convicted of a second felony offense to be sentenced to state prison.

The percent of first, second, and persistent felony offenders in each felony class group is presented in Table 4.2. As one moves from the Class A-II category to the Class E category the proportion of second felony offenders steadily increases. Over sixty percent of Class E (63%) and Class D commitments (61%) were second felony offenders whereas, only 32% of Class B commitments were.

### **Crime by Felony Class and Predicate Felony Status**

In recent years several proposals have been presented to the legislature which would modify sentencing options for the judiciary. Consideration of these proposals has often led to requests for additional information, particularly on the number of court commitments in a calendar year that fall into subgroups defined by: (1) crime, (2) felony crime class and (3) first, second or persistent felony offender status. These data are presented for 1999 in Table 4.3.

### **Trends in Commitments by Felony Class**

Table 4.4 shows changes across the years 1996-1999 in first, second, and persistent offenders and in the crime classes of each offender group. Generally, there were minor changes across the period. Overall, second felony offenders dropped from 55% of all offenders in 1996 to 49% in 1999. Class D second felony commitments experienced the biggest percentage change of all second felony offenders, falling from 23% of all commitments in 1996 to 20% of all commitments in 1999.

TABLE 4.2  
CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (ROW PERCENTAGES)  
1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	first felony offender	second felony offender	persist felony offender	TOTAL
A-I FELONY	347 100.0%	0 .0%	0 .0%	347 100.0%
A-II FELONY	692 94.4%	40 5.5%	1 .1%	733 100.0%
CLASS B FELONY	2756 66.8%	1325 32.1%	45 1.1%	4126 100.0%
CLASS C FELONY	1689 43.0%	2183 55.6%	52 1.3%	3924 100.0%
CLASS D FELONY	2383 38.1%	3803 60.8%	65 1.0%	6251 100.0%
CLASS E FELONY	1176 36.5%	2029 62.9%	20 .6%	3225 100.0%
YOUTHFUL OFFENDER	557 100.0%	0 .0%	0 .0%	557 100.0%
TOTAL	9600 50.1%	9380 48.9%	183 1.0%	19163 100.0%



TABLE 4.3  
CRIME BY FELONY CRIME CLASS AND SECOND FELONY STATUS; 1999 NEW COURT COMMITMENTS

COMMITMENT OFFENSE	FIRST FELONY												SECOND FELONY			
	A-I	A-II	CLASS B	CLASS C	CLASS D	CLASS E	Y.O.	SUBTOTAL	A-II	CLASS B	CLASS C	CLASS D	SECOND FELONY			
													CLASS E	SUBTOTAL		
VIOLENT FELONY																
MURDER	280	0	0	0	0	0	0	280	0	0	0	0	0	0		
ATTEMPTED MURDER	5	0	108	0	0	0	0	113	0	51	0	0	0	51		
MANSLAUGHTER 1ST	0	0	127	5	0	0	0	132	0	43	3	0	0	46		
RAPE 1ST	0	0	77	28	0	0	0	105	0	37	20	0	0	57		
ROBBERY 1ST	0	0	384	172	0	0	0	556	0	220	103	0	0	659		
ROBBERY 2ND	0	0	0	222	343	0	0	565	0	0	159	218	0	787		
ASSAULT 1ST	0	0	142	90	1	0	0	233	0	47	37	1	0	323		
ASSAULT 2ND	0	0	0	5	274	0	0	279	0	0	0	182	0	361		
BURGLARY 1ST	0	0	69	21	0	0	0	90	0	36	9	0	0	125		
BURGLARY 2ND	0	0	0	183	165	0	0	348	0	0	193	171	0	444		
ARSON 1ST,2ND	1	0	16	7	0	0	0	24	0	6	5	0	0	36		
SODOMY 1ST	0	0	76	20	0	0	0	96	0	26	7	0	0	123		
SEX-AB-1ST,Ag.2	0	0	22	3	181	0	0	206	0	4	2	55	0	244		
WEAPONS OFFENSES	0	0	4	70	126	30	0	230	0	3	38	123	115	279		
KIDNAPPING 1ST,2ND	7	0	15	7	0	0	0	29	0	5	4	0	0	46		
OTHER VIOLENT FELONIES	6	0	1	0	0	0	0	7	0	0	0	0	0	13		
SUBTOTAL	299	0	1041	833	1090	30	0	3293	0	478	580	750	116	1924		
	9.1%	.0%	31.6%	25.3%	33.1%	.9%	.0%	100.0%	.0%	24.8%	30.1%	39.0%	6.0%	100.0%		
OTHER COERCIVE																
MANSLAUGHTER 2ND	0	0	0	53	3	0	0	56	0	0	16	0	0	16		
OTHER HOMICIDE	0	0	0	1	17	17	0	35	0	0	0	0	0	10		
ROBBERY 3RD	0	0	0	0	124	40	0	164	0	0	0	191	117	308		
ATT ASSAULT 2ND	0	0	0	0	0	69	0	69	0	0	0	0	123	123		
OTHER SEX OFFENSES	0	0	0	1	77	101	0	179	0	0	1	19	60	80		
OTHER COERCIVE	0	0	94	20	111	40	0	265	0	11	17	114	96	238		
SUBTOTAL	0	0	94	75	332	267	0	768	0	11	34	324	406	775		
	.0%	.0%	12.2%	9.8%	43.2%	34.8%	.0%	100.0%	.0%	1.4%	4.4%	41.8%	52.4%	100.0%		
DRUG OFFENSES																
DRUG SALE	20	282	1101	553	211	31	0	2198	19	661	1282	1584	349	3895		
DRUG POSSESSION	21	410	476	169	192	32	0	1300	21	173	266	480	180	1120		
SUBTOTAL	41	692	1577	722	403	63	0	3498	40	834	1548	2064	529	5015		
	1.2%	19.8%	45.1%	20.6%	11.5%	1.8%	.0%	100.0%	.8%	16.6%	30.9%	41.2%	10.5%	100.0%		
PROPERTY AND OTHER OFFENSES																
BURGLARY 3RD	0	0	0	0	252	60	0	312	0	0	0	356	230	588		
GRAND LARCENY	0	0	5	33	77	97	0	212	0	0	10	74	321	405		
FORGERY	0	0	0	4	80	19	0	103	0	0	2	133	72	207		
STOLEN PROPERTY	0	0	0	1	24	41	0	66	0	0	8	59	165	232		
DRIVE INTOXICATED	0	0	0	0	65	438	0	523	0	0	0	3	7	10		
ALL OTHER FELONIES	0	0	17	12	39	161	0	229	0	2	1	38	183	224		
SUBTOTAL	0	0	22	50	557	816	0	1445	0	2	21	665	978	1666		
	.0%	.0%	1.5%	3.5%	38.5%	56.5%	.0%	100.0%	.0%	.1%	1.3%	39.9%	58.7%	100.0%		
YOUTHFUL/JUVENILE																
YOUTHFUL OFFENDER	0	0	0	0	0	0	557	557	0	0	0	0	0	0		
JUVENILE OFFENDER	7	0	22	9	1	0	0	39	0	0	0	0	0	0		
SUBTOTAL	7	0	22	9	1	0	557	596	0	0	0	0	0	0		
	1.2%	.0%	3.7%	1.5%	.2%	.0%	93.5%	100.0%	.0%	.0%	.0%	.0%	.0%	.0%		
GRAND TOTAL	347	692	2756	1689	2383	1176	557	9600	40	1325	2183	3803	2029	9380		
	3.6%	7.2%	28.7%	17.6%	24.8%	12.2%	5.8%	100.0%	.4%	14.1%	23.3%	40.5%	21.6%	100.0%		

TABLE 4.3  
CRIME BY FELONY CRIME CLASS AND SECOND FELONY STATUS; 1999 NEW COURT COMMITMENTS

COMMITMENT OFFENSE	PERSISTENT FELONY						TOTAL				TOTAL			
	A-II	CLASS B	CLASS C	CLASS D	CLASS E	SUBTOTAL	A-I	A-II	CLASS B	CLASS C	CLASS D	CLASS E	Y.O.	TOTAL
VIOLENT FELONY														
MURDER	0	0	0	0	0	0	280	0	0	0	0	0	0	280
ATTEMPTED MURDER	0	5	0	0	0	5	5	0	164	0	0	0	0	169
MANSLAUGHTER 1ST	0	1	0	0	0	1	0	0	171	8	0	0	0	179
RAPE 1ST	0	4	0	0	0	4	0	0	118	48	0	0	0	166
ROBBERY 1ST	0	26	14	15	0	31	0	0	650	280	576	0	0	910
ROBBERY 2ND	0	0	0	0	0	0	0	0	0	395	0	0	0	971
ASSAULT 1ST	0	4	1	0	0	5	0	0	193	128	2	0	0	323
ASSAULT 2ND	0	0	0	10	0	10	0	0	0	5	466	0	0	471
BURGLARY 1ST	0	2	1	0	0	3	0	0	107	31	0	0	0	138
BURGLARY 2ND	0	0	21	20	0	41	0	0	0	397	356	0	0	753
ARSON 1ST,2ND	0	0	0	0	0	0	1	0	0	12	0	0	0	13
SODOMY 1ST	0	0	0	0	0	0	1	0	22	29	0	0	0	35
SEX AB-1ST,Ag.2	0	1	2	0	0	3	0	0	103	0	0	0	0	132
WEAPONS OFFENSES	0	0	0	0	0	0	0	0	26	5	236	1	0	268
KIDNAPPING 1ST,2ND	0	0	3	6	11	20	0	0	7	111	255	156	0	529
OTHER VIOLENT FELONIES	0	0	0	0	0	0	7	0	20	11	0	0	0	38
SUBTOTAL	0.0%	43 28.3%	47 30.9%	51 33.6%	11 7.2%	152 100.0%	299 5.6%	0.0%	1562 29.1%	1460 27.2%	1891 35.2%	157 2.9%	0.0%	5369 100.0%
OTHER COERCIVE														
MANSLAUGHTER 2ND	0	0	1	0	0	1	0	0	0	70	3	0	0	73
OTHER HOMICIDE	0	0	0	0	0	0	0	0	0	1	17	27	0	45
ROBBERY 3RD	0	0	0	3	1	4	0	0	0	0	318	158	0	476
ATT ASSAULT 2ND	0	0	0	0	0	0	0	0	0	0	0	192	0	192
OTHER SEX OFFENSES	0	0	0	1	0	1	0	0	0	2	97	161	0	260
OTHER COERCIVE	0	0	0	4	2	6	0	0	105	37	229	138	0	509
SUBTOTAL	0.0%	0.0%	1 8.3%	8 66.7%	3 25.0%	12 100.0%	0.0%	0.0%	105 6.8%	110 7.1%	66 42.7%	676 43.5%	0.0%	1555 100.0%
DRUG OFFENSES														
DRUG SALE	0	2	2	1	0	5	20	301	1764	1837	1796	380	0	6098
DRUG POSSESSION	1	0	1	1	0	3	21	432	649	436	673	212	0	2423
SUBTOTAL	12.5%	2 25.0%	3 37.5%	2 25.0%	0.0%	8 100.0%	41 5.5%	733 8.6%	2413 28.3%	2273 26.7%	2469 29.0%	592 6.9%	0.0%	8521 100.0%
PROPERTY AND OTHER OFFENSES														
BURGLARY 3RD	0	0	0	2	0	2	0	0	0	0	612	290	0	902
GRAND LARCENY	0	0	0	0	2	2	0	0	5	43	151	420	0	619
FORGERY	0	0	1	2	1	4	0	0	0	7	215	92	0	314
STOLEN PROPERTY	0	0	0	0	2	2	0	0	0	9	83	208	0	300
DRIVE INTOXICATED	0	0	0	0	1	1	0	0	0	0	88	446	0	534
ALL OTHER FELONIES	0	0	0	0	0	0	0	0	19	13	77	344	0	453
SUBTOTAL	0.0%	0.0%	1 9.1%	4 36.4%	6 54.5%	11 100.0%	0.0%	0.0%	24 0.8%	72 2.3%	1226 39.3%	1800 57.7%	0.0%	3122 100.0%
YOUTHFUL/JUVENILE														
YOUTHFUL OFFENDER	0	0	0	0	0	0	0	0	0	0	0	0	557	557
JUVENILE OFFENDER	0	0	0	0	0	0	7	0	22	9	1	0	0	39
SUBTOTAL	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	7 1.2%	0.0%	22 3.7%	9 1.5%	1 0.2%	0.0%	557 93.5%	596 100.0%
GRAND TOTAL	1 5.5%	45 24.6%	52 28.4%	65 35.5%	20 10.9%	183 100.0%	347 1.8%	733 3.8%	4126 21.5%	3924 20.5%	6251 32.6%	3225 16.8%	557 2.9%	19163 100.0%

TABLE 4.4  
CRIME CLASS AND SECOND FELONY OFFENDER STATUS BY YEAR  
1996-1999 NEW COURT COMMITMENTS

FELONY CLASS	1996		1997		1998		1999	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>FIRST FELONY</b>								
A-I FELONY	488	2.3%	443	2.1%	375	1.9%	347	1.8%
A-II FELONY	575	2.7%	631	3.0%	607	3.1%	692	3.6%
CLASS B FELONY	2820	13.3%	2945	14.2%	2748	14.1%	2756	14.4%
CLASS C FELONY	2062	9.7%	1961	9.4%	1813	9.3%	1689	8.8%
CLASS D FELONY	2086	9.8%	2100	10.1%	2016	10.3%	2383	12.4%
CLASS E FELONY	845	4.0%	1085	5.2%	998	5.1%	1176	6.1%
YOUTHFUL OFFENDER	506	2.4%	518	2.5%	571	2.9%	557	2.9%
TOTAL	9382	44.3%	9683	46.6%	9128	46.8%	9600	50.1%
<b>SECOND FELONY</b>								
A-II FELONY	61	.3%	106	.5%	84	.4%	40	.2%
CLASS B FELONY	1453	6.9%	1608	7.7%	1431	7.3%	1325	6.9%
CLASS C FELONY	2808	13.3%	2452	11.8%	2264	11.6%	2183	11.4%
CLASS D FELONY	4975	23.5%	4421	21.3%	4149	21.3%	3803	19.8%
CLASS E FELONY	2259	10.7%	2317	11.1%	2234	11.5%	2029	10.6%
TOTAL	11556	54.5%	10904	52.4%	10162	52.1%	9380	48.9%
<b>PERSIST FELONY</b>								
A-II FELONY	1	.0%	2	.0%	1	.0%	1	.0%
CLASS B FELONY	61	.3%	63	.3%	50	.3%	45	.2%
CLASS C FELONY	85	.4%	65	.3%	60	.3%	52	.3%
CLASS D FELONY	85	.4%	62	.3%	76	.4%	65	.3%
CLASS E FELONY	22	.1%	22	.1%	19	.1%	20	.1%
TOTAL	254	1.2%	214	1.0%	206	1.1%	183	1.0%
GRAND TOTAL	21192	100.0%	20801	100.0%	19496	100.0%	19163	100.0%

## Section 5

### MINIMUM AND MAXIMUM SENTENCE

Persons committed to prison in New York State in 1999 received a sentence based on either (1) the penal law in effect up to October 1, 1995 (2) the penal laws in effect for violent crimes committed on or after October 1, 1995 (Sentencing Reform Act of 1995), or (3) Jenna's Law, effective October 1, 1998. This section contains a brief summary of the sentencing structure for felons committed to state prison and how this structure was modified by the Sentencing Reform Act of 1995 and Jenna's Law in 1998.

#### Sentencing Law for Non-Violent Felons, Class A-1 Felons and Old Law Violent Felons

Non-violent felons, class A-1 felons, persistent felony offenders, and violent felony offenders whose commitment crime occurred before October 1, 1995, are committed to state prison with an indeterminate sentence. An indeterminate sentence is composed of a minimum period of imprisonment and a maximum period of imprisonment. The minimum sentence reflects the shortest period of time that a person must serve in prison before being considered for release on parole.<sup>2</sup> The maximum sentence reflects the longest possible period that the defendant can be held in custody on the instant offense. Individuals serving an indeterminate sentence are eligible for release to parole after having served the minimum sentence (given favorable action by the Board of Parole) and they must by law be released once the conditional release date is reached (the conditional release date is the point at which 2/3 of the maximum sentence has been served).<sup>3</sup> Persons in custody may serve past the conditional release date if for disciplinary reasons they have lost "good time" during service of the sentence.<sup>4</sup>

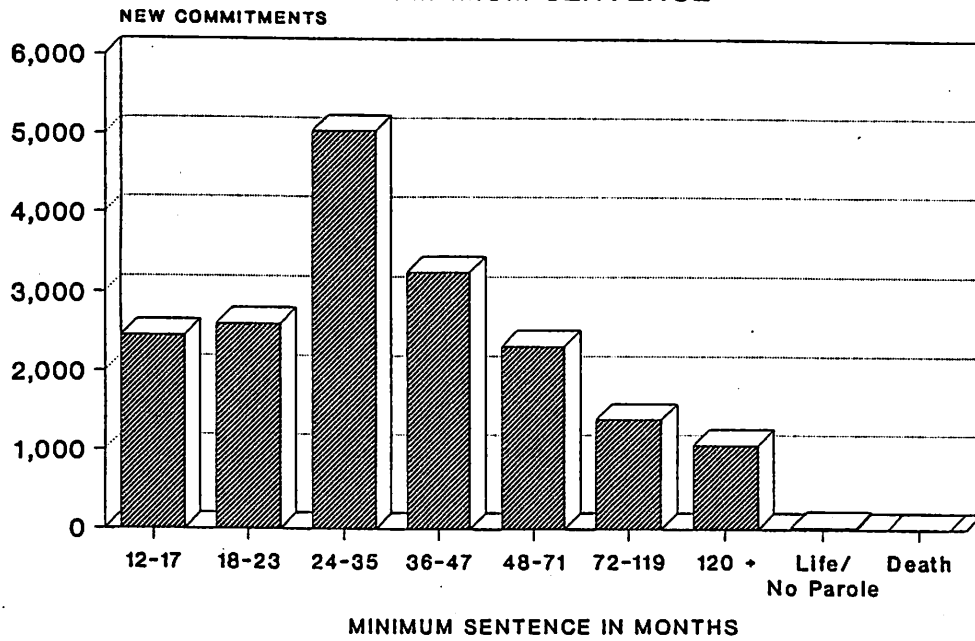
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<sup>2</sup> Felony criminal offenses in New York are classified according to six felony categories (Class A,B,C,D, and E felony offenses, and Youthful Offenders). For each felony class category the legislature has enacted certain provisions which affect the length of the minimum term of imprisonment and which determine the range of maximum sentence available to the judge (see Article 70 New York State Penal Law). In addition to the felony class category, the minimum period of imprisonment may differ depending on whether the defendant is a first, second, or persistent felony offender, and, whether or not the defendant has been convicted of a legislatively designated violent felony offense. In general, the minimum-maximum sentence range is more severe for those defendants with a prior felony conviction and for those convicted of violent felony crimes. Article 70 of the Penal Law spells out the different sentencing provisions that pertain to armed felony offenders; first, second or persistent felony offenders; and violent felony offenders. Appendix A presents a brief summary of the sentences that apply to each felony class category. Certain provisions of the Penal Code enacted by the Legislature and affecting persons sentenced for offenses committed on or after October 1, 1995 are discussed in the text of this chapter.

<sup>3</sup> Since class A-1 felony offenders and Persistent Felony Offenders have a Life maximum sentence, there is no "conditional release date" because there is no fixed date which constitutes 2/3 of a Life sentence.

<sup>4</sup> Good time refers to days deducted from the maximum sentence for inmates who maintain a satisfactory disciplinary record while under custody. In 1997 the Legislature authorized "merit time" which permits one-seventh of the minimum sentence to be subtracted for certain offenders not committed for sex offenses. (See "Merit Time Program Summary October 1997 - December 1999," NY DOCS Research Report, May 2000.)

Figure 5  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
MINIMUM SENTENCE



MINIMUM SENTENCE  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

CRIME TYPE

MINIMUM SENTENCE	VIOLENT FELONY OFFENSES	OTHER COERCIVE/ VIOLENT	DRUG OFFENSES	PROPERTY AND OTHER OFFENSES	YOUTHFUL/ JUVENILE OFFENDERS	TOTAL	PERCENT
12 - 17 MONTHS	76	395	1,487	978	518	3,454	18.0%
18 - 23 MONTHS	568	383	726	907	21	2,605	13.6%
24 - 35 MONTHS	946	485	2,662	909	33	5,035	26.3%
36 - 47 MONTHS	829	149	2,021	242	15	3,256	17.0%
48 - 71 MONTHS	1,040	90	1,133	57	3	2,323	12.1%
72 - 119 MONTHS	938	31	401	17	6	1,393	7.3%
120 +	943	22	91	13	0	1,069	5.6%
LIFE/NO PAROLE	25	0	0	0	0	25	0.1%
DEATH	4	0	0	0	0	4	0.0%
TOTAL COMMITMENTS	5,369	1,555	8,521	3,123	596	19,164	100.0%

## First Violent Felons

Violent felony crimes committed after October 1, 1995 but prior to September 1, 1998, are governed by the 1995 Sentencing Reform Act. This act served to increase sentences for violent felons and to deny early parole release to repeat violent offenders. For first felony offenders sentenced to state prison for a violent felony crime committed after October 1, 1995 and prior to September 1, 1998, the judge must in most cases set the minimum period of imprisonment at one-half the maximum sentence. For first violent felons where date of crime was prior to October 1, 1995, the minimum term was one-third the maximum sentence. While the allowable maximum sentence was not changed, for class B first violent felons the minimum sentence range was increased from 2 years to 8 1/3 years under the law prior to October of 1995, to 3 years to 12 1/2 years under the 1995 Act (see Appendix A, sentences to prison for First Felony-Offense). For first felony offenders sentenced to state prison for other felony offenses (i.e. all offenses not designated as a violent felony) the judge must fix the minimum period of imprisonment at some point between one-year and one-third the maximum term. For non-violent second felony offenders committed to state prison the judge must set the minimum period of imprisonment at one-half the maximum sentence.

Effective September 1, 1998, the New York State Legislature extended determinate sentencing to persons convicted of a first violent felony crime. As with second violent felons convicted after October 1, 1995, first violent felons will receive a maximum term fixed by the judge at sentencing. First violent felons will no longer be eligible for release by the Board of Parole. They must serve at least 6/7ths of a fixed maximum term. They are eligible to earn good time credit for up to 1/7<sup>th</sup> of the determinate sentence for good behavior (see Appendix A).

## Second Violent Felons

Under the law prior to October 1, 1995, a second felony offender convicted of a legislatively designated violent felony crime was required to serve one-half of the maximum sentence. Under the 1995 Sentencing Reform Act, a second violent felony offender must receive a determinate sentence. That is, where the crime commission date is after October 1, 1995, second violent felons will receive a maximum term that is fixed by the judge at a specific number. For each felony class category there is a range in which the judge may select a fixed sentence (for a class B second violent felony this range is 10 to 25 years). Since the sentence is determinate (i.e. fixed at a specified number), the law eliminates eligibility for early release on parole supervision. This differs from an indeterminate sentence where there is a specified minimum and maximum sentence and the inmate is eligible for release on parole supervision after serving the minimum term. Further, with a determinate sentence the inmate is entitled to earn good time credit up to 1/7 of the determinate term; under the old law (Correction Law Section 803), the inmate was entitled to earn good time credits up to 1/3 of the maximum sentence. The minimum term of imprisonment for these determinate sentence cases is computed to be six-sevenths of the determinate sentence.

The sentence range for second felony offenders who have committed a violent felony is more severe for offenders where both the instant offense and the prior offense are legislatively designated violent felony crimes than is the case for offenders where the instant offense is a violent felony but the predicate offense was a non-violent felony. These differences are reflected in Appendix A; Sentences to Prison for Second Felony Offense.

## **Persistent Felons**

For those offenders who have committed three designated violent felony offenses (within a statutory period), the 1995 Sentencing Reform Act doubled the minimum period of incarceration. For example, the minimum sentence range for a class B persistent violent felony under the law prior to the 1995 Act was 10-25 years, after the 1995 Sentencing Act the range is 20-25 years (see Appendix A; Sentences to Prison for Persistent Felony Offense).

A crosstabulation of crime by minimum sentence length for 1999 commitments is presented in Table 5.1. The table shows the number and percent of cases in each minimum sentence length category for several different types of crime. (Also see Figure 5).

TABLE 5.1 CRIME BY MINIMUM SENTENCE; 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	12-17 MONTHS	18-23 MONTHS	24-35 MONTHS	36-47 MONTHS	48-71 MONTHS	72-119 MONTHS	120 + MONTHS	LIFE, NO PAROLE	DEATH PENALTY	TOTAL
<b>VIOLENT FELONY</b>										
MURDER	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	251 89.6%	25 8.9%	4 1.4%	280 100.0%
ATTEMPTED MURDER	0 .0%	0 .0%	1 .6%	24 14.2%	31 18.3%	54 32.0%	59 34.9%	0 .0%	0 .0%	169 100.0%
MANSLAUGHTER 1ST	1 .6%	0 .0%	2 1.1%	5 2.8%	15 8.4%	71 39.7%	85 47.5%	0 .0%	0 .0%	179 100.0%
RAPE 1ST	0 .0%	0 .0%	7 4.2%	25 15.1%	38 22.9%	46 27.7%	50 30.1%	0 .0%	0 .0%	166 100.0%
ROBBERY 1ST	0 .0%	2 .2%	65 7.1%	201 22.1%	208 22.9%	249 27.4%	185 20.3%	0 .0%	0 .0%	910 100.0%
ROBBERY 2ND	12 1.2%	202 20.8%	239 24.6%	146 15.0%	199 20.5%	123 12.7%	50 5.1%	0 .0%	0 .0%	971 100.0%
ASSAULT 1ST	1 .3%	3 .9%	35 10.8%	66 20.4%	77 23.8%	80 24.8%	61 18.9%	0 .0%	0 .0%	323 100.0%
ASSAULT 2ND	9 1.9%	107 22.7%	166 35.2%	69 14.6%	78 16.6%	28 5.9%	14 3.0%	0 .0%	0 .0%	471 100.0%
BURGLARY 1ST	0 .0%	0 .0%	6 4.3%	29 21.0%	33 23.9%	38 27.5%	32 23.2%	0 .0%	0 .0%	138 100.0%
BURGLARY 2ND	17 2.3%	79 10.5%	191 25.4%	102 13.5%	180 23.9%	125 16.6%	59 7.8%	0 .0%	0 .0%	753 100.0%
ARSON 1ST,2ND	0 .0%	0 .0%	2 5.7%	11 31.4%	8 22.9%	10 28.6%	4 11.4%	0 .0%	0 .0%	35 100.0%
SODOMY 1ST	0 .0%	0 .0%	5 3.8%	17 12.9%	28 21.2%	36 27.3%	46 34.8%	0 .0%	0 .0%	132 100.0%
SEX.AB-1ST,Ag.2	12 4.5%	60 22.4%	70 26.1%	48 17.9%	46 17.2%	25 9.3%	7 2.6%	0 .0%	0 .0%	268 100.0%
WEAPONS OFFENSES	24 4.5%	115 21.7%	155 29.3%	82 15.5%	91 17.2%	42 7.9%	20 3.8%	0 .0%	0 .0%	529 100.0%
KIDNAPPING 1ST,2ND	0 .0%	0 .0%	2 5.3%	4 10.5%	8 21.1%	11 28.9%	13 34.2%	0 .0%	0 .0%	38 100.0%
CONSPIRACY 1ST	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	6 100.0%	0 .0%	0 .0%	6 100.0%
OTHER VIOLENT FELONIES	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	1 100.0%	0 .0%	0 .0%	1 100.0%
SUBTOTAL	76 1.4%	568 10.6%	946 17.6%	829 15.4%	1040 19.4%	938 17.5%	943 17.6%	25 .5%	4 .1%	5369 100.0%
<b>OTHER COERCIVE</b>										
MANSLAUGHTER 2ND	5 6.8%	4 5.5%	15 20.5%	10 13.7%	27 37.0%	6 8.2%	6 8.2%	0 .0%	0 .0%	73 100.0%
OTHER HOMICIDE	19 42.2%	11 24.4%	13 28.9%	0 .0%	2 4.4%	0 .0%	0 .0%	0 .0%	0 .0%	45 100.0%
ROBBERY 3RD	107 22.5%	109 22.9%	182 38.2%	59 12.4%	12 2.5%	3 .6%	4 .8%	0 .0%	0 .0%	476 100.0%
ATT ASSAULT 2ND	56 29.2%	102 53.1%	29 15.1%	4 2.1%	0 .0%	1 .5%	0 .0%	0 .0%	0 .0%	192 100.0%
CONSPIRACY 2,3,4	18 12.9%	18 12.9%	40 28.6%	21 15.0%	30 21.4%	8 5.7%	5 3.6%	0 .0%	0 .0%	140 100.0%
OTHER WEAPONS	21 12.1%	55 31.6%	67 38.5%	22 12.6%	1 .6%	5 2.9%	3 1.7%	0 .0%	0 .0%	174 100.0%
OTHER SEX OFFENSES	113 43.5%	45 17.3%	71 27.3%	15 5.8%	11 4.2%	3 1.2%	2 .8%	0 .0%	0 .0%	260 100.0%
OTHER COERCIVE	56 28.7%	39 20.0%	68 34.9%	18 9.2%	7 3.6%	5 2.6%	2 1.0%	0 .0%	0 .0%	195 100.0%
SUBTOTAL	395 25.4%	383 24.6%	485 31.2%	149 9.6%	90 5.8%	31 2.0%	22 1.4%	0 .0%	0 .0%	1555 100.0%
<b>DRUG OFFENSES</b>										
DRUG SALE	1035 17.0%	494 8.1%	2014 33.0%	1426 23.4%	841 13.8%	234 3.8%	54 .9%	0 .0%	0 .0%	6098 100.0%
DRUG POSSESSION	452 18.7%	232 9.6%	648 26.7%	595 24.6%	292 12.1%	167 6.9%	37 1.5%	0 .0%	0 .0%	2423 100.0%
SUBTOTAL	1487 17.5%	726 8.5%	2662 31.2%	2021 23.7%	1133 13.3%	401 4.7%	91 1.1%	0 .0%	0 .0%	8521 100.0%
<b>PROPERTY AND OTHER OFFENSES</b>										
BURGLARY 3RD	166 18.4%	229 25.4%	368 40.8%	116 12.9%	16 1.8%	4 .4%	3 .3%	0 .0%	0 .0%	902 100.0%
GRAND LARCENY	123 19.9%	262 42.3%	167 27.0%	45 7.3%	14 2.3%	5 .8%	3 .5%	0 .0%	0 .0%	619 100.0%
FORGERY	60 19.1%	79 25.2%	119 37.9%	41 13.1%	11 3.5%	2 .6%	2 .6%	0 .0%	0 .0%	314 100.0%
STOLEN PROPERTY	39 13.0%	150 50.0%	84 28.0%	19 6.3%	3 1.0%	3 1.0%	2 .7%	0 .0%	0 .0%	300 100.0%
DRIVE INTOXICATED	433 81.1%	37 6.9%	58 10.9%	5 .9%	0 .0%	0 .0%	1 .2%	0 .0%	0 .0%	534 100.0%
ALL OTHER FELONIES	157 34.6%	150 33.0%	113 24.9%	16 3.5%	13 2.9%	3 .7%	2 .4%	0 .0%	0 .0%	454 100.0%
SUBTOTAL	978 31.3%	907 29.0%	909 29.1%	242 7.7%	57 1.8%	17 .5%	13 .4%	0 .0%	0 .0%	3123 100.0%
<b>YOUTHFUL/JUVENILE</b>										
YOUTHFUL OFFENDER	514 92.3%	18 3.2%	22 3.9%	2 .4%	1 .2%	0 .0%	0 .0%	0 .0%	0 .0%	557 100.0%
JUVENILE OFFENDER	4 10.3%	3 7.7%	11 28.2%	13 33.3%	2 5.1%	6 15.4%	0 .0%	0 .0%	0 .0%	39 100.0%
SUBTOTAL	518 86.9%	21 3.5%	33 5.5%	15 2.5%	3 .5%	6 1.0%	0 .0%	0 .0%	0 .0%	596 100.0%
GRAND TOTAL	3454 18.0%	2605 13.6%	5035 26.3%	3256 17.0%	2323 12.1%	1393 7.3%	1069 5.6%	25 .1%	4 .0%	19164 100.0%



	first felony offender			second felony offender			persist felony offender			TOTAL		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
VIOLENT FELONY												
MURDER	280	323.9	300.0	0	153.9	138.0	0	244.8	240.0	280	323.9	300.0
ATTEMPTED MURDER	113	90.7	72.0	51	137.6	123.0	5	240.0	240.0	169	114.3	90.0
MANSLAUGHTER 1ST	132	112.9	108.0	46	155.2	106.0	1	330.0	300.0	179	120.0	108.0
RAPE 1ST	105	79.0	60.0	57	115.5	102.0	4	364.1	240.0	166	111.2	73.5
ROBBERY 1ST	556	56.3	48.0	323	59.1	51.0	31	176.0	180.0	910	62.0	47.0
ROBBERY 2ND	565	32.2	27.0	377	109.1	102.0	29	230.4	180.0	971	47.0	36.0
ASSAULT 1ST	233	62.3	48.0	85	47.2	49.5	5	200.4	174.0	323	77.2	60.0
ASSAULT 2ND	279	28.1	24.0	182	146.2	103.0	10	199.3	192.0	471	39.1	31.0
BURGLARY 1ST	90	65.7	51.0	45	97.0	82.0	3	334.0	240.0	138	94.3	72.0
BURGLARY 2ND	348	34.5	30.0	364	166.0	123.0	41	146.7	192.0	753	55.5	41.0
ARSON 1ST,2ND	24	55.6	42.0	11	54.9	51.0	3	106.7	78.0	35	116.9	84.5
SODOMY 1ST	96	93.2	72.0	33	62	51.0	0	106.7	78.0	132	40.1	31.0
SEX,AB-1ST,AG.2	206	35.6	28.0	62	43.5	35.0	20	146.7	78.0	288	43.3	31.0
WEAPONS OFFENSES	230	34.0	27.0	279	106.7	102.0	0	146.7	78.0	529	113.7	82.0
KIDNAPPING 1ST,2ND	29	115.9	82.0	9	106.7	102.0	0	146.7	78.0	58	113.7	82.0
OTHER VIOLENT FELONIES	7	525.7	300.0	0	525.7	300.0	0	525.7	300.0	7	525.7	300.0
SUBTOTAL	3293	74.5	36.0	1924	78.9	61.0	152	230.0	192.0	5369	80.5	51.0
OTHER COERCIVE												
MANSLAUGHTER 2ND	56	44.1	36.0	16	73.4	60.0	1	180.0	180.0	73	52.4	48.0
OTHER HOMICIDE	35	20.1	16.0	10	22.8	18.0	0	180.0	180.0	45	20.7	18.0
ROBBERY 3RD	164	18.7	12.0	308	26.6	24.0	4	153.0	180.0	476	24.9	24.0
ATT ASSAULT 2ND	69	15.0	16.0	123	20.4	18.0	0	36.0	36.0	192	18.5	18.0
OTHER SEX OFFENSES	179	20.2	16.0	80	26.8	24.0	1	111.0	126.0	280	22.3	18.0
OTHER COERCIVE	265	26.8	24.0	238	30.8	24.0	6	124.5	180.0	509	29.6	24.0
SUBTOTAL	768	23.4	16.0	775	27.8	24.0	12	124.5	180.0	1555	26.4	21.0
DRUG OFFENSES												
DRUG SALE	2198	27.5	18.0	3895	36.1	36.0	5	40.8	36.0	6098	33.0	30.0
DRUG POSSESSION	1300	34.7	24.0	1120	35.1	30.0	3	50.0	36.0	2423	34.9	30.0
SUBTOTAL	3498	30.2	24.0	5015	35.9	30.0	8	44.3	36.0	8521	33.5	30.0
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	312	19.2	16.0	588	26.4	24.0	2	210.0	210.0	902	24.3	24.0
GRAND LARCENY	212	20.0	16.0	405	23.2	18.0	2	118.5	118.5	619	22.4	18.0
FORGERY	103	20.7	16.0	207	26.1	24.0	4	108.0	120.0	314	25.4	24.0
STOLEN PROPERTY	66	17.8	16.0	232	22.7	18.0	2	180.0	180.0	300	22.7	18.0
DRIVE INTOXICATED	523	14.9	12.0	10	19.6	16.0	1	192.0	192.0	534	15.4	12.0
ALL OTHER FELONIES	230	18.5	12.5	224	22.8	18.0	0	149.2	180.0	454	20.6	18.0
SUBTOTAL	1446	17.7	16.0	1666	24.6	24.0	11	149.2	180.0	3123	21.8	18.0
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	557	14.5	12.0	0	557	14.5	0	14.5	14.5	557	14.5	12.0
JUVENILE OFFENDER	39	39.9	36.0	0	39	39.9	0	39.9	39.9	39	39.9	36.0
SUBTOTAL	596	16.1	12.0	0	596	16.1	0	16.1	16.1	596	16.1	12.0
GRAND TOTAL	9601	42.1	24.0	9380	42.0	30.0	183	210.1	180.0	19164	43.7	30.0

## Average and Median Minimum Sentence by Crime

Average and median minimum sentence length according to commitment crime and first or second felony offender status are presented in Table 5.2. In this and other tables the arithmetic average and the median are used as measures of central tendency. The median minimum sentence was 30 months in 1999, up 3 months from 1998. The median represents the value of the middle case (i.e. the case or cases at the 50th percentile) in the distribution of cases and is preferred by some users because it is less sensitive to extreme values than is the arithmetic average. Inmates with a sentence of "Life With No Parole" are treated as a minimum term of 45 years (540 months). For death penalty cases, the minimum is treated as missing.

The average minimum sentence for the total new court commitment population in 1999 was 44 months, up slightly from 1998. The average minimum sentence for violent felony crimes was 81 months; for other coercive crimes it was 26 months, for drug offenders 34 months; for property offenders 22 months; and for Youthful Juvenile Offenders 16 months.

The average minimum sentence was generally longer for persons sentenced as a second or persistent felony offender when compared with those sentenced as a first felony offender. For example, the average minimum sentence for first felons sentenced for Robbery 1st was 56 months, for second felony offenders convicted of Robbery 1st it was 116 months, and for persistent felony offenders committed for Robbery 1st the average was 364 months. The reader should note, however, the average minimum sentence for second felony violent offenders is only slightly higher than that of first felony violent offenders (79 versus 75 months). However, the first felony category also includes people sentenced for the class A-1 offenses of Murder 2<sup>nd</sup>, Arson 1<sup>st</sup> and Kidnapping 1<sup>st</sup>. Since the Class A-1 category has the longest sentence range, there is no enhancement in sentence length that would result from sentencing as a second felony offender. Persons sentenced for Class A-1 felonies inflate the length of the average minimum sentence for the first felony offender group.

## Trends in Average Minimum Sentence Length

The average minimum sentence by crime and second felony offender status for each year 1996 through 1999 is presented in Table 5.3. (This table combines persistent and second felony offenders.) The table shows that the overall average minimum sentence was constant between 1996 and 1999 for first felons at 42 months. Among second felony offenders, the average minimum rose from 42 months in 1996 to 45 months in 1999.

The data in Table 5.3 show that the average minimum sentence for violent felony offenders has increased over the last four years. Average minimum sentence for first violent felony offenders rose from 70 months in 1996 to 75 months in 1999.

Among second felony offenders convicted of a violent felony, average minimum sentence increased from 73 months in 1996 to 90 months in 1999. Part of this increase is due to the Sentencing Reform Act of 1995.

The data in Table 5.3 are repeated in Table 5.4 except that the measure of central tendency is the median.

TABLE 5.3 CRIME BY AVERAGE MINIMUM SENTENCE (IN MONTHS)  
BY FIRST OR SECOND FELONY OFFENDER STATUS AND BY YEAR RECEIVED; 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996			1997			1998			1999		
	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL
	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE
VIOLENT FELONY												
MURDER	320.9		320.9	311.9	162.0	311.9	314.9	184.4	314.9	323.9	162.0	323.9
ATTEMPTED MURDER	78.4	136.4	96.9	91.3		109.9	97.8	134.3	118.1	90.7		114.3
HANDSLAUGHTER 1ST	78.2	114.5	87.8	89.1	114.6	99.4	100.3	134.3	110.4	112.9		120.0
RAPE 1ST	67.7	146.6	92.0	67.1	174.0	111.3	100.3	143.2	110.4	79.0		111.2
ROBBERY 1ST	42.6	104.8	69.0	50.7	131.5	82.6	51.9	142.9	87.5	56.3		87.8
ROBBERY 2ND	24.5	58.1	40.6	27.4	63.3	44.2	29.6	69.6	47.3	32.2		47.0
ASSAULT 1ST	34.2	80.3	51.1	47.2	88.4	61.7	53.9	113.9	71.4	62.3		77.2
ASSAULT 2ND	19.7	39.0	28.5	23.9	52.7	36.1	23.4	51.1	34.5	28.1		39.1
BURGLARY 1ST	58.9	121.9	89.9	62.3	144.4	96.4	66.7	152.4	105.4	65.7		94.3
BURGLARY 2ND	26.6	57.9	45.5	31.0	73.5	55.5	30.1	75.2	58.1	34.5		55.5
ARSON 1ST, 2ND	54.3	83.0	63.7	57.6	65.4	59.0	71.7	110.9	83.6	55.6		68.6
SODOMY 1ST	63.8	156.8	87.6	61.1	164.7	90.4	69.0	120.4	84.2	93.2		116.9
SEX AB-1ST, AG-2	22.6	53.5	31.0	26.7	51.4	33.7	29.6	59.2	38.3	35.6		40.1
WEAPONS OFFENSES	27.3	40.0	35.1	28.4	45.1	39.3	30.5	45.6	40.5	34.0		43.3
KIDNAPPING 1ST, 2ND	136.4	126.9	135.2	291.7	163.1	267.0	158.5	160.6	158.8	115.9		113.7
OTHER VIOLENT FELONIES	549.5		549.5	170.7		170.7	239.3	35.0	188.3	525.7		525.7
TOTAL	70.3	72.6	71.3	75.8	85.1	79.7	74.2	87.9	79.9	74.5	89.9	80.5
OTHER COERCIVE												
HANDSLAUGHTER 2ND	42.7	63.8	46.3	40.0	73.3	48.2	43.5	57.0	46.9	44.1		52.4
OTHER HOMICIDE	18.2	21.6	18.6	16.3	24.8	18.7	18.8	44.0	21.1	20.1		20.7
ROBBERY 3RD	18.4	27.6	24.7	18.3	27.8	24.6	18.5	27.0	23.8	18.7		24.9
ATT ASSAULT 2ND	13.3	20.7	18.7	14.4	20.7	19.2	14.3	22.4	19.9	15.0		18.5
OTHER SEX OFFENSES	20.0	27.8	22.9	23.4	25.5	24.2	22.3	26.7	24.1	20.2		22.3
OTHER COERCIVE	21.9	31.6	27.4	22.7	30.7	27.5	22.9	32.8	27.9	26.8		29.6
TOTAL	21.5	28.4	25.4	22.3	28.2	25.7	22.2	28.6	25.6	23.4	29.3	26.4
DRUG OFFENSES												
DRUG SALE	23.4	35.4	31.7	24.1	36.4	32.3	25.2	36.2	32.5	27.5		33.0
DRUG POSSESSION	35.9	35.6	35.7	33.8	37.7	35.6	36.9	35.0	36.0	34.7		34.9
TOTAL	27.8	35.4	32.7	27.6	36.6	33.1	29.4	36.0	33.5	30.2	35.9	33.5
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	18.4	26.3	24.2	19.0	26.2	24.0	18.3	26.5	24.0	19.2		24.3
GRAND LARCENY	18.4	22.5	21.3	18.7	21.9	20.8	18.1	23.0	21.6	20.0		22.4
FORGERY	17.8	25.7	23.3	18.3	26.3	23.6	17.9	24.4	22.4	20.7		25.4
STOLEN PROPERTY	15.4	21.8	20.3	15.8	23.4	21.5	17.9	24.2	22.6	17.8		22.7
DRIVE INTOXICATED	13.5	53.8	14.7	13.7	19.0	13.9	14.5	16.7	14.6	14.9		15.4
ALL OTHER FELONIES	16.7	23.4	20.2	17.1	25.4	21.0	15.7	21.9	18.8	18.5		20.6
TOTAL	16.5	24.3	21.5	16.8	24.5	21.3	16.6	24.4	21.2	17.7	25.4	21.8
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	14.0		14.0	13.8		13.8	14.1		14.1	14.5		14.5
JUVENILE OFFENDI	42.2	60.0	42.7	42.3		42.3	37.1		37.1	39.9		39.9
TOTAL	20.1	60.0	20.4	16.0		16.0	15.8		15.8	16.1		16.1
GRAND TOTAL	41.5	41.5	41.5	42.0	44.7	43.4	41.7	44.8	43.3	42.1	45.2	43.7

TABLE 5.4 CRIME BY MEDIAN MINIMUM SENTENCE (IN MONTHS)  
BY FIRST OR SECOND FELONY OFFENDER STATUS AND BY YEAR RECEIVED 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996			1997			1998			1999		
	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL
	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN
VIOLENT FELONY												
MURDER	300.0		300.0	300.0		300.0	300.0		300.0	300.0		300.0
ATTEMPTED MURDER	60.0		82.0	60.0		72.0	63.0		72.0	72.0		90.0
MANSLAUGHTER 1ST	80.0	120.0	84.0	84.0		96.0	96.0		108.0	150.0		108.0
RAPE 1ST	53.0	96.0	60.0	60.0		74.5	60.0		72.0	123.0		73.5
ROBBERY 1ST	36.0	84.0	48.0	36.0		60.0	36.0		48.0	103.0		62.0
ROBBERY 2ND	24.0	48.0	30.0	24.0		31.0	27.0		27.0	51.0		36.0
ASSAULT 1ST	27.0	52.5	36.0	36.0		72.0	36.0		48.0	102.0		60.0
ASSAULT 2ND	18.0	31.0	24.0	24.0		30.0	18.0		24.0	51.0		31.0
BURGLARY 1ST	48.0	84.0	72.0	42.0		103.0	48.0		51.0	103.0		72.0
BURGLARY 2ND	24.0	50.0	36.0	27.0		51.0	27.0		30.0	154.0		84.5
ARSON 1ST, 2ND	36.0	77.0	48.0	36.0		66.0	36.0		42.0	82.0		51.0
SODOMY 1ST	48.0	96.0	60.0	48.0		102.5	48.0		60.0	154.0		84.5
SEX AB-1ST, AG-2	18.0	41.5	24.0	24.0		42.0	24.0		28.0	51.0		31.0
WEAPONS OFFENSES	18.0	31.0	28.0	24.0		31.0	24.0		27.0	36.0		31.0
KIDNAPPING 1ST, 2ND	60.0	114.0	72.0	135.0		152.0	60.0		72.0	102.0		82.0
OTHER VIOLENT FELONIES	490.0		490.0	180.0		180.0	300.0		167.5	300.0		300.0
TOTAL	30.0	51.0	40.0	36.0		61.0	36.0		48.0	62.0		51.0
OTHER COERCIVE												
MANSLAUGHTER 2ND	36.0		48.0	36.0		36.0	40.0		40.0	60.0		48.0
OTHER HOMICIDE	16.0	24.0	16.0	16.0		24.0	16.0		16.0	18.0		18.0
ROBBERY 3RD	16.0	24.0	24.0	16.0		24.0	16.0		24.0	24.0		24.0
ATT ASSAULT 2ND	12.0	18.0	18.0	12.0		18.0	12.0		18.0	18.0		18.0
OTHER SEX OFFENSES	16.0	24.0	18.0	16.0		24.0	16.0		16.0	24.0		18.0
OTHER COERCIVE	16.0	24.0	24.0	18.0		24.0	18.0		18.0	24.0		24.0
TOTAL	16.0	24.0	24.0	16.0		24.0	16.0		19.0	24.0		21.0
DRUG OFFENSES												
DRUG SALE	16.0	30.0	30.0	16.0		30.0	16.0		30.0	36.0		30.0
DRUG POSSESSION	24.0	30.0	30.0	24.0		30.0	24.0		30.0	30.0		30.0
TOTAL	18.0	30.0	30.0	18.0		30.0	18.0		30.0	30.0		30.0
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	16.0	24.0	24.0	16.0		24.0	16.0		24.0	24.0		24.0
GRAND LARCENY	16.0	18.0	18.0	16.0		18.0	16.0		18.0	18.0		18.0
FORGERY	16.0	24.0	24.0	16.0		24.0	16.0		16.0	24.0		24.0
STOLEN PROPERTY	12.0	18.0	18.0	12.0		18.0	12.0		16.0	16.0		18.0
DRIVE INTOXICATED	12.0	18.0	12.0	12.0		17.0	12.0		12.0	16.0		12.0
ALL OTHER FELONIES	12.0	18.0	18.0	13.5		18.0	12.0		18.0	18.0		18.0
TOTAL	12.0	24.0	18.0	12.0		24.0	12.0		18.0	24.0		18.0
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	12.0		12.0	12.0		12.0	12.0		12.0	12.0		12.0
JUVENILE OFFENDER	32.0	60.0	36.0	24.0		24.0	28.0		36.0			36.0
TOTAL	16.0	60.0	16.0	12.0		12.0	12.0		12.0			12.0
GRAND TOTAL	24.0	30.0	27.0	24.0		30.0	24.0		27.0	31.0		30.0

## Minimum Sentence by Felony Class Category

Average minimum sentence by felony class category and second felony offender status for 1998 New Court Commitments is presented in Table 5.5. These figures show that as the felony class declines from A-I to E the average minimum sentence also declines. Generally, within each felony class category, as one moves from first felony offender to second felony offender to persistent felony offender, the average minimum sentence increases, as would be expected based on the sentencing requirements found in the New York State Penal Law (see Appendix A for a brief statement of the sentence range for each subgroup).

Table 5.6 shows the average and median minimum sentence by felony class category and by first or second felony offender status. In general, the average minimum for class B, C, D and E felonies has increased over the period 1996 to 1999. This is true for both first and second felony offenders. Part of these increases are a result of enactment of the 1995 Sentencing Reform Act, which is discussed below.

### First Violent Felons – Sentencing Reform Acts of 1995 and 1998

The 1995 Sentencing Reform Act required that the minimum sentence for first violent felons be increased from one-third of the maximum sentence to one-half of the maximum sentence. Effective September 1, 1998, the New York State Legislature extended determinate sentencing to persons convicted of a first violent felony crime. As with second violent felons convicted after October 1, 1995, the first violent felons now receive a maximum term fixed by the judge at sentencing. As a result, violent felons are no longer eligible for release by the Board of parole. They must serve at least 6/7ths of the fixed maximum term. They are eligible to earn good time credit for up to 1/7<sup>th</sup> of the determinate sentence for good behavior (see Appendix A).

In Table 5.6A, first violent felony offenders committed to State prison in 1999 are broken into three groups: (1) those offenders where the commitment crime date was earlier than October 1, 1995 (old law cases) and, (2) those offenders whose commitment crime date was after October 1, 1995 (SR 95 cases) and (3) offenders whose commitment crime date was after September 1, 1998 (Jenna's Law). Table 5.6A shows that for specific offenses within each felony class category, in general, the average minimum sentence for offenders sentenced under the 1995 act is longer than for those sentenced under the old law.

TABLE 5.5  
AVERAGE AND MEDIAN MINIMUM SENTENCE (IN MONTHS)  
BY FELONY CLASS CATEGORY AND BY 1ST OR 2ND FELONY OFFENDER STATUS; 1999 NEW COURT COMMITMENTS

FELONY CLASS	first felony offender			second felony offender			persist felony offender			TOTAL		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
A-I FELONY	347	310.5	300.0	0	.	.	0	.	.	347	310.5	300.0
A-II FELONY	692	55.9	48.0	40	80.3	72.0	1	36.0	36.0	733	57.2	48.0
CLASS B FELONY	2756	44.2	35.5	1325	92.5	61.0	45	330.3	240.0	4126	62.8	51.0
CLASS C FELONY	1689	32.9	30.0	2183	49.7	42.0	52	227.6	192.0	3924	44.8	36.0
CLASS D FELONY	2383	23.3	21.0	3803	31.3	30.0	65	154.6	144.0	6251	29.5	24.0
CLASS E FELONY	1176	15.2	12.0	2029	20.1	18.0	20	82.9	60.0	3225	18.7	18.0
YOUTHFUL OFFENDER	557	14.5	12.0	0	.	.	0	.	.	557	14.5	12.0
TOTAL	9600	42.1	24.0	9380	42.0	30.0	183	210.1	180.0	19163	43.7	30.0

TABLE 5.6 AVERAGE MINIMUM SENTENCE (IN MONTHS) BY FELONY CRIME CLASS  
AND BY FIRST OR SECOND FELONY OFFENDER STATUS; 1996-1999 NEW COURT COMMITMENTS

	1996			1997			1998			1999		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
first felony offender												
A-I FELONY	488	290.7	270.0	443	303.5	300.0	375	304.9	300.0	347	310.5	300.0
A-II FELONY	575	52.0	42.0	631	51.7	42.0	607	55.7	48.0	692	55.9	48.0
CLASS B FELONY	2820	36.5	24.0	2945	39.0	24.0	2748	41.2	30.0	2756	44.2	35.5
CLASS C FELONY	2062	26.3	24.0	1961	28.9	27.0	1813	29.5	27.0	1689	32.9	30.0
CLASS D FELONY	2086	19.6	18.0	2100	21.3	18.0	2016	21.2	18.0	2383	23.3	21.0
CLASS E FELONY	845	14.4	12.0	1085	14.9	12.0	998	14.9	12.0	1176	15.2	12.0
YOUTHFUL OFFENDER	506	14.0	12.0	518	13.8	12.0	571	14.1	12.0	557	14.5	12.0
TOTAL	9382	41.5	24.0	9683	42.0	24.0	9128	41.7	24.0	9600	42.1	24.0
second felony offender												
A-II FELONY	62	86.8	84.0	108	82.9	72.0	85	79.8	72.0	41	79.2	72.0
CLASS B FELONY	1514	91.6	66.0	1671	96.2	60.0	1481	96.9	60.0	1370	100.3	66.0
CLASS C FELONY	2893	49.2	36.0	2517	53.5	42.0	2324	54.7	42.0	2235	53.8	42.0
CLASS D FELONY	5060	31.3	30.0	4483	32.3	30.0	4225	33.4	30.0	3868	33.4	30.0
CLASS E FELONY	2281	20.1	18.0	2339	20.3	18.0	2253	20.4	18.0	2049	20.7	18.0
TOTAL	11810	41.5	30.0	11118	44.7	30.0	10368	44.8	30.0	9563	45.2	31.0
GRAND TOTAL	21192	41.5	27.0	20801	43.4	27.0	19496	43.3	27.0	19163	43.7	30.0

TABLE 5.6A  
AVERAGE MINIMUM SENTENCE (IN MONTHS) BY FELONY CLASS  
CATEGORY, BY CRIME, AND BY NEW LAW STATUS;(1ST VIOLENT FELONY CASES ONLY);  
1999 NEW COURT COMMITMENTS

FELONY CLASS	OLD LAW		1995 LAW		1998 LAW(JENNA)		TOTAL	
	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE
<b>CLASS B FELONY</b>								
ATT MURDER 2ND	5	99.2	75	80.4	28	81.9	108	81.7
MANSLAUGHTER 1ST	14	83.4	91	116.2	22	132.5	127	115.4
RAPE 1ST	3	58.7	49	87.8	25	98.8	77	90.2
ROBBERY 1ST	13	49.4	251	61.9	120	69.1	384	63.7
ASSAULT 1ST B FELONY	0	.	88	70.5	50	84.7	138	75.7
GANG ASSAULT 1ST	0	.	3	80.0	1	103.0	4	85.8
BURGLARY 1ST	1	24.0	51	69.5	17	90.8	69	74.1
ARSON 2ND	1	42.0	12	53.5	3	51.0	16	52.3
SODOMY 1ST	11	91.3	38	116.7	27	95.0	76	105.3
AG SEX ABUSE 1ST	0	.	0	.	2	77.0	2	77.0
SEX CONDUCT CHILD 1ST	0	.	14	70.3	6	87.2	20	75.3
C POS WEAPON 1ST	0	.	0	.	1	257.0	1	257.0
USE FIREARMS 1ST	0	.	3	108.0	0	.	3	108.0
KIDNAPPING 2ND	2	100.0	5	81.6	8	86.0	15	86.4
INTIMIDATE WIT 1ST	0	.	1	120.0	0	.	1	120.0
TOTAL	50	75.0	681	78.3	310	84.5	1041	80.0
<b>CLASS C FELONY</b>								
ATT MANSLAUGHTER 1ST	1	12.0	4	59.3	0	.	5	49.8
ATT RAPE 1ST	2	32.0	12	49.3	14	49.2	28	48.0
ATT ROBBERY 1ST	1	18.0	84	32.7	87	46.9	172	39.8
ROBBERY 2ND	3	27.0	109	40.3	110	49.4	222	44.6
ATT ASSAULT 1ST B FELONY	1	12.0	44	37.2	37	42.9	82	39.5
ASSAULT 1ST	2	18.0	5	82.8	0	.	7	64.3
ATT GANG ASSAULT 1ST	0	.	1	30.0	0	.	1	30.0
GANG ASSAULT 2ND	0	.	3	34.0	1	41.0	4	35.8
ASLT POLICE/FIRE/EMT	0	.	0	.	1	36.0	1	36.0
ATT BURGLARY 1ST	0	.	7	33.9	14	40.4	21	38.2
BURGLARY 2ND	4	36.0	91	37.7	88	50.0	183	43.6
ATT ARSON 2ND	0	.	4	33.8	3	41.0	7	36.9
ATT SODOMY 1ST	1	27.0	9	40.7	10	54.4	20	46.8
AG SEX ABUSE 2ND	0	.	3	68.0	0	.	3	68.0
C POS WEAPON 2ND	2	25.0	43	44.6	24	56.0	69	48.0
SALE FIREARM 1ST	0	.	1	36.0	0	.	1	36.0
ATT KIDNAPPING 2ND	0	.	4	36.0	3	42.7	7	38.9
TOTAL	17	26.1	424	39.2	392	48.4	833	43.3
<b>CLASS D FELONY</b>								
ATT ROBBERY 2ND	17	15.5	125	23.0	201	25.8	343	24.2
ATT ASSAULT 1ST	0	.	1	18.0	0	.	1	18.0
ASSAULT 2ND	16	19.6	143	25.6	113	32.3	272	28.0
ATT GANG ASSAULT 2ND	0	.	0	.	1	21.0	1	21.0
ATT ASLT POLICE/FIRE/EMT	0	.	1	18.0	0	.	1	18.0
ATT BURGLARY 2ND	20	14.6	64	23.2	81	27.8	165	24.4
SEXUAL ABUSE 1ST	28	26.0	98	27.5	44	35.6	170	29.4
SEX CONDUCT CHILD 2ND	0	.	9	46.7	2	31.0	11	43.8
C POS WEAPON 3RD	10	12.8	48	27.8	44	28.3	102	26.5
ATT C POS WEAP 2ND	0	.	10	21.6	11	25.5	21	23.7
ATT USE FIREARM2ND	0	.	0	.	1	31.0	1	31.0
SALE FIREARM 2ND	0	.	2	36.0	0	.	2	36.0
TOTAL	91	19.0	501	25.5	498	28.7	1090	26.4
<b>CLASS E FELONY</b>								
ATT C POS WEAP 3RD	1	16.0	4	21.0	25	19.1	30	19.2
TOTAL	1	16.0	4	21.0	25	19.1	30	19.2
GRAND TOTAL	159	37.3	1610	51.5	1225	48.9	2994	49.7

## **1995 Sentencing Reform Act - Determinate Sentences for Second Violent Felons**

Under the 1995 Sentencing Reform Act second felony offenders convicted of a violent felony must receive a determinate sentence fixed by the judge. The inmate can earn good time credit for up to 1/7 of the determinate sentence. Under the prior law, second violent felons were required to serve a minimum term set at one-half the maximum sentence. Table 5.6B shows the average minimum sentence for second felony offenders convicted of a violent felony under the new law (commitment crime after October 1, 1995). For example, among second violent felons convicted of Robbery 1st, the average minimum term for new law cases was 138 months. Old law cases of Robbery 1<sup>st</sup> received 99 months on average.

For class B second violent felons (new law cases), the average minimum term was 151 months. (See Table 5.6B). For Class C second violent felons, the average minimum term was 78 months, and for class D second violent felons the average minimum term was 45 months.

Sentence length increases due to the 1995 Sentencing Reform Act account, in part, for the overall increase in average minimum sentence length for violent felons committed in 1999 compared with violent felons committed in earlier years. These shifts are seen in table 5.7 below.

### **Trends in Average Minimum Sentence by Violent and Second Felony Offender Status**

In Table 5.7 the data are broken out by felony class category, violent or nonviolent offense, and first or second felony offender status. Numerous increases in the average minimum sentences occurred from 1996 to 1999.

Among first violent felony offenders convicted of class B, C, D or E felonies, the average minimum sentence increased between 1996 and 1999. For example, among class B first violent felons, the average minimum was 61 months in 1996 but rises to 80 months in 1999. Among non-violent first felons there is only a slight increase in average minimum sentence for class B, C, D and E felons.

Among second violent felons, average minimum sentence increased steadily from 73 months in 1996 to 90 months in 1999. Again, for a second felony offender convicted of a class B violent felony, average minimum sentence increased from 134 months in 1996 to 164 months in 1999. The largest year to year change occurs between 1996 and 1997 and results largely from the sentence length increases in the Sentencing Reform Act of 1995.

Among non-violent second felons the average minimum sentence within each felony class category also has remained stable over the four year period.



TABLE 5.6B  
AVERAGE AND MEDIAN MINIMUM SENTENCE (IN MONTHS) BY FELONY CLASS  
CATEGORY, BY CRIME, AND BY NEW LAW STATUS; (2ND VIOLENT FELONY CASES ONLY);  
1999 NEW COURT COMMITMENTS

FELONY CLASS	OLD LAW			1995 LAW			TOTAL		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
<b>CLASS B FELONY</b>									
ATT MURDER 2ND	7	104.6	72.0	44	161.7	141.0	51	153.9	138.0
MANSLAUGHTER 1ST	11	110.2	108.0	32	154.8	149.0	43	143.4	123.0
RAPE 1ST	4	139.5	111.0	33	195.4	154.0	37	189.4	154.0
ROBBERY 1ST	11	99.3	96.0	209	138.2	123.0	220	136.3	123.0
ASSAULT 1ST B FELONY	0	.	.	46	136.7	123.0	46	136.7	123.0
GANG ASSAULT 1ST	0	.	.	1	82.0	82.0	1	82.0	82.0
BURGLARY 1ST	1	48.0	48.0	35	166.6	133.0	36	163.3	130.5
ARSON 2ND	0	.	.	6	124.8	118.0	6	124.8	118.0
SODOMY 1ST	6	132.0	102.0	20	208.9	162.0	26	191.2	154.0
AG SEX ABUSE 1ST	0	.	.	1	154.0	154.0	1	154.0	154.0
SEX CONDUCT CHILD 1ST	1	60.0	60.0	2	113.0	113.0	3	95.3	103.0
USE FIREAMS 1ST	1	96.0	96.0	2	144.0	144.0	3	128.0	96.0
KIDNAPPING 2ND	1	48.0	48.0	4	140.8	128.0	5	122.2	102.0
TOTAL	43	107.9	96.0	435	151.2	123.0	478	147.3	123.0
<b>CLASS C FELONY</b>									
ATT MANSLAUGHTER 1ST	1	36.0	36.0	2	64.0	64.0	3	54.7	56.0
ATT RAPE 1ST	2	28.5	28.5	18	98.9	72.0	20	91.8	72.0
ATT ROBBERY 1ST	3	60.0	60.0	100	71.4	72.0	103	71.1	72.0
ROBBERY 2ND	2	135.0	135.0	157	80.0	72.0	159	80.7	72.0
ATT ASSAULT 1ST B FELONY	1	90.0	90.0	27	75.0	72.0	28	75.6	72.0
ASSAULT 1ST	0	.	.	6	78.5	82.0	6	78.5	82.0
ATT AG ASSAULT POLICE	0	.	.	3	85.7	72.0	3	85.7	72.0
ATT BURGLARY 1ST	0	.	.	9	77.4	82.0	9	77.4	82.0
BURGLARY 2ND	4	48.0	48.0	189	76.2	72.0	193	75.6	72.0
ATT ARSON 2ND	0	.	.	5	63.6	72.0	5	63.6	72.0
ATT SODOMY 1ST	4	52.5	51.0	3	99.3	93.0	7	72.6	60.0
AG SEX ABUSE 2ND	0	.	.	1	103.0	103.0	1	103.0	103.0
ATT SEX CONDUCT CHILD 1ST	0	.	.	1	51.0	51.0	1	51.0	51.0
C POS WEAPON 2ND	5	79.2	90.0	33	81.5	72.0	38	81.2	72.0
ATT KIDNAPPING 2ND	0	.	.	4	87.3	77.0	4	87.3	77.0
TOTAL	22	65.0	57.0	558	77.5	72.0	580	77.1	72.0
<b>CLASS D FELONY</b>									
ATT ROBBERY 2ND	2	45.0	45.0	216	43.4	41.0	218	43.4	41.0
ATT ASSAULT 1ST	0	.	.	1	62.0	62.0	1	62.0	62.0
ASSAULT 2ND	8	28.5	24.0	172	48.2	51.0	180	47.3	51.0
ATT GANG ASSAULT 2ND	0	.	.	1	31.0	31.0	1	31.0	31.0
ATT ASLT POLICE/FIRE/EMT	0	.	.	1	41.0	41.0	1	41.0	41.0
ATT BURGLARY 2ND	3	29.0	30.0	168	41.5	41.0	171	41.3	41.0
SEXUAL ABUSE 1ST	7	28.3	30.0	45	54.9	51.0	52	51.3	51.0
ATT AG SEX ABU 2ND	0	.	.	1	51.0	51.0	1	51.0	51.0
SEX CONDUCT CHILD 2ND	1	18.0	18.0	1	51.0	51.0	2	34.5	34.5
C POS WEAPON 3RD	6	33.0	27.0	100	45.6	51.0	106	44.8	51.0
ATT C POS WEAP 2ND	0	.	.	17	41.3	41.0	17	41.3	41.0
TOTAL	27	30.3	30.0	723	45.1	41.0	750	44.5	41.0
<b>CLASS E FELONY</b>									
ATT SEX CONDUCT CHILD 2ND	0	.	.	1	21.0	21.0	1	21.0	21.0
ATT C POS WEAP 3RD	5	20.4	18.0	110	28.4	30.0	115	28.0	30.0
TOTAL	5	20.4	18.0	111	28.3	30.0	116	28.0	30.0
GRAND TOTAL	97	72.1	54.0	1827	79.2	61.0	1924	78.9	61.0

TABLE 5.7 AVERAGE MINIMUM SENTENCE (IN MONTHS) BY FELONY CLASS, VIOLENT FELONY STATUS, AND BY FIRST OR SECOND FELONY OFFENDER STATUS; 1996-1999 NEW COURT COMMITMENTS

	1996			1997			1998			1999		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
FIRST FELONY												
VIOLENT FELONY												
A-I FELONY	395	323.3	300.0	381	328.4	300.0	322	323.5	300.0	299	326.8	300.0
CLASS B FELONY	1081	61.5	48.0	1125	67.3	54.0	1024	73.0	54.0	1041	80.0	60.0
CLASS C FELONY	1023	27.0	27.0	894	37.8	30.0	853	38.3	30.0	833	43.3	36.0
CLASS D FELONY	999	19.8	18.0	965	22.5	18.0	924	23.0	18.0	1090	26.4	21.0
CLASS E FELONY	13	21.7	16.0	18	15.6	12.0	14	17.4	18.0	30	19.2	18.0
TOTAL	3511	70.3	30.0	3383	75.8	36.0	3137	74.2	36.0	3293	74.5	36.0
NON-VIOLENT FELONY												
A-I FELONY	93	152.5	180.0	62	150.7	180.0	53	192.1	180.0	48	210.0	180.0
A-II FELONY	575	52.0	42.0	631	51.7	42.0	607	55.7	48.0	692	55.9	48.0
CLASS B FELONY	1739	21.0	12.0	1820	21.5	12.0	1724	22.4	12.0	1715	22.4	16.0
CLASS C FELONY	1039	20.6	16.0	1067	21.4	16.0	960	21.6	12.0	856	22.8	16.0
CLASS D FELONY	1087	19.4	18.0	1135	20.3	18.0	1092	19.7	18.0	1293	20.7	18.0
CLASS E FELONY	832	14.2	12.0	1067	14.9	12.0	984	14.9	12.0	1146	15.1	12.0
YOUTHFUL OFFENDER	506	14.0	12.0	518	13.8	12.0	571	14.1	12.0	557	14.5	12.0
TOTAL	5871	24.2	16.0	6300	23.8	16.0	5991	24.6	16.0	6307	25.2	16.0
SECOND FELONY												
VIOLENT FELONY												
CLASS B FELONY	608	134.2	120.0	585	158.2	120.0	488	169.7	123.0	521	163.5	123.0
CLASS C FELONY	867	73.8	60.0	766	86.3	72.0	689	91.6	72.0	627	89.5	72.0
CLASS D FELONY	1046	42.9	36.0	930	48.3	42.0	917	51.9	51.0	801	51.9	51.0
CLASS E FELONY	153	24.5	24.0	163	26.8	24.0	162	29.3	30.0	127	30.1	30.0
TOTAL	2674	72.6	51.0	2444	85.1	61.0	2256	87.9	62.0	2076	89.9	62.0
NON-VIOLENT FELONY												
A-II FELONY	62	86.8	84.0	108	82.9	72.0	85	79.8	72.0	41	79.2	72.0
CLASS B FELONY	906	63.0	54.0	1086	62.8	54.0	993	61.2	54.0	849	61.6	54.0
CLASS C FELONY	2026	38.6	36.0	1751	39.1	36.0	1635	39.2	36.0	1608	39.9	36.0
CLASS D FELONY	4014	28.2	24.0	3553	28.1	24.0	3308	28.2	24.0	3067	28.5	24.0
CLASS E FELONY	2128	19.8	18.0	2176	19.8	18.0	2091	19.7	18.0	1922	20.1	18.0
TOTAL	9136	32.4	30.0	8674	33.3	30.0	8112	32.8	24.0	7487	32.8	30.0
GRAND TOTAL	21192	41.5	27.0	20801	43.4	27.0	19496	43.3	27.0	19163	43.7	30.0

## Maximum Sentence Length

A cross tabulation of commitment crime by maximum sentence is presented in Table 5.8.

Persons committed for violent felony offenses were more likely (36%) to be given a maximum sentence of eight years (96 months) or longer when compared with drug (25%) or property offenders (4%). Eight percent of violent felony offenders received a Life maximum sentence (see Table 5.8). Nine percent of drug offenders received a Life maximum sentence.

Table 5.9 shows average and median maximum sentence length by crime and second felony offender status. A Life sentence has been treated as 25 years. For commitments with a sentence of "Life With No Parole" the maximum sentence is treated as 45 years (540 months). For death penalty cases the maximum is treated as missing in tables where average and median maximum sentence length is presented.

For 1999 new court commitments the average maximum sentence was 85 months, the median 60 months. The average maximum sentence for a first felony offender was 94 months (median 54 months). The average for second felony offenders was 72 months. This is somewhat lower than the average for first felony offenders (94.2 months) because the second felony group had a higher concentration of the lower level Class D and E felony commitments than in the first felony offender group (see Table 5.7).

TABLE 5.0 CRIME BY MAXIMUM SENTENCE; 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	24-35 MONTHS	36-47 MONTHS	48-59 MONTHS	60-95 MONTHS	96-179 MONTHS	180 & + MONTHS	LIFE MAX	LIFE, NO PAROLE	DEATH	TOTAL
<b>VIOLENT FELONY</b>										
MURDER	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	251 89.6%	25 8.9%	4 1.4%	280 100.0%
ATTEMPTED MURDER	0 .0%	0 .0%	0 .0%	43 25.4%	57 34.9%	57 33.7%	10 5.9%	0 .0%	0 .0%	169 100.0%
MANSLAUGHTER 1ST	0 .0%	1 .6%	1 .6%	13 7.3%	47 26.3%	116 64.8%	1 .6%	0 .0%	0 .0%	179 100.0%
RAPE 1ST	0 .0%	7 4.2%	4 2.4%	48 28.9%	53 31.9%	50 30.1%	4 2.4%	0 .0%	0 .0%	166 100.0%
ROBBERY 1ST	0 .0%	45 4.9%	69 7.6%	336 36.9%	291 32.0%	139 15.3%	30 3.3%	0 .0%	0 .0%	910 100.0%
ROBBERY 2ND	145 14.9%	266 27.4%	134 13.8%	293 30.2%	88 9.1%	17 1.8%	28 2.9%	0 .0%	0 .0%	971 100.0%
ASSAULT 1ST	0 .0%	17 5.3%	41 12.7%	107 33.1%	100 31.0%	53 16.4%	5 1.5%	0 .0%	0 .0%	323 100.0%
ASSAULT 2ND	55 11.7%	167 35.5%	85 10.0%	140 29.7%	13 2.8%	1 .2%	10 2.1%	0 .0%	0 .0%	471 100.0%
BURGLARY 1ST	0 .0%	8 5.8%	7 5.1%	36 26.1%	54 39.1%	31 22.5%	2 1.4%	0 .0%	0 .0%	138 100.0%
BURGLARY 2ND	47 6.2%	188 25.0%	119 15.8%	254 33.7%	91 12.1%	13 1.7%	41 5.4%	0 .0%	0 .0%	753 100.0%
ARSON 1ST, 2ND	0 .0%	2 5.7%	1 2.9%	18 51.4%	10 28.6%	3 8.6%	1 2.9%	0 .0%	0 .0%	35 100.0%
SODOMY 1ST	0 .0%	4 3.0%	6 4.5%	25 18.9%	46 34.8%	48 36.4%	3 2.3%	0 .0%	0 .0%	132 100.0%
SEX AB-1ST, Ag. 2	17 6.3%	69 25.7%	54 20.1%	90 33.6%	26 9.7%	12 4.5%	0 .0%	0 .0%	0 .0%	260 100.0%
WEAPONS OFFENSES	92 17.8%	161 31.2%	68 13.2%	124 24.0%	34 6.6%	17 3.3%	20 3.9%	0 .0%	0 .0%	516 100.0%
KIDNAPPING 1ST, 2ND	0 .0%	1 2.6%	3 7.9%	8 21.1%	12 31.6%	7 18.4%	7 18.4%	0 .0%	0 .0%	38 100.0%
CONSPIRACY 1ST	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	6 100.0%	0 .0%	0 .0%	6 100.0%
OTHER VIOLENT FELONIES	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	1 100.0%	0 .0%	0 .0%	0 .0%	1 100.0%
SUBTOTAL	356 6.6%	936 17.5%	592 11.1%	1535 28.7%	924 17.3%	565 10.5%	7.6%	.5%	.1%	100.0%
<b>OTHER COERCIVE</b>										
MANSLAUGHTER 2ND	0 .0%	5 6.8%	4 5.5%	16 21.9%	28 38.4%	19 26.0%	1 1.4%	0 .0%	0 .0%	73 100.0%
OTHER HOMICIDE	0 .0%	10 22.2%	21 46.7%	11 24.4%	2 4.4%	1 2.2%	0 .0%	0 .0%	0 .0%	45 100.0%
ROBBERY 3RD	0 .0%	181 38.0%	149 31.3%	129 27.1%	13 2.7%	1 .2%	3 .6%	0 .0%	0 .0%	476 100.0%
ATT ASSAULT 2ND	0 .0%	134 69.8%	52 27.1%	5 2.4%	1 .5%	0 .0%	0 .0%	0 .0%	0 .0%	192 100.0%
CONSPIRACY 2,3,4	0 .0%	23 16.4%	25 17.9%	33 23.6%	38 27.1%	21 15.0%	0 .0%	0 .0%	0 .0%	140 100.0%
OTHER WEAPONS	0 .0%	67 38.5%	59 33.9%	30 21.0%	5 2.9%	0 .0%	5 2.9%	0 .0%	0 .0%	174 100.0%
OTHER SEX OFFENSES	0 .0%	118 45.4%	65 25.0%	58 19.2%	20 7.7%	7 2.7%	0 .0%	0 .0%	0 .0%	260 100.0%
OTHER COERCIVE	1 .5%	66 33.8%	66 33.8%	46 23.6%	10 5.1%	6 3.1%	0 .0%	0 .0%	0 .0%	195 100.0%
SUBTOTAL	1 .1%	604 38.8%	441 28.4%	328 21.1%	117 7.5%	55 3.5%	9 .6%	0 .0%	0 .0%	1555 100.0%
<b>DRUG OFFENSES</b>										
DRUG SALE	0 .0%	1306 21.4%	1246 20.4%	2194 36.0%	962 15.8%	71 1.2%	319 5.2%	0 .0%	0 .0%	6098 100.0%
DRUG POSSESSION	0 .0%	568 23.4%	460 19.0%	596 24.6%	315 13.0%	35 1.4%	449 18.5%	0 .0%	0 .0%	2423 100.0%
SUBTOTAL	0 .0%	1874 22.0%	1706 20.0%	2790 32.7%	1277 15.0%	106 1.2%	768 9.0%	0 .0%	0 .0%	8521 100.0%
<b>PROPERTY AND OTHER OFFENSES</b>										
BURGLARY 3RD	0 .0%	317 35.1%	305 33.8%	253 28.0%	23 2.5%	2 .2%	2 .2%	0 .0%	0 .0%	902 100.0%
GRAND LARCENY	0 .0%	330 53.3%	183 29.6%	69 11.1%	28 4.5%	8 1.3%	1 .2%	0 .0%	0 .0%	619 100.0%
FORGERY	0 .0%	118 37.6%	103 32.8%	77 24.5%	13 4.1%	1 .3%	2 .6%	0 .0%	0 .0%	314 100.0%
STOLEN PROPERTY	0 .0%	173 57.7%	83 27.7%	34 11.3%	7 2.3%	1 .3%	2 .7%	0 .0%	0 .0%	300 100.0%
DRIVE INTOXICATED	0 .0%	312 58.4%	156 29.2%	58 10.9%	7 1.3%	0 .0%	2 .2%	0 .0%	0 .0%	534 100.0%
ALL OTHER FELONIES	0 .0%	256 56.4%	130 28.6%	43 9.5%	21 4.6%	4 .9%	0 .0%	0 .0%	0 .0%	454 100.0%
SUBTOTAL	0 .0%	1506 48.2%	960 30.7%	534 17.1%	99 3.2%	16 .5%	8 .3%	0 .0%	0 .0%	3123 100.0%
<b>YOUTHFUL/JUVENILE</b>										
YOUTHFUL OFFENDER	1 .2%	319 57.3%	219 39.3%	10 1.8%	8 1.4%	0 .0%	0 .0%	0 .0%	0 .0%	557 100.0%
JUVENILE OFFENDER	0 .0%	2 5.1%	5 12.8%	11 28.2%	14 35.9%	2 5.1%	5 12.8%	0 .0%	0 .0%	39 100.0%
SUBTOTAL	1 .2%	321 53.9%	224 37.6%	21 3.5%	22 3.7%	2 .3%	5 .8%	0 .0%	0 .0%	596 100.0%
GRAND TOTAL	358 1.9%	5241 27.4%	3923 20.5%	5208 27.2%	2439 12.7%	744 3.9%	1209 6.3%	25 .1%	4 .0%	19151 100.0%

TABLE 5.03 CRIME BY MAXIMUM SENTENCE (COL. PCTS.)  
1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	24-35 MONTHS	36-47 MONTHS	48-59 MONTHS	60-95 MONTHS	96-179 MONTHS	180 & + MONTHS	LIFE MAX	LIFE, NO PARDON	DEATH	TOTAL
<b>VIOLENT FELONY</b>										
MURDER	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	251 20.8%	25 100.0%	4 100.0%	280 1.5%
ATTEMPTED MURDER	0 .0%	0 .0%	0 .0%	43 .8%	59 2.4%	57 7.7%	10 .8%	0 .0%	0 .0%	169 .9%
MANSLAUGHTER 1ST	0 .0%	1 .0%	1 .0%	13 .2%	47 1.9%	116 15.6%	1 .1%	0 .0%	0 .0%	179 .9%
RAPE 1ST	0 .0%	7 .1%	4 .1%	48 .9%	53 2.2%	50 6.7%	4 .3%	0 .0%	0 .0%	166 .9%
ROBBERY 1ST	0 .0%	45 .9%	69 1.8%	336 6.5%	291 11.9%	139 18.7%	30 2.5%	0 .0%	0 .0%	910 4.8%
ROBBERY 2ND	145 40.5%	266 5.1%	134 3.4%	293 5.6%	88 3.6%	17 2.3%	28 2.3%	0 .0%	0 .0%	971 5.1%
ASSAULT 1ST	0 .0%	17 .3%	41 1.0%	107 2.1%	100 4.1%	53 7.1%	5 .4%	0 .0%	0 .0%	323 1.7%
ASSAULT 2ND	55 15.4%	167 3.2%	85 2.2%	140 2.7%	13 .5%	1 .1%	10 .8%	0 .0%	0 .0%	471 2.5%
BURGLARY 1ST	0 .0%	8 .2%	7 .2%	36 .7%	54 2.2%	31 4.2%	2 .2%	0 .0%	0 .0%	138 .7%
BURGLARY 2ND	47 13.1%	188 3.6%	119 3.0%	254 4.9%	91 3.7%	13 1.7%	41 3.4%	0 .0%	0 .0%	753 3.9%
ARSON 1ST, 2ND	0 .0%	2 .0%	1 .0%	18 .3%	10 .4%	3 .4%	1 .1%	0 .0%	0 .0%	35 .2%
SODOMY 1ST	0 .0%	4 .1%	6 .2%	25 .5%	46 1.9%	48 6.5%	3 .2%	0 .0%	0 .0%	132 .7%
SEX AB-1ST, Ag. 2	17 4.7%	69 1.3%	54 1.4%	90 1.7%	26 1.1%	12 1.6%	0 .0%	0 .0%	0 .0%	268 1.4%
WEAPONS OFFENSES	92 25.7%	161 3.1%	68 1.7%	124 2.4%	34 1.4%	17 2.3%	20 1.7%	0 .0%	0 .0%	516 2.7%
KIDNAPPING 1ST, 2ND	0 .0%	1 .0%	3 .1%	8 .2%	12 .5%	7 .9%	7 .6%	0 .0%	0 .0%	38 .2%
CONSPIRACY 1ST	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	6 .5%	0 .0%	0 .0%	6 .0%
OTHER VIOLENT FELONIES	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	1 .1%	0 .0%	0 .0%	0 .0%	1 .0%
SUBTOTAL	356 99.4%	936 17.9%	592 15.1%	1535 29.5%	924 37.9%	565 75.9%	419 34.7%	25 100.0%	4 100.0%	5356 28.0%
<b>OTHER COERCIVE</b>										
MANSLAUGHTER 2ND	0 .0%	5 .1%	4 .1%	16 .3%	28 1.1%	19 2.6%	1 .1%	0 .0%	0 .0%	73 .4%
OTHER HOMICIDE	0 .0%	10 .2%	21 .5%	11 .2%	2 .1%	1 .1%	0 .0%	0 .0%	0 .0%	45 .2%
ROBBERY 3RD	0 .0%	181 3.5%	149 3.8%	129 2.5%	13 .5%	1 .1%	3 .2%	0 .0%	0 .0%	476 2.5%
ATT ASSAULT 2ND	0 .0%	134 2.6%	52 1.3%	5 .1%	1 .0%	0 .0%	0 .0%	0 .0%	0 .0%	192 1.0%
CONSPIRACY 2, 3, 4	0 .0%	23 .4%	25 .6%	33 .6%	38 1.6%	21 2.8%	0 .0%	0 .0%	0 .0%	140 .7%
OTHER WEAPONS	0 .0%	67 1.3%	59 1.5%	38 .7%	5 .2%	0 .0%	5 .4%	0 .0%	0 .0%	174 .9%
OTHER SEX OFFENSES	0 .0%	118 2.3%	65 1.7%	50 1.0%	20 .8%	7 .9%	0 .0%	0 .0%	0 .0%	260 1.4%
OTHER COERCIVE	1 .3%	66 1.3%	66 1.7%	46 .9%	10 .4%	6 .8%	0 .0%	0 .0%	0 .0%	195 1.0%
SUBTOTAL	1 .3%	604 11.5%	441 11.2%	328 6.3%	117 4.8%	55 7.4%	9 .7%	0 .0%	0 .0%	1555 8.1%
<b>DRUG OFFENSES</b>										
DRUG SALE	0 .0%	1306 24.9%	1246 31.8%	2194 42.1%	962 39.4%	71 9.5%	319 26.4%	0 .0%	0 .0%	6098 31.8%
DRUG POSSESSION	0 .0%	568 10.8%	460 11.7%	596 11.4%	315 12.9%	35 4.7%	449 37.1%	0 .0%	0 .0%	2423 12.7%
SUBTOTAL	0 .0%	1874 35.8%	1706 43.5%	2790 53.6%	1277 52.4%	106 14.2%	768 63.5%	0 .0%	0 .0%	8521 44.5%
<b>PROPERTY AND OTHER OFFENSES</b>										
BURGLARY 3RD	0 .0%	317 6.0%	305 7.8%	253 4.9%	23 .9%	2 .3%	2 .2%	0 .0%	0 .0%	902 4.7%
GRAND LARCENY	0 .0%	330 6.3%	183 4.7%	69 1.3%	28 1.1%	8 1.1%	1 .1%	0 .0%	0 .0%	619 3.2%
FORGERY	0 .0%	118 2.3%	103 2.6%	77 1.5%	13 .5%	1 .1%	2 .2%	0 .0%	0 .0%	314 1.6%
STOLEN PROPERTY	0 .0%	173 3.3%	83 2.1%	34 .7%	7 .3%	1 .1%	2 .2%	0 .0%	0 .0%	300 1.6%
DRIVE INTOXICATED	0 .0%	312 6.0%	156 4.0%	58 1.1%	7 .3%	0 .0%	1 .1%	0 .0%	0 .0%	534 2.8%
ALL OTHER FELONIES	0 .0%	256 4.9%	130 3.3%	43 .8%	21 .9%	4 .5%	0 .0%	0 .0%	0 .0%	454 2.4%
SUBTOTAL	0 .0%	1596 28.7%	968 24.5%	534 10.3%	99 4.1%	16 2.2%	8 .7%	0 .0%	0 .0%	3123 16.3%
<b>YOUTHFUL/JUVENILE</b>										
YOUTHFUL OFFENDER	1 .3%	319 6.1%	219 5.6%	10 .2%	8 .3%	0 .0%	0 .0%	0 .0%	0 .0%	557 2.9%
JUVENILE OFFENDER	0 .0%	2 .0%	5 .1%	11 .2%	14 .6%	2 .3%	5 .4%	0 .0%	0 .0%	39 .2%
SUBTOTAL	1 .3%	321 6.1%	224 5.7%	21 .4%	22 .9%	2 .3%	5 .4%	0 .0%	0 .0%	596 3.1%
GRAND TOTAL	358 100.0%	5241 100.0%	3923 100.0%	5208 100.0%	2439 100.0%	744 100.0%	1209 100.0%	25 100.0%	4 100.0%	19151 100.0%

TABLE 5.9 AVERAGE AND MEDIAN MAXIMUM SENTENCE (IN MONTHS) BY CRIME AND BY 1ST OR 2ND FELONY OFFENDER STATUS  
(LIFE MAXIMUM SENTENCE TREATED AS 25 YEARS); 1999 NEW COURT COMMITMENTS

	first felony offender			second felony offender			persist felony offender			TOTAL	
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE MEDIAN
<b>VIOLENT FELONY</b>											
MURDER	280	321.7	300.0	0	191.3	182.0	0	300.0	300.0	280	321.7 300.0
ATTEMPTED MURDER	113	156.6	120.0	51	182.9	180.0	5	300.0	300.0	169	171.3 144.0
MANSLAUGHTER 1ST	132	216.3	216.0	46	182.9	180.0	1	300.0	300.0	179	208.2 200.0
RAPE 1ST	105	134.8	96.0	57	190.1	126.0	4	300.0	300.0	166	157.8 120.0
ROBBERY 1ST	556	95.2	72.0	323	138.1	120.0	31	293.4	300.0	910	117.2 86.0
ROBBERY 2ND	565	49.4	42.0	377	70.0	60.0	29	291.5	300.0	971	64.6 48.0
ASSAULT 1ST	233	104.2	72.0	85	128.4	120.0	5	300.0	300.0	323	113.6 84.0
ASSAULT 2ND	279	46.4	36.0	182	56.0	60.0	10	300.0	300.0	471	55.5 48.0
BURGLARY 1ST	90	112.3	87.0	45	171.6	120.0	3	224.0	300.0	138	134.0 99.0
BURGLARY 2ND	348	54.3	48.0	344	70.1	60.0	41	300.0	300.0	753	75.3 60.0
MANSLAUGHTER 2ND	24	76.0	72.0	11	113.5	96.0	0	300.0	300.0	35	101.5 84.0
ROBBERY 1ST	96	169.0	120.0	33	219.3	180.0	3	300.0	300.0	132	184.6 138.0
SEX AB-1ST/AG.2	206	65.6	48.0	62	67.6	60.0	0	300.0	300.0	268	66.1 48.0
WEAPONS OFFENSES	230	56.2	42.0	279	53.2	42.0	20	300.0	300.0	529	63.8 42.0
KIDNAPPING 1ST,2ND	29	164.1	96.0	9	129.3	120.0	0	300.0	300.0	38	155.8 96.0
OTHER VIOLENT FELONIES	7	291.4	300.0	0	95.1	72.0	0	300.0	300.0	7	291.4 300.0
SUBTOTAL	3293	105.8	60.0	1924	95.1	72.0	152	295.5	300.0	5369	107.4 72.0
<b>OTHER COERCIVE</b>											
MANSLAUGHTER 2ND	56	122.0	108.0	16	131.6	120.0	1	300.0	300.0	73	126.6 108.0
OTHER HOMICIDE	35	60.7	48.0	10	45.6	36.0	0	300.0	300.0	45	57.3 48.0
ROBBERY 3RD	164	52.2	36.0	308	52.9	48.0	4	255.0	300.0	476	54.3 48.0
ATT ASSAULT 2ND	69	41.2	36.0	123	40.6	36.0	0	72.0	72.0	192	40.8 36.0
OTHER SEX OFFENSES	179	58.9	48.0	80	53.7	48.0	1	258.0	300.0	260	57.4 48.0
OTHER COERCIVE	265	76.5	54.0	238	59.5	48.0	6	258.0	300.0	509	70.7 48.0
SUBTOTAL	768	66.7	48.0	775	54.6	48.0	12	245.0	300.0	1555	62.0 48.0
<b>DRUG OFFENSES</b>											
DRUG SALE	2198	90.6	54.0	3895	72.6	72.0	5	127.2	108.0	6098	79.2 60.0
DRUG POSSESSION	1300	140.6	72.0	1120	72.3	60.0	3	184.0	180.0	2423	109.1 72.0
SUBTOTAL	3498	109.2	60.0	5015	72.6	60.0	8	148.5	108.0	8521	87.7 60.0
<b>PROPERTY AND OTHER OFFENSES</b>											
BURGLARY 3RD	312	53.5	48.0	588	52.6	48.0	2	300.0	300.0	902	53.5 48.0
GRAND LARCENY	212	55.5	48.0	405	46.5	36.0	2	171.0	171.0	619	50.0 36.0
FORGERY	103	54.7	48.0	207	51.8	48.0	4	189.0	210.0	314	54.5 48.0
STOLEN PROPERTY	66	47.8	36.0	232	45.3	36.0	2	300.0	300.0	300	47.6 36.0
DRIVE INTOXICATED	523	44.9	36.0	10	50.4	48.0	1	300.0	300.0	534	45.5 36.0
ALL OTHER FELONIES	230	51.2	36.0	224	45.7	36.0	0	300.0	300.0	454	48.5 36.0
SUBTOTAL	1446	50.1	36.0	1666	49.1	48.0	11	236.2	300.0	3123	50.2 48.0
<b>YOUTHFUL/JUVENILE</b>											
YOUTHFUL OFFENDER	557	42.3	36.0	0	118.5	108.0	0	300.0	300.0	557	42.3 36.0
JUVENILE OFFENDER	39	118.5	108.0	0	47.3	36.0	0	300.0	300.0	39	118.5 108.0
SUBTOTAL	596	47.3	36.0	0	94.2	54.0	0	300.0	300.0	596	47.3 36.0
GRAND TOTAL	9282	94.2	54.0	9328	71.8	60.0	183	282.2	300.0	18793	84.9 60.0

## Section 6

### PRIOR ADULT CRIMINAL RECORD

Prior adult criminal record for 1999 new court commitments is presented in Table 6.1. Persons are coded according to their most serious contact with the criminal justice system.<sup>5</sup> Among 1999 commitments 29% had served a prior prison term and an additional 31% had served a prior term in a local jail. Another 21% had a prior conviction which resulted in a sentence to probation or a fine or other non-incarcerative sentencing alternative. Seven percent had prior misdemeanor or felony arrests, but these arrests did not result in a conviction. Twelve percent had no prior arrests (see Figure 6).

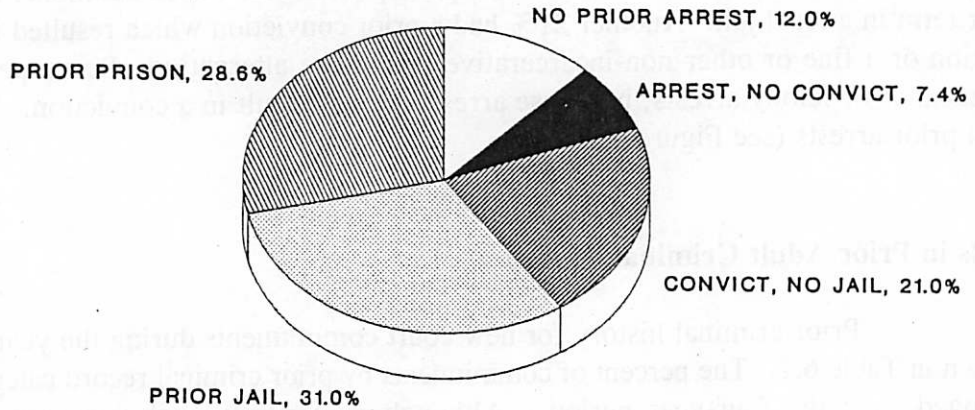
#### Trends in Prior Adult Criminal Record

Prior criminal history for new court commitments during the years 1996 to 1999 is shown in Table 6.2. The percent of commitments by prior criminal record categories is largely unchanged over the four-year period. Although numerically each category dropped. The proportion of new commitments with a prior prison term declined about two percent in the interval while the proportion new commitments with a prior jail term increased two percent in the same time period.

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<sup>5</sup> The first category shows those who have no prior felony or misdemeanor arrests. The second category contains those persons who have prior arrests but no prior convictions (i.e. charges were dismissed or defendant was acquitted or rap sheet has no further information on disposition of the charges). The third category contains those who have prior convictions but did not receive a sentence to jail (i.e., they were sentenced to probation, fined, adjourned in contemplation of dismissal, ordered to pay restitution, or other sentencing alternatives). The fourth category includes those who have prior convictions and who received a sentence that included a term in a local jail (including those who may have received a sentence of jail and then probation). The last category includes those persons who have served a prior state or federal prison term.

Figure 6  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
PRIOR CRIMINAL RECORD



CRIME BY PRIOR ADULT CRIMINAL RECORD  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

PRIOR ADULT CRIMINAL RECORD

OFFENSE ON COMMITMENT	NO PRIOR ARREST	ARREST, NO CONVICTION	CONVICTION NO JAIL	PRIOR JAIL	PRIOR PRISON	TOTAL
VIOLENT FELONY	929	571	1,167	1,407	1,295	5,369
OTHER COERCIVE	199	103	320	491	442	1,555
DRUG OFFENSES	868	489	1,723	2,776	2,665	8,521
PROPERTY OFFENSES	115	122	700	1,106	1,080	3,123
YOUTHFUL/JUVENILE OFFENDER	183	134	111	164	1	593
TOTAL	2,294	1,419	4,021	5,944	5,483	19,161
PERCENT	12.0%	7.4%	21.0%	31.0%	28.6%	100.0%



TABLE 6.1 CRIME BY PRIOR ADULT CRIMINAL RECORD; 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	NO PRIOR ARREST		NO PRIOR CONVICTIONS		CONVICTION, NO JAIL		PRIOR JAIL TERM		PRIOR PRISON TERM		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>VIOLENT FELONY</b>												
MURDER	61	21.8%	29	10.4%	63	22.5%	66	23.6%	61	21.8%	280	100.0%
ATTEMPTED MURDER	53	31.4%	21	12.4%	20	11.8%	34	20.1%	41	24.3%	169	100.0%
MANSLAUGHTER 1ST	61	34.1%	21	11.7%	41	22.9%	31	17.3%	25	14.0%	179	100.0%
RAPE 1ST	46	27.7%	27	16.3%	31	18.7%	35	21.1%	27	16.3%	166	100.0%
ROBBERY 1ST	154	16.9%	99	10.9%	203	22.3%	208	22.9%	246	27.0%	910	100.0%
ROBBERY 2ND	125	12.9%	111	11.4%	205	21.1%	288	29.7%	242	24.9%	971	100.0%
ASSAULT 1ST	82	25.4%	35	10.8%	79	24.5%	70	21.7%	57	17.6%	323	100.0%
ASSAULT 2ND	67	14.2%	45	9.6%	110	23.4%	142	30.1%	107	22.7%	471	100.0%
BURGLARY 1ST	29	21.0%	15	10.9%	36	26.1%	30	21.7%	28	20.3%	138	100.0%
BURGLARY 2ND	46	6.1%	61	8.1%	150	19.9%	257	34.1%	239	31.7%	753	100.0%
ARSON 1ST,2ND	10	28.6%	1	2.9%	6	17.1%	10	28.6%	8	22.9%	35	100.0%
SODOMY 1ST	49	37.1%	14	10.6%	26	19.7%	20	15.2%	23	17.4%	132	100.0%
SEX.AB-1ST,Ag.2	78	29.1%	43	16.0%	63	23.5%	52	19.4%	32	11.9%	268	100.0%
WEAPONS OFFENSES	54	10.2%	45	8.5%	126	23.8%	153	28.9%	151	28.5%	529	100.0%
KIDNAPPING 1ST,2ND	14	36.8%	1	2.6%	8	21.1%	9	23.7%	6	15.8%	38	100.0%
OTHER VIOLENT FELONIES	0	.0%	3	42.9%	0	.0%	2	28.6%	2	28.6%	7	100.0%
<b>SUBTOTAL</b>	<b>929</b>	<b>17.3%</b>	<b>571</b>	<b>10.6%</b>	<b>1167</b>	<b>21.7%</b>	<b>1407</b>	<b>26.2%</b>	<b>1295</b>	<b>24.1%</b>	<b>5369</b>	<b>100.0%</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	31	42.5%	12	16.4%	13	17.8%	10	13.7%	7	9.6%	73	100.0%
OTHER HOMICIDE	12	26.7%	6	13.3%	13	28.9%	11	24.4%	3	6.7%	45	100.0%
ROBBERY 3RD	23	4.8%	28	5.9%	77	16.2%	163	34.2%	185	38.9%	476	100.0%
ATT ASSAULT 2ND	8	4.2%	11	5.7%	34	17.7%	69	35.9%	70	36.5%	192	100.0%
OTHER SEX OFFENSES	60	23.1%	16	6.2%	83	31.9%	65	25.0%	36	13.8%	260	100.0%
OTHER COERCIVE	65	12.8%	30	5.9%	100	19.6%	173	34.0%	141	27.7%	509	100.0%
<b>SUBTOTAL</b>	<b>199</b>	<b>12.8%</b>	<b>103</b>	<b>6.6%</b>	<b>320</b>	<b>20.6%</b>	<b>491</b>	<b>31.6%</b>	<b>442</b>	<b>28.4%</b>	<b>1555</b>	<b>100.0%</b>
<b>DRUG OFFENSES</b>												
DRUG SALE	458	7.5%	285	4.7%	1231	20.2%	2075	34.0%	2049	33.6%	6098	100.0%
DRUG POSSESSION	410	16.9%	204	8.4%	492	20.3%	701	28.9%	616	25.4%	2423	100.0%
<b>SUBTOTAL</b>	<b>868</b>	<b>10.2%</b>	<b>489</b>	<b>5.7%</b>	<b>1723</b>	<b>20.2%</b>	<b>2776</b>	<b>32.6%</b>	<b>2665</b>	<b>31.3%</b>	<b>8521</b>	<b>100.0%</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	19	2.1%	38	4.2%	156	17.3%	311	34.5%	378	41.9%	902	100.0%
GRAND LARCENY	52	8.4%	23	3.7%	122	19.7%	189	30.5%	233	37.6%	619	100.0%
FORGERY	9	2.9%	13	4.1%	70	22.3%	108	34.4%	114	36.3%	314	100.0%
STOLEN PROPERTY	1	.3%	8	2.7%	58	19.3%	90	30.0%	143	47.7%	300	100.0%
DRIVE INTOXICATED	4	.7%	11	2.1%	183	34.3%	249	46.6%	87	16.3%	534	100.0%
ALL OTHER FELONIES	30	6.6%	29	6.4%	111	24.4%	159	35.0%	125	27.5%	454	100.0%
<b>SUBTOTAL</b>	<b>115</b>	<b>3.7%</b>	<b>122</b>	<b>3.9%</b>	<b>700</b>	<b>22.4%</b>	<b>1100</b>	<b>35.4%</b>	<b>1080</b>	<b>34.6%</b>	<b>3123</b>	<b>100.0%</b>
<b>YOUTHFUL/JUVENILE</b>												
YOUTHFUL OFFENDER	160	28.9%	130	23.5%	107	19.3%	157	28.3%	0	.0%	554	100.0%
JUVENILE OFFENDER	23	59.0%	4	10.3%	4	10.3%	7	17.9%	1	2.6%	39	100.0%
<b>SUBTOTAL</b>	<b>183</b>	<b>30.9%</b>	<b>134</b>	<b>22.6%</b>	<b>111</b>	<b>18.7%</b>	<b>164</b>	<b>27.7%</b>	<b>1</b>	<b>.2%</b>	<b>593</b>	<b>100.0%</b>
<b>GRAND TOTAL</b>	<b>2294</b>	<b>12.0%</b>	<b>1419</b>	<b>7.4%</b>	<b>4021</b>	<b>21.0%</b>	<b>5944</b>	<b>31.0%</b>	<b>5483</b>	<b>28.6%</b>	<b>19161</b>	<b>100.0%</b>

TABLE 6.2  
PRIOR ADULT CRIMINAL RECORD BY YEAR  
1996-1999 NEW COURT COMMITMENTS

PRIOR CRIMINAL RECORD	1996	1997	1998	1999
NO PRIOR ARREST	2806 13.2%	2729 13.1%	2283 11.7%	2294 12.0%
NO PRIOR CONVICTION	1600 7.6%	1456 7.0%	1458 7.5%	1419 7.4%
CONVICTION NO JAIL	4196 19.8%	4292 20.6%	4032 20.7%	4021 21.0%
PRIOR JAIL TERM	6140 29.0%	6057 29.1%	5849 30.0%	5944 31.0%
PRIOR PRISON TERM	6450 30.4%	6269 30.1%	5875 30.1%	5486 28.6%
TOTAL	21192 100.0%	20803 100.0%	19497 100.0%	19164 100.0%

## Section 7

### DRUG COMMITMENTS

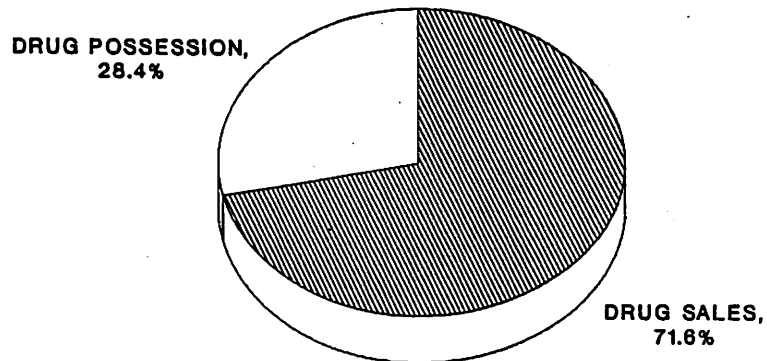
The number of drug offenders committed to state prison decreased each year between 1996 (N=9,842) and 1999 (N=8,521) (see Table 7.1). However, the decline did not occur in all felony class categories. Class A-II drug offenders committed to state prison rose between 1996 (N=637) and 1999 (N=733). Class B drug commitments fell slightly from 2,472 in 1996 to 2,413 in 1999. Class C drug offenders fell from 2,875 in 1996 to 2,273 in 1999 and Class D drug offenders fell from 3,199 in 1996 to 2,469 in 1999. In general, drug offenders committed to state prison in 1999 were more likely to be committed for a class A drug felony and less likely to be committed for a Class C or Class D felony than were drug offenders received in 1996. It should be noted the 1995 Sentencing Laws called for the creation of the Willard Drug Treatment Campus. This program provided an alternative sentencing option for second felony class D and class E non-violent, addicted offenders. The Drug Treatment Campus opened in September 1995. Therefore, 1999 data represent the fourth year in which judges had an option to divert second felony offenders from prison.

Among drug commitments there has been a decrease both numerically and in the percent that were sentenced as second felony offenders. In 1996, 64 % (N=6,340) were sentenced as second felons but by 1999, 59 % (N=5,023) of drug offenders were sentenced as second felons (see Table 7.2).

In 1999, 84% of the Class D and 89% of E drug commitments were sentenced as second felony offenders, compared with 68% of Class C drug commitments and 35% of Class B drug commitments (see Table 7.3). The lower Class D and E felony categories have a higher concentration of second felony offenders than do the Class B and Class C groups.

All Class A-1 drug offenders are placed in the first felony group. Since the A-1 category already carries the most severe sentence (15 years to life) there is no need to provide enhanced penalties for second offenders who commit a Class A-1 drug felony. Even though they are sentenced as first felony offenders, Class A-1 offenders may have prior felony convictions. Of the 41 Class A-1 drug offenders received in 1999, 36 % have a prior felony convictions.

Figure 7  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
DRUG OFFENSES



FELONY CLASS BY DRUG SALE OR POSSESSION  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

FELONY CLASS	DRUG SALE	DRUG POSSESSION	TOTAL
CLASS A-I	20	21	41
CLASS A-II	301	432	733
CLASS B	1,764	649	2,413
CLASS C	1,837	436	2,273
CLASS D	1,796	673	2,469
CLASS E	380	212	592
TOTAL	6,098	2,423	8,521
PERCENT	71.6%	28.4%	100.0%

TABLE 7.1  
DRUG CRIMES BY FELONY CLASS CATEGORY AND YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY OF DRUG OFFENSE	1996		1997		1998		1999	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
A-I FELONY	62	.6%	55	.6%	45	.5%	41	.5%
A-II FELONY	637	6.5%	739	7.5%	692	7.6%	733	8.6%
CLASS B FELONY	2472	25.1%	2827	28.8%	2605	28.7%	2413	28.3%
CLASS C FELONY	2875	29.2%	2613	26.7%	2402	26.4%	2273	26.7%
CLASS D FELONY	3199	32.5%	2889	29.5%	2669	29.4%	2469	29.0%
CLASS E FELONY	597	6.1%	680	6.9%	669	7.4%	592	6.9%
TOTAL	9842	100.0%	9803	100.0%	9082	100.0%	8521	100.0%

TABLE 7.2  
DRUG CRIMES BY FELONY CLASS CATEGORY,  
FIRST OR SECOND FELONY OFFENDER STATUS AND YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	1996		1997		1998		1999	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
first felony offender								
A-I FELONY	62	.6%	55	.6%	45	.5%	41	.5%
A-II FELONY	575	5.8%	631	6.4%	607	6.7%	692	8.1%
CLASS B FELONY	1587	16.1%	1753	17.9%	1625	17.9%	1577	18.5%
CLASS C FELONY	889	9.0%	907	9.3%	810	8.9%	722	8.5%
CLASS D FELONY	356	3.6%	411	4.2%	342	3.8%	403	4.7%
CLASS E FELONY	33	.3%	53	.5%	55	.6%	63	.7%
TOTAL	3502	35.6%	3810	38.9%	3484	38.4%	3498	41.1%
second felony offender								
A-II FELONY	62	.6%	108	1.1%	85	.9%	41	.5%
CLASS B FELONY	885	9.0%	1074	11.0%	980	10.8%	836	9.8%
CLASS C FELONY	1986	20.2%	1706	17.4%	1592	17.5%	1551	18.2%
CLASS D FELONY	2843	28.9%	2478	25.3%	2327	25.6%	2066	24.2%
CLASS E FELONY	564	5.7%	627	6.4%	614	6.8%	529	6.2%
TOTAL	6340	64.4%	5993	61.1%	5598	61.6%	5023	58.9%
GRAND TOTAL	9842	100.0%	9803	100.0%	9082	100.0%	8521	100.0%

TABLE 7.3  
SECOND FELONY OFFENDER STATUS BY FELONY CLASS CATEGORY  
AND YEAR RECEIVED AMONG DRUG CRIME COMMITMENTS  
1996-1999 NEW COURT COMMITMENTS

SECOND FELONY OFFENDER STATUS	A-I		FELONY		A-II		FELONY		CLASS B FELONY		CLASS C FELONY		CLASS D FELONY		CLASS E FELONY	
	NUMBER	Count Percent	NUMBER	Count Percent	NUMBER	Count Percent	NUMBER	Count Percent	NUMBER	Count Percent	NUMBER	Count Percent	NUMBER	Count Percent	NUMBER	Count Percent
1996																
first felony offender	62	100.0%	575	90.3%	1587	64.2%	889	30.9%	356	11.1%	33	5.5%				
second felony offender	0	.0%	62	9.7%	885	35.8%	1986	69.1%	2843	88.9%	564	94.5%				
TOTAL	62	100.0%	637	100.0%	2472	100.0%	2875	100.0%	3199	100.0%	597	100.0%				
1997																
first felony offender	55	100.0%	631	85.4%	1753	62.0%	907	34.7%	411	14.2%	53	7.8%				
second felony offender	0	.0%	108	14.6%	1074	38.0%	1706	65.3%	2478	85.8%	627	92.2%				
TOTAL	55	100.0%	739	100.0%	2827	100.0%	2613	100.0%	2889	100.0%	680	100.0%				
1998																
first felony offender	45	100.0%	607	87.7%	1625	62.4%	810	33.7%	342	12.8%	55	8.2%				
second felony offender	0	.0%	85	12.3%	980	37.6%	1592	66.3%	2327	87.2%	614	91.8%				
TOTAL	45	100.0%	692	100.0%	2605	100.0%	2402	100.0%	2669	100.0%	669	100.0%				
1999																
first felony offender	41	100.0%	692	94.4%	1577	65.4%	722	31.8%	403	16.3%	63	10.6%				
second felony offender	0	.0%	41	5.6%	836	34.6%	1551	68.2%	2066	83.7%	529	89.4%				
TOTAL	41	100.0%	733	100.0%	2413	100.0%	2273	100.0%	2469	100.0%	592	100.0%				
GRAND TOTAL	203	100.0%	2801	100.0%	10317	100.0%	10163	100.0%	11226	100.0%	2538	100.0%				

### **Trends in Drug Commitments by Possession or Sale**

Of those committed to state prison for a drug offense the large majority are commitments for drug sale, outnumbering those for drug possession by more than 2 to 1 (see Table 7.4 and Figure 7).

Since 1996 the percent of drug commitments to state prison who were convicted of drug sale declined slightly from 76% of total drug commitments in 1996 (N=7,447) to 72% of drug commitments in 1999 (N=6,098).

### **Trends in Drug Commitments by Region**

Drug commitments to state prison declined in New York City. (See Table 7.5, counties that fall into each specific region are listed in Table 11.1) One pattern that was constant over the period 1996 to 1999 was that the majority of Upstate drug commitments were first felony offenders whereas the majority of Downstate drug commitments were second felony offenders.

Table 7.6 shows felony crime class and second felony offender status for drug commitments over the period 1996 to 1999. In this table the five New York City counties are shown separately.

TABLE 7.4  
TYPE OF DRUG CRIME AND FELONY CLASS CATEGORY BY YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	1996		1997		1998		1999	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
SALE								
A-I FELONY	18	.2%	26	.3%	11	.1%	20	.2%
A-II FELONY	238	2.4%	283	2.9%	274	3.0%	301	3.5%
CLASS B FELONY	1837	18.7%	2083	21.2%	2003	22.1%	1764	20.7%
CLASS C FELONY	2432	24.7%	2169	22.1%	1934	21.3%	1837	21.6%
CLASS D FELONY	2489	25.3%	2234	22.8%	2029	22.3%	1796	21.1%
CLASS E FELONY	433	4.4%	434	4.4%	446	4.9%	380	4.5%
TOTAL	7447	75.7%	7229	73.7%	6697	73.7%	6098	71.6%
POSSESSION								
A-I FELONY	44	.4%	29	.3%	34	.4%	21	.2%
A-II FELONY	399	4.1%	456	4.7%	418	4.6%	432	5.1%
CLASS B FELONY	635	6.5%	744	7.6%	602	6.6%	649	7.6%
CLASS C FELONY	443	4.5%	444	4.5%	468	5.2%	436	5.1%
CLASS D FELONY	710	7.2%	655	6.7%	640	7.0%	673	7.9%
CLASS E FELONY	164	1.7%	246	2.5%	223	2.5%	212	2.5%
TOTAL	2395	24.3%	2574	26.3%	2385	26.3%	2423	28.4%
GRAND TOTAL	9842	100.0%	9803	100.0%	9082	100.0%	8521	100.0%





TABLE 7.6 DRUG CRIMES BY FELONY CLASS CATEGORY, 1ST OR 2ND FELONY STATUS, REGION OF THE STATE AND YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	1996								1997							
	KINGS	NEW YORK	QUEENS	RICHMOND	BROOK	SUBURBAN NEW YORK	UPSTATE URBAN	UPSTATE RURAL	KINGS	NEW YORK	QUEENS	RICHMOND	BROOK	SUBURBAN NEW YORK	UPSTATE URBAN	UPSTATE RURAL
FIRST FELONY																
A-I FELONY	10.9%	27.8%	5.6%	0.0%	1.0%	2.2%	10.1%	7.1%	12.1%	16.5%	5.6%	0.0%	6.3%	4.5%	8.1%	4.6%
A-II FELONY	41.3%	297.8%	65.7%	6.3%	19.9%	65.8%	59.8%	23.3%	45.3%	368.8%	43.3%	3.4%	38.8%	5.9%	60.8%	25.3%
CLASS B FELONY	235.2%	343.3%	163.3%	16.1%	334.3%	101.3%	180.3%	215.3%	248.3%	366.3%	248.3%	6.7%	345.3%	117.3%	295.3%	218.3%
CLASS C FELONY	112.2%	98.2%	75.2%	31.2%	347.2%	67.2%	101.2%	58.2%	120.2%	135.2%	60.2%	18.2%	311.2%	81.2%	111.2%	71.2%
CLASS D FELONY	24.2%	27.8%	3.2%	4.2%	35.2%	31.2%	107.2%	100.2%	31.2%	29.2%	15.2%	6.7%	60.2%	43.2%	94.2%	133.2%
CLASS E FELONY	0.0%	4.2%	3.2%	1.2%	2.2%	1.2%	7.2%	2.3%	3.2%	6.2%	2.2%	2.2%	8.2%	1.1%	7.2%	16.2%
TOTAL	422.3%	796.3%	339.3%	58.3%	738.3%	267.3%	464.3%	418.3%	459.3%	920.3%	373.3%	35.3%	768.3%	303.3%	485.3%	467.3%
	38.3%	23.9%	38.2%	36.5%	34.0%	33.1%	63.9%	63.0%	37.0%	29.1%	42.7%	39.3%	36.0%	36.6%	62.3%	67.3%
SECOND FELONY																
A-II FELONY	7.6%	28.8%	4.5%	1.6%	3.1%	11.4%	7.1%	1.2%	6.5%	54.1%	5.6%	0.0%	3.1%	3.3%	8.1%	5.7%
CLASS B FELONY	116.5%	309.3%	104.3%	12.3%	136.3%	75.3%	55.3%	78.3%	159.3%	325.3%	189.3%	10.3%	178.3%	73.3%	64.3%	76.3%
CLASS C FELONY	172.5%	859.3%	111.3%	40.3%	472.3%	200.3%	68.3%	64.3%	162.3%	676.3%	95.3%	29.3%	415.3%	187.3%	76.3%	111.3%
CLASS D FELONY	271.8%	1045.3%	287.3%	44.3%	750.3%	227.3%	109.3%	90.3%	286.3%	947.3%	170.3%	12.3%	687.3%	200.3%	115.3%	61.3%
CLASS E FELONY	113.3%	269.3%	43.3%	6.3%	73.3%	26.3%	23.3%	13.3%	170.3%	244.3%	42.3%	3.4%	81.3%	37.3%	31.3%	19.3%
TOTAL	679.3%	2530.3%	549.3%	101.3%	1434.3%	539.3%	262.3%	246.3%	783.3%	2246.3%	501.3%	54.3%	1364.3%	524.3%	294.3%	227.3%
	61.7%	76.1%	61.8%	63.5%	66.0%	66.9%	36.1%	37.0%	63.0%	70.9%	57.3%	60.7%	64.0%	63.4%	37.7%	32.7%
GRAND TOTAL	1101.3%	3326.3%	888.3%	159.3%	2172.3%	806.3%	726.3%	664.3%	1242.3%	3166.3%	874.3%	89.3%	2132.3%	827.3%	779.3%	694.3%
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

(continued)

TABLE 7.6 DRUG CRIMES BY FELONY CLASS CATEGORY, 1ST OR 2ND FELONY STATUS, REGION OF THE STATE AND YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	1998								1999							
	KINGS	NEW YORK	QUEENS	RICHMOND	BRONX	SUBURBAN NEW YORK	UPSTATE URBAN	UPSTATE RURAL	KINGS	NEW YORK	QUEENS	RICHMOND	BRONX	SUBURBAN NEW YORK	UPSTATE URBAN	UPSTATE RURAL
FIRST FELONY																
A-I FELONY	2 .2%	12 .4%	6 .6%	0 .0%	1 .0%	3 .4%	15 1.8%	6 .9%	8 1.2%	17 .6%	5 .9%	0 .0%	4 .2%	0 .0%	5 .6%	2 .3%
A-II FELONY	34 3.9%	329 11.5%	34 3.6%	5 5.9%	42 2.0%	55 7.1%	76 9.3%	32 5.0%	49 7.2%	373 13.4%	31 5.7%	7 6.2%	52 2.9%	85 9.2%	49 5.6%	46 5.8%
CLASS B FELONY	144 16.5%	360 12.6%	223 23.5%	10 11.8%	405 19.4%	127 16.4%	144 17.6%	212 32.9%	129 18.8%	335 12.0%	136 24.8%	13 11.5%	407 22.8%	137 14.8%	151 17.3%	269 33.7%
CLASS C FELONY	103 11.8%	99 3.5%	82 8.6%	13 15.3%	302 14.5%	44 5.7%	99 12.1%	68 10.5%	85 12.4%	90 3.2%	51 9.3%	16 14.2%	232 13.0%	55 6.0%	108 12.4%	85 10.6%
CLASS D FELONY	22 2.5%	25 .9%	8 .8%	5 5.9%	53 2.5%	37 4.8%	125 15.3%	67 10.4%	18 2.6%	31 1.1%	5 .9%	7 6.2%	56 3.1%	36 3.9%	148 16.9%	102 12.8%
CLASS E FELONY	3 .3%	3 .1%	6 .6%	2 2.4%	8 .4%	6 .8%	10 1.2%	17 2.6%	5 .7%	5 .2%	2 .4%	0 .0%	9 .5%	8 .9%	11 1.3%	23 2.9%
TOTAL	308 35.3%	828 29.0%	359 37.9%	35 41.2%	811 38.9%	272 35.1%	469 57.4%	402 62.3%	294 42.9%	851 30.5%	230 42.0%	43 38.1%	760 42.6%	321 34.7%	472 54.0%	527 66.0%
SECOND FELONY																
A-II FELONY	15 1.7%	46 1.6%	0 .0%	1 1.2%	5 .2%	8 1.0%	7 .9%	3 .5%	1 .1%	19 .7%	3 .5%	0 .0%	2 .1%	3 .3%	8 .9%	5 .6%
CLASS B FELONY	115 13.2%	246 8.6%	170 17.9%	2 2.4%	234 11.2%	88 11.4%	50 6.1%	75 11.6%	82 12.0%	233 8.3%	79 14.4%	5 4.4%	184 10.3%	86 9.3%	67 7.7%	100 12.5%
CLASS C FELONY	104 11.9%	686 24.0%	123 13.0%	22 25.9%	286 13.7%	194 25.0%	114 14.0%	63 9.8%	100 14.6%	668 23.9%	63 11.5%	32 28.3%	215 12.0%	262 28.4%	144 16.5%	67 8.4%
CLASS D FELONY	207 23.7%	823 28.8%	214 22.6%	20 23.5%	664 31.8%	181 23.4%	135 16.5%	82 12.7%	137 20.0%	809 29.0%	113 20.6%	27 23.9%	536 30.0%	207 22.4%	154 17.6%	83 10.4%
CLASS E FELONY	123 14.1%	225 7.9%	82 8.6%	5 5.9%	85 4.1%	32 4.1%	42 5.1%	20 3.1%	71 10.4%	213 7.6%	60 10.9%	6 5.3%	88 4.9%	45 4.9%	29 3.3%	17 2.1%
TOTAL	564 64.7%	2026 71.0%	589 62.1%	50 58.8%	1274 61.1%	503 64.9%	348 42.6%	243 37.7%	391 57.1%	1942 69.5%	318 58.0%	70 61.9%	1025 57.4%	603 65.3%	402 46.0%	272 34.0%
GRAND TOTAL	872 100.0%	2854 100.0%	948 100.0%	85 100.0%	2085 100.0%	775 100.0%	817 100.0%	645 100.0%	685 100.0%	2793 100.0%	548 100.0%	113 100.0%	1785 100.0%	924 100.0%	874 100.0%	799 100.0%

### **Trends in Drug Commitments by Gender**

The proportion of drug offenders who are first felons is somewhat lower for men than for women commitments. In 1999, 40% of men committed for a drug offense were 1<sup>st</sup> felons compared with 46% for women.

An increase in the four year period in the percent of drug offenders who were first felony offenders is evident among both male drug commitments (35% first felons in 1996 rising to 40% in 1999) and female drug commitments (44% sentenced as first felons in 1996 and 46% in 1999) (see Table 7.7).

### **Drug Commitments by Race/Ethnic Status**

There are important differences in commitments to prison for drug offenses according to race/ethnic status. Among Whites committed to prison in 1999, 15% were convicted of a drug offense, among African Americans 47% were committed for a drug offense, and among Hispanics 58% were committed for a drug offense (see Table 9.3).

The majority of Whites committed for drug offenses were first felony commitments (63%) in 1999 (see Table 7.8). This is different from the pattern for African American and Hispanic offenders where the majority of drug offenders were second felony offenders (65% and 55% respectively) (see Table 7.8).

TABLE 7.7  
 DRUG CRIMES BY FELONY CLASS CATEGORY, 1ST OR 2ND FELONY OFFENDER STATUS, SEX, AND YEAR RECEIVED  
 1996-1999 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	1996				1997				1998				1999			
	MALE		FEMALE		MALE		FEMALE		MALE		FEMALE		MALE		FEMALE	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
FIRST FELONY																
A-I FELONY	59	.7%	3	.3%	53	.6%	2	.2%	43	.5%	2	.2%	39	.5%	2	.2%
A-II FELONY	523	6.0%	52	4.5%	574	6.6%	57	5.0%	560	6.9%	47	4.7%	631	8.2%	61	7.0%
CLASS B FELONY	1363	15.7%	224	19.3%	1526	17.6%	227	19.9%	1430	17.7%	195	19.5%	1378	18.0%	199	22.8%
CLASS C FELONY	717	8.3%	172	14.8%	753	8.7%	154	13.5%	676	8.4%	134	13.4%	631	8.2%	91	10.4%
CLASS D FELONY	301	3.5%	55	4.7%	343	4.0%	68	6.0%	304	3.8%	38	3.8%	358	4.7%	45	5.2%
CLASS E FELONY	29	.3%	4	.3%	51	.6%	2	.2%	49	.6%	6	.6%	57	.7%	6	.7%
TOTAL	2992	34.5%	510	44.0%	3300	38.1%	510	44.7%	3062	37.9%	422	42.2%	3094	40.4%	404	46.3%
SECOND FELONY																
A-II FELONY	59	.7%	3	.3%	103	1.2%	5	.4%	84	1.0%	1	.1%	40	.5%	1	.1%
CLASS B FELONY	833	9.6%	52	4.5%	990	11.4%	84	7.4%	900	11.1%	80	8.0%	775	10.1%	61	7.0%
CLASS C FELONY	1797	20.7%	189	16.3%	1538	17.8%	168	14.7%	1440	17.6%	152	15.2%	1409	18.4%	142	16.3%
CLASS D FELONY	2507	28.9%	336	29.0%	2175	25.1%	303	26.5%	2054	25.4%	273	27.3%	1871	24.5%	195	22.4%
CLASS E FELONY	494	5.7%	70	6.0%	555	6.4%	72	6.3%	541	6.7%	73	7.3%	460	6.0%	69	7.9%
TOTAL	5690	65.5%	650	56.0%	5361	61.9%	632	55.3%	5019	62.1%	579	57.8%	4555	59.6%	468	53.7%
GRAND TOTAL	8682	100.0%	1160	100.0%	8661	100.0%	1142	100.0%	8081	100.0%	1001	100.0%	7649	100.0%	872	100.0%

TABLE 7.8  
DRUG CRIMES BY FELONY CLASS CATEGORY, 1ST OR 2ND FELONY OFFENDER STATUS,  
ETHNIC STATUS AND YEAR RECEIVED; 1996-1999 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	1996						1997					
	WHITE		AFRICAN AMERICAN		HISPANIC		WHITE		AFRICAN AMERICAN		HISPANIC	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
first felony offender												
A-I FELONY	5	.9%	20	.4%	37	.8%	5	.9%	14	.3%	35	.8%
A-II FELONY	48	8.7%	123	2.7%	392	8.5%	41	7.5%	120	2.5%	466	10.5%
CLASS B FELONY	131	23.8%	702	15.2%	737	16.1%	152	27.9%	796	16.8%	786	17.7%
CLASS C FELONY	57	10.3%	416	9.0%	409	8.9%	69	12.7%	434	9.2%	390	8.8%
CLASS D FELONY	70	12.7%	198	4.3%	88	1.9%	69	12.7%	230	4.9%	111	2.5%
CLASS E FELONY	9	1.6%	15	.3%	9	.2%	13	2.4%	30	.6%	10	.2%
TOTAL	320	58.1%	1474	31.8%	1672	36.4%	349	64.0%	1624	34.4%	1798	40.4%
second felony offender												
A-II FELONY	8	1.5%	19	.4%	35	.8%	5	.9%	31	.7%	72	1.6%
CLASS B FELONY	22	4.0%	467	10.1%	392	8.5%	31	5.7%	598	12.7%	437	9.8%
CLASS C FELONY	60	10.9%	956	20.6%	960	20.9%	59	10.8%	852	18.0%	780	17.5%
CLASS D FELONY	103	18.7%	1422	30.7%	1303	28.4%	61	11.2%	1304	27.6%	1097	24.6%
CLASS E FELONY	38	6.9%	295	6.4%	227	4.9%	40	7.3%	318	6.7%	268	6.0%
TOTAL	231	41.9%	3159	68.2%	2917	63.6%	196	36.0%	3103	65.6%	2654	59.6%
GRAND TOTAL	551	100.0%	4633	100.0%	4589	100.0%	545	100.0%	4727	100.0%	4452	100.0%

FELONY CLASS CATEGORY	1998						1999					
	WHITE		AFRICAN AMERICAN		HISPANIC		WHITE		AFRICAN AMERICAN		HISPANIC	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
first felony offender												
A-I FELONY	2	.4%	16	.3%	25	.6%	2	.4%	13	.3%	24	.7%
A-II FELONY	41	8.8%	153	3.3%	409	10.3%	54	10.0%	151	3.4%	482	13.9%
CLASS B FELONY	118	25.3%	715	15.6%	770	19.4%	141	26.1%	740	16.7%	677	19.5%
CLASS C FELONY	61	13.1%	406	8.9%	336	8.5%	63	11.6%	375	8.5%	277	8.0%
CLASS D FELONY	36	7.7%	212	4.6%	91	2.3%	67	12.4%	227	5.1%	107	3.1%
CLASS E FELONY	13	2.8%	31	.7%	11	.3%	15	2.8%	37	.8%	11	.3%
TOTAL	271	58.2%	1533	33.5%	1642	41.4%	342	63.2%	1543	34.8%	1578	45.4%
second felony offender												
A-II FELONY	3	.6%	22	.5%	60	1.5%	4	.7%	12	.3%	25	.7%
CLASS B FELONY	19	4.1%	541	11.8%	415	10.5%	33	6.1%	461	10.4%	332	9.6%
CLASS C FELONY	54	11.6%	880	19.2%	646	16.3%	58	10.7%	918	20.7%	567	16.3%
CLASS D FELONY	71	15.2%	1253	27.4%	990	25.0%	66	12.2%	1182	26.7%	805	23.2%
CLASS E FELONY	48	10.3%	352	7.7%	209	5.3%	38	7.0%	319	7.2%	167	4.8%
TOTAL	195	41.8%	3048	66.5%	2320	58.6%	199	36.8%	2892	65.2%	1896	54.6%
GRAND TOTAL	466	100.0%	4581	100.0%	3962	100.0%	541	100.0%	4435	100.0%	3474	100.0%

## Trends in Average Minimum Sentence for Drug Offenders

As the felony class category of drug commitments declined from most serious (i.e., Class A-I, Class A-II) to least serious (Class E) the average minimum sentence also declined (see Table 7.9). Further, second felony offenders received longer sentences than first felony offenders (see Table 7.10). For example, in 1999 a first felony offender convicted of a Class B drug felony received a minimum term (on average) of 21 months, but a second felony offender convicted of a Class B drug felony received a minimum term (on average) of 61 months. Examining the median minimum sentence provides a similar picture. In 1999, a Class B felon convicted as a first felony offender received a median minimum sentence of 12 months while a Class B second felony offender received a median minimum of 54 months, unchanged since 1996. (see Table 7.10)

With the exception of A-1 drug felonies where large increases were found, within each specific felony class category of first felony offenders, the average minimum sentence rose slightly across the period 1996 to 1999 (see Table 7.10). For second felony drug offenders the minimum sentences within specific class categories remained fairly stable.

The average minimum sentence for the total group of drug offenders committed in 1999 was 34 months. For first felony offenders it was 30 months and for second felony offenders 36 months. That the difference in average minimum sentences between the two groups is not greater is due to the larger number of Class D and E offenders in the second felony group (offenders with comparatively lower minimum sentences) and the higher concentration of Class A-I and A-II offenders in the first felony group (who have comparatively longer sentences).

TABLE 7.9  
DRUG CRIMES BY AVERAGE MINIMUM SENTENCE (IN MONTHS) BY FELONY CLASS CATEGORY AND YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	1996			1997			1998			1999		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
A-I FELONY	62	183.5	180.0	55	155.0	180.0	45	210.9	180.0	41	231.2	180.0
A-II FELONY	637	55.4	48.0	739	56.3	48.0	692	58.6	48.0	733	57.2	48.0
CLASS B FELONY	2472	35.5	24.0	2827	36.8	24.0	2605	36.3	27.0	2413	35.2	24.0
CLASS C FELONY	2875	32.2	36.0	2613	32.1	36.0	2402	32.4	36.0	2273	33.2	36.0
CLASS D FELONY	3199	26.2	24.0	2889	25.8	24.0	2669	25.9	24.0	2469	25.7	24.0
CLASS E FELONY	597	18.4	18.0	680	18.3	18.0	669	18.4	18.0	592	18.2	18.0
TOTAL	9842	32.7	30.0	9803	33.1	30.0	9082	33.5	30.0	8521	33.5	30.0

TABLE 7.10  
DRUG CRIMES BY AVERAGE MINIMUM SENTENCE (IN MONTHS)  
BY FELONY CRIME CLASS, 1ST OR 2ND FELONY OFFENDER STATUS, AND YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	1996			1997			1998			1999		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
first felony offender												
A-I FELONY	62	183.5	180.0	55	155.0	180.0	45	210.9	180.0	41	231.2	180.0
A-II FELONY	575	52.0	42.0	631	51.7	42.0	607	55.7	48.0	692	55.9	48.0
CLASS B FELONY	1587	20.2	12.0	1753	21.1	12.0	1625	21.8	12.0	1577	21.3	12.0
CLASS C FELONY	889	18.7	12.0	907	19.7	12.0	810	19.8	12.0	722	20.5	12.0
CLASS D FELONY	356	19.6	18.0	411	20.4	24.0	342	19.6	18.0	403	20.3	20.0
CLASS E FELONY	33	14.9	16.0	53	15.6	16.0	55	16.5	16.0	63	14.8	16.0
TOTAL	3502	27.8	18.0	3810	27.6	18.0	3484	29.4	18.0	3498	30.2	24.0
second felony offender												
A-II FELONY	62	86.8	84.0	108	82.9	72.0	85	79.8	72.0	41	79.2	72.0
CLASS B FELONY	885	62.9	54.0	1074	62.3	54.0	980	60.4	54.0	836	61.4	54.0
CLASS C FELONY	1986	38.3	36.0	1706	38.7	36.0	1592	38.8	36.0	1551	39.0	36.0
CLASS D FELONY	2843	27.1	24.0	2478	26.7	24.0	2327	26.8	24.0	2066	26.7	24.0
CLASS E FELONY	564	18.6	18.0	627	18.5	18.0	614	18.6	18.0	529	18.6	18.0
TOTAL	6340	35.4	30.0	5993	36.6	30.0	5598	36.0	30.0	5023	35.9	30.0
GRAND TOTAL	9842	32.7	30.0	9803	33.1	30.0	9082	33.5	30.0	8521	33.5	30.0



## Section 8

### GENDER

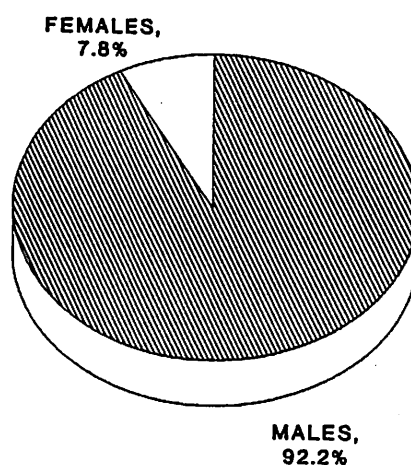
There were significant differences in the type of commitment offenses of men and women. In 1999, 29% of men were committed for a violent felony offense compared with only 16% of women (see Table 8.1). Men were also more slightly likely to be committed for other coercive offenses (8% compared with 7% for women). Equal proportions were committed for property and other offenses. On the other hand, women were considerably more likely than men to be committed to state prison for a drug offense (58% compared with 43% for men).

The proportion of women committed to state prison for a drug offense declined from 68% in 1996 to 58% in 1999. Among men the percentage was virtually stationary at 45% during the 1996-1998 period before it declined slightly to 43% in 1999.

#### Long Term Trend

Table 8.2 provides a historical view of the gender distribution of new commitments. Between 1980 and 1999 the largest number of women offenders committed to state prison were admitted in calendar year 1991 (N=2,264). In 1999 there were 1,498 women new commitments. From 1980 to 1985 women were approximately 4% of the annual pool of court commitments. Then following a transition period from 1986 to 1988, the proportion of women in the annual pool jumped in 1989 to a new plateau of approximately 8%. The proportion of women spiked to a high of 9.4% in 1991.

Figure 8  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
GENDER



CRIME BY GENDER  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

OFFENSE ON COMMITMENT	GENDER		TOTAL
	MALE	FEMALE	
VIOLENT FELONY	5,132	237	5,369
OTHER COERCIVE	1,449	106	1,555
DRUG OFFENSES	7,649	872	8,521
PROPERTY OFFENSES	2,880	243	3,123
YOUTHFUL/JUVENILE OFFENDER	556	40	596
TOTAL	17,666	1,498	19,164
PERCENT	92.2%	7.8%	100.0%

TABLE 8.1  
CRIME BY SEX AND YEAR  
1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996			1997			1998			1999		
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
<b>VIOLENT FELONY</b>												
MURDER	352 1.8%	16 .9%	368 1.7%	337 1.8%	16 1.0%	353 1.7%	297 1.7%	7 .5%	304 1.6%	270 1.5%	10 .7%	280 1.5%
ATTEMPTED MURDER	201 1.0%	3 .2%	204 1.0%	214 1.1%	3 .2%	217 1.0%	169 .9%	2 .1%	171 .9%	162 .9%	7 .5%	169 .9%
MANSLAUGHTER 1ST	210 1.1%	14 .8%	224 1.1%	213 1.1%	11 .7%	224 1.1%	172 1.0%	17 1.1%	189 1.0%	161 .9%	18 1.2%	179 .9%
RAPE 1ST	184 .9%	1 .1%	185 .9%	188 1.0%	0 .0%	188 .9%	172 1.0%	0 .0%	172 .9%	165 .9%	1 .1%	166 .9%
ROBBERY 1ST	1196 6.1%	37 2.2%	1233 5.8%	1073 5.6%	36 2.1%	1109 5.3%	957 5.3%	32 2.1%	989 5.1%	885 5.0%	25 1.7%	910 4.7%
ROBBERY 2ND	1124 5.8%	55 3.2%	1179 5.6%	984 5.1%	49 2.9%	1033 5.0%	889 5.0%	42 2.7%	931 4.8%	933 5.3%	38 2.5%	971 5.1%
ASSAULT 1ST	262 1.3%	21 1.2%	283 1.3%	276 1.4%	22 1.3%	298 1.4%	270 1.5%	21 1.4%	291 1.5%	294 1.7%	29 1.9%	323 1.7%
ASSAULT 2ND	343 1.8%	37 2.2%	380 1.8%	370 1.9%	27 1.6%	397 1.9%	394 2.2%	26 1.7%	420 2.2%	426 2.4%	45 3.0%	471 2.5%
BURGLARY 1ST	129 .7%	7 .4%	136 .6%	157 .8%	9 .5%	166 .8%	120 .7%	6 .4%	126 .6%	136 .8%	2 .1%	138 .7%
BURGLARY 2ND	671 4.5%	35 2.0%	706 4.3%	756 4.0%	30 1.8%	786 3.8%	758 4.2%	34 2.2%	792 4.1%	719 4.1%	34 2.3%	753 3.9%
ARSON 1ST,2ND	45 .2%	4 .2%	49 .2%	34 .2%	8 .5%	42 .2%	26 .1%	7 .5%	33 .2%	30 .2%	5 .3%	35 .2%
SODOMY 1ST	127 .7%	2 .1%	129 .6%	99 .5%	0 .0%	99 .5%	98 .5%	0 .0%	98 .5%	130 .7%	2 .1%	132 .7%
SF: B-1ST,Ag.2	196 1.0%	3 .2%	199 .9%	199 1.0%	1 .1%	200 1.0%	245 1.4%	4 .3%	249 1.3%	262 1.5%	6 .4%	268 1.4%
WEAPONS OFFENSES	624 3.2%	9 .5%	633 3.0%	656 3.4%	4 .2%	660 3.2%	574 3.2%	8 .5%	582 3.0%	519 2.9%	10 .7%	529 2.8%
KIDNAPPING 1ST,2ND	67 .3%	6 .4%	73 .3%	50 .3%	2 .1%	52 .2%	39 .2%	3 .2%	42 .2%	33 .2%	5 .3%	38 .2%
OTHER VIOLENT FELONIES	4 .0%	0 .0%	4 .0%	3 .0%	0 .0%	3 .0%	4 .0%	0 .0%	4 .0%	7 .0%	0 .0%	7 .0%
<b>TOTAL</b>	<b>5935 30.5%</b>	<b>250 14.6%</b>	<b>6185 29.2%</b>	<b>5609 29.3%</b>	<b>218 13.0%</b>	<b>5827 28.0%</b>	<b>5184 28.9%</b>	<b>209 13.5%</b>	<b>5393 27.7%</b>	<b>5132 29.1%</b>	<b>237 15.8%</b>	<b>5369 28.0%</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	54 .3%	10 .6%	64 .3%	68 .4%	13 .8%	81 .4%	62 .3%	9 .6%	71 .4%	66 .4%	7 .5%	73 .4%
OTHER HOMICIDE	37 .2%	5 .3%	42 .2%	39 .2%	8 .5%	47 .2%	30 .2%	3 .2%	33 .2%	35 .2%	10 .7%	45 .2%
ROBBERY 3RD	529 2.7%	23 1.3%	552 2.6%	502 2.6%	20 1.2%	522 2.5%	475 2.6%	21 1.4%	496 2.5%	444 2.5%	32 2.1%	476 2.5%
ATT ASSAULT 2ND	141 .7%	14 .8%	155 .7%	183 1.0%	19 1.1%	202 1.0%	181 1.0%	16 1.0%	197 1.0%	180 1.0%	12 .8%	192 1.0%
OTHER SEX OFFENSES	196 1.0%	1 .1%	197 .9%	212 1.1%	2 .1%	214 1.0%	263 1.5%	1 .1%	264 1.4%	255 1.4%	5 .3%	260 1.4%
OTHER COERCIVE	451 2.3%	28 1.6%	479 2.3%	433 2.3%	20 1.2%	453 2.2%	427 2.4%	32 2.1%	459 2.4%	469 2.7%	40 2.7%	509 2.7%
<b>TOTAL</b>	<b>1408 7.2%</b>	<b>81 4.7%</b>	<b>1489 7.0%</b>	<b>1437 7.5%</b>	<b>82 4.9%</b>	<b>1519 7.3%</b>	<b>1438 8.0%</b>	<b>82 5.3%</b>	<b>1520 7.8%</b>	<b>1449 8.2%</b>	<b>106 7.1%</b>	<b>1555 8.1%</b>
<b>DRUG SALE</b>	<b>6516 33.4%</b>	<b>931 54.4%</b>	<b>7447 35.1%</b>	<b>6347 33.2%</b>	<b>882 52.4%</b>	<b>7229 34.8%</b>	<b>5916 33.0%</b>	<b>781 50.6%</b>	<b>6697 34.3%</b>	<b>5440 30.8%</b>	<b>658 43.9%</b>	<b>6098 31.8%</b>
<b>DRUG POSSESSION</b>	<b>2166 11.1%</b>	<b>229 13.4%</b>	<b>2395 11.3%</b>	<b>2314 12.1%</b>	<b>260 15.5%</b>	<b>2574 12.4%</b>	<b>2165 12.1%</b>	<b>220 14.3%</b>	<b>2385 12.2%</b>	<b>2209 12.5%</b>	<b>214 14.3%</b>	<b>2423 12.6%</b>
<b>TOTAL</b>	<b>8682 44.6%</b>	<b>1160 67.8%</b>	<b>9842 46.4%</b>	<b>8661 45.3%</b>	<b>1142 67.9%</b>	<b>9803 47.1%</b>	<b>8081 45.0%</b>	<b>1001 64.9%</b>	<b>9082 46.6%</b>	<b>7649 43.3%</b>	<b>872 58.2%</b>	<b>8521 44.5%</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	994 5.1%	21 1.2%	1015 4.8%	940 4.9%	29 1.7%	969 4.7%	847 4.7%	25 1.6%	872 4.5%	878 5.0%	24 1.6%	902 4.7%
GRAND LARCENY	607 3.1%	78 4.6%	685 3.2%	614 3.2%	83 4.9%	697 3.4%	580 3.2%	73 4.7%	653 3.3%	518 2.9%	101 6.7%	619 3.2%
FORGERY	208 1.1%	50 2.9%	258 1.2%	211 1.1%	57 3.4%	268 1.3%	189 1.1%	69 4.5%	258 1.3%	250 1.4%	64 4.3%	314 1.6%
STOLEN PROPERTY	473 2.4%	27 1.6%	500 2.4%	388 2.0%	20 1.2%	408 2.0%	310 1.7%	12 .8%	322 1.7%	284 1.6%	16 1.1%	300 1.6%
DRIVE INTOXICATED	290 1.5%	8 .5%	298 1.4%	374 2.0%	11 .7%	385 1.9%	358 2.0%	20 1.3%	378 1.9%	516 2.9%	18 1.2%	534 2.8%
ALL OTHER FELONIES	256 1.3%	13 .8%	269 1.3%	349 1.8%	16 1.0%	365 1.8%	385 2.1%	16 1.0%	401 2.1%	434 2.5%	20 1.3%	454 2.4%
<b>TOTAL</b>	<b>2828 14.5%</b>	<b>197 11.5%</b>	<b>3025 14.3%</b>	<b>2876 15.0%</b>	<b>216 12.8%</b>	<b>3092 14.9%</b>	<b>2669 14.9%</b>	<b>215 13.9%</b>	<b>2884 14.8%</b>	<b>2880 16.3%</b>	<b>243 16.2%</b>	<b>3123 16.3%</b>
YOUTHFUL OFFENDER	488 2.5%	18 1.1%	506 2.4%	495 2.6%	23 1.4%	518 2.5%	536 3.0%	35 2.3%	571 2.9%	517 2.9%	48 2.7%	557 2.9%
JUVENILE OFFENDER	140 .7%	5 .3%	145 .7%	42 .2%	1 .1%	43 .2%	46 .3%	1 .1%	47 .2%	39 .2%	0 .0%	39 .2%
<b>TOTAL</b>	<b>628 3.2%</b>	<b>23 1.3%</b>	<b>651 3.1%</b>	<b>537 2.8%</b>	<b>24 1.4%</b>	<b>561 2.7%</b>	<b>582 3.2%</b>	<b>36 2.3%</b>	<b>618 3.1%</b>	<b>556 3.1%</b>	<b>48 2.7%</b>	<b>596 3.1%</b>
<b>GRAND TOTAL</b>	<b>19481 100.0%</b>	<b>1711 100.0%</b>	<b>21192 100.0%</b>	<b>19120 100.0%</b>	<b>1682 100.0%</b>	<b>20802 100.0%</b>	<b>17954 100.0%</b>	<b>1563 100.0%</b>	<b>19497 100.0%</b>	<b>17666 100.0%</b>	<b>1498 100.0%</b>	<b>19164 100.0%</b>

TABLE 8.2

WOMEN NEW COURT COMMITMENTS 1980-1999

COMMITMENT YEAR	NUMBER OF WOMEN	PERCENT OF NEW COURT COMMITMENTS
1980	284	3.6%
1981	405	3.9%
1982	377	3.6%
1983	438	3.5%
1984	523	4.3%
1985	495	4.0%
1986	721	4.8%
1987	802	5.1%
1988	1,014	5.8%
1989	1,612	7.5%
1990	1,683	7.3%
1991	2,264	9.4%
1992	1,888	7.5%
1993	1,881	7.6%
1994	1,796	7.8%
1995	1,835	8.0%
1996	1,711	8.1%
1997	1,682	8.1%
1998	1,543	7.9%
1999	1,498	7.8%

## Section 9

### RACE/ETHNIC STATUS

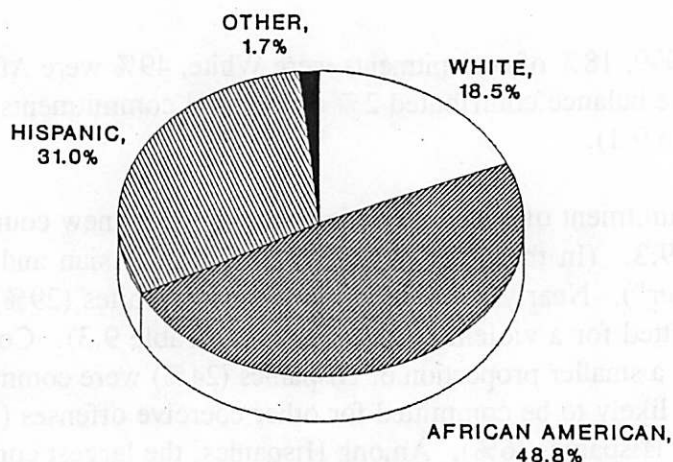
In 1999, 18% of commitments were White, 49% were African American, and 31% were Hispanic. The balance contributed 2% of the total commitments (including "not stated") (N=321) (see Table 9.1).

Commitment offense by ethnic status for 1999 new court commitments is shown in Tables 9.2 and 9.3. (In these tables Native American, Asian and other ethnic groups are categorized as "other"). Nearly identical proportions of Whites (29%) and African Americans (30%) were committed for a violent felony crime (see Table 9.3). Compared with Whites and African Americans, a smaller proportion of Hispanics (24%) were committed for violent offenses. Whites were more likely to be committed for other coercive offenses (12%) than either African Americans (8%) or Hispanics (6%). Among Hispanics, the largest commitment crime category was drug offenses (58%). Drug offenders also made up the largest crime category for African Americans sentenced to state prison (47%). Whites were most often committed for property offenses (40%).

In brief, during 1999 white offenders were primarily committed to state prison for property offenses (40%) and violent felony offenses (29%). African American offenders were primarily committed for drug offenses (47%) and secondarily for violent felony offenses (30%). Hispanic offenders committed to state prison in 1999 were primarily drug offenders (58%) and about a quarter were violent felony offenders (24%) (see Table 9.3).

Table 9.4 shows the ethnic status distribution for specific offenses with the percentages based on each offense group. For example, among commitments for murder in 1999 (N=280), 18% were whites (N=49), 55% were African Americans (N=155), and 25% were Hispanics (N=70). The remaining two percent (N=6) were others.

Figure 9  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
ETHNIC GROUP



CRIME BY ETHNIC STATUS  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

OFFENSE ON COMMITMENT	ETHNIC STATUS				TOTAL
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	
VIOLENT FELONY	1,018	2,799	1,411	141	5,369
OTHER COERCIVE	426	726	372	31	1,555
DRUG OFFENSES	541	4,435	3,474	71	8,521
PROPERTY OFFENSES	1,424	1,103	529	67	3,123
YOUTHFUL/JUVENILE OFFENDER	130	296	159	11	596
TOTAL	3,539	9,359	5,945	321	19,164
PERCENT	18.5%	48.8%	31.0%	1.7%	100.0%

TABLE 9.1  
ETHNIC STATUS BY SEX  
1999 NEW COURT COMMITMENTS

ETHNIC STATUS	INMATE GENDER		TOTAL
	MALE	FEMALE	
WHITE	3249 18.4%	290 19.4%	3539 18.5%
BLACK	8593 48.6%	766 51.1%	9359 48.8%
HISPANIC	5510 31.2%	435 29.0%	5945 31.0%
OTHER	314 1.8%	7 .5%	321 1.7%
TOTAL	17666 100.0%	1498 100.0%	19164 100.0%

TABLE 9.2 CRIME BY ETHNIC STATUS; 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	WHITE	BLACK	HISPANIC	OTHER	TOTAL
<b>VIOLENT FELONY</b>					
MURDER	49 1.4%	155 1.7%	70 1.2%	6 1.9%	280 1.5%
ATTEMPTED MURDER	12 .3%	79 .8%	69 1.2%	9 2.8%	169 .9%
MANSLAUGHTER 1ST	27 .8%	88 .9%	56 .9%	8 2.5%	179 .9%
RAPE 1ST	43 1.2%	86 .9%	34 .6%	3 .9%	166 .9%
ROBBERY 1ST	104 2.9%	533 5.7%	257 4.3%	16 5.0%	910 4.7%
ROBBERY 2ND	131 3.7%	578 6.2%	250 4.2%	12 3.7%	971 5.1%
ASSAULT 1ST	35 1.0%	170 1.8%	108 1.8%	10 3.1%	323 1.7%
ASSAULT 2ND	79 2.2%	269 2.9%	105 1.8%	18 5.6%	471 2.5%
BURGLARY 1ST	31 .9%	50 .5%	48 .8%	9 2.8%	138 .7%
BURGLARY 2ND	254 7.2%	292 3.1%	189 3.2%	18 5.6%	753 3.9%
ARSON 1ST,2ND	9 .3%	18 .2%	8 .1%	0 .0%	35 .2%
SODOMY 1ST	71 2.0%	32 .3%	25 .4%	4 1.2%	132 .7%
SEX.AB-1ST,Ag.2	128 3.6%	87 .9%	45 .8%	8 2.5%	268 1.4%
WEAPONS OFFENSES	35 1.0%	350 3.7%	126 2.1%	18 5.6%	529 2.8%
KIDNAPPING 1ST,2ND	10 .3%	10 .1%	16 .3%	2 .6%	38 .2%
OTHER VIOLENT FELONIES	0 .0%	2 .0%	5 .1%	0 .0%	7 .0%
SUBTOTAL	1018 28.8%	2799 29.9%	1411 23.7%	141 43.9%	5369 28.0%
<b>OTHER COERCIVE</b>					
MANSLAUGHTER 2ND	23 .6%	32 .3%	15 .3%	3 .9%	73 .4%
OTHER HOMICIDE	30 .8%	6 .1%	8 .1%	1 .3%	45 .2%
ROBBERY 3RD	83 2.3%	295 3.2%	95 1.6%	3 .9%	476 2.5%
ATT ASSAULT 2ND	31 .9%	116 1.2%	39 .7%	6 1.9%	192 1.0%
OTHER SEX OFFENSES	127 3.6%	67 .7%	61 1.0%	5 1.6%	260 1.4%
OTHER COERCIVE	132 3.7%	210 2.2%	154 2.6%	13 4.0%	509 2.7%
SUBTOTAL	426 12.0%	726 7.8%	372 6.3%	31 9.7%	1555 8.1%
DRUG SALE	315 8.9%	3113 33.3%	2613 44.0%	57 17.8%	6098 31.8%
DRUG POSSESSION	226 6.4%	1322 14.1%	861 14.5%	14 4.4%	2423 12.6%
SUBTOTAL	541 15.3%	4435 47.4%	3474 58.4%	71 22.1%	8521 44.5%
<b>PROPERTY AND OTHER</b>					
BURGLARY 3RD	367 10.4%	360 3.8%	158 2.7%	17 5.3%	902 4.7%
GRAND LARCENY	226 6.4%	244 2.6%	136 2.3%	13 4.0%	619 3.2%
FORGERY	132 3.7%	147 1.6%	27 .5%	8 2.5%	314 1.6%
STOLEN PROPERTY	91 2.6%	131 1.4%	75 1.3%	3 .9%	300 1.6%
DRIVE INTOXICATED	419 11.8%	45 .5%	55 .9%	15 4.7%	534 2.8%
ALL OTHER FELONIES	189 5.3%	176 1.9%	78 1.3%	11 3.4%	454 2.4%
SUBTOTAL	1424 40.2%	1103 11.8%	529 8.9%	67 20.9%	3123 16.3%
YOUTHFUL OFFENDER	129 3.6%	274 2.9%	145 2.4%	9 2.8%	557 2.9%
JUVENILE OFFENDER	1 .0%	22 .2%	14 .2%	2 .6%	39 .2%
SUBTOTAL	130 3.7%	296 3.2%	159 2.7%	11 3.4%	596 3.1%
GRAND TOTAL	3539 100.0%	9359 100.0%	5945 100.0%	321 100.0%	19164 100.0%



TABLE 9.3  
CRIME BY ETHNIC STATUS (NUMBER AND COLUMN PERCENTAGES)  
1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	WHITE		BLACK		HISPANIC		OTHER		UNKNOWN		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>VIOLENT FELONY</b>												
MURDER	49	1.4%	155	1.7%	70	1.2%	5	2.0%	1	1.3%	280	1.5%
ATTEMPTED MURDER	12	.3%	79	.8%	69	1.2%	8	3.3%	1	1.3%	169	.9%
MANSLAUGHTER 1ST	27	.8%	88	.9%	56	.9%	6	2.4%	2	2.7%	179	.9%
RAPE 1ST	43	1.2%	86	.9%	34	.6%	2	.8%	1	1.3%	166	.9%
ROBBERY 1ST	104	2.9%	533	5.7%	257	4.3%	14	5.7%	2	2.7%	910	4.7%
ROBBERY 2ND	131	3.7%	578	6.2%	250	4.2%	9	3.7%	3	4.0%	971	5.1%
ASSAULT 1ST	35	1.0%	170	1.8%	108	1.8%	9	3.7%	1	1.3%	323	1.7%
ASSAULT 2ND	79	2.2%	269	2.9%	105	1.8%	14	5.7%	4	5.3%	471	2.5%
BURGLARY 1ST	31	.9%	50	.5%	48	.8%	7	2.8%	2	2.7%	138	.7%
BURGLARY 2ND	254	7.2%	292	3.1%	189	3.2%	15	6.1%	3	4.0%	753	3.9%
ARSON 1ST,2ND	9	.3%	18	.2%	8	.1%	0	.0%	0	.0%	35	.2%
SODOMY 1ST	71	2.0%	32	.3%	25	.4%	3	1.2%	1	1.3%	132	.7%
SEX AB-1ST, Ag.2	128	3.6%	87	.9%	45	.8%	8	3.3%	0	.0%	268	1.4%
WEAPONS OFFENSES	35	1.0%	350	3.7%	126	2.1%	13	5.3%	5	6.7%	529	2.8%
KIDNAPPING 1ST,2ND	10	.3%	10	.1%	16	.3%	2	.8%	0	.0%	38	.2%
OTHER VIOLENT FELONIES	0	.0%	2	.0%	5	.1%	0	.0%	0	.0%	7	.0%
<b>SUBTOTAL</b>	<b>1018</b>	<b>28.8%</b>	<b>2799</b>	<b>29.9%</b>	<b>1411</b>	<b>23.7%</b>	<b>115</b>	<b>46.7%</b>	<b>26</b>	<b>34.7%</b>	<b>5369</b>	<b>28.0%</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	23	.6%	32	.3%	15	.3%	2	.8%	1	1.3%	73	.4%
OTHER HOMICIDE	30	.8%	6	.1%	8	.1%	1	.4%	0	.0%	45	.2%
ROBBERY 3RD	83	2.3%	295	3.2%	95	1.6%	3	1.2%	0	.0%	476	2.5%
ATT ASSAULT 2ND	31	.9%	116	1.2%	39	.7%	4	1.6%	2	2.7%	192	1.0%
OTHER SEX OFFENSES	127	3.6%	67	.7%	61	1.0%	3	1.2%	2	2.7%	260	1.4%
OTHER COERCIVE	132	3.7%	210	2.2%	154	2.6%	8	3.3%	5	6.7%	509	2.7%
<b>SUBTOTAL</b>	<b>426</b>	<b>12.0%</b>	<b>726</b>	<b>7.8%</b>	<b>372</b>	<b>6.3%</b>	<b>21</b>	<b>8.5%</b>	<b>10</b>	<b>13.3%</b>	<b>1555</b>	<b>8.1%</b>
<b>DRUG OFFENSES</b>												
DRUG SALE	315	8.9%	3113	33.3%	2613	44.0%	42	17.1%	15	20.0%	6098	31.8%
DRUG POSSESSION	226	6.4%	1322	14.1%	861	14.5%	10	4.1%	4	5.3%	2423	12.6%
<b>SUBTOTAL</b>	<b>541</b>	<b>15.3%</b>	<b>4435</b>	<b>47.4%</b>	<b>3474</b>	<b>58.4%</b>	<b>52</b>	<b>21.1%</b>	<b>19</b>	<b>25.3%</b>	<b>8521</b>	<b>44.5%</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	367	10.4%	360	3.8%	158	2.7%	13	5.3%	4	5.3%	902	4.7%
GRAND LARCENY	226	6.4%	244	2.6%	136	2.3%	11	4.5%	2	2.7%	619	3.2%
FORGERY	132	3.7%	147	1.6%	27	.5%	4	1.6%	4	5.3%	314	1.6%
STOLEN PROPERTY	91	2.6%	131	1.4%	75	1.3%	2	.8%	1	1.3%	300	1.6%
DRIVE INTOXICATED	419	11.8%	45	.5%	55	.9%	10	4.1%	5	6.7%	534	2.8%
ALL OTHER FELONIES	189	5.3%	176	1.9%	78	1.3%	9	3.7%	2	2.7%	454	2.4%
<b>SUBTOTAL</b>	<b>1424</b>	<b>40.2%</b>	<b>1103</b>	<b>11.8%</b>	<b>529</b>	<b>8.9%</b>	<b>49</b>	<b>19.9%</b>	<b>18</b>	<b>24.0%</b>	<b>3123</b>	<b>16.3%</b>
<b>YOUTHFUL/JUVENILE</b>												
YOUTHFUL OFFENDER	129	3.6%	274	2.9%	145	2.4%	7	2.8%	2	2.7%	557	2.9%
JUVENILE OFFENDER	1	.0%	22	.2%	14	.2%	2	.8%	0	.0%	39	.2%
<b>SUBTOTAL</b>	<b>130</b>	<b>3.7%</b>	<b>296</b>	<b>3.2%</b>	<b>159</b>	<b>2.7%</b>	<b>9</b>	<b>3.7%</b>	<b>2</b>	<b>2.7%</b>	<b>596</b>	<b>3.1%</b>
<b>GRAND TOTAL</b>	<b>3539</b>	<b>100.0%</b>	<b>9359</b>	<b>100.0%</b>	<b>5945</b>	<b>100.0%</b>	<b>246</b>	<b>100.0%</b>	<b>75</b>	<b>100.0%</b>	<b>19164</b>	<b>100.0%</b>

TABLE 9.4  
CRIME BY ETHNIC STATUS (NUMBER AND ROW PERCENTAGES)  
1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	WHITE		BLACK		HISPANIC		OTHER		UNKNOWN		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>VIOLENT FELONY</b>												
MURDER	49	17.5%	155	55.4%	70	25.0%	5	1.8%	1	.4%	280	100.0%
ATTEMPTED MURDER	12	7.1%	79	46.7%	69	40.8%	8	4.7%	1	.6%	169	100.0%
MANSLAUGHTER 1ST	27	15.1%	88	49.2%	56	31.3%	6	3.4%	2	1.1%	179	100.0%
RAPE 1ST	43	25.9%	86	51.8%	34	20.5%	2	1.2%	1	.6%	166	100.0%
ROBBERY 1ST	104	11.4%	533	58.6%	257	28.2%	14	1.5%	2	.2%	910	100.0%
ROBBERY 2ND	131	13.5%	578	59.5%	250	25.7%	9	.9%	3	.3%	971	100.0%
ASSAULT 1ST	35	10.8%	170	52.6%	108	33.4%	9	2.8%	1	.3%	323	100.0%
ASSAULT 2ND	79	16.8%	269	57.1%	105	22.3%	14	3.0%	4	.8%	471	100.0%
BURGLARY 1ST	31	22.5%	50	36.2%	48	34.8%	7	5.1%	2	1.4%	138	100.0%
BURGLARY 2ND	254	33.7%	292	38.8%	189	25.1%	15	2.0%	3	.4%	753	100.0%
ARSON 1ST,2ND	9	25.7%	18	51.4%	8	22.9%	0	.0%	0	.0%	35	100.0%
SODOMY 1ST	71	53.8%	32	24.2%	25	18.9%	3	2.3%	1	.8%	132	100.0%
SEX.AB-1ST,Ag.2	128	47.8%	87	32.5%	45	16.8%	8	3.0%	0	.0%	268	100.0%
WEAPONS OFFENSES	35	6.6%	350	66.2%	126	23.8%	13	2.5%	5	.9%	529	100.0%
KIDNAPPING 1ST,2ND	10	26.3%	10	26.3%	16	42.1%	2	5.3%	0	.0%	38	100.0%
OTHER VIOLENT FELONIES	0	.0%	2	28.6%	5	71.4%	0	.0%	0	.0%	7	100.0%
<b>TOTAL</b>	<b>1018</b>	<b>19.0%</b>	<b>2799</b>	<b>52.1%</b>	<b>1411</b>	<b>26.3%</b>	<b>115</b>	<b>2.1%</b>	<b>26</b>	<b>.5%</b>	<b>5369</b>	<b>100.0%</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	23	31.5%	32	43.8%	15	20.5%	2	2.7%	1	1.4%	73	100.0%
OTHER HOMICIDE	30	66.7%	6	13.3%	8	17.8%	1	2.2%	0	.0%	45	100.0%
ROBBERY 3RD	83	17.4%	295	62.0%	95	20.0%	3	.6%	0	.0%	476	100.0%
ATT ASSAULT 2ND	31	16.1%	116	60.4%	39	20.3%	4	2.1%	2	1.0%	192	100.0%
OTHER SEX OFFENSES	127	48.8%	67	25.8%	61	23.5%	3	1.2%	2	.8%	260	100.0%
OTHER COERCIVE	132	25.9%	210	41.3%	154	30.3%	8	1.6%	5	1.0%	509	100.0%
<b>TOTAL</b>	<b>426</b>	<b>27.4%</b>	<b>726</b>	<b>46.7%</b>	<b>372</b>	<b>23.9%</b>	<b>21</b>	<b>1.4%</b>	<b>10</b>	<b>.6%</b>	<b>1555</b>	<b>100.0%</b>
<b>DRUG OFFENSES</b>												
DRUG SALE	315	5.2%	3113	51.0%	2613	42.9%	42	.7%	15	.2%	6098	100.0%
DRUG POSSESSION	226	9.3%	1322	54.6%	861	35.5%	10	.4%	4	.2%	2423	100.0%
<b>TOTAL</b>	<b>541</b>	<b>6.3%</b>	<b>4435</b>	<b>52.0%</b>	<b>3474</b>	<b>40.8%</b>	<b>52</b>	<b>.6%</b>	<b>19</b>	<b>.2%</b>	<b>8521</b>	<b>100.0%</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	367	40.7%	360	39.9%	158	17.5%	13	1.4%	4	.4%	902	100.0%
GRAND LARCENY	226	36.5%	244	39.4%	136	22.0%	11	1.8%	2	.3%	619	100.0%
FORGERY	132	42.0%	147	46.8%	27	8.6%	4	1.3%	4	1.3%	314	100.0%
STOLEN PROPERTY	91	30.3%	131	43.7%	75	25.0%	2	.7%	1	.3%	300	100.0%
DRIVE INTOXICATED	419	78.5%	45	8.4%	55	10.3%	10	1.9%	5	.9%	534	100.0%
ALL OTHER FELONIES	189	41.6%	176	38.8%	78	17.2%	9	2.0%	2	.4%	454	100.0%
<b>TOTAL</b>	<b>1424</b>	<b>45.6%</b>	<b>1103</b>	<b>35.3%</b>	<b>529</b>	<b>16.9%</b>	<b>49</b>	<b>1.6%</b>	<b>18</b>	<b>.6%</b>	<b>3123</b>	<b>100.0%</b>
<b>YOUTHFUL/JUVENILE</b>												
YOUTHFUL OFFENDER	129	23.2%	274	49.2%	145	26.0%	7	1.3%	2	.4%	557	100.0%
JUVENILE OFFENDER	1	2.6%	22	56.4%	14	35.9%	2	5.1%	0	.0%	39	100.0%
<b>TOTAL</b>	<b>130</b>	<b>21.8%</b>	<b>296</b>	<b>49.7%</b>	<b>159</b>	<b>26.7%</b>	<b>9</b>	<b>1.5%</b>	<b>2</b>	<b>.3%</b>	<b>596</b>	<b>100.0%</b>
<b>GRAND TOTAL</b>	<b>3539</b>	<b>18.5%</b>	<b>9359</b>	<b>48.8%</b>	<b>5945</b>	<b>31.0%</b>	<b>246</b>	<b>1.3%</b>	<b>75</b>	<b>.4%</b>	<b>19164</b>	<b>100.0%</b>

## **Race/Ethnic Status of Women Commitments**

Earlier tables have shown the high percentage of drug offenses among women. The data in Table 9.5 show that 71% of Hispanic women and 61% of African American women committed to state prison were sentenced for a drug offense. In sharp contrast, only 32% of white women committed to state prison were sentenced for a drug offense. White women were considerably more likely to be committed for a property offense (37%) than were African-American women (14%) or Hispanic women (7%) (see Table 9.5).

## **Trends in Commitment Crime by Ethnic Status**

The number of white, African American and Hispanic offenders in each crime category for commitment years 1996 through 1999 is shown in Table 9.6. These are the figures upon which the percentages in Table 9.7 are based.

The proportion of African Americans committed for violent felony offenses slipped from 31% in 1996 to 30% in 1999 (see Table 9.7). In other areas there were also minor changes in African American offense patterns in the period 1996-1999, e.g. from 46% of African Americans committed for drug offenses in 1996 to 47% of African Americans committed for drug offenses in 1999.

Among whites there was likewise a decline in the percent committed for violent felony crimes between 1996 (33%) and 1999 (29%); (see Table 9.7). There was a slight decrease in the percent of whites committed for drug offenses between 1996 (17%) and 1999 (15%).

Among Hispanics the proportion committed for violent crimes was constant at 24% from 1996 to 24% in 1999. There was a small decrease in drug offense commitments from 61% in 1996 to 58% in 1999 in this component population.

The number of males in each crime and ethnic status group for the years 1996 to 1999 is presented in Table 9.8. The percent figures in Table 9.9 are based on the numbers in Table 9.8. Since males are such a predominant portion of total commitments, the patterns in the ethnic status distribution of offenses are similar to those found in Table 9.7.

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TABLE 9.5 CRIME BY SEX AND ETHNIC STATUS; 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	MALE					FEMALE					TOTAL
	WHITE	BLACK	HISPANIC	OTHER	UNKNOW	WHITE	BLACK	HISPANIC	OTHER	UNKNOW	
<b>VIOLENT FELONY</b>											
MURDER	45 1.4%	151 1.8%	68 1.2%	5 2.0%	1 1.4%	4 1.4%	4 .5%	2 .5%	0 .0%	0 .0%	280 1.5%
ATTEMPTED MURDER	12 .4%	75 .9%	66 1.2%	8 3.3%	1 1.4%	0 .0%	4 .5%	3 .7%	0 .0%	0 .0%	169 .9%
MANSLAUGHTER 1ST	23 .7%	76 .9%	54 1.0%	6 2.5%	2 2.9%	4 1.4%	12 1.6%	2 .5%	0 .0%	0 .0%	179 .9%
RAPE 1ST	43 1.3%	86 1.0%	33 .6%	2 .8%	1 1.4%	0 .0%	0 .0%	1 .2%	0 .0%	0 .0%	166 .9%
ROBBERY 1ST	101 3.1%	521 6.1%	247 4.5%	14 5.7%	2 2.9%	3 1.0%	12 1.6%	10 2.3%	0 .0%	0 .0%	910 4.7%
ROBBERY 2ND	124 3.8%	554 6.4%	243 4.4%	9 3.7%	3 4.3%	7 2.4%	24 3.1%	7 1.6%	0 .0%	0 .0%	971 5.1%
ASSAULT 1ST	32 1.0%	152 1.8%	100 1.8%	9 3.7%	1 1.4%	3 1.0%	18 2.3%	8 1.8%	0 .0%	0 .0%	323 1.7%
ASSAULT 2ND	70 2.2%	246 2.9%	93 1.7%	14 5.7%	3 4.3%	9 3.1%	23 3.0%	12 2.8%	0 .0%	1 20.0%	471 2.5%
BURGLARY 1ST	31 1.0%	48 .6%	48 .9%	7 2.9%	2 2.9%	0 .0%	2 .3%	0 .0%	0 .0%	0 .0%	138 .7%
BURGLARY 2ND	247 7.6%	272 3.2%	182 3.3%	15 6.1%	3 4.3%	7 2.4%	20 2.6%	7 1.6%	0 .0%	0 .0%	753 3.9%
ARSON 1ST,2ND	7 .2%	16 .2%	7 .1%	0 .0%	0 .0%	2 .7%	2 .3%	1 .2%	0 .0%	0 .0%	35 .2%
SODOMY 1ST	71 2.2%	32 .4%	23 .4%	3 1.2%	1 1.4%	0 .0%	0 .0%	2 .5%	0 .0%	0 .0%	132 .7%
SEX AB-1ST, Ag.2	126 3.9%	83 1.0%	45 .8%	8 3.3%	0 .0%	2 .7%	4 .5%	0 .0%	0 .0%	0 .0%	268 1.4%
WEAPONS OFFENSES	34 1.0%	346 4.0%	122 2.2%	13 5.3%	4 5.7%	1 .3%	4 .5%	4 .9%	0 .0%	1 20.0%	529 2.8%
KIDNAPPING 1ST,2ND	8 .2%	9 .1%	14 .3%	2 .8%	0 .0%	2 .7%	1 .1%	2 .5%	0 .0%	0 .0%	38 .2%
OTHER VIOLENT FELONIES	0 .0%	2 .0%	5 .1%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	7 .0%
<b>SUBTOTAL</b>	<b>974 30.0%</b>	<b>2669 31.1%</b>	<b>1350 24.5%</b>	<b>115 47.1%</b>	<b>24 34.3%</b>	<b>44 15.2%</b>	<b>130 17.0%</b>	<b>61 14.0%</b>	<b>0 .0%</b>	<b>2 40.0%</b>	<b>5369 28.0%</b>
<b>OTHER COERCIVE</b>											
MANSLAUGHTER 2ND	19 .6%	30 .3%	14 .3%	2 .8%	1 1.4%	4 1.4%	2 .3%	1 .2%	0 .0%	0 .0%	73 .4%
OTHER HOMICIDE	23 .7%	4 .0%	7 .1%	1 .4%	0 .0%	7 2.4%	2 .3%	1 .2%	0 .0%	0 .0%	45 .2%
ROBBERY 3RD	78 2.4%	275 3.2%	88 1.6%	3 1.2%	0 .0%	5 1.7%	20 2.6%	7 1.6%	0 .0%	0 .0%	476 2.5%
ATT ASSAULT 2ND	30 .9%	107 1.2%	37 .7%	4 1.6%	2 2.9%	1 .3%	9 1.2%	2 .5%	0 .0%	0 .0%	192 1.0%
OTHER SEX OFFENSES	125 3.8%	66 .8%	59 1.1%	3 1.2%	2 2.9%	2 .7%	1 .1%	2 .5%	0 .0%	0 .0%	260 1.4%
OTHER COERCIVE	116 3.6%	195 2.3%	146 2.6%	7 2.9%	5 7.1%	16 5.5%	15 2.0%	8 1.8%	1 50.0%	0 .0%	509 2.7%
<b>SUBTOTAL</b>	<b>391 12.0%</b>	<b>677 7.9%</b>	<b>351 6.4%</b>	<b>20 8.2%</b>	<b>10 14.3%</b>	<b>35 12.1%</b>	<b>49 6.4%</b>	<b>21 4.8%</b>	<b>1 50.0%</b>	<b>0 .0%</b>	<b>1555 8.1%</b>
<b>DRUG SALE</b>	<b>254 7.8%</b>	<b>2754 32.0%</b>	<b>2378 43.2%</b>	<b>41 16.8%</b>	<b>13 18.6%</b>	<b>61 21.0%</b>	<b>359 46.9%</b>	<b>235 54.0%</b>	<b>1 50.0%</b>	<b>2 40.0%</b>	<b>6098 31.8%</b>
<b>DRUG POSSESSION</b>	<b>194 6.0%</b>	<b>1215 14.1%</b>	<b>786 14.3%</b>	<b>10 4.1%</b>	<b>4 5.7%</b>	<b>32 11.0%</b>	<b>107 14.0%</b>	<b>75 17.2%</b>	<b>0 .0%</b>	<b>0 .0%</b>	<b>2423 12.6%</b>
<b>SUBTOTAL</b>	<b>448 13.8%</b>	<b>3969 46.2%</b>	<b>3164 57.4%</b>	<b>51 20.9%</b>	<b>17 24.3%</b>	<b>93 32.1%</b>	<b>466 60.8%</b>	<b>310 71.3%</b>	<b>1 50.0%</b>	<b>2 40.0%</b>	<b>8521 44.5%</b>
<b>PROPERTY AND OTHER</b>											
BURGLARY 3RD	358 11.0%	350 4.1%	154 2.8%	13 5.3%	3 4.3%	9 3.1%	10 1.3%	4 .9%	0 .0%	1 20.0%	902 4.7%
GRAND LARCENY	187 5.8%	200 2.3%	118 2.1%	11 4.5%	2 2.9%	39 13.4%	44 5.7%	18 4.1%	0 .0%	0 .0%	619 3.2%
FORGERY	105 3.2%	114 1.3%	23 .4%	4 1.6%	4 5.7%	27 9.3%	33 4.3%	4 .9%	0 .0%	0 .0%	314 1.6%
STOLEN PROPERTY	84 2.6%	124 1.4%	73 1.3%	2 .8%	1 1.4%	7 2.4%	7 .9%	2 .5%	0 .0%	0 .0%	300 1.6%
DRIVE INTOXICATED	405 12.5%	41 .5%	55 1.0%	10 4.1%	5 7.1%	14 4.8%	4 .5%	0 .0%	0 .0%	0 .0%	534 2.8%
ALL OTHER FELONIES	178 5.5%	170 2.0%	75 1.4%	9 3.7%	2 2.9%	11 3.8%	6 .8%	3 .7%	0 .0%	0 .0%	454 2.4%
<b>SUBTOTAL</b>	<b>1317 40.5%</b>	<b>999 11.6%</b>	<b>498 9.0%</b>	<b>49 20.1%</b>	<b>17 24.3%</b>	<b>107 36.9%</b>	<b>104 13.6%</b>	<b>31 7.1%</b>	<b>0 .0%</b>	<b>1 20.0%</b>	<b>3123 16.3%</b>
YOUTHFUL OFFENDER	118 3.6%	257 3.0%	133 2.4%	7 2.9%	2 2.9%	11 3.8%	17 2.2%	12 2.8%	0 .0%	0 .0%	557 2.9%
JUVENILE OFFENDER	1 .0%	22 .3%	14 .3%	2 .8%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	39 .2%
<b>SUBTOTAL</b>	<b>119 3.7%</b>	<b>279 3.2%</b>	<b>147 2.7%</b>	<b>9 3.7%</b>	<b>2 2.9%</b>	<b>11 3.8%</b>	<b>17 2.2%</b>	<b>12 2.8%</b>	<b>0 .0%</b>	<b>0 .0%</b>	<b>596 3.1%</b>
<b>GRAND TOTAL</b>	<b>3249 100.0%</b>	<b>8593 100.0%</b>	<b>5510 100.0%</b>	<b>244 100.0%</b>	<b>70 100.0%</b>	<b>290 100.0%</b>	<b>766 100.0%</b>	<b>435 100.0%</b>	<b>2 100.0%</b>	<b>5 100.0%</b>	<b>19164 100.0%</b>

TABLE 9.6 CRIME BY ETHNIC STATUS AND YEAR; 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996				1997				1998				1999			
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER
<b>VIOLENT FELONY</b>																
MURDER	60	184	114	10	42	192	111	8	40	168	83	13	49	155	70	6
ATTEMPTED MURDER	32	105	60	11	22	108	80	7	14	94	60	3	12	79	69	9
MANSLAUGHTER 1ST	21	105	87	11	22	110	86	6	20	92	68	8	27	88	56	8
RAPE 1ST	52	190	100	39	55	255	35	24	50	86	34	2	43	86	34	3
ROBBERY 1ST	131	732	399	22	154	651	355	19	92	568	316	13	104	533	257	16
ROBBERY 2ND	31	148	304	7	57	590	500	11	52	558	280	19	131	578	250	12
ASSAULT 1ST	57	298	176	7	57	182	88	20	68	144	128	8	35	170	108	10
ASSAULT 2ND	21	148	76	3	28	193	117	6	26	215	105	9	79	269	105	18
BURGLARY 1ST	306	319	267	14	278	78	54	14	228	342	210	12	254	292	189	9
BURGLARY 2ND	20	16	11	2	14	17	11	0	7	18	7	1	9	18	8	0
ARSON 1ST, 2ND	20	16	11	2	14	17	11	0	7	18	7	1	9	18	8	0
SEX AB-1ST, 4B-2	73	31	23	6	46	27	25	1	47	25	21	5	71	32	25	4
SEX AB-2ND	110	52	31	6	104	59	31	6	116	78	48	7	128	87	45	8
WEAPONS OFFENSES	31	406	186	10	35	444	175	6	30	370	172	10	35	350	126	18
KIDNAPPING 1ST, 2ND	8	17	31	17	4	15	12	21	15	16	9	2	10	10	16	2
OTHER VIOLENT FELONIES	1	0	3	0	1	0	2	0	0	2	2	0	0	2	5	0
<b>TOTAL</b>	<b>1071</b>	<b>3183</b>	<b>1771</b>	<b>160</b>	<b>978</b>	<b>3014</b>	<b>1684</b>	<b>151</b>	<b>899</b>	<b>2830</b>	<b>1545</b>	<b>119</b>	<b>1018</b>	<b>2799</b>	<b>1411</b>	<b>141</b>
<b>OTHER COERCIVE</b>																
MANSLAUGHTER 2ND	22	25	16	1	25	29	23	4	17	32	18	4	23	32	15	3
OTHER HOMICIDE	23	12	5	2	27	13	6	1	22	1	7	5	30	6	8	1
ROBBERY 3RD	93	335	128	6	74	323	119	5	83	290	118	5	83	295	95	3
ATTEMPTED MURDER	57	54	39	4	35	113	31	3	39	103	53	5	31	116	39	5
OTHER SEX OFFENSES	115	204	40	14	108	60	38	8	145	70	44	12	127	67	61	5
OTHER COERCIVE			146		91	221	132	9	115	222	110	12	132	210	154	13
<b>TOTAL</b>	<b>369</b>	<b>714</b>	<b>374</b>	<b>32</b>	<b>360</b>	<b>759</b>	<b>369</b>	<b>31</b>	<b>421</b>	<b>718</b>	<b>350</b>	<b>31</b>	<b>426</b>	<b>726</b>	<b>372</b>	<b>31</b>
<b>DRUG OFFENSES</b>																
DRUG SALE	342	3374	3679	52	345	3376	3454	54	281	3290	3075	51	315	3113	2613	57
DRUG POSSESSION	289	1259	910	17	200	1351	998	25	185	1291	867	22	226	1322	861	14
<b>TOTAL</b>	<b>551</b>	<b>4633</b>	<b>4589</b>	<b>69</b>	<b>545</b>	<b>4727</b>	<b>4452</b>	<b>79</b>	<b>466</b>	<b>4581</b>	<b>3962</b>	<b>73</b>	<b>541</b>	<b>4435</b>	<b>3474</b>	<b>71</b>
<b>PROPERTY AND OTHER OFFENSES</b>																
BURGLARY 3RD	380	432	191	12	379	389	177	24	311	374	165	22	367	360	158	17
GRAND LARCENY	201	318	151	15	204	309	164	20	187	328	119	19	226	244	136	13
FORGERY	108	123	123	4	95	128	38	7	104	126	26	2	132	147	27	8
STOLEN PROPERTY	123	228	135	14	94	190	117	10	171	145	98	8	91	131	75	3
DRIVE INTOXICATED	243	24	24	7	312	26	37	10	314	31	25	8	419	45	55	15
ALL OTHER FELONIES	117	92	54	6	159	116	84	6	144	148	102	7	189	176	78	11
<b>TOTAL</b>	<b>1172</b>	<b>1217</b>	<b>578</b>	<b>58</b>	<b>1243</b>	<b>1158</b>	<b>617</b>	<b>74</b>	<b>1131</b>	<b>1152</b>	<b>535</b>	<b>66</b>	<b>1424</b>	<b>1103</b>	<b>529</b>	<b>67</b>
<b>YOUTHFUL/JUVENILE</b>																
YOUTHFUL OFFENDER	103	278	119	6	123	255	130	10	115	294	147	15	129	274	145	9
JUVENILE OFFENDER	8	96	34	7	1	31	11	0	2	30	15	0	1	22	14	2
<b>TOTAL</b>	<b>111</b>	<b>374</b>	<b>153</b>	<b>13</b>	<b>124</b>	<b>286</b>	<b>141</b>	<b>10</b>	<b>117</b>	<b>324</b>	<b>162</b>	<b>15</b>	<b>130</b>	<b>296</b>	<b>159</b>	<b>11</b>
<b>GRAND TOTAL</b>	<b>3274</b>	<b>10121</b>	<b>7465</b>	<b>332</b>	<b>3250</b>	<b>9944</b>	<b>7263</b>	<b>345</b>	<b>3034</b>	<b>9605</b>	<b>6554</b>	<b>304</b>	<b>3539</b>	<b>9359</b>	<b>5945</b>	<b>321</b>



TABLE 9.8 CRIME BY ETHNIC STATUS BY YEAR, MALES ONLY; 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996					1997					1998					1999				
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN
<b>VIOLENT FELONY</b>																				
MURDER	55	180	107	8	2	38	184	107	7	1	40	161	83	12	1	45	151	60	5	1
ATTEMPTED MURDER	79	196	57	7	0	21	106	80	5	2	14	92	60	3	0	12	75	56	8	2
MANSLAUGHTER 1ST	52	96	59	6	1	20	104	83	2	1	18	82	64	8	0	23	76	34	6	1
RAPE 1ST	55	96	32	2	4	35	104	36	2	2	20	59	34	2	0	43	54	23	2	1
ROBBERY 1ST	112	679	388	37	5	117	645	285	25	3	87	591	325	16	2	121	544	243	19	3
ROBBERY 2ND	28	132	293	17	4	117	565	285	15	2	69	511	255	10	2	121	544	243	19	3
ASSAULT 1ST	83	181	95	4	3	35	168	111	16	0	49	131	82	5	2	132	122	100	9	1
ASSAULT 2ND	20	66	20	5	1	64	177	110	11	3	26	195	126	6	2	70	246	93	14	3
BURGLARY 1ST	298	306	253	12	2	268	276	198	10	4	218	324	204	10	0	247	272	182	15	3
BURGLARY 2ND	19	13	11	2	0	11	14	9	0	0	3	16	6	1	1	7	16	48	7	0
ARSON 1ST, 2ND	73	30	22	0	0	46	27	25	1	0	47	25	21	3	2	71	32	23	3	0
SODOMY 1ST	106	52	30	0	0	104	59	30	4	2	112	78	48	4	2	126	83	45	8	0
SEX AB-1ST, Ag. 2	51	399	184	10	0	35	440	175	5	1	29	365	170	4	3	34	366	122	13	0
WEAPON OFFENSES	8	14	28	17	0	3	14	12	21	0	13	16	8	2	0	8	36	14	2	0
WARRANT VIOLATION	1	0	3	0	0	1	0	2	0	0	0	2	2	0	0	0	5	5	0	0
OTHER FELONIES																				
<b>TOTAL</b>	1030	3038	1709	134	24	932	2899	1629	130	19	859	2704	1503	94	24	974	2669	1350	115	24
<b>OTHER COERCIVE</b>																				
MANSLAUGHTER 2ND	17	22	14	1	0	19	25	20	2	2	13	27	18	4	0	19	30	14	2	1
OTHER HOMICIDE	21	10	4	2	0	22	11	5	1	0	20	1	6	1	2	23	4	7	1	0
ROBBERY 3RD	77	319	127	4	2	71	311	114	4	2	78	279	113	3	2	78	275	88	3	0
ATT ASSAULT 2ND	24	54	36	4	1	31	100	49	1	2	37	91	52	1	0	30	107	37	4	2
OTHER SEX OFFENSES	98	54	40	4	0	106	60	38	7	1	144	70	44	4	3	125	66	59	3	5
OTHER COERCIVE	110	192	135	10	4	86	213	125	7	2	108	208	99	9	3	116	195	146	7	5
<b>TOTAL</b>	347	673	356	25	7	335	720	351	22	9	400	676	332	22	8	391	677	351	20	10
<b>DRUG OFFENSES</b>																				
DRUG SALE	245	2884	3315	16	14	254	2928	3319	29	17	228	2853	2787	31	17	254	2754	2378	41	13
DRUG POSSESSION	180	1131	839	14	2	167	1228	895	21	3	168	1165	829	13	7	194	1215	788	10	4
<b>TOTAL</b>	445	4017	4154	50	16	421	4156	4014	50	20	388	4018	3607	44	24	448	3969	3164	51	17
<b>PROPERTY AND OTHER OFFENSES</b>																				
BURGLARY 3RD	373	420	189	9	3	369	377	170	18	6	306	357	162	14	8	358	350	154	13	3
GRAND LARCENY	177	282	136	9	3	179	267	148	19	1	162	289	111	13	5	187	200	118	11	2
FORGERY	89	98	17	3	1	71	102	31	5	2	75	95	18	1	0	105	114	23	2	4
STOLEN PROPERTY	117	211	131	11	3	89	179	114	6	0	66	139	95	5	3	84	124	73	4	1
DRIVE INTOXICATED	236	23	24	4	3	303	25	36	10	0	294	31	25	7	1	405	51	58	16	5
ALL OTHER FELONIES	112	87	51	6	0	153	109	81	6	0	138	141	99	6	1	178	170	75	9	2
<b>TOTAL</b>	1104	1121	548	42	13	1164	1059	580	64	9	1043	1052	510	46	18	1317	999	498	49	17
<b>YOUTHFUL/JUVENILE</b>																				
YOUTHFUL OFFENDER	98	267	117	2	4	113	245	127	9	1	106	274	141	13	2	118	257	133	7	2
JUVENILE OFFENDER	8	92	33	6	1	1	30	11	0	0	2	29	15	0	0	1	22	14	2	0
<b>TOTAL</b>	106	359	150	8	5	114	275	138	9	1	108	303	156	13	2	119	279	147	9	2
<b>GRAND TOTAL</b>	3032	9208	6917	259	65	2966	9109	6712	275	58	2798	8753	6108	219	76	3249	8593	5510	244	70





### **Trends in Commitment Crime by Race/Ethnic Status for Females**

The number of white women committed to state prison rose in the period 1996 (N=242) to 1999 (N=290), (see Table 9.10) while the number of African American women committed to state prison dropped from 913 in 1996 to 766 in 1999. The largest percentage change, however, was the 21 % decrease in the number of Hispanic women committed to state prison from 548 in 1996 to 435 in 1999.

The crime distribution of white, African American and Hispanic females changed over the years 1996 to 1999 (see Table 9.11). Except for the small "other" category, proportionally fewer women (regardless of ethnic status) were committed for drug offenses while proportionally more women were committed for property and other offenses.

TABLE 9.10 CRIME BY ETHNIC STATUS BY YEAR; FEMALES ONLY 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996				1997				1998				1999				
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	UNKNOWN	WHITE	AFRICAN AMERICAN	HISPANIC	UNKNOWN	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN
VIOLENT FELONY																	
MURDER	5	4	7	0	4	8	4	0	0	7	0	0	4	4	2	0	0
ATTEMPTED MURDER	0	2	1	0	1	2	0	0	0	10	0	0	0	0	3	0	0
MANSLAUGHTER 1ST	0	0	3	0	2	6	0	0	0	10	4	0	4	12	2	0	0
RAPE 1ST	4	9	1	0	0	0	0	0	0	19	0	0	0	0	1	0	0
ROBBERY 1ST	9	21	11	0	10	15	12	0	0	27	10	0	3	24	10	0	0
ROBBERY 2ND	3	35	11	0	8	25	13	0	0	20	8	0	3	18	6	0	0
ASSAULT 1ST	6	16	2	0	3	14	7	0	0	30	3	0	0	23	12	0	0
ASSAULT 2ND	3	27	3	0	5	16	7	0	0	18	2	0	0	20	7	0	1
BURGLARY 1ST	1	14	2	0	10	4	0	0	0	0	6	0	0	2	0	0	0
BURGLARY 2ND	0	13	14	0	3	17	3	0	0	2	1	0	2	0	1	0	0
BURGLARY 1ST,2ND	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SEX AB-1ST,2ND	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SEX AB-1ST,AG-2	2	0	1	0	0	0	0	0	0	5	2	0	1	4	2	0	0
WEAPONS OFFENSES	0	7	2	0	0	4	0	0	0	0	0	0	2	4	0	0	0
KIDNAPPING 1ST,2ND	0	3	3	0	1	1	0	0	0	0	2	0	2	1	0	0	0
TOTAL	41	145	62	2	46	115	55	2	40	126	42	1	44	130	61	0	2
OTHER COERCIVE																	
MANSLAUGHTER 2ND	5	3	2	0	6	4	3	0	0	5	0	0	4	2	1	0	0
OTHER HOMICIDE	2	12	1	0	1	3	1	0	0	11	5	0	5	20	7	0	0
ROBBERY 3RD	3	18	3	0	4	13	2	0	0	12	1	1	1	9	2	0	0
ATT ASSAULT 2ND	1	0	0	0	2	4	0	0	0	0	0	0	2	0	1	0	0
OTHER SEX OFFENSES	5	12	11	0	5	8	7	0	0	14	11	0	16	15	8	1	0
OTHER COERCIVE																	
TOTAL	22	41	18	0	25	39	18	0	21	42	18	1	35	49	21	1	0
DRUG OFFENSES																	
DRUG SALE	77	488	364	2	91	448	335	8	53	437	288	3	61	359	235	1	2
DRUG POSSESSION	29	128	71	1	33	123	103	1	25	126	67	2	32	107	75	0	0
TOTAL	106	616	435	3	124	571	438	9	78	563	355	5	93	466	310	1	2
PROPERTY AND OTHER OFFENSES																	
BURGLARY 3RD	7	12	2	0	10	12	7	0	5	17	3	0	9	10	4	0	1
GRAND LARCENY	24	36	15	3	25	42	19	0	25	39	8	1	39	44	18	0	0
FORGERY	19	25	6	0	24	26	3	0	29	31	4	0	27	33	4	0	0
STOLEN PROPERTY	6	17	4	0	5	11	3	1	3	6	3	0	7	7	2	0	0
DRIVE INTOXICATED	7	1	0	0	9	0	1	0	20	0	0	0	14	4	0	0	0
ALL OTHER FELONIES	5	5	3	0	6	7	3	0	6	7	3	0	11	6	3	0	0
TOTAL	68	96	30	3	79	99	37	1	88	100	25	2	107	104	31	0	1
YOUTHFUL/JUVENILE																	
YOUTHFUL OFFENDER	5	11	2	0	10	10	3	0	9	20	6	0	11	17	12	0	0
JUVENILE OFFENDER	0	4	1	0	0	1	0	0	0	1	0	0	0	0	0	0	0
TOTAL	5	15	3	0	10	11	3	0	9	21	6	0	11	17	12	0	0
GRAND TOTAL	242	913	548	8	284	835	551	12	236	852	446	9	290	766	435	2	5

**TABLE 9.11**  
**CRIME BY ETHNIC STATUS (IN PERCENT) BY YEAR, FEMALES ONLY; 1996-1999 NEW COURT COMMITMENTS**

COMMITMENT CRIME	1996					1997					1998					1999				
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER		WHITE	AFRICAN AMERICAN	HISPANIC	UNKNOWN	WHITE	AFRICAN AMERICAN	HISPANIC	UNKNOWN	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN		
VIOLENT FELONY																				
MURDER	2.1%	.4%	1.3%	.0%	1.4%	1.0%	.7%	.0%	.0%	.0%	.8%	.0%	.0%	1.4%	.5%	.5%	.0%	.0%		
ATTEMPTED MURDER	.8%	.2%	.2%	.0%	.4%	.2%	.0%	.0%	.0%	.0%	.2%	.0%	.0%	.0%	.5%	.0%	.0%	.0%		
MANSLAUGHTER 1ST	.8%	1.0%	.5%	.0%	.7%	.7%	.5%	.0%	.0%	.0%	.8%	.9%	11.1%	1.4%	1.6%	.7%	.0%	.0%		
RAPE 1ST	.2%	.3%	.2%	.0%	.1%	.1%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%		
ROBBERY 1ST	1.7%	2.3%	2.0%	12.5%	3.5%	3.0%	2.7%	8.3%	.0%	1.3%	2.2%	2.2%	.0%	1.0%	1.0%	.2%	.0%	.0%		
ROBBERY 2ND	3.7%	5.0%	2.0%	.0%	2.7%	3.0%	1.7%	.0%	.0%	1.5%	3.2%	1.5%	.0%	2.3%	1.6%	.0%	.0%	.0%		
ASSAULT 1ST	1.2%	1.8%	.6%	.0%	2.7%	1.7%	1.1%	.0%	.0%	1.7%	1.5%	1.8%	.0%	2.4%	3.1%	.0%	.0%	.0%		
ASSAULT 2ND	2.5%	3.0%	.5%	12.5%	1.1%	1.9%	1.3%	8.3%	.0%	1.7%	2.4%	1.1%	.0%	1.0%	2.3%	.0%	.0%	.0%		
BURGLARY 1ST	2.4%	3.4%	.4%	.0%	1.7%	1.5%	.5%	.0%	.0%	1.0%	2.4%	.7%	.0%	3.1%	3.0%	.0%	.0%	20.0%		
BURGLARY 2ND	3.3%	1.4%	2.6%	.0%	3.5%	2.0%	.5%	.0%	.0%	4.2%	2.1%	1.3%	.0%	.0%	.3%	.0%	.0%	.0%		
ARSON 1ST, 2ND	3.3%	.3%	.0%	.0%	1.1%	.4%	.4%	.0%	.0%	1.7%	.2%	.0%	.0%	2.4%	2.6%	1.6%	.0%	.0%		
SODOMY 1ST	.0%	.1%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	1.0%	.0%	.0%	.0%	.0%	.3%	.2%	.0%	.0%		
SEX AB-1ST, AG. 2	.8%	.0%	.2%	.0%	.0%	.0%	.0%	.0%	.0%	1.7%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%		
WEAPONS OFFENSES	.0%	.8%	.5%	.0%	.0%	.5%	.0%	.0%	.0%	1.7%	.6%	.0%	.0%	.5%	.3%	.0%	.0%	20.0%		
KIDNAPPING 1ST, 2ND	.0%	.3%	.5%	.0%	.4%	.1%	.0%	.0%	.0%	.8%	.0%	.2%	.0%	.7%	.1%	.5%	.0%	.0%		
TOTAL	16.9%	15.9%	11.3%	25.0%	16.2%	13.8%	10.0%	16.7%	16.9%	14.8%	9.4%	11.1%	15.2%	17.0%	14.0%	.0%	40.0%			
OTHER COERCIVE																				
MANSLAUGHTER 2ND	2.1%	.3%	.4%	.0%	2.1%	.5%	.5%	.0%	.0%	1.7%	.6%	.0%	.0%	1.4%	.3%	.2%	.0%	.0%		
OTHER HOMICIDE	.8%	.2%	.2%	.0%	1.8%	.2%	.2%	.0%	.0%	.8%	.0%	.2%	.0%	2.4%	.3%	.2%	.0%	.0%		
ROBBERY 3RD	2.5%	1.8%	.2%	.0%	1.2%	1.4%	.9%	.0%	.0%	2.1%	1.3%	1.1%	.0%	1.7%	2.6%	.0%	.0%	.0%		
ATT ASSAULT 2ND	1.2%	.9%	.5%	.0%	1.4%	1.6%	.4%	.0%	.0%	.8%	1.4%	.2%	.0%	.3%	1.2%	.0%	.0%	.0%		
OTHER SEX OFFENSES	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.7%	.1%	.5%	.0%	.0%		
OTHER COERCIVE	2.1%	1.3%	2.0%	.0%	1.8%	1.0%	1.3%	.0%	.0%	3.0%	1.6%	2.5%	.0%	5.5%	2.0%	1.8%	50.0%	.0%		
TOTAL	9.1%	4.5%	3.3%	.0%	8.8%	4.7%	3.3%	.0%	8.9%	4.9%	4.0%	11.1%	12.1%	6.4%	4.8%	50.0%	.0%	.0%		
DRUG OFFENSES																				
DRUG SALE	31.8%	53.5%	66.4%	25.0%	32.0%	53.7%	60.8%	66.7%	22.5%	51.3%	64.6%	33.3%	21.0%	46.9%	54.0%	50.0%	40.0%			
DRUG POSSESSION	12.0%	14.0%	13.0%	12.5%	11.8%	14.7%	18.7%	8.5%	10.6%	14.8%	15.0%	22.2%	11.0%	14.0%	17.2%	.0%	.0%			
TOTAL	43.8%	67.5%	79.4%	37.5%	43.7%	68.4%	79.5%	75.0%	33.1%	66.1%	79.6%	55.6%	32.1%	60.8%	71.3%	50.0%	40.0%			
PROPERTY AND OTHER OFFENSES																				
BURGLARY 3RD	2.9%	1.3%	.4%	.0%	3.5%	1.4%	1.3%	.0%	.0%	2.1%	2.0%	.7%	.0%	3.1%	1.3%	.9%	.0%	20.0%		
GRAND LARCENY	9.9%	3.9%	2.7%	37.5%	8.7%	5	2.9%	.0%	.0%	10.4%	4.8%	1.8%	11.1%	13.4%	5.7%	4.1%	.0%	.0%		
FORGERY	7.9%	2.7%	1.1%	.0%	8.5%	3	1.3%	.0%	.0%	12.3%	3.5%	1.3%	11.1%	9.3%	4.3%	.9%	.0%	.0%		
STOLEN PROPERTY	2.5%	1.9%	.7%	.0%	1.5%	1.3%	.3%	8.3%	.0%	8.5%	.0%	.0%	.0%	2.4%	.9%	.5%	.0%	.0%		
DRIVE INTOXICATED	2.9%	1.1%	.2%	.0%	3.2%	.1%	.0%	.0%	.0%	8.5%	.0%	.0%	.0%	4.8%	.5%	.0%	.0%	.0%		
ALL OTHER FELONIES	2.1%	.5%	.5%	.0%	2.1%	.8%	.5%	.0%	.0%	2.5%	.8%	.7%	.0%	3.8%	.8%	.7%	.0%	.0%		
TOTAL	28.1%	10.5%	5.5%	37.5%	27.8%	11.9%	6.7%	8.5%	37.3%	11.7%	5.6%	22.2%	36.9%	13.6%	7.1%	.0%	20.0%			
YOUTHFUL / JUVENILE																				
YOUTHFUL OFFENDER	2.1%	1.2%	.4%	.0%	3.5%	1.2%	.5%	.0%	.0%	3.8%	2.3%	1.3%	.0%	3.8%	2.2%	2.8%	.0%	.0%		
JUVENILE OFFENDER	.0%	.0%	.2%	.0%	.0%	.1%	.0%	.0%	.0%	.0%	.1%	.0%	.0%	.0%	.0%	.0%	.0%	.0%		
TOTAL	2.1%	1.6%	.5%	.0%	3.5%	1.3%	.5%	.0%	3.8%	2.5%	1.3%	1.3%	.0%	3.8%	2.2%	2.8%	.0%	.0%		
GRAND TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%		

## Section 10

### AGE AT ADMISSION

The average age at admission was 31.1 years in 1999 (see Table 10.1). On average, women were older than men at the time of admission. For men the average age was 30.9 years for women 33.9 years (see Table 10.1).

Whites were the oldest at commitment (average age 32.4 years), followed by Hispanics (average age 31.2 years). African-Americans (30.5 years) were the youngest. Others (Asians, American Indians, etc.) were 31.8 years. (See Table 10.2).

The age distribution by gender and ethnic status for 1999 new court commitments is presented in Table 10.3 and 10.3B.

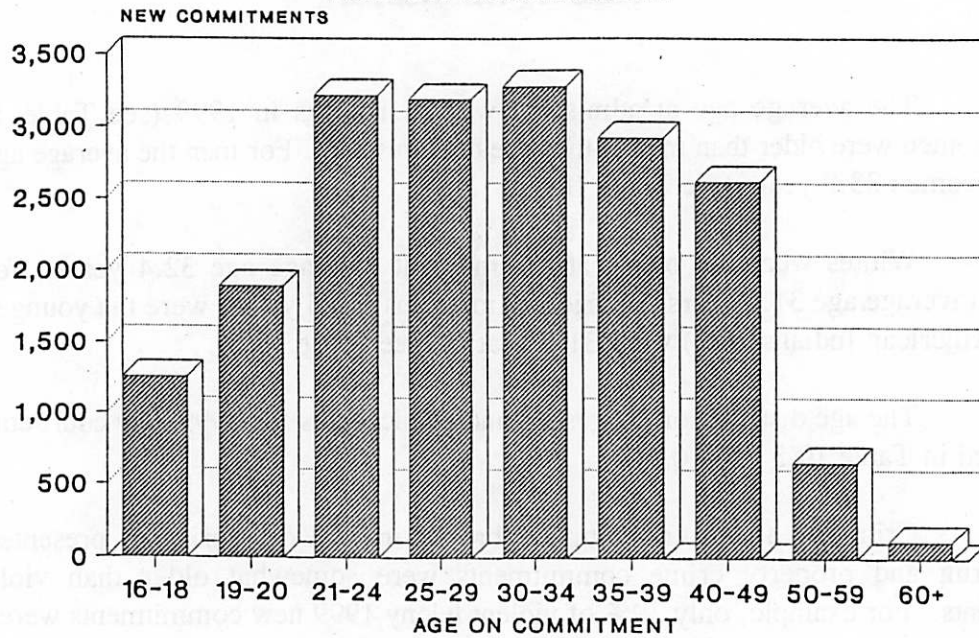
Crime by age at commitment (broken into 13 categories) is presented in Table 10.4. Drug and property crime commitments were somewhat older than violent felony commitments. For example, only 39% of violent felony 1999 new commitments were at least 30 years of age or older at commitment, compared to 54% of drug offenders and 66% property offenders.

#### Average Age at Admission by Crime and Gender

Among 1999 commitments women were usually two or more years older on average than were men committed for the same category of offenses, except among violent felony offenders where the age gap was little over a year.(see Table 10.5).

It can also be seen in Table 10.5 that for men the average age at commitment within the violent felony group rose from 28.5 years in 1996 to 29.0 years in 1999 while among women the average age for violent felons was the same in 1999 (30.2 years) as it was in 1996. Average age of men also rose among property offenders from 32.6 years to 33.8 years as did the average age of women committed for property offenses (from 34.9 years in 1996 to 36.3 years in 1999).

Figure 10  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
AGE ON COMMITMENT



AGE ON COMMITMENT  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

GENDER	AGE ON COMMITMENT									TOTAL
	16 - 18	19 - 20	21 - 24	25 - 29	30 - 34	35 - 39	40 - 49	50 - 59	60 & OVER	
MALES	1,192	1,815	3,072	2,980	2,973	2,587	2,331	603	113	17,666
FEMALES	64	73	147	211	311	340	289	58	5	1,498
TOTAL COMMITMENTS:	1,256	1,888	3,219	3,191	3,284	2,927	2,620	661	118	19,164
PERCENT	6.6%	9.9%	16.8%	16.7%	17.1%	15.3%	13.7%	3.4%	0.6%	100.0%

TABLE 10.1 AGE AT COMMITMENT BY SEX  
1999 NEW COURT COMMITMENTS

AGE AT	MALE	FEMALE	TOTAL
16 YR	92 .5%	7 .5%	99 .5%
17 YR	405 2.3%	26 1.7%	431 2.2%
18 YR	695 3.9%	31 2.1%	726 3.8%
19 YR	843 4.8%	40 2.7%	883 4.6%
20 YR	972 5.5%	33 2.2%	1005 5.2%
21 YR	853 4.8%	30 2.0%	883 4.6%
22-24	2219 12.6%	117 7.8%	2336 12.2%
25-29	2980 16.9%	211 14.1%	3191 16.7%
30-34	2973 16.8%	311 20.8%	3284 17.1%
35-39	2587 14.6%	340 22.7%	2927 15.3%
40-49	2331 13.2%	289 19.3%	2620 13.7%
50-59	603 3.4%	58 3.9%	661 3.4%
60 +	113 .6%	5 .3%	118 .6%
TOTAL	17666 100.0%	1498 100.0%	19164 100.0%
AVERAGE	30.9	33.9	31.1

TABLE 10.2  
AGE AT COMMITMENT BY ETHNIC STATUS  
1999 NEW COURT COMMITMENTS

AGE AT COMMITMENT	WHITE	BLACK	HISPAN	OTHER	TOTAL
16 YR	16 .5%	57 .6%	24 .4%	2 .6%	99 .5%
17 YR	53 1.5%	260 2.8%	112 1.9%	6 1.9%	431 2.2%
18 YR	120 3.4%	397 4.2%	199 3.3%	10 3.1%	726 3.8%
19 YR	165 4.7%	455 4.9%	249 4.2%	14 4.4%	883 4.6%
20 YR	154 4.4%	534 5.7%	295 5.0%	22 6.9%	1005 5.2%
21 YR	165 4.7%	450 4.8%	260 4.4%	8 2.5%	883 4.6%
22-24	366 10.3%	1202 12.8%	732 12.3%	36 11.2%	2336 12.2%
25-29	560 15.8%	1501 16.0%	1076 18.1%	54 16.8%	3191 16.7%
30-34	566 16.0%	1550 16.6%	1108 18.6%	60 18.7%	3284 17.1%
35-39	608 17.2%	1418 15.2%	857 14.4%	44 13.7%	2927 15.3%
40-49	557 15.7%	1248 13.3%	766 12.9%	49 15.3%	2620 13.7%
50-59	169 4.8%	247 2.6%	230 3.9%	15 4.7%	661 3.4%
60 +	40 1.1%	40 .4%	37 .6%	1 .3%	118 .6%
TOTAL	3539 100.0%	9359 100.0%	5945 100.0%	321 100.0%	19164 100.0%
AVERAGE	32.4	30.5	31.2	31.8	31.1

TABLE 10.3  
AGE BY SEX BY ETHNIC STATUS  
1999 NEW COURT COMMITMENTS

AGE AT COMMITMENT	MALE					FEMALE				
	WHITE	BLACK	HISPAN	OTHER	TOTAL	WHITE	BLACK	HISPAN	OTHER	TOTAL
16 YR	14 .4%	53 .6%	23 .4%	2 .6%	92 .5%	2 .7%	4 .5%	1 .2%	0 .0%	7 .5%
17 YR	49 1.5%	245 2.9%	105 1.9%	6 1.9%	405 2.3%	4 1.4%	15 2.0%	7 1.6%	0 .0%	26 1.7%
18 YR	114 3.5%	379 4.4%	192 3.5%	10 3.2%	695 3.9%	6 2.1%	18 2.3%	7 1.6%	0 .0%	31 2.1%
19 YR	153 4.7%	442 5.1%	235 4.3%	13 4.1%	843 4.8%	12 4.1%	13 1.7%	14 3.2%	1 14.3%	40 2.7%
20 YR	147 4.5%	520 6.1%	284 5.2%	21 6.7%	972 5.5%	7 2.4%	14 1.8%	11 2.5%	1 14.3%	33 2.2%
21 YR	154 4.7%	438 5.1%	253 4.6%	8 2.5%	853 4.8%	11 3.8%	12 1.6%	7 1.6%	0 .0%	30 2.0%
22-24	337 10.4%	1143 13.3%	703 12.8%	36 11.5%	2219 12.6%	29 10.0%	59 7.7%	29 6.7%	0 .0%	117 7.8%
25-29	518 15.9%	1388 16.2%	1020 18.5%	54 17.2%	2980 16.9%	42 14.5%	113 14.8%	56 12.9%	0 .0%	211 14.1%
30-34	514 15.8%	1381 16.1%	1020 18.5%	58 18.5%	2973 16.8%	52 17.9%	169 22.1%	88 20.2%	2 28.6%	311 20.8%
35-39	547 16.8%	1238 14.4%	760 13.8%	42 13.4%	2587 14.6%	61 21.0%	180 23.5%	97 22.3%	2 28.6%	340 22.7%
40-49	506 15.6%	1103 12.8%	674 12.2%	48 15.3%	2331 13.2%	51 17.6%	145 18.9%	92 21.1%	1 14.3%	289 19.3%
50-59	157 4.8%	225 2.6%	206 3.7%	15 4.8%	603 3.4%	12 4.1%	22 2.9%	24 5.5%	0 .0%	58 3.9%
60 +	39 1.2%	38 .4%	35 .6%	1 .3%	113 .6%	1 .3%	2 .3%	2 .5%	0 .0%	5 .3%
TOTAL	3249 100.0%	8593 100.0%	5510 100.0%	314 100.0%	17666 100.0%	290 100.0%	766 100.0%	435 100.0%	7 100.0%	1498 100.0%
AVERAGE	100.0% 32.4	100.0% 30.2	100.0% 31.0	100.0% 31.8	100.0% 30.9	100.0% 33.1	100.0% 33.8	100.0% 34.6	100.0% 31.9	100.0% 33.9



TABLE 10.3B AGE AT COMMITMENT BY INMATE GENDER AND RACE/ETHNIC STATUS; 1999 NEW COURT COMMITMENTS

AGE AT COMMITMENT	MALE						FEMALE						GRAND TOTAL
	WHITE	BLACK	HISPANIC	OTHER	UNKNOWN	TOTAL	WHITE	BLACK	HISPANIC	OTHER	UNKNOWN	TOTAL	
16.00	14	53	23	1	1	92	2	4	1	0	0	7	99
17.00	49	245	105	4	2	405	4	15	7	0	0	26	431
18.00	114	379	192	8	2	695	6	18	7	0	0	31	726
19.00	153	442	235	10	3	843	12	13	14	0	1	40	883
20.00	147	520	284	16	5	972	7	14	11	0	1	33	1005
21.00	154	438	253	4	4	853	11	12	7	0	0	30	883
22.00	130	416	249	15	2	812	11	22	9	0	0	42	854
23.00	113	389	235	4	0	741	13	17	10	0	0	40	781
24.00	94	338	219	12	3	666	5	20	10	0	0	35	701
25.00	85	290	186	10	1	572	9	17	5	0	0	31	603
26.00	95	286	201	9	2	593	7	19	5	0	0	31	624
27.00	111	258	197	5	2	573	9	28	15	0	0	52	625
28.00	108	281	213	11	2	615	10	28	18	0	0	56	671
29.00	119	273	223	9	3	627	7	21	13	0	0	41	668
30.00	115	275	210	10	2	612	5	31	13	0	0	49	661
31.00	90	280	220	10	3	603	10	28	22	0	0	60	663
32.00	86	254	215	9	1	565	15	36	16	0	0	67	632
33.00	122	287	189	7	3	608	10	43	21	1	0	75	683
34.00	101	285	186	10	3	585	12	31	16	0	1	60	645
35.00	125	284	187	4	3	603	21	38	19	0	2	80	683
36.00	122	267	161	7	1	558	11	42	19	0	0	72	630
37.00	112	242	143	12	1	510	12	36	22	0	0	70	580
38.00	101	214	139	3	0	457	7	28	17	0	0	52	509
39.00	87	231	130	10	1	459	10	36	20	0	0	66	525
40.00	80	195	116	2	1	394	4	28	21	0	0	53	447
41.00	73	193	84	7	3	360	8	20	14	0	0	42	402
42.00	49	143	95	4	4	295	6	15	12	0	0	33	328
43.00	66	127	77	4	1	275	3	13	15	1	0	32	307
44.00	53	120	77	4	1	255	10	20	6	0	0	36	291
45.00	42	95	62	0	1	200	3	13	8	0	0	24	224
46.00	47	73	49	3	0	174	4	9	4	0	0	17	191
47.00	43	53	49	3	2	150	5	7	6	0	0	18	168
48.00	30	53	33	0	1	117	6	12	3	0	0	21	138
49.00	23	51	32	5	0	111	2	8	3	0	0	13	124
50.00	24	43	31	3	1	102	4	7	4	0	0	15	117
51.00	28	37	27	0	1	93	0	1	7	0	0	8	101
52.00	21	23	27	0	1	72	3	3	3	0	0	9	81
53.00	22	27	26	1	0	76	2	3	0	0	0	5	81
54.00	19	22	23	3	0	67	0	1	4	0	0	5	72
55.00	10	17	18	0	0	45	1	2	3	0	0	6	51
56.00	5	15	19	0	2	41	1	1	2	0	0	4	45
57.00	5	17	15	2	0	39	0	1	0	0	0	1	40
58.00	11	12	9	0	0	32	1	1	1	0	0	3	35
59.00	12	12	11	1	0	36	0	2	0	0	0	2	38
60.00	5	5	5	0	0	15	0	1	0	0	0	1	16
61.00	5	6	4	0	0	15	0	0	0	0	0	0	15
62.00	2	3	2	0	0	7	1	1	0	0	0	2	9
63.00	3	2	5	0	0	10	0	0	1	0	0	1	11
64.00	3	7	6	0	0	16	0	0	0	0	0	0	16
65.00	6	2	2	0	0	10	0	0	0	0	0	0	10
66.00	3	4	3	0	1	11	0	0	0	0	0	0	11
67.00	1	3	2	0	0	6	0	0	0	0	0	0	6
68.00	1	1	0	0	0	2	0	0	1	0	0	1	3
69.00	2	2	1	0	0	5	0	0	0	0	0	0	5
70.00	1	1	1	0	0	3	0	0	0	0	0	0	3
71.00	0	0	1	0	0	1	0	0	0	0	0	0	1
72.00	1	1	1	0	0	3	0	0	0	0	0	0	3
73.00	1	1	1	0	0	3	0	0	0	0	0	0	3
74.00	0	0	1	0	0	1	0	0	0	0	0	0	1
75.00	1	0	0	0	0	1	0	0	0	0	0	0	1
76.00	1	0	0	0	0	1	0	0	0	0	0	0	1
77.00	1	0	0	0	0	1	0	0	0	0	0	0	1
81.00	1	0	0	0	0	1	0	0	0	0	0	0	1
90.00	1	0	0	0	0	1	0	0	0	0	0	0	1
TOTAL	3249	8593	5510	244	70	17666	290	766	435	2	5	1498	19164
AVERAGE	32.4	30.2	31.0	31.5	32.7	30.9	33.1	33.8	34.6	38.7	29.2	33.9	31.1

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TABLE 10.4 CRIME BY AGE AT COMMITMENT; 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	16 YR	17 YR	18 YR	19 YR	20 YR	21 YR	22-24	25-29	30-34	35-39	40-49	50-59	60 +	TOTAL
<b>VIOLENT FELONY</b>														
MURDER	1 .4%	5 1.8%	13 4.6%	14 5.0%	20 7.1%	18 6.4%	53 18.9%	56 20.0%	36 12.9%	29 10.4%	19 6.8%	14 5.0%	2 .7%	280 100.0%
ATTEMPTED MURDER	0 .0%	5 3.0%	10 5.9%	12 7.1%	14 8.3%	12 7.1%	25 14.8%	26 15.4%	19 11.2%	17 10.1%	24 14.2%	4 2.4%	1 .6%	169 100.0%
MANSLAUGHTER 1ST	0 .0%	2 1.1%	12 6.7%	13 7.3%	13 7.3%	7 3.9%	32 17.9%	32 17.9%	20 11.2%	13 7.3%	22 12.3%	9 5.0%	4 2.2%	179 100.0%
RAPE 1ST	1 .6%	1 .6%	4 2.4%	6 3.6%	4 2.4%	7 4.2%	16 9.6%	24 14.5%	35 21.1%	36 21.7%	20 12.0%	8 4.8%	4 2.4%	166 100.0%
ROBBERY 1ST	8 .9%	47 5.2%	73 8.0%	73 8.0%	80 8.8%	72 7.9%	134 14.7%	166 18.2%	114 12.5%	94 10.3%	43 4.7%	5 .5%	1 .1%	910 100.0%
ROBBERY 2ND	21 2.2%	50 5.1%	74 7.6%	77 7.9%	86 8.9%	75 7.7%	148 15.2%	143 14.7%	115 11.8%	119 12.3%	59 6.1%	4 .4%	0 .0%	971 100.0%
ASSAULT 1ST	2 .6%	15 4.6%	27 8.4%	23 7.1%	16 5.0%	17 5.3%	50 15.5%	58 18.0%	36 11.1%	35 10.8%	26 8.0%	17 5.3%	1 .3%	323 100.0%
ASSAULT 2ND	2 .4%	16 3.4%	27 5.7%	24 5.1%	26 5.5%	27 5.7%	64 13.6%	81 17.2%	62 13.2%	58 12.3%	63 13.4%	17 3.6%	4 .8%	471 100.0%
BURGLARY 1ST	1 .7%	5 3.6%	2 1.4%	13 9.4%	16 11.6%	7 5.1%	17 12.3%	22 15.9%	18 13.0%	14 10.1%	22 15.9%	1 .7%	0 .0%	138 100.0%
BURGLARY 2ND	4 .5%	12 1.6%	25 3.3%	26 3.5%	44 5.8%	49 6.5%	95 12.6%	137 18.2%	134 17.8%	112 14.9%	94 12.5%	20 2.7%	1 .1%	753 100.0%
ARSON 1ST,2ND	0 .0%	0 .0%	0 .0%	2 5.7%	1 2.9%	1 2.9%	5 14.3%	4 11.4%	7 20.0%	6 17.1%	7 20.0%	1 2.9%	1 2.9%	35 100.0%
SODOMY 1ST	0 .0%	2 1.5%	2 1.5%	5 3.8%	5 3.8%	3 2.3%	10 7.6%	17 12.9%	26 19.7%	21 15.9%	27 20.5%	10 7.6%	4 3.0%	132 100.0%
SEX.AB-1ST,Ag.2	0 .0%	2 .7%	6 2.2%	8 3.0%	9 3.4%	6 2.2%	20 7.5%	33 12.3%	42 15.7%	37 13.8%	63 23.5%	29 10.8%	13 4.9%	268 100.0%
WEAPONS OFFENSES	5 .9%	14 2.6%	19 3.6%	31 5.9%	57 10.8%	33 6.2%	105 19.8%	104 19.7%	74 14.0%	46 8.7%	28 5.3%	11 2.1%	2 .4%	529 100.0%
KIDNAPPING 1ST,2ND	0 .0%	1 2.6%	1 2.6%	0 .0%	0 .0%	4 10.5%	4 10.5%	11 28.9%	5 13.2%	8 21.1%	4 10.5%	0 .0%	0 .0%	38 100.0%
OTHER VIOLENT FELONIES	0 .0%	0 .0%	0 .0%	0 .0%	1 14.3%	0 .0%	2 28.6%	1 14.3%	2 28.6%	1 14.3%	0 .0%	0 .0%	0 .0%	7 100.0%
SUBTOTAL	45 .8%	177 3.3%	295 5.5%	327 6.1%	392 7.3%	338 6.3%	780 14.5%	915 17.0%	745 13.9%	646 12.0%	521 9.7%	150 2.8%	38 .7%	5369 100.0%
<b>OTHER COERCIVE</b>														
MANSLAUGHTER 2ND	0 .0%	1 1.4%	1 1.4%	3 4.1%	5 6.8%	6 8.2%	8 11.0%	12 16.4%	9 12.3%	14 19.2%	8 11.0%	4 5.5%	2 2.7%	73 100.0%
OTHER HOMICIDE	0 .0%	0 .0%	0 .0%	2 4.4%	2 4.4%	2 4.4%	10 22.2%	11 24.4%	3 6.7%	7 15.6%	7 15.6%	1 2.2%	0 .0%	45 100.0%
ROBBERY 3RD	5 1.1%	16 3.4%	16 3.4%	18 3.8%	30 6.3%	19 4.0%	55 11.6%	69 14.5%	102 21.4%	90 18.9%	51 10.7%	5 1.1%	0 .0%	476 100.0%
ATT ASSAULT 2ND	0 .0%	4 2.1%	5 2.6%	7 3.6%	6 3.1%	8 4.2%	20 10.4%	52 27.1%	36 18.8%	22 11.5%	24 12.5%	7 3.6%	1 .5%	192 100.0%
OTHER SEX OFFENSES	1 .4%	0 .0%	2 .8%	5 1.9%	9 3.5%	11 4.2%	29 11.2%	42 16.2%	56 21.5%	39 15.0%	43 16.5%	17 6.5%	6 2.3%	260 100.0%
OTHER COERCIVE	0 .0%	6 1.2%	18 3.5%	15 2.9%	25 4.9%	28 5.5%	73 14.3%	98 19.3%	107 21.0%	67 13.2%	61 12.0%	11 2.2%	0 .0%	509 100.0%
SUBTOTAL	6 .4%	27 1.7%	42 2.7%	50 3.2%	77 5.0%	74 4.8%	195 12.5%	284 18.3%	313 20.1%	239 15.4%	194 12.5%	45 2.9%	9 .6%	1555 100.0%
<b>DRUG SALE</b>	10 .2%	57 .9%	100 1.6%	197 3.2%	249 4.1%	237 3.9%	692 11.3%	1012 16.6%	1168 19.2%	1055 17.3%	1054 17.3%	232 3.8%	35 .6%	6098 100.0%
DRUG POSSESSION	3 .1%	29 1.2%	59 2.4%	85 3.5%	122 5.0%	115 4.7%	388 16.0%	528 21.8%	413 17.0%	298 12.3%	277 11.4%	88 3.6%	18 .7%	2423 100.0%
SUBTOTAL	13 .2%	86 1.0%	159 1.9%	282 3.3%	371 4.4%	352 4.1%	1080 12.7%	1540 18.1%	1581 18.6%	1353 15.9%	1331 15.6%	320 3.8%	53 .6%	8521 100.0%
<b>PROPERTY AND OTHER</b>														
BURGLARY 3RD	2 .2%	14 1.6%	31 3.4%	42 4.7%	40 4.4%	43 4.8%	72 8.0%	113 12.5%	200 22.2%	188 20.8%	137 15.2%	19 2.1%	1 .1%	902 100.0%
GRAND LARCENY	1 .2%	1 .2%	10 1.6%	22 3.6%	15 2.4%	13 2.1%	50 8.1%	101 16.3%	120 19.4%	138 22.3%	115 18.6%	31 5.0%	2 .3%	619 100.0%
FORGERY	0 .0%	1 .3%	3 1.0%	6 1.9%	4 1.3%	9 2.9%	32 10.2%	47 15.0%	78 24.8%	62 19.7%	60 19.1%	12 3.8%	0 .0%	314 100.0%
STOLEN PROPERTY	0 .0%	5 1.7%	7 2.3%	18 6.0%	14 4.7%	14 4.7%	30 10.0%	50 16.7%	70 23.3%	49 16.3%	33 11.0%	8 2.7%	2 .7%	300 100.0%
DRIVE INTOXICATED	0 .0%	0 .0%	0 .0%	0 .0%	3 .6%	1 .2%	13 2.4%	61 11.4%	98 18.4%	163 30.5%	136 25.5%	49 9.2%	10 1.9%	534 100.0%
ALL OTHER FELONIES	3 .7%	1 .2%	6 1.3%	10 2.2%	13 2.9%	11 2.4%	45 9.9%	75 16.5%	78 17.2%	89 19.6%	93 20.5%	27 5.9%	3 .7%	454 100.0%
SUBTOTAL	6 .2%	22 .7%	57 1.8%	98 3.1%	89 2.8%	91 2.9%	242 7.7%	447 14.3%	644 20.6%	689 22.1%	574 18.4%	146 4.7%	18 .6%	3123 100.0%
<b>YOUTHFUL OFFENDER</b>	28 5.0%	115 20.6%	163 29.3%	121 21.7%	66 11.8%	27 4.8%	34 6.1%	2 .4%	1 .2%	0 .0%	0 .0%	0 .0%	0 .0%	557 100.0%
JUVENILE OFFENDER	1 2.6%	4 10.3%	10 25.6%	5 12.8%	10 25.6%	1 2.6%	5 12.8%	3 7.7%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	39 100.0%
SUBTOTAL	29 4.9%	119 20.0%	173 29.0%	126 21.1%	76 12.8%	28 4.7%	39 6.5%	5 .8%	1 .2%	0 .0%	0 .0%	0 .0%	0 .0%	596 100.0%
<b>RAND TOTAL</b>	99 .5%	431 2.2%	726 3.8%	883 4.6%	1005 5.2%	883 4.6%	2336 12.2%	3191 16.7%	3284 17.1%	2927 15.3%	2620 13.7%	661 3.4%	118 .6%	19164 100.0%

TABLE 10.5 CRIME BY SEX, AVERAGE AGE AND YEAR RECEIVED; 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996						1997					
	MALE		FEMALE		TOTAL		MALE		FEMALE		TOTAL	
	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE
<b>VIOLENT FELONY</b>												
MURDER	352	29.3	16	32.4	368	29.4	337	28.2	16	29.1	353	28.3
ATTEMPTED MURDER	201	27.7	3	34.7	204	27.8	214	28.3	3	39.1	217	28.4
MANSLAUGHTER 1ST	210	30.1	14	32.4	224	30.2	213	28.8	11	31.4	224	29.0
RAPE 1ST	184	33.6	1	33.0	185	33.5	188	33.9	0	.	188	33.9
ROBBERY 1ST	1196	25.8	37	28.7	1233	25.9	1073	25.5	36	28.5	1109	25.6
ROBBERY 2ND	1124	26.2	55	28.1	1179	26.3	984	26.3	49	30.1	1033	26.5
ASSAULT 1ST	262	29.2	21	28.5	283	29.2	276	28.9	22	29.6	298	28.9
ASSAULT 2ND	343	29.7	37	29.9	380	29.7	370	29.5	27	30.2	397	29.5
BURGLARY 1ST	129	29.2	7	30.7	136	29.2	157	29.0	9	28.1	166	28.9
BURGLARY 2ND	871	30.5	35	31.6	906	30.6	756	30.4	30	31.4	786	30.5
ARSON 1ST,2ND	45	33.2	4	37.5	49	33.5	34	30.5	8	37.4	42	31.9
SODOMY 1ST	127	35.1	2	39.7	129	35.1	99	36.0	0	.	99	36.0
SEX.AB-1ST,Ag.2	196	35.2	3	26.6	199	35.1	199	33.7	1	38.0	200	33.7
WEAPONS OFFENSES	624	27.4	9	31.3	633	27.4	656	27.7	4	34.1	660	27.7
KIDNAPPING 1ST,2ND	67	29.5	6	33.6	73	29.8	50	28.7	2	29.4	52	28.7
OTHER VIOLENT FELONIES	4	25.0	0	.	4	25.0	3	23.8	0	.	3	23.8
<b>TOTAL</b>	<b>5935</b>	<b>28.5</b>	<b>250</b>	<b>30.2</b>	<b>6185</b>	<b>28.5</b>	<b>5609</b>	<b>28.3</b>	<b>218</b>	<b>30.4</b>	<b>5827</b>	<b>28.4</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	54	30.6	10	31.6	64	30.8	68	31.9	13	36.0	81	32.6
OTHER HOMICIDE	37	30.3	5	26.2	42	29.8	39	32.0	8	29.9	47	31.7
ROBBERY 3RD	529	28.8	23	31.1	552	28.9	502	28.9	20	32.3	522	29.1
ATT ASSAULT 2ND	141	30.4	14	32.5	155	30.6	183	31.1	19	32.5	202	31.3
OTHER SEX OFFENSES	196	35.0	1	30.9	197	35.0	212	35.5	2	26.3	214	35.4
OTHER COERCIVE	451	30.6	28	35.7	479	30.9	433	30.5	20	35.7	453	30.8
<b>TOTAL</b>	<b>1408</b>	<b>30.5</b>	<b>81</b>	<b>32.7</b>	<b>1489</b>	<b>30.6</b>	<b>1437</b>	<b>30.9</b>	<b>82</b>	<b>33.4</b>	<b>1519</b>	<b>31.0</b>
<b>DRUG OFFENSES</b>												
DRUG SALE	6516	32.1	931	33.5	7447	32.3	6347	32.1	882	34.2	7229	32.3
DRUG POSSESSION	2166	30.6	229	32.3	2395	30.7	2314	30.4	260	32.8	2574	30.6
<b>TOTAL</b>	<b>8682</b>	<b>31.7</b>	<b>1160</b>	<b>33.3</b>	<b>9842</b>	<b>31.9</b>	<b>8661</b>	<b>31.6</b>	<b>1142</b>	<b>33.9</b>	<b>9803</b>	<b>31.9</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	994	31.5	21	30.8	1015	31.5	940	31.7	29	31.8	969	31.7
GRAND LARCENY	607	32.7	78	36.9	685	33.2	614	33.5	83	37.5	697	34.0
FORGERY	208	32.8	50	35.2	258	33.3	211	34.0	57	34.2	268	34.0
STOLEN PROPERTY	473	30.1	27	31.3	500	30.1	388	30.1	20	35.5	408	30.4
DRIVE INTOXICATED	290	38.2	8	37.6	298	38.1	374	38.1	11	38.4	385	38.1
ALL OTHER FELONIES	256	34.5	13	33.4	269	34.4	349	35.3	16	37.3	365	35.4
<b>TOTAL</b>	<b>2828</b>	<b>32.6</b>	<b>197</b>	<b>34.9</b>	<b>3025</b>	<b>32.7</b>	<b>2876</b>	<b>33.3</b>	<b>216</b>	<b>35.7</b>	<b>3092</b>	<b>33.5</b>
<b>YOUTHFUL/JUVENILE</b>												
YOUTHFUL OFFENDER	488	18.8	18	19.3	506	18.8	495	18.8	23	18.9	518	18.8
JUVENILE OFFENDER	140	18.5	5	18.1	145	18.5	42	18.1	1	16.8	43	18.1
<b>TOTAL</b>	<b>628</b>	<b>18.7</b>	<b>23</b>	<b>19.1</b>	<b>651</b>	<b>18.7</b>	<b>537</b>	<b>18.8</b>	<b>24</b>	<b>18.8</b>	<b>561</b>	<b>18.8</b>
<b>GRAND TOTAL</b>	<b>19481</b>	<b>30.3</b>	<b>1711</b>	<b>32.8</b>	<b>21192</b>	<b>30.5</b>	<b>19120</b>	<b>30.5</b>	<b>1682</b>	<b>33.4</b>	<b>20802</b>	<b>30.7</b>

(continued)

TABLE 10.5 CRIME BY SEX, AVERAGE AGE AND YEAR RECEIVED; 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1998						1999					
	MALE		FEMALE		TOTAL		MALE		FEMALE		TOTAL	
	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE
<b>VIOLENT FELONY</b>												
MURDER	297	29.2	7	36.9	304	29.3	270	29.0	10	30.6	280	29.1
ATTEMPTED MURDER	169	28.3	2	21.8	171	28.2	162	29.5	7	28.6	169	29.5
MANSLAUGHTER 1ST	172	30.8	17	29.3	189	30.6	161	29.8	18	34.4	179	30.3
RAPE 1ST	172	33.5	0	.	172	33.5	165	33.3	1	32.4	166	33.3
ROBBERY 1ST	957	26.0	32	28.4	989	26.1	885	26.3	25	29.1	910	26.4
ROBBERY 2ND	889	26.2	42	28.6	931	26.4	933	26.4	38	31.1	971	26.6
ASSAULT 1ST	270	27.8	21	30.7	291	28.0	294	28.8	29	28.1	323	28.8
ASSAULT 2ND	394	28.5	26	30.7	420	28.7	426	30.4	45	29.4	471	30.3
BURGLARY 1ST	120	30.0	6	31.1	126	30.0	136	28.9	2	41.2	138	29.1
BURGLARY 2ND	758	31.0	34	32.0	792	31.0	719	30.6	34	29.6	753	30.5
ARSON 1ST,2ND	26	31.7	7	31.7	33	31.7	30	32.8	5	37.7	35	33.5
SODOMY 1ST	98	35.4	0	.	98	35.4	130	35.7	2	33.8	132	35.6
SEX AB-1ST,Ag.2	245	34.9	4	27.3	249	34.8	262	37.2	6	27.7	268	37.0
WEAPONS OFFENSES	574	28.3	8	30.8	582	28.3	519	27.4	10	30.4	529	27.5
KIDNAPPING 1ST,2ND	39	31.2	3	28.3	42	31.0	33	31.2	5	27.1	38	30.6
OTHER VIOLENT FELONIES	4	30.0	0	.	4	30.0	7	27.9	0	.	7	27.9
<b>TOTAL</b>	<b>5184</b>	<b>28.7</b>	<b>209</b>	<b>30.1</b>	<b>5393</b>	<b>28.8</b>	<b>5132</b>	<b>29.0</b>	<b>237</b>	<b>30.2</b>	<b>5369</b>	<b>29.1</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	62	29.5	9	37.1	71	30.5	66	32.6	7	31.8	73	32.5
OTHER HOMICIDE	30	31.0	3	26.7	33	30.6	35	30.7	10	33.5	45	31.3
ROBBERY 3RD	475	28.4	21	32.4	496	28.6	444	29.9	32	33.4	476	30.2
ATT ASSAULT 2ND	181	31.0	16	34.5	197	31.3	180	30.7	12	36.0	192	31.1
OTHER SEX OFFENSES	263	35.0	1	33.9	264	35.0	255	34.2	5	36.6	260	34.3
OTHER COERCIVE	427	30.4	32	33.8	459	30.6	469	29.9	40	35.4	509	30.3
<b>TOTAL</b>	<b>1438</b>	<b>30.6</b>	<b>82</b>	<b>33.7</b>	<b>1520</b>	<b>30.8</b>	<b>1449</b>	<b>30.9</b>	<b>106</b>	<b>34.5</b>	<b>1555</b>	<b>31.2</b>
<b>DRUG OFFENSES</b>												
DRUG SALE	5916	32.0	781	35.6	6697	32.4	5440	32.4	658	35.2	6098	32.7
DRUG POSSESSION	2165	30.7	220	33.1	2385	31.0	2209	30.4	214	33.8	2423	30.7
<b>TOTAL</b>	<b>8081</b>	<b>31.7</b>	<b>1001</b>	<b>35.0</b>	<b>9082</b>	<b>32.0</b>	<b>7649</b>	<b>31.9</b>	<b>872</b>	<b>34.8</b>	<b>8521</b>	<b>32.2</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	847	31.4	25	33.4	872	31.5	878	31.9	24	36.2	902	32.0
GRAND LARCENY	580	33.6	73	37.3	653	34.0	518	33.3	101	37.5	619	34.0
FORGERY	189	33.4	69	35.9	258	34.1	250	34.0	64	33.7	314	34.0
STOLEN PROPERTY	310	30.6	12	34.0	322	30.7	284	30.9	16	34.9	300	31.1
DRIVE INTOXICATED	358	38.3	20	39.0	378	38.3	516	38.8	18	40.2	534	38.8
ALL OTHER FELONIES	385	33.8	16	34.2	401	33.8	434	34.2	20	36.4	454	34.3
<b>TOTAL</b>	<b>2669</b>	<b>33.2</b>	<b>215</b>	<b>36.1</b>	<b>2884</b>	<b>33.4</b>	<b>2880</b>	<b>33.8</b>	<b>243</b>	<b>36.3</b>	<b>3123</b>	<b>34.0</b>
<b>YOUTHFUL/JUVENILE</b>												
YOUTHFUL OFFENDER	536	18.8	35	19.0	571	18.8	517	19.2	40	19.0	557	19.2
JUVENILE OFFENDER	46	18.6	1	18.9	47	18.6	39	20.3	0	.	39	20.3
<b>TOTAL</b>	<b>582</b>	<b>18.8</b>	<b>36</b>	<b>19.0</b>	<b>618</b>	<b>18.8</b>	<b>556</b>	<b>19.2</b>	<b>40</b>	<b>19.0</b>	<b>596</b>	<b>19.2</b>
<b>GRAND TOTAL</b>	<b>17954</b>	<b>30.5</b>	<b>1543</b>	<b>34.1</b>	<b>19497</b>	<b>30.8</b>	<b>17666</b>	<b>30.9</b>	<b>1498</b>	<b>33.9</b>	<b>19164</b>	<b>31.1</b>

### **Average Age at Admission by Crime and Race/Ethnic Status**

Whites committed in 1999 for violent felony crimes were older (average age 31.7 years) than either African-Americans (average age 28.2 years) or Hispanics (average age 28.7 years) committed for violent crimes (see Table 10.6). Whites were also older than African Americans or Hispanics among other coercive offenders and drug offenders. Among property offenders committed in 1999 blacks (34.7 years) were older than whites (33.6 years) or Hispanics (33.6 years).

### **Trends in Age at Commitment**

Offenders committed in 1999 were seven months older (average age 31.1) than those committed in 1996 (average age 30.5) (see Table 10.7). Between 1996 and 1999 the percent of commitments that were 25 to 29 years of age declined from 19% to 17%, while commitments that were between 35 and 59 years of age increased from 28% to 32%.

TABLE 10.6  
CRIME BY AVERAGE AGE BY ETHNIC STATUS AND YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996										1997									
	WHITE		BLACK		HISPAN		OTHER		TOTAL		WHITE		BLACK		HISPAN		OTHER		TOTAL	
	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE
VIOLENT FELONY																				
MURDER	60	35.2	184	28.3	114	27.8	10	32.5	368	29.4	42	33.7	192	27.8	111	26.7	8	32.5	353	28.3
ATTEMPTED MURDER	32	31.6	105	29.0	60	27.5	17	25.6	204	30.2	22	35.0	108	27.7	80	27.8	7	27.7	217	28.4
MANSLAUGHTER 1ST	21	30.5	105	29.0	60	27.5	11	33.7	224	30.2	22	32.7	110	28.5	86	28.3	6	33.6	224	29.0
RAPE 1ST	52	36.6	90	31.7	40	32.9	3	45.7	183	33.5	55	35.0	95	33.8	36	32.6	2	28.1	168	33.9
ROBBERY 1ST	95	29.5	700	25.7	399	25.4	39	26.0	1233	25.9	99	35.0	631	25.5	355	24.8	24	26.5	1109	25.6
ROBBERY 2ND	121	28.4	732	26.6	304	24.9	22	24.5	1179	26.3	124	28.0	590	26.3	300	26.3	19	26.4	1033	26.5
ASSAULT 1ST	31	33.8	148	28.4	97	29.1	7	25.7	283	29.2	37	30.8	162	28.6	88	28.2	11	33.3	298	28.9
ASSAULT 2ND	89	30.5	208	30.2	76	26.9	27	25.7	380	29.7	67	29.9	193	29.0	117	28.8	20	30.0	397	29.5
BURGLARY 1ST	21	30.5	70	30.0	42	28.0	3	20.9	136	29.2	28	31.9	78	29.0	54	27.8	6	24.6	166	28.9
BURGLARY 2ND	306	29.6	319	31.5	267	30.4	14	31.8	906	30.6	278	28.8	293	32.2	201	30.3	14	29.8	786	30.5
ARSON 1ST, 2ND	79	32.2	16	34.3	21	32.4	2	40.5	129	32.7	44	32.7	27	32.7	21	31.5	0	30.6	42	31.9
SEX AB-1ST AG 2	79	32.2	16	34.3	21	32.4	2	40.5	129	32.7	44	32.7	27	32.7	21	31.5	0	30.6	42	31.9
SEX AB-1ST AG 2	110	37.5	52	32.1	31	33.5	6	24.2	199	35.1	104	35.6	59	30.7	31	35.7	1	32.7	200	36.9
WEAPONS OFFENSES	31	33.2	406	26.4	186	28.6	10	29.8	633	27.4	35	33.1	444	27.0	175	32.1	6	26.0	652	27.7
KIDNAPPING 1ST, 2ND	8	37.5	17	32.2	31	28.6	17	26.2	73	29.8	4	28.6	15	29.0	12	33.2	21	26.0	52	26.7
OTHER VIOLENT FELONIES	1	25.1	0	.	3	25.0	0	.	4	25.0	1	19.1	0	.	2	26.1	0	.	3	23.8
TOTAL	1071	31.9	3183	27.8	1771	27.7	160	28.5	6185	28.5	978	31.1	3014	27.9	1684	27.7	151	28.5	5827	28.4
OTHER COERCIVE																				
MANSLAUGHTER 2ND	22	36.4	25	27.9	16	28.0	1	22.4	64	30.8	25	32.2	29	30.0	23	35.4	4	37.4	81	32.6
OTHER HOMICIDE	23	31.5	121	26.1	21	21.9	2	34.5	152	28.9	77	30.5	113	29.1	6	27.1	1	24.7	47	31.7
ATTEMPTED MURDER 2ND	27	30.6	332	26.1	129	24.9	6	34.5	552	28.9	77	30.5	113	29.1	6	27.1	1	24.7	522	29.1
ATTEMPTED MURDER 1ST	99	30.7	82	30.8	39	29.5	5	39.7	155	30.6	35	30.5	113	31.2	11	26.9	6	31.0	202	31.4
OTHER SEX OFFENSES	115	32.6	54	30.7	40	31.3	4	37.5	197	35.0	108	37.1	60	32.2	34	32.4	3	34.7	202	31.4
OTHER COERCIVE																				
TOTAL	369	33.5	714	29.3	374	30.0	32	34.7	1489	30.6	360	33.5	759	30.0	369	30.3	31	37.2	1519	31.0
DRUG OFFENSES																				
DRUG SALE	342	32.8	374	31.9	3679	32.5	52	35.1	7647	32.3	345	33.7	3376	32.2	3454	32.4	54	32.1	7229	32.3
DRUG POSSESSION	209	33.7	1259	29.4	910	31.9	17	31.5	2395	30.7	200	32.2	1351	29.3	998	32.0	25	35.7	2574	30.6
TOTAL	551	33.1	4633	31.2	4589	32.4	69	34.2	9842	31.9	545	33.2	4727	31.3	4452	32.3	79	33.2	9803	31.9
PROPERTY AND OTHER OFFENSES																				
BURGLARY 3RD	380	20.4	432	33.7	191	32.6	12	30.9	1015	31.5	379	29.0	389	34.7	177	31.2	26	29.9	969	31.7
GRAND LARCENY	201	33.7	318	33.0	151	32.8	15	32.4	685	33.2	204	34.0	309	34.3	164	33.9	20	30.3	697	34.0
FORGERY	108	31.5	123	35.0	23	32.9	4	31.7	258	33.3	95	33.2	128	34.7	38	33.2	7	36.9	268	34.0
STOLEN PROPERTY	123	29.5	228	30.8	135	29.9	14	27.4	500	30.1	94	30.3	126	30.9	117	30.1	7	30.1	408	30.4
DRIVE INTOXICATED	243	37.9	24	40.4	24	39.2	7	55.6	298	38.1	312	37.9	116	33.6	84	32.9	10	32.5	485	37.9
ALL OTHER FELONIES	117	35.6	92	34.4	54	32.8	6	25.8	269	34.4	159	36.2	116	33.6	84	32.9	6	32.5	365	35.4
TOTAL	1172	32.4	1217	33.3	578	32.3	58	30.5	3025	32.7	1243	33.7	1158	34.0	617	32.5	74	31.6	3092	33.5
YOUTHFUL/JUVENILE																				
YOUTHFUL OFFENDER	103	18.9	278	18.9	119	18.6	6	18.6	506	18.8	123	19.0	255	18.8	130	18.9	10	19.1	518	18.8
JUVENILE OFFENDER	8	19.0	96	18.4	34	18.5	7	18.7	145	18.5	1	19.0	31	18.1	11	17.9	0	.	43	18.1
TOTAL	111	18.9	374	18.7	153	18.6	13	18.6	651	18.7	124	19.0	286	18.7	141	18.8	10	19.1	561	18.8
GRAND TOTAL	3274	32.0	10121	29.8	7465	30.9	332	30.2	21192	30.5	3250	32.2	9944	30.1	7263	30.9	345	30.8	20802	30.7

(continued)

TABLE 10.6  
CRIME BY AVERAGE AGE BY ETHNIC STATUS AND YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1998										1999									
	WHITE		BLACK		HISPAN		OTHER		TOTAL		WHITE		BLACK		HISPAN		OTHER		TOTAL	
	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE
VIOLENT FELONY																				
MURDER	40	35.6	168	27.0	83	30.0	13	35.9	304	29.3	49	33.3	155	27.6	70	29.3	6	32.1	280	29.1
ATTEMPTED MURDER	14	34.9	94	27.4	40	28.3	9	28.1	171	28.2	12	35.4	79	27.5	69	30.5	8	31.2	169	29.5
MANS LAUGHTER 1ST	20	35.2	92	30.2	40	28.4	2	23.9	172	28.6	27	36.1	88	29.7	56	27.4	8	36.8	179	30.3
RAPE 1ST	50	35.9	86	32.7	34	32.5	2	23.9	172	28.6	27	36.1	88	29.7	56	27.4	8	36.8	179	30.3
ROBBERY 1ST	92	30.0	568	25.7	316	25.5	13	27.5	969	26.5	103	28.4	573	23.6	257	26.3	16	34.2	166	33.3
ROBBERY 2ND	94	29.1	558	25.9	260	25.9	13	27.5	969	26.5	103	28.4	573	23.6	257	26.3	16	34.2	166	33.3
ASSAULT 1ST	52	28.5	144	27.8	87	28.0	8	29.5	291	28.0	35	29.8	170	28.4	105	28.7	12	27.2	910	26.4
ASSAULT 2ND	68	30.1	215	28.5	128	28.0	9	32.7	420	28.7	79	30.8	269	30.4	105	28.7	12	27.2	910	26.4
BURGLARY 1ST	26	32.2	54	29.3	40	29.9	6	27.4	126	31.0	31	28.9	50	30.1	148	28.9	18	31.4	471	30.3
BURGLARY 2ND	228	30.3	342	32.0	210	30.4	12	28.2	792	31.7	254	29.5	292	31.6	189	30.7	10	25.8	138	29.1
ARSON 1ST, 2ND	7	34.0	18	30.3	7	31.9	1	40.3	33	31.7	9	34.1	18	31.6	8	37.1	0	27.6	132	33.5
SEX AB-1ST OFFENSE	47	36.9	25	31.0	21	34.3	5	49.1	98	35.4	71	37.1	32	32.5	25	36.9	4	27.6	132	33.5
SEX AB-2ND OFFENSE	16	36.1	78	33.1	29	34.3	17	37.3	249	34.8	128	38.9	87	34.1	45	37.9	8	34.9	239	35.6
WEAPONING 1ST, 2ND	16	27.6	370	27.7	172	26.9	12	35.2	582	28.3	35	29.4	350	26.4	126	29.4	18	30.0	529	27.9
OTHER VIOLENT FELONIES	15	30.5	16	30.9	17	30.9	0	36.5	42	31.0	10	26.7	10	33.5	16	30.8	2	34.5	38	30.6
TOTAL	0		2	30.2	2	29.9	0		4	30.0	0		2	22.9	5	29.9	0		7	27.9
OTHER COERCIVE	899	31.9	2830	27.9	1545	28.3	119	32.2	5393	28.8	1018	31.7	2799	28.2	1411	28.7	141	30.7	5369	29.1
MANS LAUGHTER 2ND	17	34.5	32	29.2	18	30.0	4	26.5	71	30.5	23	35.3	32	31.5	15	30.6	3	30.7	73	32.5
OTHER HOMICIDE	22	30.8	1	41.4	7	29.0	3	29.9	33	30.6	30	32.0	6	30.7	15	30.6	3	30.7	73	32.5
ROBBERY 3RD	83	30.4	290	27.5	118	27.5	5	32.8	496	28.6	83	30.0	295	30.3	95	29.6	1	32.4	475	31.3
ATTEMPTED ROBBERY	129	32.4	193	31.3	53	30.4	2	36.7	197	31.3	31	30.8	116	30.7	39	30.4	6	43.1	192	30.2
OTHER COERCIVE	115	32.4	222	28.8	110	32.1	12	32.5	264	35.0	127	36.4	67	30.2	61	33.5	5	45.1	266	34.3
TOTAL	421	33.2	718	29.7	350	30.2	31	31.2	1520	30.8	426	33.5	726	30.1	372	30.2	31	35.7	1555	31.2
DRUG OFFENSES																				
DRUG SALE	281	33.3	3290	32.3	3075	32.5	51	30.2	6697	32.4	315	33.3	3113	32.7	2613	32.7	57	32.9	6098	32.7
DRUG POSSESSION	185	32.9	1291	30.0	887	32.0	22	28.1	2385	31.0	226	32.8	1322	29.5	861	32.2	14	24.8	2423	30.7
TOTAL	466	33.2	4581	31.6	3962	32.4	73	29.5	9082	32.0	541	33.1	4435	31.7	3474	32.6	71	31.3	8521	32.2
PROPERTY AND OTHER OFFENSES																				
BURGLARY 3RD	311	28.2	374	34.7	165	31.0	22	28.2	872	31.5	367	28.3	360	35.5	158	32.9	17	31.2	902	32.0
GRAND LARCENY	187	33.4	328	34.8	119	32.8	19	33.6	653	34.0	226	32.9	244	35.0	136	34.3	13	31.7	619	34.0
FORGERY	104	33.4	126	34.9	26	32.7	2	35.9	258	34.1	132	31.2	147	34.2	72	34.9	8	40.0	314	34.0
STOLEN PROPERTY	71	30.7	145	31.1	98	30.1	6	31.6	322	30.7	91	31.9	131	31.9	72	28.9	0	40.0	314	34.0
DRIVE INTOXICATED	314	33.3	25	45.3	25	36.6	8	35.9	378	38.3	419	38.3	45	43.5	55	38.6	3	28.0	300	31.1
ALL OTHER FELONIES	144	34.8	148	32.9	102	33.6	7	33.3	401	33.8	189	35.6	176	32.9	78	34.4	15	42.0	534	38.8
TOTAL	1131	33.2	1152	34.4	535	32.1	66	31.9	2884	33.4	1424	33.6	1103	34.7	529	33.6	67	34.9	454	34.3
YOUTHFUL/JUVENILE																				
YOUTHFUL OFFENDER	115	19.0	294	18.9	147	18.7	15	19.0	571	18.8	129	19.3	274	19.1	145	19.2	9	19.0	557	19.2
JUVENILE OFFENDER	2	19.5	30	18.4	15	18.9	0		47	18.6	1	21.0	22	20.1	14	20.5	2	21.0	39	20.3
TOTAL	117	19.0	324	18.8	162	18.7	15	19.0	618	18.8	130	19.3	296	19.2	159	19.3	11	19.4	596	19.2
GRAND TOTAL	3034	32.3	9605	30.3	6554	31.0	304	30.8	19497	30.8	3539	32.4	9359	30.5	5945	31.2	321	31.8	19164	31.1

TABLE 10.7 AGE AT COMMITMENT BY YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

AGE AT	1996	1997	1998	1999	TOTAL
16 YR	150 .7%	131 .6%	107 .5%	99 .5%	487 .6%
17 YR	521 2.5%	546 2.6%	480 2.5%	431 2.2%	1978 2.5%
18 YR	957 4.5%	815 3.9%	773 4.0%	726 3.8%	3271 4.1%
19 YR	871 4.1%	915 4.4%	877 4.5%	883 4.6%	3546 4.4%
20 YR	992 4.7%	1014 4.9%	936 4.8%	1005 5.2%	3947 4.9%
21 YR	871 4.1%	922 4.4%	919 4.7%	883 4.6%	3595 4.5%
22-24	2424 11.4%	2347 11.3%	2375 12.2%	2336 12.2%	9482 11.8%
25-29	4046 19.1%	3875 18.6%	3414 17.5%	3191 16.7%	14526 18.0%
30-34	4283 20.2%	4063 19.5%	3485 17.9%	3284 17.1%	15115 18.7%
35-39	2966 14.0%	2956 14.2%	2949 15.1%	2927 15.3%	11798 14.6%
40-49	2487 11.7%	2519 12.1%	2515 12.9%	2620 13.7%	10141 12.6%
50-59	490 2.3%	569 2.7%	550 2.8%	661 3.4%	2270 2.8%
60 +	134 .6%	131 .6%	117 .6%	118 .6%	500 .6%
TOTAL	21192 100.0%	20803 100.0%	19497 100.0%	19164 100.0%	80656 100.0%
AVERAGE	30.5	30.7	30.8	31.1	30.8



## Section 11

### COUNTY AND REGION OF COMMITMENT

Fifty-eight percent (N=11,163) of 1999 new court commitments were sentenced to state prison from New York City (see Table 11.1 and Figure 11).<sup>6</sup> Twelve percent (N=2,267) were sentenced from the Suburban counties near New York City. Sixteen percent (N=2,972) were committed from Upstate Urban counties and 14% (N=2,762) from Upstate Rural counties. Table 11.1 also shows that a somewhat higher proportion of women (62%) were from New York City than were men (58%).

#### Commitment Crime by County and Region

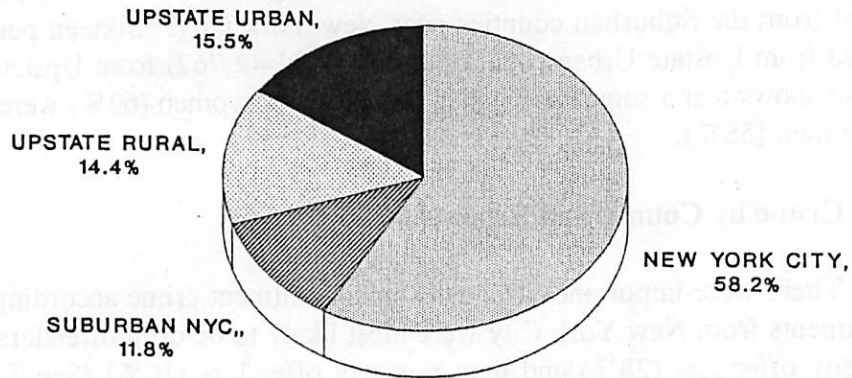
There were important differences in commitment crime according to region of the state. Commitments from New York City were most likely to be drug offenders (53%) followed by violent felony offenders (28%) and then property offenders (10%) (See Table 11.2). The suburban New York counties were similar to New York City with drug commitments as the largest category (41%), followed by violent felony offenders (30%) and then property offenders (19%). Compared with either New York City or Suburban New York City, persons committed from Upstate counties were less likely to be committed for drug offenses (29%). Thirty-two percent of Upstate Urban commitments were for violent felony offenses, the highest proportion of any region. An additional 29% were for drug offenses. Among rural counties, drug offenses (29%) and property offenses (33%) each accounted for most of the total new commitments.

Table 11.3 presents the commitment crime distribution for each New York State county.

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<sup>6</sup> The 62 counties in New York State are grouped for statistical purposes into 4 larger regions. New York City refers to commitments from the five counties (or boroughs) that comprise New York City which are Kings, New York, Queens, Richmond, and Bronx counties. Suburban New York City refers to Nassau, Rockland, Suffolk and Westchester counties. The Upstate Urban region refers to counties in Upstate New York that have a population center of 50,000 or more. Finally, Upstate Rural refers to all the remaining New York State counties.

Figure 11  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
REGION OF COMMITMENT



CRIME BY REGION  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

REGION

OFFENSE ON COMMITMENT	N.Y.C.	SUBURBAN N.Y.C.	UPSTATE URBAN	UPSTATE RURAL	TOTAL
VIOLENT FELONY	3,121	686	962	600	5,369
OTHER COERCIVE	739	195	330	291	1,555
DRUG OFFENSES	5,924	924	874	799	8,521
PROPERTY OFFENSES	1,077	431	692	923	3,123
YOUTHFUL/JUVENILE OFFENDER	302	31	114	149	596
TOTAL	11,163	2,267	2,972	2,762	19,164
PERCENT	58.2%	11.8%	15.5%	14.4%	100.0%

TABLE 11.1 REGION OF THE STATE AND COUNTY OF INDICTMENT BY SEX;  
1999 NEW COURT COMMITMENTS

INDICTMENT COUNTY	MALE		FEMALE		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>NEW YORK CITY</b>						
KINGS	1993	11.3%	124	8.3%	2117	11.0%
NEW YORK	4155	23.5%	399	26.6%	4554	23.8%
QUEENS	1331	7.5%	106	7.1%	1437	7.5%
RICHMOND	204	1.2%	18	1.2%	222	1.2%
BRONX	2557	14.5%	276	18.4%	2833	14.8%
<b>SUBTOTAL</b>	<b>10240</b>	<b>58.0%</b>	<b>923</b>	<b>61.6%</b>	<b>11163</b>	<b>58.2%</b>
<b>SUBURBAN NEWYORK</b>						
NASSAU	649	3.7%	40	2.7%	689	3.6%
ROCKLAND	184	1.0%	15	1.0%	199	1.0%
SUFFOLK	758	4.3%	72	4.8%	830	4.3%
WESTCHESTR	517	2.9%	32	2.1%	549	2.9%
<b>SUBTOTAL</b>	<b>2108</b>	<b>11.9%</b>	<b>159</b>	<b>10.6%</b>	<b>2267</b>	<b>11.8%</b>
<b>UPSTATE URBAN</b>						
ALBANY	366	2.1%	31	2.1%	397	2.1%
BROOME	201	1.1%	16	1.1%	217	1.1%
ERIE	636	3.6%	37	2.5%	673	3.5%
MONROE	601	3.4%	44	2.9%	645	3.4%
ONEIDA	278	1.6%	14	.9%	292	1.5%
ONONDAGA	313	1.8%	16	1.1%	329	1.7%
RENSSELAER	146	.8%	23	1.5%	169	.9%
SCHENECTDY	223	1.3%	27	1.8%	250	1.3%
<b>SUBTOTAL</b>	<b>2764</b>	<b>15.6%</b>	<b>208</b>	<b>13.9%</b>	<b>2972</b>	<b>15.5%</b>
<b>UPSTATE OTHER</b>						
ALLEGANY	21	.1%	0	.0%	21	.1%
CATTARAUGUS	50	.3%	2	.1%	52	.3%
CAYUGA	88	.5%	7	.5%	95	.5%
CHAUTAUQU...	82	.5%	4	.3%	86	.4%
CHEMUNG	62	.4%	7	.5%	69	.4%
CHENANGO	15	.1%	0	.0%	15	.1%
CLINTON	36	.2%	2	.1%	38	.2%
COLUMBIA	87	.5%	8	.5%	95	.5%
CORTLAND	49	.3%	2	.1%	51	.3%
DELAWARE	14	.1%	1	.1%	15	.1%
DUTCHESS	146	.8%	12	.8%	158	.8%
ESSEX	9	.1%	1	.1%	10	.1%
FRANKLIN	15	.1%	3	.2%	18	.1%
FULTON	48	.3%	5	.3%	53	.3%
GENESEE	70	.4%	2	.1%	72	.4%
GREENE	23	.1%	3	.2%	26	.1%
HAMILTON	2	.0%	0	.0%	2	.0%
HERKIMER	39	.2%	3	.2%	42	.2%
JEFFERSON	31	.2%	3	.2%	34	.2%
LEWIS	7	.0%	2	.1%	9	.0%
LIVINGSTON	31	.2%	3	.2%	34	.2%
MADISON	18	.1%	1	.1%	19	.1%
MONTGOMERY	54	.3%	2	.1%	56	.3%
NIAGARA	179	1.0%	10	.7%	189	1.0%
ONTARIO	124	.7%	17	1.1%	141	.7%
ORANGE	382	2.2%	35	2.3%	417	2.2%
ORLEANS	37	.2%	4	.3%	41	.2%
OSWEGO	70	.4%	5	.3%	75	.4%
OTSEGO	19	.1%	1	.1%	20	.1%
PUTNAM	21	.1%	0	.0%	21	.1%
ST LAWRENCE	49	.3%	1	.1%	50	.3%
SARATOGA	64	.4%	7	.5%	71	.4%
SCHOHARIE	23	.1%	1	.1%	24	.1%
SCHUYLER	7	.0%	1	.1%	8	.0%
SENECA	17	.1%	2	.1%	19	.1%
STEBEN	81	.5%	4	.3%	85	.4%
SULLIVAN	98	.6%	11	.7%	109	.6%
TIOGA	42	.2%	2	.1%	44	.2%
TOMPKINS	31	.2%	1	.1%	32	.2%
ULSTER	117	.7%	16	1.1%	133	.7%
WARREN	40	.2%	1	.1%	41	.2%
WASHINGTON	22	.1%	2	.1%	24	.1%
WAYNE	98	.6%	11	.7%	109	.6%
WYOMING	13	.1%	2	.1%	15	.1%
YATES	23	.1%	1	.1%	24	.1%
<b>SUBTOTAL</b>	<b>2554</b>	<b>14.5%</b>	<b>208</b>	<b>13.9%</b>	<b>2762</b>	<b>14.4%</b>
<b>GRAND TOTAL</b>	<b>17666</b>	<b>100.0%</b>	<b>1498</b>	<b>100.0%</b>	<b>19164</b>	<b>100.0%</b>

TABLE 11.2  
CRIME BY REGION OF THE STATE  
1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	NEW YORK CITY	SUBURBAN NEWYORK	UPSTATE URBAN	UPSTATE OTHER	TOTAL
<b>VIOLENT FELONY</b>					
MURDER	156	30	59	35	280
ATTEMPTED MURDER	138	16	8	7	169
MANSLAUGHTER 1ST	138	17	14	10	179
RAPE 1ST	80	18	41	27	166
ROBBERY 1ST	608	154	106	42	910
ROBBERY 2ND	678	98	143	52	971
ASSAULT 1ST	195	43	64	21	323
ASSAULT 2ND	242	50	100	79	471
BURGLARY 1ST	52	33	35	18	138
BURGLARY 2ND	298	138	189	128	753
ARSON 1ST,2ND	18	6	6	5	35
SODOMY 1ST	46	11	32	43	132
SEX.AB-1ST,Ag.2	89	20	61	98	268
WEAPONS OFFENSES	348	51	101	29	529
KIDNAPPING 1ST,2ND	28	1	3	6	38
OTHER VIOLENT FELONIES	7	0	0	0	7
<b>SUBTOTAL</b>	<b>3121</b> 28.0%	<b>686</b> 30.3%	<b>962</b> 32.4%	<b>600</b> 21.7%	<b>5369</b> 28.0%
<b>OTHER COERCIVE</b>					
MANSLAUGHTER 2ND	41	10	13	9	73
OTHER HOMICIDE	10	8	10	17	45
ROBBERY 3RD	284	43	97	52	476
ATT ASSAULT 2ND	79	32	51	30	192
OTHER SEX OFFENSES	69	25	64	102	260
OTHER COERCIVE	256	77	95	81	509
<b>SUBTOTAL</b>	<b>739</b> 6.6%	<b>195</b> 8.6%	<b>330</b> 11.1%	<b>291</b> 10.5%	<b>1555</b> 8.1%
<b>DRUG OFFENSES</b>					
DRUG SALE	4628	657	362	451	6098
DRUG POSSESSION	1296	267	512	348	2423
<b>SUBTOTAL</b>	<b>5924</b> 53.1%	<b>924</b> 40.8%	<b>874</b> 29.4%	<b>799</b> 28.9%	<b>8521</b> 44.5%
<b>PROPERTY AND OTHER OFFENSES</b>					
BURGLARY 3RD	341	109	205	247	902
GRAND LARCENY	310	95	104	110	619
FORGERY	60	63	97	94	314
STOLEN PROPERTY	156	32	59	53	300
DRIVE INTOXICATED	14	94	116	310	534
ALL OTHER FELONIES	196	38	111	109	454
<b>SUBTOTAL</b>	<b>1077</b> 9.6%	<b>431</b> 19.0%	<b>692</b> 23.3%	<b>923</b> 33.4%	<b>3123</b> 16.3%
<b>YOUTHFUL/JUVENILE</b>					
YOUTHFUL OFFENDER	274	28	108	147	557
JUVENILE OFFENDER	28	3	6	2	39
<b>SUBTOTAL</b>	<b>302</b> 2.7%	<b>31</b> 1.4%	<b>114</b> 3.8%	<b>149</b> 5.4%	<b>596</b> 3.1%
<b>GRAND TOTAL</b>	<b>11163</b> 100.0%	<b>2267</b> 100.0%	<b>2972</b> 100.0%	<b>2762</b> 100.0%	<b>19164</b> 100.0%

TABLE 11.3 CRIME BY COUNTY (AND REGION) OF INDICTMENT: 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	NEW YORK CITY										SUBURBAN NEW YORK					UPSTATE NEW YORK					TOTAL																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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VIOLENT FELONY	KINGS					QUEENS					RICHMOND					BRONX					TOTAL					NASSAU					ROCKLAND					SUFFOLK					WESTCHST					TOTAL					ALBANY					BROOME					ERIE					MONROE					ONEIDA					ONDAGA					RENSSELR					SCHENECTY					TOTAL																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
	KINGS					QUEENS					RICHMOND					BRONX					TOTAL					NASSAU					ROCKLAND					SUFFOLK					WESTCHST					TOTAL					ALBANY					BROOME					ERIE					MONROE					ONEIDA					ONDAGA					RENSSELR					SCHENECTY																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
MURDER	57	31	30	5	33	156	8	3	13	6	30	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

(continued)

TABLE 11.3 CRIME BY COUNTY (AND REGION) OF INDICTMENT; 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	UPSTATE OTHER											
	ALLEGANY	CATTARAUGUS	CAYUGA	CHAUTAUQU	CHEMUNG	CHENANGO	CLINTON	COLUMBIA	CORTLAND	DELAWARE	DUTCHESS	ESSEX
VIOLENT FELONY												
MURDER	0	0	0	0	0	0	0	1	0	1	4	0
ATTEMPTED MURDER	2	0	0	0	0	0	0	0	0	0	1	0
HANSLAUGHTER 1ST	1	0	1	1	1	1	0	0	1	0	1	0
RAPE 1ST	1	0	0	0	0	0	0	0	0	0	0	0
ROBBERY 1ST	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY 2ND	0	0	0	0	0	0	0	0	0	0	0	0
ASSAULT 1ST	0	0	0	0	0	0	0	0	0	0	0	0
ASSAULT 2ND	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY 1ST	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY 2ND	0	0	0	0	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0	0	0	0
SODOMY 1ST	0	0	0	0	0	0	0	0	0	0	0	0
SEX AB-1ST, Ag.2	4	3	4	3	2	0	0	1	1	1	1	1
WEAPONS OFFENSES	1	0	1	0	0	0	0	0	0	0	0	0
KIDNAPPING 1ST, 2ND	0	1	1	0	0	0	0	0	0	0	0	0
OTHER VIOLENT FELONIES	0	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	9	10	19	14	13	3	7	10	6	3	45	3
	42.9%	19.2%	20.0%	16.3%	18.8%	20.0%	18.4%	10.5%	11.8%	20.0%	28.5%	30.0%
OTHER COERCIVE												
HANSLAUGHTER 2ND	1	0	0	1	0	0	0	0	0	0	0	0
OTHER HOMICIDE	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY 3RD	0	1	2	4	2	0	0	4	0	0	6	0
ATT ASSAULT 2ND	0	3	3	0	0	0	1	0	0	0	2	0
OTHER SEX OFFENSES	0	2	8	2	1	2	5	2	2	0	2	1
OTHER COERCIVE	0	4	2	4	3	0	2	5	0	0	2	0
SUBTOTAL	1	10	15	11	6	2	8	12	2	0	13	1
	4.8%	19.2%	15.8%	12.8%	8.7%	13.3%	21.1%	12.6%	3.9%	.0%	8.2%	10.0%
DRUG OFFENSES												
DRUG SALE	0	2	27	23	20	3	4	18	3	0	17	1
DRUG POSSESSION	2	6	7	17	4	1	2	12	5	0	27	0
SUBTOTAL	2	8	34	40	24	4	6	30	8	0	44	1
	9.5%	15.4%	35.8%	46.5%	34.8%	26.7%	15.8%	31.6%	15.7%	.0%	27.8%	10.0%
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	5	6	7	7	8	3	3	10	7	2	7	0
GRAND LARCENY	0	0	0	1	2	0	0	3	3	1	9	1
FORGERY	1	2	1	3	5	0	1	3	2	3	8	1
STOLEN PROPERTY	2	0	1	0	1	0	1	5	3	1	4	0
DRIVE INTOXICATED	1	10	8	8	6	1	7	7	11	4	10	2
ALL OTHER FELONIES	0	2	5	2	0	0	2	5	4	0	9	1
SUBTOTAL	9	20	22	21	22	4	14	33	30	11	47	5
	42.9%	38.5%	23.2%	24.4%	31.9%	26.7%	36.8%	34.7%	58.8%	73.3%	29.7%	50.0%
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	0	4	5	0	4	2	3	9	5	1	9	0
JUVENILE OFFENDER	0	0	0	0	0	0	0	1	0	0	0	0
SUBTOTAL	0	4	5	0	4	2	3	10	5	1	9	0
	.0%	7.7%	5.3%	.0%	5.8%	13.3%	7.9%	10.5%	9.8%	6.7%	5.7%	.0%
GRAND TOTAL	21	52	95	86	69	15	38	95	51	15	158	10
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

(continued)

TABLE 11.3 CRIME BY COUNTY (AND REGION) OF INDICTMENT; 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	UPSTATE OTHER										
	HAMILTON	HERKIMER	JEFFERSON	LEWIS	LIVINGSTON	MADISON	MONTGOMERY	NIAGARA	ONTARIO	ORANGE	ORLEANS
<b>VIOLENT FELONY</b>											
MURDER	0	0	2	0	0	1	0	1	0	6	0
ATTEMPTED MURDER	0	0	1	0	0	0	1	1	0	1	0
MANSLAUGHTER 1ST	0	0	0	0	0	0	0	3	0	0	0
RAPE 1ST	0	0	1	0	1	1	0	3	0	1	0
ROBBERY 1ST	0	0	0	0	0	0	0	1	0	1	0
ROBBERY 2ND	0	5	0	0	0	0	0	15	6	6	2
ASSAULT 1ST	0	0	0	0	0	0	1	7	2	9	0
ASSAULT 2ND	0	0	0	0	0	0	0	1	1	4	6
BURGLARY 1ST	0	5	1	4	0	1	0	8	5	9	0
BURGLARY 2ND	0	0	0	0	0	0	0	1	0	3	0
ARSON 1ST,2ND	0	7	1	0	3	3	2	5	7	19	2
ARSON 1ST	0	0	0	0	0	0	0	1	0	4	1
SODOMY 1ST	0	0	0	0	0	0	1	4	2	3	0
SEX-AB-1ST,AG.2	0	1	0	0	0	2	1	11	5	3	3
WEAPONS OFFENSES	0	1	0	0	1	0	3	4	5	4	4
KIDNAPPING 1ST,2ND	0	0	0	0	0	0	1	2	0	7	1
OTHER VIOLENT FELONIES	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL	0	19	6	4	5	10	9	62	29	74	27
	.0%	45.2%	17.6%	44.4%	14.7%	52.6%	16.1%	32.8%	20.6%	17.7%	36.0%
<b>OTHER COERCIVE</b>											
MANSLAUGHTER 2ND	1	0	0	0	0	0	0	0	0	2	1
OTHER HOMICIDE	0	0	0	0	0	0	0	4	0	2	1
ROBBERY 3RD	0	0	0	0	0	0	2	4	2	5	4
ATT ASSAULT 2ND	0	1	0	1	0	0	0	6	0	4	0
OTHER SEX OFFENSES	0	1	1	0	3	3	5	4	2	5	5
OTHER COERCIVE	0	2	1	0	2	0	1	2	2	11	2
SUBTOTAL	1	4	2	1	6	3	8	20	6	29	16
	50.0%	9.5%	5.9%	11.1%	17.6%	15.8%	14.3%	10.6%	4.3%	7.0%	21.3%
<b>DRUG OFFENSES</b>											
DRUG SALE	0	3	8	0	5	0	10	33	23	122	2
DRUG POSSESSION	0	1	7	0	3	3	9	21	20	64	5
SUBTOTAL	0	4	15	0	8	3	19	54	43	186	7
	.0%	9.5%	44.1%	.0%	23.5%	15.8%	33.9%	28.6%	30.5%	44.6%	9.3%
<b>PROPERTY AND OTHER OFFENSES</b>											
BURGLARY 3RD	1	2	6	3	1	0	6	20	5	15	7
GRAND LARCENY	0	1	1	1	4	0	2	8	4	12	6
FORGERY	0	2	1	0	1	0	2	2	12	6	1
STOLEN PROPERTY	0	0	1	0	2	0	0	2	2	7	3
DRIVE INTOXICATED	0	4	0	0	3	2	10	11	22	45	5
ALL OTHER FELONIES	0	1	1	0	3	1	0	5	11	7	0
SUBTOTAL	1	10	10	4	14	3	20	48	56	92	22
	50.0%	23.8%	29.4%	44.4%	41.2%	15.8%	35.7%	25.4%	39.7%	22.1%	29.3%
<b>YOUTHFUL/JUVENILE</b>											
YOUTHFUL OFFENDER	0	5	1	0	1	0	0	5	7	35	3
JUVENILE OFFENDER	0	0	0	0	0	0	0	0	0	1	0
SUBTOTAL	0	5	1	0	1	0	0	5	7	36	3
	.0%	11.9%	2.9%	.0%	2.9%	.0%	.0%	2.6%	5.0%	8.6%	4.0%
<b>GRAND TOTAL</b>	2	42	34	9	34	19	56	189	141	417	75
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

(continued)

TABLE 11.3 CRIME BY COUNTY (AND REGION) OF INDICTMENT; 1999 NEW COURT COMMITMENTS

TABLE 11.3 CRIME BY COUNTY (AND REGION) OF INDICTMENT; 1999 NEW COURT COMMITMENTS																			GRAND TOTAL
COMMITMENT CRIME	UPSTATE OTHER																	TOTAL	
	OTSEGO	PUTNAM	STLAHREN	SARATOGA	SCHOMARE	SCHUYLER	SENECA	STEUBEN	SULLIVAN	TIOGA	TOMPKINS	ULSTER	WARREN	WASHINGTON	WAYNE	WYOMING	YATES		
VIOLENT FELONY																			
MURDER	0	0	0	1	3	0	0	0	4	0	0	1	0	0	2	0	0	35	
ATTEMPTED MURDER	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7	
MANSLAUGHTER 1ST	0	0	0	4	1	0	0	0	1	1	0	0	0	0	1	0	0	10	
RAPE 1ST	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	27	
ROBBERY 1ST	0	0	2	3	0	0	2	1	0	1	0	1	1	0	0	0	0	166	
ROBBERY 2ND	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	42	
ASSAULT 1ST	1	0	0	0	0	0	0	0	0	0	0	0	1	0	2	0	0	910	
ASSAULT 2ND	0	0	0	0	0	0	1	1	2	0	0	1	0	0	0	0	0	52	
BURGLARY 1ST	0	0	0	1	0	0	0	2	0	0	2	1	0	0	2	0	1	323	
BURGLARY 2ND	0	0	0	0	0	0	0	1	0	0	0	1	0	0	1	0	0	21	
ARSON 1ST,2ND	5	0	2	3	0	1	1	2	0	1	3	17	0	1	8	1	3	471	
SEX AB-1ST,2ND	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18	
SODOMY 1ST	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	138	
SEX AB-1ST,AG.2	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2	0	0	35	
WEAPONS OFFENSES	2	1	0	4	0	0	1	2	4	0	1	1	2	2	4	0	0	43	
KIDNAPPING 1ST,2ND	0	0	0	0	0	0	0	0	0	0	0	3	0	0	2	0	0	132	
OTHER VIOLENT FELONIES	0	1	0	0	0	0	0	0	0	1	0	1	0	1	0	0	0	268	
SUBTOTAL	40.0%	19.0%	16.0%	25.4%	16.7%	25.0%	31.6%	20.0%	13.8%	18.2%	21.9%	15.8%	22.0%	33.3%	22.9%	20.0%	16.7%	5369	
																		28.0%	
OTHER COERCIVE																			
MANSLAUGHTER 2ND	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	9	
OTHER HOMICIDE	0	1	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	17	
ROBBERY 3RD	0	2	0	1	0	0	0	0	2	0	0	1	2	0	4	0	0	45	
ATT ASSAULT 2ND	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	52	
OTHER SEX OFFENSES	0	0	1	1	0	1	2	0	0	4	4	2	1	2	2	2	0	192	
OTHER COERCIVE	0	0	2	5	0	0	1	3	3	2	1	6	1	1	2	1	0	302	
SUBTOTAL	0.0%	19.0%	16.0%	11.3%	.0%	12.5%	21.1%	10.6%	5.5%	15.9%	18.8%	9.8%	9.8%	16.7%	7.3%	26.7%	8.3%	509	
																		1555	
																		10.5%	
DRUG OFFENSES																			
DRUG SALE	2	0	2	11	3	0	1	2	22	2	5	16	0	2	26	2	3	451	
DRUG POSSESSION	5	4	3	9	2	0	2	15	16	0	8	29	9	1	8	0	2	348	
SUBTOTAL	35.0%	19.0%	10.0%	28.2%	20.8%	.0%	15.8%	20.0%	34.9%	9.1%	13.0%	33.8%	22.0%	12.5%	31.2%	13.3%	20.8%	799	
																		8521	
																		44.5%	
PROPERTY AND OTHER OFFENSES																			
BURGLARY 3RD	2	2	9	10	5	4	1	15	11	6	1	8	4	1	6	3	4	247	
GRAND LARCENY	0	0	4	4	2	0	0	3	5	1	1	1	5	1	3	0	0	110	
FORGERY	0	1	3	5	0	0	0	0	7	1	1	1	0	1	2	0	3	94	
STOLEN PROPERTY	0	0	0	1	1	0	0	0	5	0	0	3	0	0	1	0	1	53	
DRIVE INTOXICATED	0	0	1	4	1	1	5	11	11	6	3	20	6	2	18	1	3	310	
ALL OTHER FELONIES	3	5	5	1	1	0	0	5	5	5	0	6	1	2	8	1	2	534	
SUBTOTAL	5	9	27	25	14	5	6	37	44	19	6	46	17	7	38	5	13	923	
	25.0%	42.9%	54.0%	35.2%	58.3%	62.5%	31.6%	43.5%	40.4%	43.2%	18.8%	34.6%	41.5%	29.2%	34.9%	33.3%	54.2%	3123	
																		16.3%	
YOUTHFUL/JUVENILE																			
YOUTHFUL OFFENDER	0	0	2	0	1	0	0	5	6	6	0	8	2	2	4	1	0	147	
JUVENILE OFFENDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	39	
SUBTOTAL	0.0%	0.0%	4.0%	0.0%	4.2%	0.0%	0.0%	5.0%	5.5%	13.6%	0.0%	6.0%	4.9%	8.3%	3.7%	6.7%	0.0%	149	
																		596	
																		3.1%	
GRAND TOTAL	20	21	50	71	24	8	19	85	109	44	32	133	41	24	109	15	24	2762	
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	



### **Felony Class of Crime by Region**

The percent of cases in each felony class category was similar across regions of the state (see Table 11.4) with a few exceptions. For example, among commitments from New York City there was a higher percent of Class B felony offenders (25%) and a somewhat lower percent of Class E felony offenders (14%) when compared with other regions. The Upstate Urban region had a somewhat lower percent of Class B (14%) commitments and a somewhat higher percent of class D commitments (39%) than other regions. The Upstate Other region has a somewhat higher percent of Class E felons (26%) than do other regions.

### **Trends in Commitments by Region**

There was some change in the percent of offenders committed from each region of the state from 1996 to 1999 (see Table 11.5). New York City's contribution to the new commitments population dropped 10% from 68% in 1996 to 58% in 1999. In 1996, the downstate area (New York City and Suburban New York City) accounted for 78% of all new commitments, but this area reported only 70% of new commitments in 1999.

TABLE 11.4 REGION OF THE STATE AND COUNTY OF INDICTMENT BY FELONY CRIME CLASS  
1999 NEW COURT COMMITMENTS

INDICTMENT COUNTY	FELONY CLASS CATEGORY OF COMMITMENT OFFENSE							TOTAL
	A-I FELONY	A-II FELONY	CLASS B FELONY	CLASS C FELONY	CLASS D FELONY	CLASS E FELONY	YOUTHFUL OFFENDER	
<b>NEW YORK CITY</b>								
KINGS	73	50	511	418	621	367	77	2117
NEW YORK	54	392	906	1048	1439	660	55	4554
QUEENS	39	34	437	277	371	220	58	1436
RICHMOND	5	7	28	58	83	30	11	222
BRONX	39	54	851	619	947	250	73	2833
<b>TOTAL</b>	<b>210</b> 1.9%	<b>537</b> 4.8%	<b>2733</b> 24.5%	<b>2420</b> 21.7%	<b>3461</b> 31.0%	<b>1527</b> 13.7%	<b>274</b> 2.5%	<b>11162</b> 100.0%
<b>SUBURBAN NEWYORK</b>								
NASSAU	8	19	114	114	281	143	10	689
ROCKLAND	3	19	70	35	43	27	2	199
SUFFOLK	13	32	133	300	202	139	11	830
WESTCHESTR	7	18	141	125	166	87	5	549
<b>TOTAL</b>	<b>31</b> 1.4%	<b>88</b> 3.9%	<b>458</b> 20.2%	<b>574</b> 25.3%	<b>692</b> 30.5%	<b>396</b> 17.5%	<b>28</b> 1.2%	<b>2267</b> 100.0%
<b>UPSTATE URBAN</b>								
ALBANY	10	4	35	82	189	76	1	397
BROOME	1	1	31	58	78	46	2	217
ERIE	19	20	42	150	233	180	29	673
MONROE	15	15	141	114	246	92	22	645
ONEIDA	4	5	67	42	107	41	26	292
ONONDAGA	11	7	48	66	109	63	25	329
RENSSELAER	4	2	14	31	83	35	0	169
SCHENECTDY	3	3	50	37	116	38	3	250
<b>TOTAL</b>	<b>67</b> 2.3%	<b>57</b> 1.9%	<b>428</b> 14.4%	<b>580</b> 19.5%	<b>1161</b> 39.1%	<b>571</b> 19.2%	<b>108</b> 3.6%	<b>2972</b> 100.0%
<b>UPSTATE OTHER</b>								
ALLEGANY	0	0	3	0	13	5	0	21
CATTARAUGS	0	0	1	4	18	25	4	52
CAYUGA	0	0	13	10	46	21	5	95
CHAUTAUQUA	0	2	15	16	39	14	0	86
CHEMUNG	0	0	19	13	21	12	4	69
CHENANGO	0	0	1	5	3	4	2	15
CLINTON	0	0	10	0	13	12	3	38
COLUMBIA	1	3	23	8	32	19	9	95
CORTLAND	0	0	3	4	16	23	5	51
DELAWARE	1	0	1	0	8	4	1	15
DUTCHESS	4	1	25	27	53	39	9	158
ESSEX	0	0	1	3	3	3	0	10
FRANKLIN	1	0	1	2	7	6	1	18
FULTON	9	2	9	2	19	8	4	53
GENESEE	0	1	2	10	27	30	2	72
GREENE	0	0	4	3	9	10	0	26
HAMILTON	0	0	0	1	1	0	0	2
HERKIMER	0	0	4	11	14	8	5	42
JEFFERSON	2	2	4	3	12	10	1	34
LEWIS	0	0	0	0	6	3	0	9
LIVINGSTON	0	0	3	5	12	13	1	34
MADISON	1	1	5	1	8	3	0	19
MONTGOMERY	0	1	3	3	31	18	0	56
NIAGARA	1	1	20	18	89	55	5	189
ONTARIO	0	6	44	12	40	32	7	141
ORANGE	7	16	44	55	72	88	35	417
ORLEANS	0	0	2	10	12	13	4	41
OSWEGO	0	0	9	16	29	18	3	75
OTSEGO	0	0	1	0	16	3	0	20
PUTNAM	0	0	5	1	9	6	0	21
ST. LAWRENCE	0	0	3	7	13	25	2	50
SARATOGA	1	0	7	22	29	12	0	71
SCHOHARIE	3	0	2	0	11	7	1	24
SCHUYLER	0	0	0	0	7	1	0	8
SENECA	0	0	3	3	6	7	0	19
STEBEN	0	0	11	14	24	31	5	85
SULLIVAN	4	3	21	9	44	22	6	109
TIOGA	0	1	6	5	13	13	6	44
TOMPKINS	0	1	5	3	12	11	0	32
ULSTER	2	10	25	15	39	34	8	133
WARREN	0	0	10	6	10	13	2	41
WASHINGTON	0	0	2	2	10	8	2	24
WAYNE	2	0	34	15	25	29	4	109
WYOMING	0	0	1	1	5	7	1	15
YATES	0	0	2	5	11	6	0	24
<b>TOTAL</b>	<b>39</b> 1.4%	<b>51</b> 1.8%	<b>507</b> 18.4%	<b>350</b> 12.7%	<b>937</b> 33.9%	<b>731</b> 26.5%	<b>147</b> 5.3%	<b>2762</b> 100.0%
<b>GRAND TOTAL</b>	<b>347</b> 1.8%	<b>733</b> 3.8%	<b>4126</b> 21.5%	<b>3924</b> 20.5%	<b>6251</b> 32.6%	<b>3225</b> 16.8%	<b>557</b> 2.9%	<b>19163</b> 100.0%

TABLE 11.5 REGION AND COUNTY OF INDICTMENT BY YEAR RECEIVED; 1996-1999 NEW COURT COMMITMENTS

COUNTY OF INDICTMENT	1996		1997		1998		1999	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>NEW YORK CITY</b>								
KINGS	2799	13.2%	2964	14.2%	2375	12.2%	2117	11.0%
NEW YORK	5619	26.5%	5251	25.2%	4879	25.0%	4554	23.8%
QUEENS	2349	11.1%	2043	9.8%	2004	10.3%	1437	7.5%
RICHMOND	380	1.8%	247	1.2%	221	1.1%	222	1.2%
BRONX	3324	15.7%	3385	16.3%	3181	16.3%	2833	14.8%
TOTAL	14471	68.3%	13890	66.8%	12660	64.9%	11163	58.2%
<b>SUBURBAN NEWYORK</b>								
NASSAU	703	3.3%	643	3.1%	624	3.2%	689	3.6%
ROCKLAND	175	.8%	145	.7%	170	.9%	199	1.0%
SUFFOLK	724	3.4%	700	3.4%	611	3.1%	830	4.3%
WESTCHESTER	452	2.1%	433	2.1%	484	2.5%	549	2.9%
TOTAL	2054	9.7%	1921	9.2%	1889	9.7%	2267	11.8%
<b>UPSTATE URBAN</b>								
ALBANY	353	1.7%	349	1.7%	325	1.7%	397	2.1%
BROOME	208	1.0%	196	.9%	195	1.0%	217	1.1%
ERIE	535	2.5%	469	2.3%	535	2.7%	673	3.5%
MONROE	592	2.8%	721	3.5%	664	3.4%	645	3.4%
ONEIDA	207	1.0%	244	1.2%	204	1.0%	292	1.5%
ONONDAGA	313	1.5%	334	1.6%	278	1.4%	329	1.7%
RENSSELAER	162	.8%	184	.9%	163	.8%	169	.9%
SCHENECTADY	186	.9%	229	1.1%	266	1.4%	250	1.3%
TOTAL	2556	12.1%	2726	13.1%	2630	13.5%	2972	15.5%
<b>UPSTATE OTHER</b>								
ALLEGANY	17	.1%	11	.1%	27	.1%	21	.1%
CATTARAUGUS	25	.1%	28	.1%	39	.2%	52	.3%
CAYUGA	82	.4%	49	.2%	63	.3%	95	.5%
CHAUTAUQUA	37	.2%	58	.3%	32	.2%	86	.4%
CHEMUNG	84	.4%	75	.4%	99	.5%	69	.4%
CHENANGO	17	.1%	17	.1%	14	.1%	15	.1%
CLINTON	46	.2%	44	.2%	58	.3%	38	.2%
COLUMBIA	80	.4%	85	.4%	78	.4%	95	.5%
CORTLAND	13	.1%	24	.1%	34	.2%	51	.3%
DELAWARE	11	.1%	17	.1%	19	.1%	15	.1%
DUTCHESS	174	.8%	158	.8%	155	.8%	158	.8%
ESSEX	13	.1%	22	.1%	11	.1%	10	.1%
FRANKLIN	35	.2%	17	.1%	18	.1%	18	.1%
FULTON	44	.2%	67	.3%	53	.3%	53	.3%
GENESEE	35	.2%	40	.2%	42	.2%	72	.4%
GREENE	21	.1%	31	.1%	24	.1%	26	.1%
HAMILTON	6	.0%	3	.0%	4	.0%	2	.0%
HERKIMER	22	.1%	41	.2%	38	.2%	42	.2%
JEFFERSON	27	.1%	52	.2%	47	.2%	34	.2%
LEWIS	3	.0%	4	.0%	7	.0%	9	.0%
LIVINGSTON	30	.1%	36	.2%	30	.2%	34	.2%
MADISON	20	.1%	20	.1%	19	.1%	19	.1%
MONTGOMERY	46	.2%	55	.3%	44	.2%	56	.3%
NIAGARA	182	.9%	178	.9%	171	.9%	189	1.0%
ONTARIO	136	.6%	138	.7%	101	.5%	141	.7%
ORANGE	263	1.2%	295	1.4%	316	1.6%	417	2.2%
ORLEANS	36	.2%	37	.2%	33	.2%	41	.2%
OSWEGO	37	.2%	37	.2%	58	.3%	75	.4%
OTSEGO	19	.1%	22	.1%	23	.1%	20	.1%
PUTNAM	15	.1%	18	.1%	19	.1%	21	.1%
ST LAWRENCE	36	.2%	27	.1%	47	.2%	50	.3%
SARATOGA	51	.2%	53	.3%	79	.4%	71	.4%
SCHOHARIE	20	.1%	12	.1%	14	.1%	24	.1%
SCHUYLER	2	.0%	9	.0%	4	.0%	8	.0%
SENECA	14	.1%	12	.1%	14	.1%	19	.1%
STEBEN	36	.2%	43	.2%	49	.3%	85	.4%
SULLIVAN	59	.3%	121	.6%	91	.5%	109	.6%
TIOGA	15	.1%	23	.1%	11	.1%	44	.2%
TOMPKINS	63	.3%	37	.2%	47	.2%	32	.2%
ULSTER	70	.3%	76	.4%	124	.6%	133	.7%
WARREN	34	.2%	39	.2%	22	.1%	41	.2%
WASHINGTON	41	.2%	41	.2%	44	.2%	24	.1%
WAYNE	77	.4%	75	.4%	70	.4%	109	.6%
WYOMING	5	.0%	5	.0%	6	.0%	15	.1%
YATES	10	.0%	13	.1%	17	.1%	24	.1%
TOTAL	2109	10.0%	2265	10.9%	2315	11.9%	2762	14.4%
GRAND TOTAL	21190	100.0%	20802	100.0%	19494	100.0%	19164	100.0%

## Section 12

### COUNTRY OF BIRTH

Table 12.1 presents crime by birthplace for 1999 new court commitments (for purposes of presentation, countries are grouped into world regions).<sup>7</sup> Although 28 % of the total new commitments were for violent felonies, the world regions did not contribute in equal proportions to this category. For example, of new commitments from U.S. Possessions, 21 % were violent felons, as compared with 37 % of new commitments from Central America and 60 % of new commitments from North America.

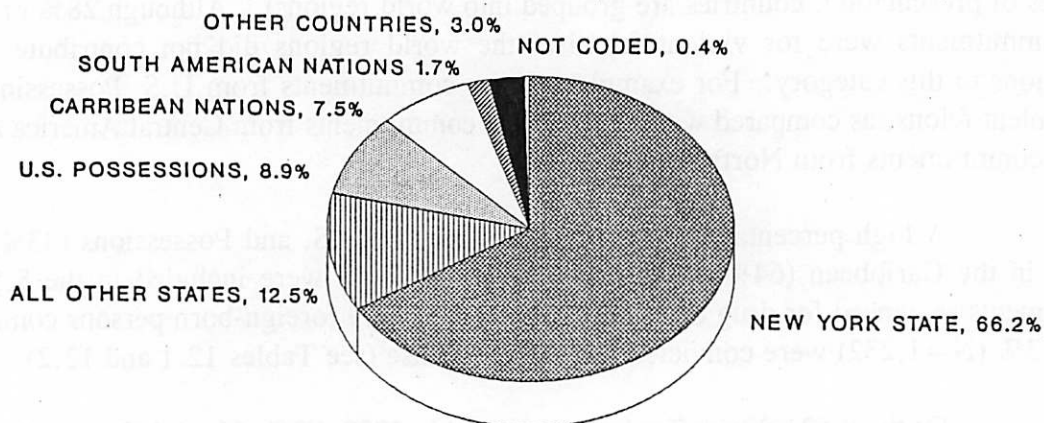
A high percentage of the offenders born in U.S. and Possessions (43 %), island nations in the Caribbean (64 %), and South America (53 %) were included in the 8,521 new commitments sentenced for drug offenses. Among the 2,319 foreign-born persons committed in 1999, 53 % (N=1,232) were convicted for a drug offense (see Tables 12.1 and 12.2).

Of the 8,521 drug offenders committed in 1999, 72 % (N=6,189) were born in the United States, 12 % (N=1,062) in U.S. Possessions, and 14 % (N=1,232) in foreign nations (see Table 12.1).

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<sup>7</sup> More detailed information on foreign-born inmates under custody can be found in a New York State Department of Correctional Services report entitled "The Impact of Foreign-Born Inmates on the New York State Department of Correctional Services" (April 2000).

Figure 12  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
COUNTRY OF BIRTH



COMMITMENT CRIME BY BIRTHPLACE  
1999 NEW COMMITMENTS  
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

BIRTHPLACE

OFFENSE ON COMMITMENT	NEW YORK STATE	ALL OTHER STATES	U. S. POSSESSIONS	CARRIBEAN NATIONS	SOUTH AMERICAN NATIONS	OTHER COUNTRIES	NOT CODED	TOTAL
VIOLENT FELONY	3,719	616	350	336	89	245	14	5,369
OTHER COERCIVE	1,123	179	95	84	21	51	2	1,555
DRUG OFFENSES	5,149	1,040	1,062	914	168	150	38	8,521
PROPERTY/OTHER	2,224	508	168	75	28	107	13	3,123
YOUTHFUL/JUVENILE OFFENDER	462	60	22	23	13	15	1	596
TOTAL	12,677	2,403	1,697	1,432	319	568	68	19,164
PERCENT	66.2%	12.5%	8.9%	7.5%	1.7%	3.0%	0.4%	100.0%

**TABLE 12.1 CRIME BY BIRTHPLACE; 1999 NEW COURT COMMITMENTS**

COMMITMENT CRIME	UNITED STATES	U. S. POSSESS	NORTH AMERICA	CARRIBEAN	CENTRAL AMERICA	SOUTH AMERICA	EUROPE	AFRICA	NEAR EAST	ASIA	SOUTH PACIFIC	NOT CODED	TOTAL
VIOLENT FELONY													
MURDER	229	12	4	23	3	5	3	0	0	1	0	0	288
ATTEMPTED MURDER	103	16	0	26	4	4	1	1	0	5	0	1	169
MANSLAUGHTER 1ST	129	8	11	18	4	1	2	0	1	2	1	2	179
RAPE 1ST	126	12	4	12	3	4	0	2	0	2	0	1	166
ROBBERY 1ST	754	54	13	55	14	11	2	2	0	5	0	0	910
ROBBERY 2ND	837	53	9	38	10	13	3	2	0	3	0	3	971
ASSAULT 1ST	229	35	4	38	4	5	2	2	0	3	0	1	323
ASSAULT 2ND	384	29	8	26	4	10	5	0	1	3	0	0	471
BURGLARY 1ST	105	10	0	11	0	6	2	0	1	3	0	0	138
BURGLARY 2ND	633	48	6	29	6	15	0	2	0	4	0	0	753
ARSON 1ST,2ND	27	2	1	4	0	0	0	0	0	0	0	0	35
SODOMY 1ST	111	7	2	7	3	4	0	0	0	0	0	0	132
SEX AB-1ST, Ag. 2	210	17	5	10	7	5	2	0	1	2	0	1	268
WEAPONS OFFENSES	419	45	5	37	4	6	6	0	2	2	0	3	529
KIDNAPPING 1ST,2ND	24	2	1	7	2	1	0	0	0	1	0	0	38
OTHER VIOLENT FELONIES	7	0	0	0	0	0	0	0	0	0	0	0	7
TOTAL	4335	350	80	336	69	89	41	11	7	36	1	14	5369
	28.7%	20.6%	60.2%	23.5%	37.3%	27.9%	34.7%	34.4%	28.0%	50.7%	25.0%	28.0%	28.0%
OTHER COERCIVE													
MANSLAUGHTER 2ND	55	2	1	9	3	0	2	0	0	1	0	0	73
OTHER HOMICIDE	35	1	2	4	0	0	1	0	0	1	1	0	45
ROBBERY 3RD	422	27	2	14	2	3	3	2	1	0	0	0	476
ATT ASSAULT 2ND	157	17	0	13	3	1	0	0	0	0	0	1	192
OTHER SEX OFFENSES	215	24	1	19	6	1	3	0	0	0	0	0	260
OTHER COERCIVE	418	24	2	34	6	16	2	1	3	2	0	1	509
TOTAL	1302	95	8	84	20	21	11	3	4	4	1	2	1555
	8.6%	5.6%	6.0%	5.9%	10.8%	6.6%	9.3%	9.4%	16.0%	5.6%	25.0%	2.9%	8.1%
DRUG OFFENSES													
DRUG SALL	4449	869	18	564	41	87	22	5	4	14	2	23	6098
DRUG POSSESSION	1740	193	15	350	17	81	9	2	1	0	0	15	2423
TOTAL	6189	1062	33	914	58	168	31	7	5	14	2	38	8521
	41.0%	62.6%	24.8%	63.8%	31.4%	52.7%	26.3%	21.9%	20.0%	19.7%	50.0%	55.9%	44.5%
PROPERTY AND OTHER OFFENSES													
BURGLARY 3RD	814	55	1	14	6	5	4	0	0	1	0	2	902
GRAND LARCENY	512	44	3	18	7	11	6	3	5	6	0	4	619
FORGERY	201	6	0	9	2	3	4	3	1	0	0	4	214
STOLEN PROPERTY	255	20	0	12	1	2	4	1	1	1	0	1	380
DRIVE INTOXICATED	405	14	6	14	5	14	8	0	1	0	0	1	534
ALL OTHER FELONIES	385	27	0	20	2	2	8	3	2	4	0	1	454
TOTAL	2732	168	10	75	32	28	32	10	9	14	0	13	3123
	18.1%	9.9%	7.5%	5.2%	17.3%	8.8%	27.1%	31.3%	36.0%	19.7%	.0%	19.1%	16.3%
YOUTHFUL/JUVENILE													
YOUTHFUL OFFENDER	498	20	2	22	4	12	3	1	0	2	0	1	557
JUVENILE OFFENDER	32	2	0	1	2	1	0	0	0	1	0	0	39
TOTAL	522	22	2	23	6	13	3	1	0	3	0	1	596
	3.5%	1.3%	1.5%	1.6%	3.2%	4.1%	2.5%	3.1%	.0%	4.2%	.0%	1.5%	3.1%
GRAND TOTAL													
	15080	1697	133	1432	105	319	118	32	25	71	4	68	19164
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

TABLE 12.2: CRIME BY BIRTHPLACE(ROW PERCENTS); 1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	US & POSSESS		CARIBBEAN		OTHER WESTERN HEMI		REST OF WORLD		TOTAL	
	NUMBER	ROW PERCENTS	NUMBER	ROW PERCENTS	NUMBER	ROW PERCENTS	NUMBER	ROW PERCENTS	NUMBER	ROW PERCENTS
<b>VIOLENT FELONY</b>										
MURDER	241	86.1%	23	8.2%	12	4.3%	4	1.4%	280	100.0%
ATTEMPTED MURDER	119	70.8%	24	14.3%	18	10.7%	7	4.2%	168	100.0%
MANSLAUGHTER 1ST	137	77.4%	18	10.2%	16	9.0%	6	3.4%	177	100.0%
RAPE 1ST	138	83.6%	12	7.3%	11	6.7%	4	2.4%	165	100.0%
ROBBERY 1ST	808	88.8%	55	6.0%	38	4.2%	9	1.0%	910	100.0%
ROBBERY 2ND	890	91.9%	38	3.9%	32	3.3%	8	.8%	968	100.0%
ASSAULT 1ST	264	82.0%	38	11.8%	13	4.0%	7	2.2%	322	100.0%
ASSAULT 2ND	413	87.9%	26	5.5%	22	4.7%	9	1.9%	470	100.0%
BURGLARY 1ST	115	83.3%	11	8.0%	6	4.3%	6	4.3%	138	100.0%
BURGLARY 2ND	681	90.6%	29	3.9%	27	3.6%	15	2.0%	752	100.0%
ARSON 1ST,2ND	29	82.9%	4	11.4%	1	2.9%	1	2.9%	35	100.0%
SODOMY 1ST	118	89.4%	4	3.0%	6	4.5%	4	3.0%	132	100.0%
SEX.AB-1ST,Ag.2	235	88.0%	10	3.7%	17	6.4%	5	1.9%	267	100.0%
WEAPONS OFFENSES	464	88.2%	37	7.0%	15	2.9%	10	1.9%	526	100.0%
KIDNAPPING 1ST,2ND	26	68.4%	7	18.4%	4	10.5%	1	2.6%	38	100.0%
OTHER VIOLENT FELONIES	7	100.0%	0	.0%	0	.0%	0	.0%	7	100.0%
<b>TOTAL</b>	<b>4685</b>	<b>87.5%</b>	<b>336</b>	<b>6.3%</b>	<b>238</b>	<b>4.4%</b>	<b>96</b>	<b>1.8%</b>	<b>5355</b>	<b>100.0%</b>
<b>OTHER COERCIVE</b>										
MANSLAUGHTER 2ND	57	78.1%	9	12.3%	4	5.5%	3	4.1%	73	100.0%
OTHER HOMICIDE	36	80.0%	4	8.9%	2	4.4%	3	6.7%	45	100.0%
ROBBERY 3RD	449	94.3%	14	2.9%	7	1.5%	6	1.3%	476	100.0%
ATT ASSAULT 2ND	174	91.1%	13	6.8%	4	2.1%	0	.0%	191	100.0%
OTHER SEX OFFENSES	239	91.9%	10	3.8%	8	3.1%	3	1.2%	260	100.0%
OTHER COERCIVE	442	87.0%	34	6.7%	24	4.7%	8	1.6%	508	100.0%
<b>TOTAL</b>	<b>1397</b>	<b>90.0%</b>	<b>84</b>	<b>5.4%</b>	<b>49</b>	<b>3.2%</b>	<b>23</b>	<b>1.5%</b>	<b>1553</b>	<b>100.0%</b>
<b>DRUG OFFENSES</b>										
DRUG SALE	5318	87.5%	564	9.3%	146	2.4%	47	.8%	6075	100.0%
DRUG POSSESSION	1933	80.3%	350	14.5%	113	4.7%	12	.5%	2408	100.0%
<b>TOTAL</b>	<b>7251</b>	<b>85.5%</b>	<b>914</b>	<b>10.8%</b>	<b>259</b>	<b>3.1%</b>	<b>59</b>	<b>.7%</b>	<b>8483</b>	<b>100.0%</b>
<b>PROPERTY AND OTHER OFFENSES</b>										
BURGLARY 3RD	869	96.6%	14	1.6%	12	1.3%	5	.6%	900	100.0%
GRAND LARCENY	556	90.4%	18	2.9%	21	3.4%	20	3.3%	615	100.0%
FORGERY	287	92.6%	9	2.9%	5	1.6%	9	2.9%	310	100.0%
STOLEN PROPERTY	275	92.0%	12	4.0%	3	1.0%	9	3.0%	299	100.0%
DRIVE INTOXICATED	501	94.0%	2	.4%	25	4.7%	5	.9%	533	100.0%
ALL OTHER FELONIES	412	90.9%	20	4.4%	4	.9%	17	3.8%	453	100.0%
<b>TOTAL</b>	<b>2900</b>	<b>93.2%</b>	<b>75</b>	<b>2.4%</b>	<b>70</b>	<b>2.3%</b>	<b>65</b>	<b>2.1%</b>	<b>3110</b>	<b>100.0%</b>
<b>YOUTHFUL/JUVENILE</b>										
YOUTHFUL OFFENDER	510	91.7%	22	4.0%	18	3.2%	6	1.1%	556	100.0%
JUVENILE OFFENDER	34	87.2%	1	2.6%	3	7.7%	1	2.6%	39	100.0%
<b>TOTAL</b>	<b>544</b>	<b>91.4%</b>	<b>23</b>	<b>3.9%</b>	<b>21</b>	<b>3.5%</b>	<b>7</b>	<b>1.2%</b>	<b>595</b>	<b>100.0%</b>
<b>GRAND TOTAL</b>	<b>16777</b>	<b>87.9%</b>	<b>1432</b>	<b>7.5%</b>	<b>637</b>	<b>3.3%</b>	<b>250</b>	<b>1.3%</b>	<b>19096</b>	<b>100.0%</b>

68 cases where Birth Country was not coded are excluded from this table

## Section 13

### EDUCATION

Education level by gender for 1999 new court commitments is presented in Table 13.1. In this table, education status refers to the last school grade completed as reported by the inmate. Where the individual claims to have earned a General Education Diploma (i.e. High School Equivalency) he or she was assigned to the 12th grade. On average, inmates reported 10.5 years of schooling (see Table 13.1).

In order to properly place inmates in education programs, the Department administers a battery of tests during the reception/classification process. These include tests on reading vocabulary and reading comprehension given in English or Spanish or both. In those cases where inmates were tested in English and Spanish, the results are combined with the inmate scores reflecting the score received on the Spanish language test. In Table 13.2, which shows the distribution of combined reading vocabulary and reading comprehension scores for 1999 new commitments, the average reading level (7.0) was found to be equivalent to 7th grade. Thus, while the average grade completed as reported at reception was more than 10th grade, the more sensitive measure of tested reading proficiency was 3-1/2 grade levels below this.<sup>8</sup> While less than two percent of inmates claimed education year completed of 4th grade or below (see Table 13.1), more than one-quarter (26%) performed on reading tests at less than the 5th grade level (see Table 13.2).

Results from tests on ability to perform math computations and to solve math problems are shown in Table 13.3. For 1999 new commitments, the average proficiency in mathematics based on these test scores (6.0) was at the 6<sup>th</sup> grade level.<sup>9</sup>

#### Trends in Education Level

Reading proficiency based on tests administered at reception was slightly above the 6th grade level in 1996 (see Table 13.4). It rose to 7<sup>th</sup> grade levels in 1997 and 1998. By 1999, the average reading proficiency had dipped again between 6<sup>th</sup> and 7<sup>th</sup> grades. Average proficiency level in math was at the 6th-7th grade level in 1998 but dropped to 6<sup>th</sup> grade in 1999.

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<sup>8</sup> In March 1996, the Division of Academic and Vocational Education introduced a new protocol for testing reading. Average scores on the new test were one grade lower on the new tests compared to the scores of inmates on the previous protocols. New tests for math also were introduced at that time with similar results.

<sup>9</sup> See previous note



Figure 13  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
COMBINED READING SCORE

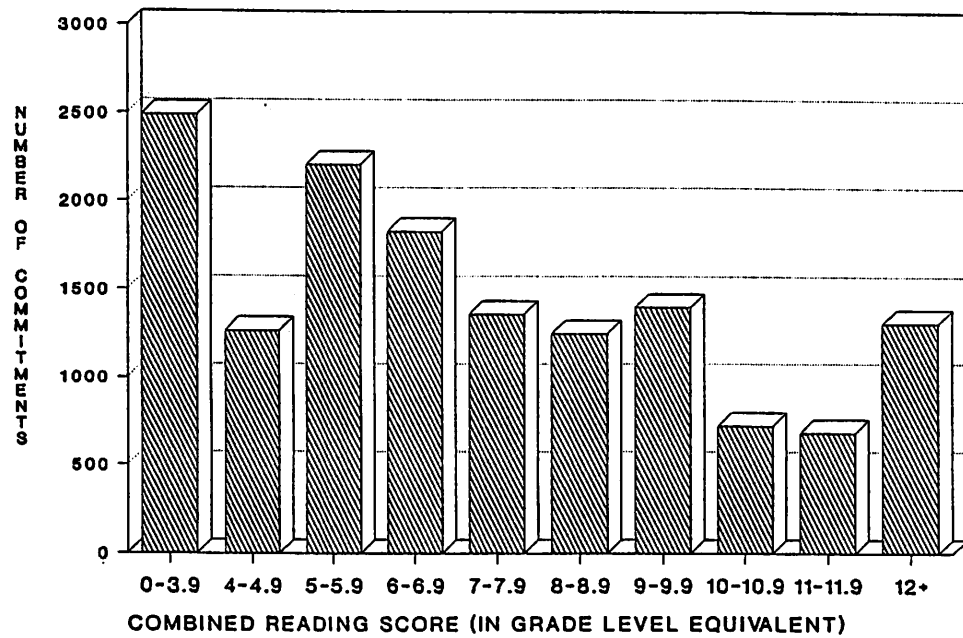


TABLE 13.1  
EDUCATION BY SEX  
1999 NEW COURT COMMITMENTS

EDUCATIONAL LEVEL	MALE	FEMALE	TOTAL
LESS THAN 5TH GRADE	209 1.4%	16 1.2%	225 1.4%
5TH THRU 7TH GRADE	646 4.3%	62 4.5%	708 4.3%
8TH THRU 11TH GRADE	8464 55.8%	654 47.2%	9118 55.1%
12TH GRADE OR MORE	5856 38.6%	653 47.1%	6509 39.3%
TOTAL	15175 100.0%	1385 100.0%	16560 100.0%
AVERAGE	10.5	10.8	10.5
MEDIAN	11.0	11.0	11.0

TABLE 13.2  
COMBINED READING SCORE (IN GRADE LEVEL EQUIVALENT, RECEPTION CENTER TESTS) BY SEX  
1999 NEW COURT COMMITMENTS

COMBINED READING SCORE (IN GRADE LEVEL EQUIVALENT) (RECEPTION CENTER TESTS)	INMATE GENDER		TOTAL
	MALE	FEMALE	
0.0-3.9	3230 21.3%	235 18.8%	3465 21.1%
4.0-4.9	1328 8.8%	106 8.5%	1434 8.7%
5.0-5.9	2257 14.9%	148 11.9%	2405 14.7%
6.0-6.9	1850 12.2%	141 11.3%	1991 12.1%
7.0-7.9	1318 8.7%	118 9.5%	1436 8.8%
8.0-8.9	1169 7.7%	125 10.0%	1294 7.9%
9.0-9.9	1509 10.0%	89 7.1%	1598 9.7%
10.0-10.9	653 4.3%	87 7.0%	740 4.5%
11.0-11.9	611 4.0%	83 6.7%	694 4.2%
12.0-12.9	1217 8.0%	116 9.3%	1333 8.1%
TOTAL	15142 100.0%	1248 100.0%	16390 100.0%
AVERAGE	6.7	7.1	6.7

TABLE 13.3  
COMBINED MATH SCORE (IN GRADE LEVEL EQUIVALENT, RECEPTION CENTER TESTS) BY SEX  
1999 NEW COURT COMMITMENTS

COMBINED MATH SCORE (IN GRADE LEVEL EQUIVALENT) (RECEPTION CENTER TESTS)	INMATE GENDER		TOTAL
	MALE	FEMALE	
0.0-3.9	2895 22.0%	309 26.7%	3204 22.4%
4.0-4.9	1930 14.7%	151 13.0%	2081 14.5%
5.0-5.9	2390 18.2%	218 18.8%	2608 18.2%
6.0-6.9	1824 13.9%	145 12.5%	1969 13.8%
7.0-7.9	1441 11.0%	120 10.4%	1561 10.9%
8.0-8.9	862 6.6%	61 5.3%	923 6.5%
9.0-9.9	671 5.1%	54 4.7%	725 5.1%
10-10.9	360 2.7%	37 3.2%	397 2.8%
11.0-11.9	246 1.9%	25 2.2%	271 1.9%
12.0-12.9	529 4.0%	38 3.3%	567 4.0%
TOTAL	13148 100.0%	1158 100.0%	14306 100.0%
AVERAGE	6.0	5.8	6.0

TABLE 13.4  
COMBINED READING SCORE BY YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

COMBINED READING SCORE (GRADE LEVEL ABILITY) (RECEPTION CENTER TESTS)	YEAR RECEIVED			
	1996	1997	1998	1999
0.0-3.9	4582 23.9%	3429 18.0%	3030 17.7%	3465 21.1%
4.0-4.9	1888 9.8%	1444 7.6%	1312 7.7%	1434 8.7%
5.0-5.9	3004 15.7%	2569 13.5%	2345 13.7%	2405 14.7%
6.0-6.9	2420 12.6%	2199 11.5%	1938 11.3%	1991 12.1%
7.0-7.9	1566 8.2%	1805 9.5%	1629 9.5%	1436 8.8%
8.0-8.9	1418 7.4%	1893 9.9%	1678 9.8%	1294 7.9%
9.0-9.9	1373 7.2%	1868 9.8%	1783 10.4%	1598 9.7%
10.0-10.9	794 4.1%	1065 5.6%	893 5.2%	740 4.5%
11.0-11.9	654 3.4%	991 5.2%	869 5.1%	694 4.2%
12.0-12.9	1487 7.8%	1813 9.5%	1670 9.7%	1333 8.1%
TOTAL	19186 100.0%	19076 100.0%	17147 100.0%	16390 100.0%
AVERAGE	6.4	7.1	7.1	6.7

TABLE 13.5  
COMBINED MATH SCORE BY YEAR RECEIVED  
1996-1999 NEW COURT COMMITMENTS

MATH COMBINED SCORE (GRADE LEVEL ABILITY) (RECEPTION CENTER TESTS)	YEAR RECEIVED			
	1996	1997	1998	1999
0.0-3.9	3786 22.6%	3028 17.7%	2815 18.0%	3204 22.4%
4.0-4.9	2440 14.6%	2157 12.6%	1867 12.0%	2081 14.5%
5.0-5.9	3284 19.6%	3065 17.9%	2841 18.2%	2608 18.2%
6.0-6.9	2394 14.3%	2567 15.0%	2132 13.6%	1969 13.8%
7.0-7.9	1858 11.1%	2119 12.4%	1826 11.7%	1561 10.9%
8.0-8.9	1102 6.6%	1407 8.2%	1348 8.6%	923 6.5%
9.0-9.9	736 4.4%	995 5.8%	1006 6.4%	725 5.1%
10-10.9	429 2.6%	633 3.7%	641 4.1%	397 2.8%
11.0-11.9	233 1.4%	420 2.5%	379 2.4%	271 1.9%
12.0-12.9	494 2.9%	742 4.3%	765 4.9%	567 4.0%
TOTAL	16756 100.0%	17133 100.0%	15620 100.0%	14306 100.0%
AVERAGE	5.9	6.4	6.5	6.0

## Section 14

### MARITAL STATUS

Among 1999 new commitments, 71% were single, never married; 15% of commitments reported that they were legally married; 4% reported common law relationships, and 10% reported that they were divorced, widowed or separated (see Table 14.1). Women (8%) were slightly less likely than men (10%) to report they were divorced, widowed or separated. Men (5%) were more likely than women (1%) to report a common law relationship.

The proportion of single, never married eased slightly from 1998 (72%) to 1999 (71%) amongst the new commitments the first decline in four years. The decline from 1998 to 1999 occurred among both men and women new commitments. The proportion of legally married new commitments was largely unchanged between 1996 (15.4%) and 1999 (15.2%).

Figure 14  
DEPARTMENT OF CORRECTIONAL SERVICES  
NEW COMMITMENTS - 1999  
MARITAL STATUS

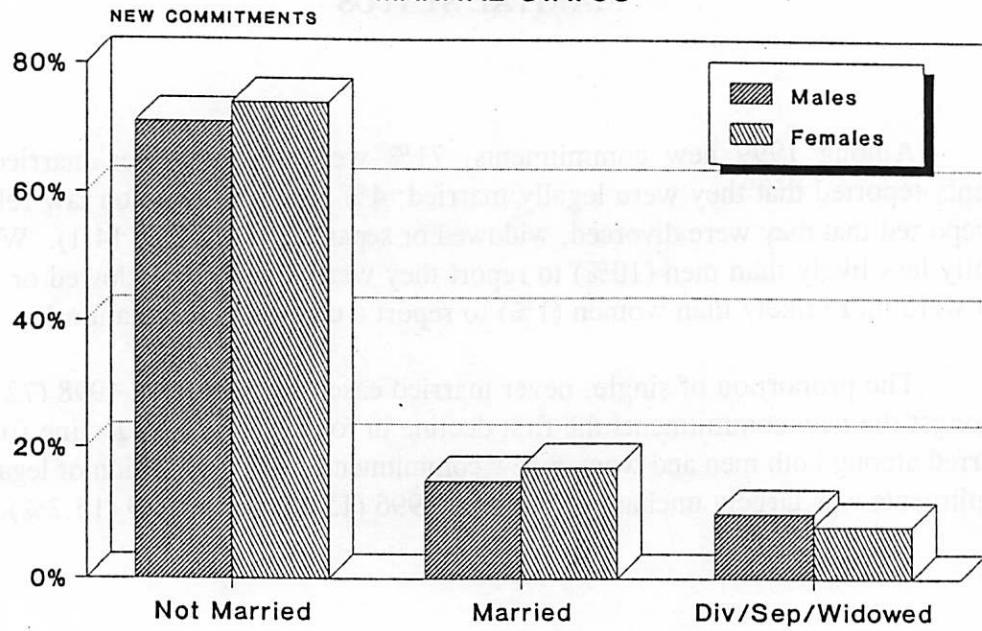


TABLE 14.1 MARITAL STATUS BY SEX; 1996-1999 NEW COURT COMMITMENTS

MARITAL STATUS	1996			1997			1998			1999		
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
NOT MARRIED												
SINGLE	13459 69.7%	1297 75.8%	14756 70.2%	13477 71.2%	1284 76.5%	14761 71.6%	12705 71.3%	1161 75.4%	13866 71.7%	12384 70.6%	1113 74.4%	13497 70.9%
COMMON LAW	1050 5.4%	16 .9%	1066 5.1%	852 4.5%	9 .5%	861 4.2%	854 4.8%	26 1.7%	880 4.5%	795 4.5%	18 1.2%	813 4.3%
TOTAL	14509 75.1%	1313 76.7%	15822 75.3%	14329 75.7%	1293 77.1%	15622 75.8%	13559 76.1%	1187 77.1%	14746 76.2%	13179 75.2%	1131 75.7%	14310 75.2%
MARRIED												
MARRIED	2971 15.4%	274 16.0%	3245 15.4%	2817 14.9%	261 15.6%	3078 14.9%	2654 14.9%	259 16.8%	2913 15.1%	2647 15.1%	250 16.7%	2897 15.2%
TOTAL	2971 15.4%	274 16.0%	3245 15.4%	2817 14.9%	261 15.6%	3078 14.9%	2654 14.9%	259 16.8%	2913 15.1%	2647 15.1%	250 16.7%	2897 15.2%
DIV/WIDOWED/SEPARATED												
DIVORCED	896 4.6%	47 2.7%	943 4.5%	886 4.7%	58 3.5%	944 4.6%	798 4.5%	43 2.8%	841 4.3%	893 5.1%	41 2.7%	934 4.9%
WIDOWED	135 .7%	27 1.6%	162 .8%	133 .7%	29 1.7%	162 .8%	120 .7%	21 1.4%	141 .7%	100 .6%	29 1.9%	129 .7%
SEPARATED	802 4.2%	50 2.9%	852 4.1%	767 4.1%	37 2.2%	804 3.9%	679 3.8%	29 1.9%	708 3.7%	713 4.1%	44 2.9%	757 4.0%
TOTAL	1833 9.5%	124 7.2%	1957 9.3%	1786 9.4%	124 7.4%	1910 9.3%	1597 9.0%	93 6.0%	1690 8.7%	1706 9.7%	114 7.6%	1820 9.6%
GRAND TOTAL	19313 100.0%	1711 100.0%	21024 100.0%	18932 100.0%	1678 100.0%	20610 100.0%	17810 100.0%	1539 100.0%	19349 100.0%	17532 100.0%	1495 100.0%	19027 100.0%



## Section 15

### JAIL TIME

Individuals committed to state prison frequently accumulate time in local jail prior to the date of reception at a New York State correctional facility. Following arrest, the court may require that a defendant post bail to ensure that the defendant will re-appear at a later date for further court proceedings. Those unable to post bail when it is required by the court will generally be confined in a local jail pending court proceedings. Also, for those sentenced to a state prison term, jail time may accumulate between the date of sentencing and the date of transfer to a state correctional facility. Time spent in a local jail prior to commitment to state prison is credited toward service of the minimum term.

On average, the length of time new commitments served in a local jail in 1999 was the highest (7.5 months) in the four year period 1996-1999. It has grown without decline during the period (see Table 15.1).

#### Jail Time by Crime and Crime Class

Violent felony offenders served more jail time than other offenders. In 1999, new commitments convicted of a violent felony had served 9.6 months on average compared to 7.7 months for other coercive offenders, 6.7 months for drug offenders and 6.4 months for property offenders (see Table 15.1). Also, the table shows that when sentenced for the same crime, second felony offenders usually have served more jail time than those sentenced as first felony offenders. For instance, second felony offenders committed for Robbery 1st in 1999 served 11.3 months of jail time on average compared with 9.2 months for first felony offenders convicted of Robbery 1st. The reason that the discrepancy of half a month between the average jail time for the total group of first (7.3 months) and second felony offenders (7.8 months) is not wider may be due to a high concentration of drug and property offenders in the second felony group (see Table 15.3). (See Section 4, p. 19-30.)

Average and median jail time by felony class category, 1<sup>st</sup> or 2<sup>nd</sup> felony offender status, and violent or non-violent offender status is presented in Table 15.3., for first violent felons and second felony offenders, as felony crime class declines from Class A-1 to Class E, the average jail time declines. For non-violent first felony offenders, the average jail time is similar for Class B, C, D and E felony offenders. In general, for offenders in the same felony class category, those committed for violent felonies tend to have a somewhat longer period of jail time than do those committed for non-violent crimes.

TABLE 15.1 CRIME BY AVERAGE JAIL TIME (IN MONTHS)  
BY FIRST OR SECOND FELONY OFFENDER STATUS AND BY YEAR RECEIVED; 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996			1997			1998			1999		
	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL
	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE	AVERAGE
<b>VIOLENT FELONY</b>												
MURDER	17.0	.	17.0	17.6	.	17.6	16.6	.	16.6	18.0	.	18.0
ATTEMPTED MURDER	10.0	12.7	10.9	10.7	12.5	11.2	11.0	15.1	12.0	12.1	15.5	13.2
MANSLAUGHTER 1ST	16.2	16.5	16.3	15.9	19.2	16.8	15.4	16.6	15.7	17.6	18.3	17.8
RAPE 1ST	7.7	10.0	8.4	8.2	11.8	9.6	8.1	10.2	8.8	7.8	12.1	9.4
ROBBERY 1ST	7.2	11.0	8.8	8.1	10.8	9.2	8.4	11.2	9.5	9.2	11.3	10.1
ROBBERY 2ND	5.4	8.4	6.8	5.9	8.3	7.0	6.8	8.8	7.7	6.7	9.1	7.7
ASSAULT 1ST	7.3	9.6	8.1	7.6	9.7	8.3	8.3	10.1	8.8	8.7	11.2	9.4
ASSAULT 2ND	5.7	7.3	6.4	6.0	8.2	6.9	6.2	8.7	7.2	7.4	10.0	8.5
BURGLARY 1ST	9.0	10.6	9.8	8.9	10.6	9.6	9.4	13.9	11.4	10.6	11.2	10.8
BURGLARY 2ND	5.9	7.2	6.7	5.9	7.9	7.1	6.3	8.4	7.6	7.1	8.8	8.0
ARSON 1ST,2ND	5.7	13.3	8.2	10.8	20.5	12.6	9.5	10.6	9.8	7.9	10.5	8.7
SODOMY 1ST	5.7	7.6	6.2	6.4	10.5	7.6	6.7	7.6	6.9	6.8	10.1	7.7
SEX.AB-1ST,Ag.2	5.4	6.3	5.7	5.8	7.4	6.3	6.2	8.4	6.8	7.5	10.6	8.3
WEAPONS OFFENSES	6.6	7.3	7.0	6.6	7.7	7.3	6.9	7.4	7.2	7.2	8.6	8.0
KIDNAPPING 1ST,2ND	14.8	13.4	14.5	17.7	14.3	17.1	14.7	20.1	15.6	10.9	12.1	11.2
OTHER VIOLENT FELONIES	18.3	.	18.3	22.0	.	22.0	12.0	14.0	12.5	31.3	.	31.3
TOTAL	8.2	8.9	8.5	8.8	9.3	9.0	8.8	9.4	9.0	9.3	10.1	9.6
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	11.9	12.7	12.1	8.1	13.0	9.3	10.5	10.7	10.5	9.9	13.1	10.6
OTHER HOMICIDE	3.7	8.0	4.2	4.7	8.2	5.7	4.2	13.7	5.0	5.4	5.6	5.4
ROBBERY 3RD	4.3	5.9	5.4	4.9	6.4	5.9	5.1	7.5	6.6	6.2	7.5	7.0
ATT ASSAULT 2ND	5.0	7.0	6.4	6.3	7.0	6.8	6.4	7.3	7.0	7.0	8.2	7.8
OTHER SEX OFFENSES	4.7	5.7	5.1	5.1	6.5	5.7	5.7	6.4	6.0	6.5	7.2	6.7
OTHER COERCIVE	6.3	6.6	6.5	6.0	6.8	6.5	7.4	7.4	7.4	9.1	7.8	8.5
TOTAL	5.7	6.4	6.1	5.7	6.8	6.3	6.4	7.4	6.9	7.6	7.8	7.7
<b>DRUG OFFENSES</b>												
DRUG SALE	4.4	5.4	5.1	4.9	5.8	5.5	5.1	5.8	5.6	5.9	7.1	6.7
DRUG POSSESSION	5.6	5.6	5.6	5.7	5.7	5.7	5.9	5.8	5.9	6.4	7.1	6.7
TOTAL	4.9	5.4	5.2	5.2	5.8	5.6	5.4	5.8	5.7	6.1	7.1	6.7
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	4.1	5.1	4.8	4.8	5.5	5.3	4.9	6.4	5.9	6.0	6.8	6.5
GRAND LARCENY	4.3	5.2	4.9	4.2	5.8	5.2	4.7	6.2	5.8	5.9	6.5	6.3
FORGERY	3.9	5.3	4.9	4.7	5.2	5.1	5.5	5.8	5.7	6.2	6.6	6.5
STOLEN PROPERTY	3.9	5.1	4.8	4.4	5.5	5.2	4.6	6.1	5.7	5.7	6.8	6.6
DRIVE INTOXICATED	3.7	6.0	3.8	3.9	3.9	3.9	4.5	3.0	4.4	5.3	5.5	5.3
ALL OTHER FELONIES	4.3	6.6	5.5	5.1	6.2	5.7	5.6	6.7	6.1	7.1	7.7	7.4
TOTAL	4.0	5.2	4.8	4.5	5.6	5.1	4.9	6.2	5.7	5.9	6.8	6.4
<b>YOUTHFUL/JUVENILE</b>												
YOUTHFUL OFFENDER	4.5	.	4.5	4.8	.	4.8	5.0	.	5.0	5.6	.	5.6
JUVENILE OFFENDER	8.8	12.3	8.9	8.4	.	8.4	7.6	.	7.6	9.2	.	9.2
TOTAL	5.4	12.3	5.4	5.1	.	5.1	5.2	.	5.2	5.9	.	5.9
GRAND TOTAL	6.1	6.3	6.2	6.4	6.6	6.5	6.6	6.8	6.7	7.3	7.8	7.5

TABLE 15.2 CRIME BY JAIL TIME (IN MONTHS)  
BY FIRST OR SECOND FELONY OFFENDER STATUS AND BY YEAR RECEIVED 1996-1999 NEW COURT COMMITMENTS

COMMITMENT CRIME	1996			1997			1998			1999		
	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL
	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN
<b>VIOLENT FELONY</b>												
MURDER	14.0	.	14.0	15.0	.	15.0	15.0	.	15.0	15.0	.	15.0
ATTEMPTED MURDER	8.0	11.0	9.0	10.0	11.0	10.0	10.0	13.5	11.0	11.0	14.0	12.0
MANSLAUGHTER 1ST	13.0	15.0	13.0	13.0	16.5	14.0	13.0	13.5	13.0	15.0	16.0	15.0
RAPE 1ST	7.0	9.0	8.0	7.0	10.0	9.0	7.0	9.0	7.0	11.0	11.0	9.0
ROBBERY 1ST	6.0	10.0	8.0	7.0	10.0	8.0	7.0	10.0	8.0	8.0	11.0	9.0
ROBBERY 2ND	5.0	7.0	6.0	5.0	7.0	6.0	6.0	7.0	6.0	8.0	11.0	9.0
ASSAULT 1ST	6.0	8.0	7.0	7.0	9.0	8.0	7.0	9.0	8.0	6.0	8.0	7.0
ASSAULT 2ND	5.0	6.0	5.0	5.0	6.0	5.0	5.0	8.0	6.5	7.0	9.0	8.0
BURGLARY 1ST	7.0	9.0	8.0	7.0	9.0	8.0	8.0	13.0	9.0	9.0	10.5	10.0
BURGLARY 2ND	5.0	6.0	5.0	5.0	7.0	6.0	5.0	8.0	7.0	6.0	8.0	7.0
ARSON 1ST,2ND	6.0	9.5	6.0	7.0	20.5	8.5	8.0	11.5	9.0	7.0	9.0	7.0
SODOMY 1ST	5.0	7.0	5.0	5.0	9.5	7.0	6.0	7.0	6.0	7.0	9.5	7.0
SEX.AB-1st,Ag.2	5.0	5.0	5.0	5.0	7.0	6.0	6.0	7.0	6.0	7.0	9.0	7.0
WEAPONS OFFENSES	5.0	5.0	5.0	5.0	6.0	6.0	5.0	6.0	6.0	6.0	7.0	7.0
KIDNAPPING 1ST,2ND	13.0	14.0	13.0	15.0	13.0	14.5	10.0	14.0	11.0	9.0	12.0	9.0
OTHER VIOLENT FELONY	21.0	.	21.0	18.0	.	18.0	14.0	14.0	14.0	23.0	.	23.0
<b>TOTAL</b>	<b>6.0</b>	<b>8.0</b>	<b>7.0</b>	<b>7.0</b>	<b>8.0</b>	<b>7.0</b>	<b>7.0</b>	<b>8.0</b>	<b>8.0</b>	<b>8.0</b>	<b>9.0</b>	<b>8.0</b>
<b>OTHER COERCIVE</b>												
MANSLAUGHTER 2ND	9.0	13.0	10.0	7.0	11.5	9.0	9.0	11.0	10.0	9.0	11.0	9.0
OTHER HOMICIDE	3.0	7.0	3.0	4.0	9.0	4.0	2.0	16.0	2.0	4.0	5.5	4.0
ROBBERY 3RD	4.0	5.0	5.0	4.0	6.0	5.0	4.0	6.0	6.0	5.0	6.0	6.0
ATT ASSAULT 2ND	5.0	6.0	6.0	5.5	6.0	6.0	6.0	6.0	6.0	6.0	7.0	7.0
OTHER SEX OFFENSES	4.0	5.0	5.0	4.5	6.0	5.0	5.5	6.0	6.0	6.0	6.0	6.0
OTHER COERCIVE	5.0	5.0	5.0	4.0	5.0	5.0	6.0	6.0	6.0	7.0	7.0	7.0
<b>TOTAL</b>	<b>4.0</b>	<b>5.0</b>	<b>5.0</b>	<b>4.5</b>	<b>6.0</b>	<b>5.0</b>	<b>5.0</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>	<b>7.0</b>	<b>6.0</b>
<b>DRUG OFFENSES</b>												
DRUG OFFENSES	4.0	4.0	4.0	4.0	5.0	4.0	4.0	5.0	5.0	5.0	6.0	6.0
<b>TOTAL</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>	<b>5.0</b>	<b>4.0</b>	<b>4.0</b>	<b>5.0</b>	<b>5.0</b>	<b>5.0</b>	<b>6.0</b>	<b>6.0</b>
<b>PROPERTY AND OTHER OFFENSES</b>												
BURGLARY 3RD	4.0	4.0	4.0	4.0	5.0	5.0	5.0	6.0	5.0	6.0	6.0	6.0
GRAND LARCENY	3.0	5.0	4.0	3.0	5.0	4.0	4.0	5.0	5.0	6.0	6.0	6.0
FORGERY	3.0	4.0	4.0	4.0	4.0	4.0	5.0	5.0	5.0	6.0	6.0	6.0
STOLEN PROPERTY	3.0	4.5	4.0	4.0	5.0	4.0	4.0	5.0	5.0	5.0	6.0	6.0
DRIVE INTOXICATED	3.0	3.0	3.0	3.0	4.0	3.0	4.0	1.0	4.0	5.0	4.0	5.0
ALL OTHER FELONIES	4.0	5.0	5.0	4.0	6.0	5.0	5.0	6.0	6.0	6.0	6.0	6.0
<b>TOTAL</b>	<b>3.0</b>	<b>5.0</b>	<b>4.0</b>	<b>4.0</b>	<b>5.0</b>	<b>4.0</b>	<b>4.0</b>	<b>5.0</b>	<b>5.0</b>	<b>6.0</b>	<b>6.0</b>	<b>6.0</b>
<b>YOUTHFUL/JUVENILE</b>												
YOUTHFUL OFFENDER	4.0	.	4.0	4.0	.	4.0	4.0	.	4.0	5.0	.	5.0
JUVENILE OFFENDER	8.0	13.0	8.0	8.0	.	8.0	7.0	.	7.0	7.0	.	7.0
<b>TOTAL</b>	<b>4.0</b>	<b>13.0</b>	<b>4.0</b>	<b>4.0</b>	<b>.</b>	<b>4.0</b>	<b>4.5</b>	<b>.</b>	<b>4.5</b>	<b>5.0</b>	<b>.</b>	<b>5.0</b>
<b>RAND TOTAL</b>	<b>5.0</b>	<b>5.0</b>	<b>5.0</b>	<b>5.0</b>	<b>5.0</b>	<b>5.0</b>	<b>5.0</b>	<b>6.0</b>	<b>5.0</b>	<b>6.0</b>	<b>7.0</b>	<b>6.0</b>

TABLE 15.3 AVERAGE JAIL TIME (IN MONTHS) BY FELONY CLASS, VIOLENT FELONY STATUS, AND BY FIRST OR SECOND FELONY OFFENDER STATUS ;1996-1999 NEW COURT COMMITMENTS

	1996			1997			1998			1999		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
<b>FIRST FELONY</b>												
<b>VIOLENT FELONY</b>												
A-I FELONY	395	17.0	15.0	381	17.9	16.0	322	16.5	15.0	299	18.1	15.0
CLASS B FELONY	1081	9.4	8.0	1125	9.8	8.0	1024	10.0	9.0	1041	10.5	9.0
CLASS C FELONY	1023	6.5	6.0	894	6.9	6.0	853	7.3	6.0	833	7.8	7.0
CLASS D FELONY	999	5.3	5.0	965	5.8	5.0	924	6.1	5.0	1090	6.9	6.0
CLASS E FELONY	13	5.6	4.0	18	4.3	3.0	14	5.4	5.0	30	4.5	4.0
TOTAL	3511	8.2	6.0	3383	8.8	7.0	3137	8.8	7.0	3293	9.3	8.0
<b>NON-VIOLENT FELONY</b>												
A-I FELONY	93	11.7	11.0	62	12.1	11.0	53	11.3	9.0	48	13.3	12.0
A-II FELONY	575	8.8	7.0	631	8.3	7.0	607	7.6	7.0	692	8.2	7.0
CLASS B FELONY	1739	4.4	3.0	1820	4.7	4.0	1724	5.2	4.0	1715	5.9	5.0
CLASS C FELONY	1039	4.1	3.0	1067	4.2	3.0	960	4.7	3.0	856	5.5	4.0
CLASS D FELONY	1087	4.4	4.0	1135	5.0	4.0	1092	5.2	5.0	1293	6.2	6.0
CLASS E FELONY	832	4.1	3.0	1067	4.5	4.0	984	5.1	5.0	1146	5.9	5.0
YOUTHFUL OFFENDER	506	4.5	4.0	518	4.8	4.0	571	5.0	4.0	557	5.6	5.0
TOTAL	5871	4.9	4.0	6300	5.1	4.0	5991	5.4	4.0	6307	6.2	5.0
<b>SECOND FELONY</b>												
<b>VIOLENT FELONY</b>												
CLASS B FELONY	608	12.6	11.0	585	12.5	11.0	488	12.9	11.0	521	12.8	12.0
CLASS C FELONY	867	9.2	8.0	766	9.7	8.0	689	9.7	9.0	627	10.2	9.0
CLASS D FELONY	1046	7.1	6.0	930	7.6	6.0	917	7.9	7.0	801	9.0	8.0
CLASS E FELONY	153	4.6	3.0	163	5.1	4.0	162	6.2	5.0	127	6.5	6.0
TOTAL	2674	8.9	8.0	2444	9.3	8.0	2256	9.4	8.0	2076	10.1	9.0
<b>NON-VIOLENT FELONY</b>												
A-II FELONY	62	11.0	9.0	108	9.7	9.0	85	9.0	8.0	41	11.0	9.0
CLASS B FELONY	906	7.6	7.0	1086	7.8	7.0	993	8.0	7.0	849	9.2	8.0
CLASS C FELONY	2026	6.0	5.0	1751	6.5	6.0	1635	6.1	5.0	1608	7.2	7.0
CLASS D FELONY	4014	5.0	4.0	3553	5.3	4.0	3308	5.7	5.0	3067	6.8	6.0
CLASS E FELONY	2128	4.8	4.0	2176	5.2	4.0	2091	5.6	5.0	1922	6.4	6.0
TOTAL	9136	5.5	4.0	8674	5.9	5.0	8112	6.1	5.0	7487	7.1	6.0
<b>GRAND TOTAL</b>	<b>21192</b>	<b>6.2</b>	<b>5.0</b>	<b>20801</b>	<b>6.5</b>	<b>5.0</b>	<b>19496</b>	<b>6.7</b>	<b>5.0</b>	<b>19163</b>	<b>7.5</b>	<b>6.0</b>

### **Jail Time by Region**

Average jail time rose in all regions in the period 1996-1999. In 1996 the average jail time for commitments from New York City was 6.4 months, in 1999 it was 7.7 months (see Table 15.4). For Suburban New York counties, the average jail time in 1999 (8.8 months) was nearly two months more than what it was in 1996 (6.9 months). Upstate Urban counties' average jail time increased from 5.3 months in 1996 to 6.4 months in 1999. Average jail time in Upstate rural counties also rose from 5.3 months in 1996 to 6.8 months in 1999.

TABLE 15.4 AVERAGE JAIL TIME (IN MONTHS) BY REGION AND COUNTY; 1996-1999 NEW COURT COMMITMENTS

	1996			1997			1998			1999		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
NEW YORK CITY												
KINGS	2799	5.8	5.0	2964	6.4	5.0	2375	6.7	6.0	2117	7.7	7.0
NEW YORK	5619	6.5	5.0	5251	6.2	5.0	4879	6.3	5.0	4554	7.3	6.0
QUEENS	2349	6.6	5.0	2043	8.0	6.0	2004	7.6	5.0	1437	9.0	6.0
RICHMOND	380	7.2	5.0	247	6.1	5.0	221	4.8	3.0	222	5.3	4.0
BRONX	3324	6.5	3.0	3385	7.6	4.0	3181	6.9	4.0	2833	7.9	6.0
TOTAL	14471	6.4	5.0	13890	6.8	5.0	12660	6.7	5.0	11163	7.7	6.0
SUBURBAN NEWYORK												
NASSAU	703	7.7	6.0	643	8.7	7.0	624	11.4	10.0	689	11.1	10.0
ROCKLAND	175	6.8	7.0	145	5.2	5.0	170	5.8	5.0	199	6.1	6.0
SUFFOLK	724	6.1	5.0	700	5.8	5.0	611	7.1	6.0	830	6.9	6.0
WESTCHESTER	452	7.0	6.0	433	7.4	6.0	484	8.1	7.0	549	9.7	9.0
TOTAL	2054	6.9	6.0	1921	7.1	6.0	1889	8.7	8.0	2267	8.8	8.0
UPSTATE URBAN												
ALBANY	353	5.8	5.0	349	5.3	4.0	325	6.8	6.0	397	7.6	7.0
BROOME	208	5.5	5.0	196	5.8	5.0	195	7.8	7.0	217	7.7	7.0
ERIE	535	5.9	5.0	469	5.8	5.0	535	6.4	6.0	673	7.2	7.0
MONROE	592	4.5	3.0	721	4.2	3.0	664	4.4	3.0	645	5.1	4.0
ONEIDA	207	5.4	5.0	244	6.1	6.0	204	6.4	6.0	292	7.1	7.0
ONONDAGA	313	3.9	3.0	334	4.0	3.0	278	4.3	4.0	329	3.9	3.0
RENSSELAER	162	6.4	6.0	184	6.3	6.0	163	6.1	5.0	169	6.9	6.0
SCHENECTADY	186	6.3	6.0	229	6.8	6.0	266	6.4	6.0	250	7.1	7.0
TOTAL	2556	5.3	5.0	2726	5.2	5.0	2630	5.8	5.0	2972	6.4	6.0
UPSTATE OTHER												
ALLEGANY	17	5.5	5.0	11	5.7	5.0	27	6.2	6.0	21	8.1	8.0
CATTARAUGUS	25	5.0	4.0	28	6.4	6.0	39	7.1	6.0	52	6.5	6.0
CAYUGA	82	5.4	5.0	49	5.1	5.0	63	4.9	4.0	95	6.5	6.0
CHAUTAUQUA	37	6.4	6.0	58	8.2	9.0	32	7.4	7.0	86	9.0	8.5
CHEMUNG	84	5.1	5.0	75	5.5	5.0	99	5.7	6.0	69	7.0	7.0
CHENANGO	17	5.1	6.0	17	5.8	6.0	14	5.9	5.0	15	4.8	5.0
CLINTON	46	5.9	5.0	44	5.8	5.0	58	6.0	6.0	38	6.9	6.5
COLUMBIA	80	3.2	3.0	85	4.1	4.0	78	4.8	5.0	95	5.1	4.0
CORTLAND	13	3.6	4.0	24	4.2	3.5	34	3.4	3.0	51	4.2	4.0
DELAWARE	11	6.2	6.0	17	5.7	6.0	19	4.2	4.0	15	5.4	5.0
DUTCHESS	174	5.6	4.0	158	5.6	5.0	155	6.3	5.0	158	7.7	7.0
ESSEX	13	6.6	6.0	22	5.6	5.0	11	3.6	4.0	10	5.6	6.0
FRANKLIN	35	5.1	5.0	17	4.6	4.0	18	5.4	6.0	18	6.2	6.0
FULTON	44	5.7	5.5	67	5.5	5.0	53	6.2	6.0	53	7.4	7.0
GENESEE	35	6.6	6.0	40	6.1	6.0	42	6.1	5.0	72	7.0	6.0
GREENE	21	4.0	3.0	31	6.1	6.0	24	7.0	7.0	26	6.5	6.0
HAMILTON	6	2.8	2.0	3	5.0	5.0	4	3.5	2.0	2	7.0	7.0
HERKIMER	22	4.4	4.5	41	5.8	6.0	38	5.6	5.0	42	6.9	7.0
JEFFERSON	27	7.5	6.0	52	5.5	5.0	47	6.6	6.0	34	6.6	5.5
LEWIS	3	5.3	5.0	4	8.0	6.5	7	4.3	6.0	9	6.4	5.0
LIVINGSTON	30	5.0	4.0	36	4.8	5.0	30	5.6	5.0	34	5.5	6.0
MADISON	20	4.4	3.5	20	5.5	5.0	19	5.7	6.0	19	7.6	6.0
MONTGOMERY	46	7.3	7.0	55	7.3	8.0	44	7.8	7.5	56	8.8	9.0
NIAGARA	182	5.1	4.0	178	5.8	5.0	171	6.0	6.0	189	7.0	6.0
ONTARIO	136	5.4	5.0	138	5.2	5.0	101	4.9	4.0	141	6.3	6.0
ORANGE	263	4.9	5.0	295	5.5	5.0	316	7.0	7.0	417	7.6	7.0
ORLEANS	36	7.0	8.0	37	6.4	7.0	33	6.3	6.0	41	6.0	6.0
OSWEGO	37	5.0	4.0	37	6.5	6.0	58	5.1	5.0	75	5.4	6.0
OTSEGO	19	5.3	5.0	22	5.8	5.5	23	6.5	6.0	20	6.7	5.0
PUTNAM	15	4.3	3.0	18	6.3	6.0	19	4.9	5.0	21	7.2	7.0
ST LAWRENCE	36	4.7	3.0	27	5.3	4.0	47	5.6	5.0	50	4.9	4.0
SARATOGA	51	4.0	4.0	53	3.6	3.0	79	4.9	5.0	71	5.7	5.0
SCHOHARIE	20	5.8	4.0	12	7.8	7.0	14	7.3	8.0	24	9.4	9.0
SCHUYLER	2	5.0	5.0	9	3.7	3.0	4	4.0	4.0	8	6.3	5.0
SENECA	14	6.1	5.5	12	4.6	4.0	14	4.1	4.5	19	5.4	5.0
STEUBEN	36	7.6	8.0	43	6.6	6.0	49	6.2	6.0	85	7.6	7.0
SULLIVAN	59	8.0	6.0	121	5.5	5.0	91	6.0	6.0	109	6.6	6.0
TIOGA	15	5.4	5.0	23	4.7	4.0	11	5.3	4.0	44	6.7	6.0
TOMPKINS	63	3.7	4.0	37	4.2	3.0	47	4.0	4.0	32	4.2	4.0
ULSTER	70	6.1	5.0	76	6.5	6.0	124	6.8	6.0	133	5.6	5.0
WARREN	34	4.9	4.0	39	5.9	6.0	22	6.4	6.0	41	5.6	6.0
WASHINGTON	41	4.2	4.0	41	3.9	3.0	44	4.3	4.5	24	5.5	5.0
WAYNE	77	5.2	5.0	75	5.5	5.0	70	6.1	6.0	109	6.8	7.0
WYOMING	5	8.2	8.0	5	6.4	3.0	6	9.0	9.0	15	7.3	6.0
YATES	10	4.8	6.0	13	6.7	5.0	17	7.8	9.0	24	9.0	8.0
TOTAL	2109	5.3	5.0	2265	5.6	5.0	2315	6.0	6.0	2762	6.8	6.0
GRAND TOTAL	21190	6.2	5.0	20802	6.5	5.0	19494	6.7	5.0	19164	7.5	6.0

Section 16

LIFE WITHOUT PAROLE

In 1999, there were 25 new commitments to the Department with minimum sentences of Life Without Parole, the most since 1996 when the Department began to record these cases. The previous high was 16 in 1998. There were 2 female 1999 new commitments and 23 male new commitments. These 25 Lifers committed in 1999 ranged in age from 20 years to 55 years at commitment. Twelve were committed from New York City, one from Suburban New York, and twelve came from Upstate New York (see Table 16.1).

TABLE 16.1 CHARACTERISTICS OF LIFE WITHOUT PAROLE CASES;  
NEW COURT COMMITMENTS 1996-1999

CHARACTERISTICS	YEAR RECEIVED				TOTAL	
	1996	1997	1998	1999	NUMBER	PERCENT
	NUMBER	NUMBER	NUMBER	NUMBER		
COMMITMENT OFFENSE						
MURDER	4	14	16	25	59	100.0%
TOTAL	4	14	16	25	59	100.0%
INMATE GENDER						
MALE	4	13	16	23	56	94.9%
FEMALE	0	1	0	2	3	5.1%
TOTAL	4	14	16	25	59	100.0%
ETHNIC STATUS ADJUSTED BY BIRTHPLACE						
WHITE	1	2	2	6	11	18.6%
BLACK	2	10	11	13	36	61.0%
HISPANIC	0	2	3	5	10	16.9%
OTHER	1	0	0	1	2	3.4%
TOTAL	4	14	16	25	59	100.0%
AGE AT ADMISSION						
19 YR	1	0	0	0	1	1.7%
20 YR	0	3	1	2	6	10.2%
21 YR	0	2	1	3	6	10.2%
22-24	0	1	4	4	9	15.3%
25-29	1	4	3	5	13	22.0%
30-34	1	1	3	4	9	15.3%
35-39	0	3	1	6	10	16.9%
40-49	1	0	2	0	3	5.1%
50-59	0	0	0	1	1	1.7%
60 +	0	0	1	0	1	1.7%
TOTAL	4	14	16	25	59	100.0%
REGION OF COMMITMENT						
NEW YORK CITY	0	8	5	12	25	42.4%
SUBURBAN NEWYORK	1	0	4	1	6	10.2%
UPSTATE URBAN	1	3	1	7	12	20.3%
UPSTATE OTHER	2	3	6	5	16	27.1%
TOTAL	4	14	16	25	59	100.0%

**APPENDIX A: RANGE OF MINIMUM AND MAXIMUM  
SENTENCES BY FELONY CLASS CATEGORY**

**Sentences to State Prison for First Felony Offense <sup>1</sup>**

<b>FELONY CLASS</b>	<b>VIOLENT FELONY OFFENSE (1978-1995)</b>	<b>VIOLENT FELONY OFFENSE AFTER OCT. 1995 <sup>2</sup></b>	<b>VIOLENT FELONY OFFENSE AFTER SEPT. 1998 <sup>3</sup></b>	<b>ALL OTHER FELONY OFFENSES</b>
<b>A-I Felony</b>				
Maximum	N/A (Not Applicable)	N/A	N/A	Life, Death or Life Without Parole <sup>4</sup>
Minimum				15-25 years
<b>A-II Felony</b>				
Maximum	N/A	N/A	N/A	Life
Minimum				3-8 1/3 Years
<b>Class B Felony</b>				
Maximum	6-25	6-25	5-25 (determinate)	3-25 <sup>5</sup>
Minimum	2-8 1/3 (Minimum = 1/3 of maximum sentence)	3-12 1/2 (Minimum = 1/2 of maximum sentence)	6/7 of determinate sentence	1-8 1/3 (Minimum = 1/3 of maximum sentence)
<b>Class C Felony</b>				
Maximum	4 1/2-15	4 1/2-15	3 1/2 - 15 (determinate)	3-15
Minimum	1 1/2-5 (Minimum = 1/3 of maximum sentence)	2 1/4 - 7 1/2 (Minimum = 1/2 of maximum sentence)	6/7 of determinate sentence	1-5 (Minimum = 1/3 of maximum sentence)
<b>Class D Felony</b>				
Maximum	3-7	3-7	2-7 (determinate)	3-7
Minimum	1-2 1/3 (Minimum = 1 year up to 1/3 of maximum)	1 1/2 - 3 1/2 (Minimum = 1/2 of maximum sentence)	6/7 of determinate sentence	1-2 1/3 (Minimum = 1/3 of maximum sentence)
<b>Class E Felony</b>				
Maximum	3-4	3-4	1 1/2 to 4 (determinate)	3-4
Minimum	1-1 1/3 (Minimum = 1 year up to 1/3 of maximum)	1 1/2 - 2 (Minimum = 1/2 of maximum sentence)	6/7 of determinate sentence	1-1 1/3 (Minimum = 1/3 of maximum sentence)

<sup>1</sup>For more detail see Article 70, Sentences of Imprisonment, New York State Penal law or New York State Sentence Charts, West Publishing Co. 1996.

<sup>2</sup>Sentences Pursuant to Sentencing Reform Act of 1995.

<sup>3</sup>Sentences pursuant to changes in NYS Penal Law effective September 1, 1998 (Jenna's Law).

<sup>4</sup>Death or Life without Parole is permitted for Murder 1 crimes committed on or after September 1, 1995.

<sup>5</sup>For Class B Sale of Drugs on School Grounds the maximum sentence range is 6-25 years. The minimum is 1/3 the maximum sentence.



**APPENDIX A: RANGE OF MINIMUM AND MAXIMUM  
SENTENCES BY FELONY CLASS CATEGORY**

**Sentences to State Prison for Second Felony Offense**

<b>FELONY CLASS</b>	<b>VIOLENT FELONY OFFENSE (1978-1995)</b>	<b>SECOND VIOLENT FELONY OFFENSE<sup>1</sup> after Oct. 1995</b>	<b>VIOLENT SECOND FELONY OFFENSE<sup>1</sup> after Oct.1995</b>	<b>ALL OTHER FELONY OFFENSES</b>
<b>A-II Felony</b>				
Maximum	N/A	N/A	N/A	Life
Minimum				6-12 ½ (Minimum Sentence Fixed by Court)
<b>Class B Felony</b>				
Maximum	12-25	10-25 (determinate)	8-25 (determ.)	9-25
Minimum	6-12 ½ (Minimum Sentence = ½ of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence	4 ½-12 ½ (Minimum = ½ of maximum sentence)
<b>Class C Felony</b>				
Maximum	8-15	7-15 (determinate)	5-15 (determ.)	6-15
Minimum	4-7 ½ (Minimum Sentence = ½ of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence	3-7 ½ (Minimum = ½ of maximum sentence)
<b>Class D Felony</b>				
Maximum	5-7	5-7 (determinate)	3-7 (determ.)	4-7
Minimum	2 ½-3 ½ (Minimum = 1 year up to ½ of maximum)	6/7 of determinate sentence	6/7 of determinate sentence	2-3 ½ (Minimum = ½ of maximum sentence)
<b>Class E Felony</b>				
Maximum	4 years	3-4 (determinate)	2-4 (determ.)	3-4
Minimum	2 years (Minimum = ½ year of maximum sentence)	6/7 of determinate sentence	6/7 of determinate sentence	1 ½-2 (Minimum = ½ of maximum sentence)

<sup>1</sup> Since the sentence is determinate (i.e. fixed at a specified number), the law eliminates eligibility for release on parole supervision. This differs from an indeterminate sentence where there is a specified minimum and maximum sentence and the inmate is eligible for release on parole supervision after serving the minimum term. Further,, with a determinate sentence the inmate is entitled to earn good time credit up to 1/7 of the determinate term, under the old law (correction Law Section 803), the inmate was entitled to earn good time credits up to 1/3 of the maximum sentence.

# **APPENDIX A: RANGE OF MINIMUM AND MAXIMUM SENTENCES BY FELONY CLASS CATEGORY**

## **Sentences to State Prison for Persistent Felony Offense**

<b>FELONY CLASS</b>	<b>VIOLENT FELONY OFFENSE <sup>1</sup> (1978-1995)</b>	<b>VIOLENT FELONY OFFENSE AFTER OCT. 1995 <sup>1</sup></b>	<b>ALL OTHER FELONY OFFENSES <sup>2</sup></b>
<b>Class B Felony</b>			
Maximum	Life	Life	9-25, Life Optional
Minimum	10-25	20-25	4 ½ - 12 ½ (Minimum = ½ of maximum sentence)
<b>Class C Felony</b>			
Maximum	Life	Life	6-15, Life Optional
Minimum	8-25	16-25	3-7 ½ (Minimum = ½ of maximum sentence)
<b>Class D Felony</b>			
Maximum	Life	Life	4-7, Life Optional
Minimum	6-25	12-25	2-3 ½ (Minimum= ½ of maximum sentence)
<b>Class E Felony</b>			
Maximum	Life	Life	3-4, Life Optional
Minimum	Statute does not specify minimum term	Statute does not specify minimum term	1 ½-2 (Minimum = ½ of maximum sentence)

<sup>1</sup> To be sentenced as a "Persistent Violent Felony Offender," the instant offense and at least two prior offenses must be legislatively designated violent felonies.

<sup>2</sup> A person convicted of a third felony could be sentenced as a second felony offender.

APPENDIX

**Appendix A: Range of Minimum and Maximum  
Sentences by Felony Class Category  
Juvenile Offenders**

AGES	CRIME CLASSIFICATION	SPECIFIC CRIME	MINIMUM SENTENCE RANGE	MAXIMUM SENTENCE RANGE
13	A-1	Murder 2nd (except Felony Murder)	5-9 Years	Life
14, 15	A-1	Murder 2nd (Felony Murder included but restricted to felonies listed below)	5-9 Years	Life
14, 15	A-1	Arson 1st Kidnapping 1st	4-6 Years	12-15 Years
14, 15	B-Violent	Aggravated Sexual Abuse Arson 2nd Attempt Kidnapping 1st Attempt Murder 2nd Burglary 1st Manslaughter 1st Rape 1st (non-consensual) Robbery 1st Sodomy 1st (non-consensual)	1/3 Maximum Sentence	3-10 Years
14, 15	C-Violent	Assault 1st (intentional) Burglary 2nd (weapon or injury) Robbery 2nd (weapon or injury)	1/3 Maximum Sentence	3-7 Years

APPENDIX B

NYS Department of Correctional Services  
Crime Codes  
(Sorted by: Crime Code)  
Prepared on 29-FEB-00 by EMS  
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Crime Code	Crime Description	Effective Date	Repeal Date	Legal	Authority	Crime Class	Crime Type
100	MURDER (DEG'LESS PRIOR 9-1-74)	19670901	19740831	PL	125.25	A	VFO
101	MURDER 1ST	19740901	.	PL	125.27	A	VFO
102	MURDER 2ND	19740901	.	PL	125.25	A	VFO
201	MANSLAUGHTER 1ST	19670901	.	PL	125.20	B	VFO
202	MANSLAUGHTER 2ND	19670901	.	PL	125.15	C	CVO
203	ABORTION 1ST	19670901	.	PL	125.45	D	CVO
204	ABORTION 2ND	19670901	.	PL	125.40	E	CVO
300	CRIM NEGLIGENCE HOMICIDE	19670901	.	PL	125.10	E	CVO
301	VEHICULAR MANSLAUGHTER 2ND	19851101	.	PL	125.12	D	CVO
302	VEHICULAR MANSLAUGHTER 1ST	10851101	.	PL	125.13	C	CVO
401	RAPE 1ST	19670901	.	PL	130.55	B	VFO
402	RAPE 2ND	19670901	.	PL	130.30	D	CVO
403	RAPE 3RD	19670901	.	PL	130.25	E	CVO
501	ROBBERY 1ST	19670901	.	PL	160.15	B	VFO
502	ROBBERY 2ND	19670901	.	PL	160.10	C	CVO
503	ROBBERY 3RD	19670901	.	PL	160.05	D	CVO
600	ASSAULT 1ST DEGREE	19961101	.	PL	120.10	B	VFO
601	ASSAULT 1ST	19670901	19961031	PL	120.10	C	CVO
602	ASSAULT 2ND	19670901	.	PL	120.05	D	VFO
604	RECKLESS ENDANGERMENT 1ST	19670901	.	PL	120.25	E	CVO
607	FROM A SUICIDE ATTEMPT	19670901	.	PL	120.30	E	CVO
608	AGGR ASSAULT/PEACE OFF.	19810702	.	PL	120.11	B	VFO
610	VEHICULAR ASSAULT 2ND	19851101	.	PL	120.03	E	CVO
611	VEHICULAR ASSAULT 1ST	19851101	.	PL	120.04	D	CVO
612	ASLT ON PERSON < 11 YEARS OLD	19901101	.	PL	120.12	E	CVO
613	MENACING 1ST	19921101	.	PL	120.13	E	CVO
614	GANG ASSAULT 1ST DEGREE	19961101	.	PL	120.07	B	VFO
615	GANG ASSAULT 2ND DEGREE	19961101	.	PL	120.06	C	CVO
616	ASLT:POLICE OFF/FIREMAN/EMT	19961101	.	PL	120.08	C	VFO
617	ASLT BY OPER OF A VESSEL	19860805	.	NAV	49	E	CVO
618	STALKING 1ST	19991201	.	PL	120.60	D	VFO
701	BURGLARY 1ST	19670901	.	PL	140.30	B	VFO
702	BURGLARY 2ND	19670901	.	PL	140.25	C	VFO
703	BURGLARY 3RD	19670901	.	PL	140.20	D	VFO
801	FAIL TO REG:SEX OFF 2ND OFF	19960121	.	COR	0168-T	D	CVO
1001	GRAND LARCENY - NOT AUTO 1ST	19670901	19861031	PL	155.40	C	PDO
1002	GRAND LARCENY - NOT AUTO 2ND	19670901	19861031	PL	155.35	D	PDO
1003	GRAND LARCENY - NOT AUTO 3RD	19670901	19861031	PL	155.30	E	PDO
1004	GRAND LARCENY - NOT AUTO 1ST	19861101	.	PL	155.42	B	PDO
1005	GRAND LARCENY - NOT AUTO 2ND	19861101	.	PL	155.40	C	PDO
1006	GRAND LARCENY - NOT AUTO 3RD	19861101	.	PL	155.35	D	PDO
1007	GRAND LARCENY - NOT AUTO 4TH	19861101	.	PL	155.30	D	PDO
1010	COMPUTER TRESPASS	19861101	.	PL	156.10	E	PDO
1011	COMPUTER TAMPERING 1ST	19861101	19931031	PL	156.25	E	PDO
1012	UNLAW DUPLIC COMP RELATED MATL	19861101	.	PL	156.30	E	PDO
1013	CRIM POSS COMP RELATED MATL	19861101	.	PL	156.35	E	PDO

NYS Department of Correctional Services  
Crime Codes  
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Crime Code	Crime Description	Effective Date	Repeal Date	Legal	Authority	Crime Class	Crime Type
1014	WELFARE FRAUD-4TH DEGREE	19951101		PL	158.10	E	PDO
1015	WELFARE FRAUD-3RD DEGREE	19951101		PL	158.15	D	PDO
1016	WELFARE FRAUD-2ND DEGREE	19951101		PL	158.20	C	PDO
1022	CRIM POSS BENEFIT CARD-2ND	19951101		PL	158.45	D	PDO
1301	GRAND LARCENY - AUTO 1ST	19670901	19861031	PL	155.40	C	PDO
1302	GRAND LARCENY - AUTO 2ND	19670901	19861031	PL	155.35	D	PDO
1303	GRAND LARCENY - AUTO 3RD	19670901	19861031	PL	155.30	E	PDO
1304	UNAUTH USE OF MV 1ST	19820901		PL	165.08	D	PDO
1305	UNAUTH USE OF MV 2ND	19820901		PL	165.06	E	PDO
1306	AUTO STRIPPING-1ST	19841101	19961031	PL	165.10	E	PDO
1307	GRAND LARCENY - AUTO 1ST	19861101		PL	155.42	B	PDO
1308	GRAND LARCENY - AUTO 2ND	19861101		PL	155.40	C	PDO
1309	GRAND LARCENY - AUTO 3RD	19861101		PL	155.35	D	PDO
1310	GRAND LARCENY - AUTO 4TH	19861101		PL	155.30	E	PDO
1311	AUTO STRIPPING-1ST	19961101		PL	165.11	D	PDO
1312	AUTO STRIPPING-2ND	19961101		PL	165.10	E	PDO
1401	CRIM POSS STOLEN PROP 1ST	19670901	19861031	PL	165.50	D	PDO
1402	CRIM POSS STOLEN PROP 2ND	19670901	19861031	PL	165.45	E	PDO
1404	UNLAW USE, SECRET SCI, MAT.	19670901		PL	165.07	E	PDO
1405	CRIM POSS STOLEN PROP 1ST	19861101		PL	165.54	B	PDO
1406	CRIM POSS STOLEN PROP 2ND	19861101		PL	165.52	C	PDO
1407	CRIM POSS STOLEN PROP 3RD	19861101		PL	165.50	D	PDO
1408	CRIM POSS STOLEN PROP 4TH	19861101		PL	165.45	E	PDO
1412	TRADEMARK COUNTERFEITING 2ND	19821101		PL	165.72	E	PDO
1501	TAMPER W/ PUBLIC RECORDS 1ST	19670901		PL	175.25	D	PDO
1502	FALSIFY BUS RECORDS 1ST	19670901		PL	175.10	E	PDO
1503	OFFER FALSE INST FILING 1ST	19670901		PL	175.35	E	PDO
1504	ISSUING A FALSE CERTIFICATE	19670901		PL	175.40	E	PDO
1505	CRIM USURY 2ND	19760901		PL	190.40	E	PDO
1506	UNLAW CONCEALING A WILL	19670901		PL	190.30	E	PDO
1515	CRIM IMPERSONATION 1ST	19800901		PL	190.26	E	PDO
1520	CRIM USURY 1ST	19760901		PL	190.42	E	PDO
1521	SCHEME TO DEFRAUD 1ST	19770101		PL	190.65	C	PDO
1525	FAIL TO REG AS BROKER/ADVISOR	19591001		GB	359-E	E	PDO
1540	INSURANCE FRAUD 1ST	19811101	19861031	PL	176.20	D	PDO
1541	INSURANCE FRAUD 2ND	19811101	19861031	PL	176.15	E	PDO
1544	INSURANCE FRAUD 1ST	19861101		PL	176.30	B	PDO
1545	INSURANCE FRAUD 2ND	19861101		PL	176.25	C	PDO
1546	INSURANCE FRAUD 3RD	19861101		PL	176.20	D	PDO
1547	INSURANCE FRAUD 4TH	19861101		PL	176.15	E	PDO
1549	DEFRAUDING THE GOVERNMENT	19861101		PL	195.20	E	PDO
1550	ENTERPRISE CORRUPTION	19861101		PL	460.20	B	PDO
1551	FALSE RETURN - CORPORATE TAXES	19851101		TAX	1805	E	PDO
1552	FALSE IN SALE OF SECURITIES	19820901		GB	352-C	E	PDO
1553	UNAUTH PRACTICE OF PROFESSION	19760823		ED	6512	E	PDO
1554	FALSE TAX RETURN - PERSONAL	19851101		TAX	1804	E	PDO

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Crime Code	Crime Description	Effective Date	Repeal Date	Legal	Authority	Crime Class	Crime Type
1555	REPEAT FAILURE:FILE PERSONAL TAX	19851101		TAX	1802	E	PDO
1556	MONEY LAUNDERING 1ST	19881101		PL	470.15	D	PDO
1557	MONEY LAUNDERING 2ND	19881101		PL	470.10	E	PDO
1558	MISUSE OF FOOD STAMPS	19670901		SW	147	E	PDO
1559	CONTRACTS FOR MONOPOLY	19750701		GB	341	E	PDO
1560	MOTOR FUEL TAX-FELONY	19851101		TAX	1812	E	PDO
1561	REPEATED FAILURE TO FILE CORP	19851101		TAX	1803	E	PDO
1600	FORGERY 1ST	19670901		PL	170.15	C	PDO
1601	CRIM POSS FORGED INST 1ST	19670901		PL	170.30	C	PDO
1602	FORGERY 2ND	19670901		PL	170.10	C	PDO
1603	CRIM POSS FORGED INST 2ND	19670901		PL	170.25	D	PDO
1604	CRIM POSS FORGERY DEVICES	19670901		PL	170.25	D	PDO
1608	UNLAW USING SLUGS 1ST	19670901		PL	170.40	D	PDO
1609	FORGERY OF VEHICLE ID. NUMBER	19710401		PL	170.60	E	PDO
1610	ILLEGAL POSS VEH ID NO PLATE	19710401		PL	170.65	E	PDO
1700	ARSON 1ST	19710901		PL	170.70	E	PDO
1701	ARSON 2ND	19710901		PL	150.20	A	VFO
1702	ARSON 3RD	19710901		PL	150.15	B	VFO
1703	ARSON 4TH	19710901		PL	150.10	C	VFO
1801	PROH PROSTITUTION 1ST	19780901		PL	150.05	E	CVO
1802	PROH PROSTITUTION 2ND	19780901		PL	230.32	B	CVO
1803	PROH PROSTITUTION 3RD	19780901		PL	230.30	C	PDO
1807	PATRONIZING A PROSTITUTE 1ST	19780901		PL	230.25	D	PDO
1808	PATRONIZING A PROSTITUTE 2ND	19780901		PL	230.06	D	CVO
1901	SODOMY 1ST	19670901		PL	230.05	E	PDO
1902	SODOMY 2ND	19670901		PL	130.50	B	VFO
1903	SODOMY 3RD	19670901		PL	130.45	D	VFO
1905	SEXUAL ABUSE 1ST	19670901		PL	130.40	E	CVO
1907	INCEST	19670901		PL	130.65	D	VFO
1910	AGGR SEXUAL ABUSE	19670901		PL	255.25	E	CVO
1911	AGGR SEXUAL ABUSE 1ST	19780901	19881031	PL	130.70	B	VFO
1912	AGGR SEXUAL ABUSE 2ND	19881101		PL	130.67	B	VFO
1913	AGGRAVATED SEXUAL ABUSE 3RD	19881101		PL	130.66	C	VFO
1914	COURSE SEX CONDUCT-CHILD 1ST	19961101		PL	130.75	D	VFO
1915	COURSE SEX CONDUCT-CHILD 2ND	19960801		PL	130.80	B	VFO
1916	FEMALE GENITAL MUTILATION	19960801		PL	130.85	D	VFO
2000	CRIM SALE DANGEROUS DRUG 1ST	19971101		PL	220.44	E	CVO
2001	CRIM SALE DANGEROUS DRUG 3RD	19690901	19730831	PL	220.44	A	PDO
2003	CRIM POSS DANGEROUS DRUG 5TH	19670901	19690901	PL	220.30	D	PDO
2004	CRIM POSS DANGEROUS DRUG 2ND	19690901	19830831	PL	220.10	E	PDO
2005	CRIM POSS DANGEROUS DRUG 3RD	19690901	19730831	PL	220.22	B	PDO
2006	CRIM POSS DANGEROUS DRUG 3RD	19690901	19690831	PL	220.20	E	PDO
2007	CRIM POSS DANGEROUS DRUG 1ST	19690901	19730831	PL	220.20	C	PDO
2008	USE OF DRUG PARAPHERNALIA 1ST	19700424	19730831	PL	220.23	A	PDO
2010	CRIM INJECT OF A NARC DRUG	19670901		PL	220.55	D	PDO
2011	IMIT CONTROL SUBS-2ND VIOL	19710901		PL	220.46	E	PDO
		19820901		PHL	3383	E	PDO

NYS Department of Correctional Services  
Crime Codes  
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Crime Code	Crime Description	Effective Date	Repeal Date	Legal	Authority	Crime Class	Crime Type
2012	CRIM POSS PRECURSORS	19730901	.	PL	220.60	E	PDO
2013	CRIM SALE CONTR SUBSTANCE 1ST	19730901	.	PL	220.43	A	PDO
2014	CRIM POSS CONTR SUBSTANCE 1ST	19730901	.	PL	220.41	A	PDO
2015	CRIM SALE CONTR SUBSTANCE 2ND	19730901	.	PL	220.41	A	PDO
2016	CRIM POSS CONTR SUBSTANCE 2ND	19730901	.	PL	220.18	A	PDO
2017	CRIM SALE CONTR SUBSTANCE 3RD	19790901	.	PL	220.39	B	PDO
2018	CRIM POSS CONTR SUBSTANCE 3RD	19790901	.	PL	220.16	B	PDO
2019	CRIM SALE CONTR SUBSTANCE 4TH	19730901	19790831	PL	220.37	B	PDO
2020	CRIM POSS CONTR SUBSTANCE 4TH	19730901	19790831	PL	220.12	B	PDO
2021	CRIM SALE CONTR SUBSTANCE 4TH	19790901	.	PL	220.34	C	PDO
2022	CRIM POSS CONTR SUBSTANCE 4TH	19790901	.	PL	220.09	C	PDO
2023	CRIM SALE CONTR SUBSTANCE 5TH	19790901	.	PL	220.31	D	PDO
2024	CRIM POSS CONTR SUBSTANCE 5TH	19790901	.	PL	220.06	D	PDO
2025	CRIM POSS CONTR SUBSTANCE 6TH	19790901	19851031	PL	220.05	E	PDO
2027	CRIM SALE MARIJUANA 1ST	19770729	.	PL	221.55	C	PDO
2028	CRIM POSS MARIJUANA 1ST	19770729	.	PL	221.30	C	PDO
2029	CRIM SALE MARIJUANA 2ND	19770729	.	PL	221.50	C	PDO
2030	CRIM POSS MARIJUANA 2ND	19770729	.	PL	221.25	D	PDO
2031	CRIM SALE MARIJUANA 3RD	19770729	.	PL	221.45	E	PDO
2032	CRIM POSS MARIJUANA 3RD	19770729	.	PL	221.20	E	PDO
2039	CRIM SALE CONTR SUB - SCHOOL	19861101	.	PL	220.44	B	PDO
2040	CRIM SALE PRESCRIPTION	19861101	.	PL	220.65	C	PDO
2091	CRIM SALE DANGEROUS DRUG 3RD	19690901	19730831	PL	220.35	C	PDO
2092	CRIM SALE CONTR SUBSTANCE 3RD	19790831	19790831	PL	220.39	A	PDO
2093	CRIM POSS CONTR SUBSTANCE 3RD	19730901	19790831	PL	220.16	A	PDO
2094	CRIM SALE DANGEROUS DRUG 2ND	19690901	19730831	PL	220.40	B	PDO
2095	CRIM POSS DANGEROUS DRUG 2ND	19670901	19690901	PL	220.15	D	PDO
2096	CRIM SALE DANGEROUS DRUG 2ND	19670901	19690831	PL	220.35	C	PDO
2097	CRIM POSS DANGEROUS DRUG 4TH	19690901	19730831	PL	220.15	D	PDO
2098	CRIM POSS CONTRL SUBST-6TH	19730901	19790831	PL	220.06	D	PDO
2099	CRIM SALE DANGEROUS DRUG 4TH	19690901	19730831	PL	220.30	D	PDO
2100	CRIM POSS WEAP 1ST	19740901	.	PL	265.04	B	VFO
2101	CRIM POSS WEAP 3RD SUB 4,5 VFO	19740901	.	PL	265.02	D	VFO
2102	HFG/TRANS/ETC DANGEROUS WEAPON	19670901	.	PL	265.10	D	CVO
2103	PROHIBITED USE OF WEAPONS 1ST	19670901	.	PL	265.35	D	CVO
2104	PROHIBITED USE OF WEAPONS 2ND	19740901	.	PL	265.35	E	CVO
2108	CRIM POSS WEAP 2ND	19740901	.	PL	265.03	C	VFO
2109	POSSESS DANGEROUS WEAPON-FEL	19670901	19740831	PL	265.05	D	VFO
2110	CRIM POSS WEAP 3RD SUB 1,2,3	19740901	.	PL	265.02	D	CVO
2111	CRIM SALE OF FIREARM 1ST-DEG	1991101	.	PL	265.13	B	VFO
2117	CRIM SALE OF FIREARM 2ND-DEG	1991101	.	PL	265.12	C	VFO
2118	CRIM SALE OF FIREARM 3RD-DEG	1991101	.	PL	265.11	D	VFO
2119	CRIM SALE FIREARM/AID MINOR	1991101	.	PL	265.14	C	VFO
2120	CRIM SALE FIREARM/AID MINOR	1991101	.	PL	265.09	B	VFO
2121	CRIM USE OF FIREARMS 1ST	19800812	.	PL	265.08	C	VFO
2122	CRIM USE OF FIREARMS 2ND	19800812	.	PL	265.08	C	VFO
2123	CRIM SALE FIREARMS 1ST	19800812	19911031	PL	265.12	D	VFO

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2124	CRIM SALE FIREARMS 2ND	19800812	19911031	PL	265.11	E	CVO
2125	UNLAW WEARING BODY VEST	19841101	.	PL	270.20	E	CVO
2126	POSSESS EXPLOSIVES W O LIC	19840901	.	LAB	458	D	PDO
2127	CRIM SALE FIREARM 1ST DEG	19911101	.	PL	265.13	C	VFO
2128	CRIM SALE FIREARM 2ND DEG	19911101	.	PL	265.12	D	VFO
2129	CRIM SALE FIREARM 3RD DEG	19911101	.	PL	265.11	E	CVO
2130	CRIM SALE FIREARM/AID OF MINOR	19911101	.	PL	265.14	D	VFO
2131	ILGL STORAGE OF EXPLOSIVES	19840901	.	LAB	453	E	PDO
2132	ILGL CONSTR/MAINT OF MAGAZINE	19840901	.	LAB	454	E	PDO
2202	DWI:ALCOHOL OR DRUGS 2 OFF	19881101	.	VTL	1192	E	PDO
2203	DWI:ALCOHOL OR DRUGS 3 OFF	19961101	.	VTL	1193	E	PDO
2300	OBSCENITY 2ND	19820901	.	PL	235.06	D	PDO
2301	OBSCENITY 1ST	19820901	.	PL	235.07	E	PDO
2302	DISSEN INDECENT MAT. TO MINORS	19690901	.	PL	235.21	D	PDO
2306	DISSEN INDECENT MAT MINOR 1ST	19961101	.	PL	235.22	E	PDO
2400	ABANDONMENT OF CHILD	19670901	.	PL	260.00	E	CVO
2501	USE OF CHILD IN A SEXUAL PERF	19771109	.	PL	263.05	C	CVO
2502	PROM OBSCENE SEX PERF BY CHILD	19771109	.	PL	263.10	D	CVO
2503	PROM SEXUAL PERF BY A CHILD	19771109	.	PL	263.15	E	CVO
2507	POSS OBSCENE SEX PERF BY CHILD	19961101	.	PL	263.11	E	CVO
2508	POSS A SEX PERF BY A CHILD	19961101	.	PL	263.16	E	CVO
2600	HFG/SALE ILICIT ALC BEV SUBSQ	19670901	.	ABC	152	E	CVO
2705	ANIMAL FIGHTING-FELONY	19841101	.	AM	351	E	PDO
2802	DRIV IMP/DRUGS-SUBSQ OFFENSE	19881101	.	VTL	1192	E	PDO
2903	LV SCENE OF ACC W/O REPORTING	19800901	.	VTL	0600	E	PDO
2904	AGGR UNLIC OPER VTL3 3 1ST	19851101	.	VTL	0511	E	PDO
2905	UNLICENSED VEHICLE DISMANTLING	19841101	.	PL	165.10	E	PDO
2906	SELL MV/TLR/PART W/CHANG NUMB	19830727	.	VTL	0421	E	PDO
2907	MAKE FALSE REPORT RE STOLEN MV	19670901	.	VTL	0426	E	PDO
2908	OFFENSES RE CERT OF TITLE	19720701	.	VTL	2130	E	PDO
2909	UNLAW VEHICLE DISMANTLER	19800901	.	VTL	0415-A	E	PDO
3009	FALSELY REPORTING INCIDENT 1ST	19770901	.	PL	240.00	E	PDO
3013	AGGR HARRASSMENT 1ST	19820901	.	PL	240.31	E	PDO
3014	CRIM NUISANCE 1ST	19891101	.	PL	240.46	E	PDO
3015	AGG HAR:EMPLOYEE BY INMATE	19960607	.	PL	240.32	E	PDO
3301	PROM GAMB LOIT/POLICY 1ST	19670901	.	PL	225.10	E	PDO
3302	PROM GAMB BOOKMAKING 1ST	19670901	.	PL	225.10	E	PDO
3303	POSS GAMB RCDS LOIT/POLICY 1ST	19670901	.	PL	225.20	E	PDO
3304	POSS GAMB RCDS BOOKMAKING 1ST	19670901	.	PL	225.20	E	PDO
3401	CRIM MISCHIEF 2ND	19710901	.	PL	145.10	E	PDO
3402	CRIM MISCHIEF 3RD	19710901	.	PL	145.05	D	PDO
3404	CRIM TAMPERING 1ST	19670901	.	PL	145.20	E	PDO
3406	CRIM MISCHIEF 1ST	19710901	.	PL	145.12	D	PDO
3409	TAMPER W/ CONSUMER PROD 1ST	19861101	.	PL	145.45	B	PDO
3501	CRIM TRESPASS 1ST	19690901	.	PL	140.17	E	PDO
3601	UNLAW POSS MEDICAL WASTE 1ST	19890707	.	ECL	71-4404	E	PDO



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3602	UNLAW POSS HAZARDOUS WASTE 2ND	19810721	.	ECL	71-2707	E	PDO
3603	WILLFULLY SETS FOREST FIRE	19720901	.	ECL	09-1105	E	PDO
3604	ENDNGR PUB HLTH/SFTY/ENVRT 3HD	19861101	.	ECL	71-2712	E	PDO
3605	UNLAW RELEASE MED WASTE 2ND	19890722	.	ECL	71-4407	E	PDO
3901	ESCAPE 1ST	19670901	.	PL	205.15	D	PDO
3902	ESCAPE 2ND	19670901	.	PL	205.10	E	PDO
3904	ABSCOND FROM TEMP RELEASE 1ST	19720621	.	PL	205.17	E	PDO
3907	PROM PRISON CONTRABAND 1ST	19670901	.	PL	205.25	D	PDO
3909	HINDERING PROSECUTION 1ST	19670901	.	PL	205.25	D	PDO
3910	HINDERING PROSECUTION 2ND	19670901	.	PL	205.65	D	PDO
3912	ABSCOND COMMUNITY TREAT FAC	19670901	.	PL	205.60	E	PDO
4001	KIDNAPPING 1ST	19860724	.	PL	205.19	E	PDO
4002	KIDNAPPING 2ND	19670901	.	PL	135.25	E	PDO
4003	UNLAW IMPRISONMENT 1ST	19670901	.	PL	135.20	A	VFO
4004	CUSTODIAL INTERFERENCE 1ST	19670901	.	PL	135.10	E	CVO
4005	SUBSTITUTION OF CHILDREN	19670901	.	PL	135.50	E	CVO
4006	COERCION 1ST	19670901	.	PL	135.55	E	CVO
4010	BODY STEALING	19670901	.	PL	135.65	D	CVO
4200	AGG. CRIMINAL CONTEMPT	19670901	.	PHL	4216	E	PDO
4201	BAIL JUMPING 2ND	19960901	.	PL	215.52	D	PDO
4202	TAMPER W/ PHYS EVIDENCE	19830908	.	PL	215.56	E	PDO
4203	CRIM CONTEMPT 1ST	19670901	.	PL	215.40	E	PDO
4204	UNLAW GRAND JURY DISCLOSURE	19720901	.	PL	215.51	E	PDO
4215	TAMPER W/ A WITNESS 3RD	19770719	.	PL	215.70	E	PDO
4216	TAMPER W/ A WITNESS 1ST	19820901	.	PL	215.11	E	PDO
4217	TAMPER W/ A WITNESS 2ND	19820901	.	PL	215.13	B	PDO
4218	BAIL JUMPING 1ST	19830908	.	PL	215.12	D	PDO
4300	BIGAMY	19670901	.	PL	215.57	D	PDO
4601	PERJURY 1ST	19670901	.	PL	255.15	E	PDO
4602	PERJURY 2ND	19670901	.	PL	210.15	E	PDO
4603	MAKE APP SWORN FALSE STATE 1ST	19670901	.	PL	210.10	E	PDO
4800	BRIBERY 2ND	19730901	19861031	PL	210.40	D	PDO
4801	BRIBERY 1ST	19730901	.	PL	200.00	D	PDO
4802	BRIBE REC 1ST	19730901	.	PL	200.04	B	PDO
4803	REWARDING OFF. MISCONDUCT 1ST	19730901	.	PL	200.12	B	PDO
4804	BRIBE REC 2ND	19730901	.	PL	200.22	B	PDO
4805	REC. REN., OFF. MISCONDUCT 1ST	19730901	19861031	PL	200.10	D	PDO
4806	REWARDING OFF. MISCONDUCT 2ND	19730901	.	PL	200.27	C	PDO
4807	REC. REN., OFF. MISCONDUCT 2ND	19730901	.	PL	200.20	E	PDO
4808	BRIBE REC BY A JUROR	19730901	.	PL	200.25	E	PDO
4809	BRIBE REC BY A WITNESS	19670901	.	PL	215.20	D	PDO
4810	BRIBING A JUROR	19670901	.	PL	215.05	D	PDO
4811	BRIBING A WITNESS	19851101	.	PL	215.19	D	PDO
4812	SPORTS BRIBING	19670901	.	PL	215.00	D	PDO
4813	SPORTS BRIBE RECEIVING	19670901	.	PL	180.60	D	PDO
4814	COMMERCIAL BRIBING 1ST	19830901	.	PL	180.45	E	PDO
			.	PL	180.03	E	PDO

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4815	COMMERCIAL BRIBE REC 1ST	19830901	.	PL	180.08	E	PDO
4818	BRIBING A LABOR OFFICIAL	19670901	.	PL	180.15	D	PDO
4819	BRIBE REC BY A LABOR OFFICIAL	19670901	.	PL	180.25	D	PDO
4820	BRIBE GIVING FOR PUBLIC OFFICE	19670901	.	PL	200.45	D	PDO
4821	BRIBE REC FOR PUBLIC OFFICE	19670901	.	PL	200.50	D	PDO
4826	TAMPER W/ SPORTS CONTEST 1ST	19820926	.	PL	180.51	E	PDO
4827	IMP INTGRY PARIMUTUAL BET 2ND	19820926	.	PL	180.52	E	PDO
4828	IMP INTGRY PARIMUTUAL BET 1ST	19820926	.	PL	180.53	E	PDO
4829	INTIMIDATN, VICTIM/WITNESS 2ND	19851101	.	PL	215.16	D	VFO
4830	INTIMIDATN, VICTIM/WITNESS 3RD	19851101	.	PL	215.15	D	VFO
4831	BRIBERY 2ND	19861101	.	PL	200.03	E	PDO
4832	BRIBERY 3RD	19861101	.	PL	200.00	D	PDO
4833	BRIBE REC 2ND	19861101	.	PL	200.11	D	PDO
4834	BRIBE REC 3RD	19861101	.	PL	200.10	C	PDO
4835	INTIMIDATN, VICTIM/WITNESS 1ST	19851101	.	PL	215.17	B	VFO
5301	CRIM DIVERSION PRESCRIP-1ST	19951101	.	PL	178.25	C	PDO
5302	CRIM DIVERSION PRESCRIP-2ND	19951101	.	PL	178.20	D	PDO
5303	CRIM DIVERSION PRESCRIP-3RD	19951101	.	PL	178.15	E	PDO
5400	EAVESDROPPING	19670901	.	PL	250.05	E	PDO
6001	RIOT 1ST	19670901	.	PL	240.06	E	PDO
6002	CRIM ANARCHY	19670901	.	PL	240.15	E	PDO
6401	CONSPIRACY 1ST	19780901	.	PL	105.17	E	VFO
6402	CONSPIRACY 2ND	19780901	.	PL	105.15	A	PDO
6403	CONSPIRACY 3RD	19780901	.	PL	105.13	B	PDO
6404	CONSPIRACY 4TH	19780901	.	PL	105.10	D	PDO
6500	CRIM SOLICITATION 1ST	19780901	.	PL	100.13	E	PDO
6501	CRIM SOLICITATION 2ND	19780901	.	PL	100.10	C	PDO
6502	CRIM SOLICITATION 3RD	19780901	.	PL	100.10	D	PDO
6600	CRIM FACILITATION 1ST	19780901	.	PL	100.08	E	PDO
6601	CRIM FACILITATION 2ND	19780901	.	PL	115.08	B	PDO
6602	CRIM FACILITATION 3RD	19780901	.	PL	115.05	C	PDO
6700	UNAUTH TRANSFER OF RECD SOUND	19809001	.	PL	115.01	E	PDO
6704	FAIL DISCLOSE ORIGIN REC-1ST	19901101	.	PL	275.10	E	PDO
7001	JO - AGG SEXUAL ABUSE 1ST	19881101	.	PL	275.40	E	PDO
7002	JO - ARSON 1ST	19710901	.	PL	130.70	B	VFO
7003	JO - ARSON 2ND	19710901	.	PL	150.20	A	VFO
7004	JO - ASSAULT 1ST	19670901	19961031	PL	150.15	B	VFO
7005	JO - BURGLARY 1ST	19670901	.	PL	120.10	C	VFO
7006	JO - BURGLARY 2ND	19670901	.	PL	140.30	B	VFO
7007	JO - KIDNAPPING 1ST	19670901	.	PL	140.25	C	VFO
7008	JO - MANSLAUGHTER 1ST	19670901	.	PL	135.25	A	VFO
7009	JO - MURDER 2ND	19740901	.	PL	125.20	B	VFO
7010	JO - RAPE 1ST	19670901	.	PL	125.25	A	VFO
7011	JO - ROBBERY 1ST	19670901	.	PL	130.35	B	VFO
7012	JO - ROBBERY 2ND	19670901	.	PL	160.15	B	VFO
7013	JO - SODOMY 1ST	19670901	.	PL	160.10	C	VFO
			.	PL	130.50	B	VFO

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7014	JO - ASSAULT 1ST DEGREE	19961101	.	PL	120.10	B	VFO
7015	JO - CRIM POSS WEAP 2ND SCHOOL	19981101	.	PL	265.03	C	VFO
7016	JO - CRIM POSS WEAP 3RD SCHOOL	19981101	.	PL	265.02	D	VFO
8001	YO - MURDER	19841128	.				VFO
8002	YO - MANSLAUGHTER	19841128	.				VFO
8003	YO - CRIM NEGLIGENT HOMICIDE	19841128	.				CVO
8004	YO - RAPE	19841128	.				VFO
8005	YO - ROBBERY	19841128	.				VFO
8006	YO - ASSAULT	19841128	.				VFO
8007	YO - BURGLARY	19841128	.				VFO
8010	YO - GRAND LARCENY (NOT AUTO)	19841128	.				PDO
8013	YO - GRAND LARCENY (AUTO)	19841128	.				PDO
8014	YO - CRIM POSS STOLEN PROP	19841128	.				PDO
8015	YO - FRAUD	19841128	.				PDO
8016	YO - FORGERY	19841128	.				PDO
8017	YO - ARSON	19841128	.				CVO
8018	YO - PROMOTING PROSTITUTION	19841128	.				PDO
8019	YO - SODOMY / SEXUAL ABUSE	19841128	.				VFO
8020	YO - DRUG OFFENSE	19841128	.				PDO
8021	YO - DANGEROUS WEAPONS	19841128	.				VFO
8022	YO - DRIVING WHILE INTOXICATED	19841128	.				PDO
8024	YO - ABANDNT/NONSUPPORT CHILD	19841128	.				CVO
8026	YO - MFG/SALE ILLICIT ALC BEV	19841128	.				PDO
8028	YO - DRIVING WHILE IMP/DRUGS	19841128	.				PDO
8033	YO - PROG GAMB LOTTERY/POLICY	19841128	.				PDO
8034	YO - CRIMINAL MISCHIEF	19841128	.				PDO
8035	YO - CRIMINAL TRESPASS	19841128	.				PDO
8039	YO - ESC/ABS, RES. ARREST	19841128	.				PDO
8040	YO - KIDNAPPING	19841128	.				VFO
8042	YO - TAMPERING WITH A WITNESS	19900110	.				PDO
352		352	40	352	352	352	352

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