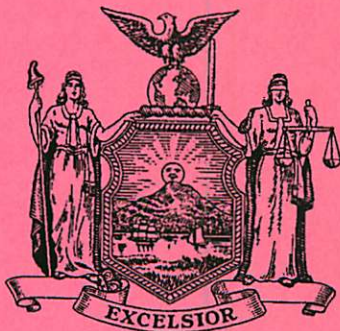


State of New York
Department of Correctional Services

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**CHARACTERISTICS OF
NEW COURT COMMITMENTS**

2003



George E. Pataki
Governor



Glenn S. Goord
Commissioner

CHARACTERISTICS OF NEW COURT COMMITMENTS

2003

This document describes the population of new court commitments to the New York State Department of Correctional Services during calendar year 2003. 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 2000 through 2003.

DIVISION OF PROGRAM PLANNING, RESEARCH AND EVALUATION

SUMMARY

1. Total Number of Admissions

There were 26,955 total admissions to the New York State Department of Correctional Services in calendar year 2003. Of these 17,343 (64%) were new court commitments, 8,637 (32%) were returned parole violators and 975 (4%) were other admissions (see Table 1.1, p. 3 and Figure 1, p. 2).

2. Commitment Offense

Approximately 30% (5,125) of 2003 new court commitments were violent felony offenders, 38% (6,541) drug offenders, 20% (3,405) property or other offenders, 10% (1,670) other coercive crime offenders and 3% (602) Youthful and Juvenile Offenders (see Table 2.1, p. 7 and Figure 2, p. 6).

The proportion of violent felony offense commitments of the total commitments increased over the four-year period, from 27% in 2000 to 30% in 2003, while the proportion of drug offense commitments decreased from 44% to 38% (see Table 2.2, p. 9).

From January 1, 2000 to December 31, 2003, the proportion of violent felons under DOCS' custody rose from 53.3% to 55.8% (see p. 8).

3. Second Felony Offenders

Forty-seven percent (N=8,173) of 2003 new court commitments were sentenced as second felony offenders, 52% (N=9,002) as first felony offenders and 1% (N=168) as persistent felony offenders (see Table 3.1, p. 12; Figure 3, p. 11).

4. Felony Class

Half (53%) of the new felony commitments in 2003 were either Class D or E felony commitments (see Figure 4, p. 19). Fifty-six percent of Class D and 65% of Class E commitments were sentenced as second felony offenders (see Table 4.2, p. 25).

5. Minimum and Maximum Sentence

The average minimum sentence for 2003 new court commitments was 45 months. For persons sentenced as a first felony offender the average was 46 months and for persons sentenced as a second felony offender the average was 41 months. The average minimum sentence of the first offender group is longer due to the inclusion of all Class A-1 commitments in this category (see Table 5.2, p. 35).

The average minimum term for legislatively designated violent felony offenders committed in 2003 was 83 months (see Table 5.3, p. 36). The minimum has remained fairly constant for most offenders since 2000.

The average maximum term for legislatively designated violent felony offenders decreased each year over the period of study from 101 months in 2000 to 95 months in 2003 (see Table 5.10, p. 47).

The average maximum term increased for drug offenders since 2000 from 85 months to 93 months.

6. Prior Adult Criminal Record

Of 2003 new court commitments, 13% 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, 28% had served a prior local jail sentence, and 30% had previously served a state or federal prison term (see Table 6.1, p. 50 and Figure 6, p. 49).

7. Drug Commitments

Among the 6,541 drug commitments received in 2003, 60% were the result of a drug sale conviction. The proportion of drug offenders received from drug sales has decreased significantly over the four year study period. In 2000, 72% of the drug commitments were for sales rather than possession. (see Table 7.4, p. 57).

8. Gender

Men were 93% of 2003 new court commitments (N=16,181) (see Table 2.1, p. 7 and Figure 8, p. 66).

The 1,162 women committed in 2003 were the fewest since 1989. However, the 1,162 female commitments in 2003 were still almost triple the 405 received in 1981 (see Table 8.2, p. 68).

9. Race/Ethnic Status

Whites were 20% of 2003 new court commitments, African Americans 47%, Hispanics 30% and all others 3% (see Table 9.1, p. 71 and Figure 9, p. 70).

10. Age

The average age of 2003 new court commitments was 31.6 years. For males the average age was 31.4 years, for females 34.6 years (see Table 10.1, p. 85).

11. Region of the State

In 2003, 54% (N=9,374) of court commitments were from New York City, 11% (N=1,985) were from suburban New York City counties, 18% (N=3,171) from upstate urban counties with a population center of 50,000 or more, and 16% (N=2,813) were from the remaining upstate counties (see Table 11.1, p. 98 and Figure 11, p. 97).

In contrast, 2000 commitments from New York City constituted 59% of all the commitments, 11% were from suburban New York City counties, 15% were from upstate urban counties and the remaining counties contributed 16% (see Table 11.5, p. 106).

12. Country of Birth

Of the 17,322 new commitments for whom there is information on country of birth, 87% 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. 110).

13. Education

The average educational level (based on last grade completed as reported by the inmate) among 2003 new court commitments was the 11th grade (see Table 13.1, p. 113). Based on tests administered at reception to the Department, the average reading level was between 6th and 7th grade, and the average mathematics level was 6th grade (see Tables 13.2, 13.3, pp. 113-114).

14. Marital Status

Seventy percent of 2003 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. 117).

15. Jail Time

Average jail time served by new commitments was 6.7 months in 2003. This figure remained fairly constant throughout the study period of 2000-2003 (see Table 15.1, p. 119).

16. Life Without Parole

Fifteen new commitments were received in 2003 with sentences of Life Without Parole. All were committed for Murder 1st. The Life Without Parole commitments ranged in age from 22 years to 46 years. Six were committed from New York City, two were committed from Suburban New York, and the other seven were committed from Upstate New York (see Table 16.1, p. 124).

TABLE OF CONTENTS

	<u>Page</u>
Executive Summary	i
Table of Contents	iv
 <u>Section</u>	
1. Type of Admission	
Admission type by sex	3
2. Commitment Offense	
Crime by sex	7
Crime by year 2000-2003	9
3. Second Felony Offender Status	
Crime by felony status	12-13
Crime by felony status by year 2000-2003	15-17
4. Felony Class Category	
Crime by crime class and first or second felony status	21-24
Crime class by first or second felony status	25
Crime by crime class by second felony status	26-27
Crime class and second felony status by year 2000-2003	28
5. Minimum and Maximum Sentence	
Crime by minimum sentence	33
Average minimum sentence by crime by first or second felony offender status	35
Average minimum sentence by crime by first or second felony offender status by year 2000-2003	36
Median minimum sentence by crime by first or second felony offender status 2000-2003	37
Average minimum sentence by crime class and first or second felony offender status	39
Average minimum sentence by crime class by second felony status by year 2000-2003	39

Section

Page

Average minimum sentence by crime class by violent felony status by first or second felony status by year 2000-2003	41
Crime by maximum sentence.....	43-44
Average maximum sentence by crime by first or second felony status	45
Average maximum sentence by first or second felony status.....	47

6. Prior Adult Criminal Record

Crime by prior adult criminal record	50
Prior adult criminal record by year 2000-2003	51

7. Drug Commitments

Felony crime class by year 2000-2003	54
Crime class by first or second felony offender status by year 2000 – 2003.....	54-55
Crime class by sale or possession by year 2000-2003	57
Crime class by first or second felony offender status by region by year 2000-2003	58
Crime class by first or second felony offender status by county by year 2000-2003	59-60
Crime class by first or second felony offender status by sex by year 2000-2003	61
Crime class by first or second felony offender status by ethnic status by year 2000-2003	62
Average minimum sentence by felony class by year 2000-2003.....	64
Average minimum sentence by felony class, first or second felony offender status and by year 2000-2003	64

8. Gender Status

Crime by sex by year 2000-2003	67
Women New Court Commitments by year 1980-2003	68

<u>Section</u>	<u>Page</u>
9. Race/Ethnic Status	
Ethnic status by sex.....	71
Crime by ethnic status.....	72-73
Crime by sex by ethnic status	75
Crime by ethnic status by year 2000-2003	76-77
Crime by ethnic status by year 2000-2003 males only	78-79
Crime by ethnic status by year 2000-2003 females only	81-82
10. Age	
Age by sex.....	85
Age by ethnic status	86
Age by sex by ethnic status.....	87-88
Age by crime.....	89
Average age by crime by sex by year 2000-2003	90-91
Average age by crime by ethnicity by year 2000-2003	93-94
Average age by year 2000-2003	95
11. County/Region of Commitment	
County/region by sex	98
Crime by region	99
Crime by county/region	100-103
County/region by felony crime class	105
County/region by year 2000-2003	106
12. Country of Birth	
Crime by Birthplace	109-110

<u>Section</u>	<u>Page</u>
13. Educational Level	
Education status by sex	113
Reading score by sex	113
Math score by sex	114
Reading score by year 2000-2003.....	114
Math score by year 2000-2003	115
14. Marital Status	
Marital status by sex by year 2000-2003	117
15. Jail Time	
Average jail time by crime, first or second felony status by year 2000-2003	119
Median jail time by crime by felony class and first or second felony status 2000-2003	120
Average jail time by crime and by first or second felony offender status.....	121
Average jail time by region and county 2000-2003.....	123
16. Life Without Parole	
Characteristics of Life Without Parole cases	124-125
APPENDIX A. Sentence range by felony class.....	126-130
1. First Felony Offenders	126
2. Second Felony Offenders	127
3. Persistent Felony Offenders	128
4. Second Child Sexual Assault	129
5. Juvenile Offenders	130
APPENDIX B. Penal Law - Crime Code Table	131-136

Section 1

TYPE OF ADMISSION

Individuals may be committed to state prison following conviction for a felony offense in a New York State court. For some felony 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.

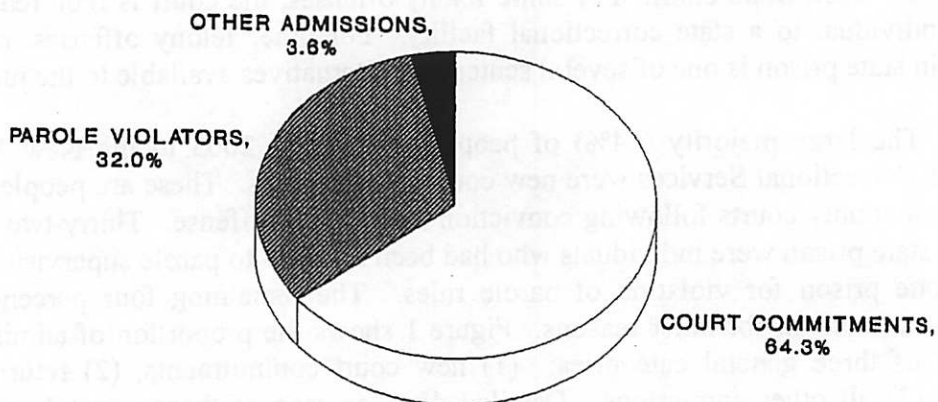
The large majority (64%) of people admitted in 2003 to the New York State Department of Correctional Services were new court commitments. These are people who were committed from county courts following conviction for a felony offense. Thirty-two percent of admissions to state prison were individuals who had been released to parole supervision and then returned to state prison for violation of parole rules. The remaining four 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 2003 admissions (N=26,955) 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 64% (N=17,343) 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 three 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 17,317, 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 2003. Persons identified as "new term absconders from temporary release" in Table 1.1 (N=16) 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 2003 on a new conviction charge after they committed a new crime. There were also 10 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.

Figure 1
**DEPARTMENT OF CORRECTIONAL SERVICES
 TOTAL ADMISSIONS - 2003**



ADMISSION TYPE
 TOTAL ADMISSIONS IN 2003
 NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

ADMISSION TYPE	NUMBER	PERCENT
NEW COURT COMMITMENTS	17,343	64.3%
RETURNED PAROLE VIOLATORS	8,637	32.0%
ALL OTHER ADMISSIONS	975	3.6%
TOTAL ADMISSIONS	26,955	100.0%

TABLE 1.1 ADMISSION TYPE BY GENDER; 2003 TOTAL ADMISSIONS

ADMISSION TYPE	MALE		FEMALE		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
NEW COURT COMMITMENTS						
NEW COMMITMENT	16158	64.1%	1159	66.0%	17317	64.2%
NEW TERM ABSCONDER FROM TEMPORARY RELEASE	14	.1%	2	.1%	16	.1%
NEW TERM TEMPORARY RELEASE ARREST	9	.0%	1	.1%	10	.0%
SUBTOTAL	16181	64.2%	1162	66.1%	17343	64.3%
RETURNED FROM PAROLE						
RETURN POST RELEASE SUP VIOLATOR	536	2.1%	21	1.2%	557	2.1%
RETURN PAROLE VIOLATOR	6004	23.8%	442	25.2%	6446	23.9%
RETURN CONDITIONAL RELEASE VIOLATOR	1577	6.3%	57	3.2%	1634	6.1%
SUBTOTAL	8117	32.2%	520	29.6%	8637	32.0%
OTHER ADMISSIONS						
RETURN FROM COURT ORDERED DISCHARGE	56	.2%	3	.2%	59	.2%
RETURN ESCAPEE	6	.0%	0	.0%	6	.0%
RETURN ABSCONDER FROM TEMPORARY RELEASE	293	1.2%	27	1.5%	320	1.2%
RETURN FROM OFFICE OF MENTAL HEALTH	452	1.8%	34	1.9%	486	1.8%
RETURN OTHER AGENCY	16	.1%	7	.4%	23	.1%
RETURN TEMPORARY RELEASE ARREST	75	.3%	4	.2%	79	.3%
OTHER	2	.0%	0	.0%	2	.0%
SUBTOTAL	900	3.6%	75	4.3%	975	3.6%
GRAND TOTAL	25198	100.0%	1757	100.0%	26955	100.0%

Returned Parole Violators

The second largest 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. Those inmates who received an indeterminate sentence, once they had served their minimum sentence 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) unless the Time Allowance Committee takes away good time. 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 32% (N=8,637) of 2003 admissions.

The "Returned from Parole" category of Admissions includes 557 post-release supervision violators. For violent felonies committed on or after September 1, 1998, for which a determinate sentence of imprisonment is ordered, a period of "post-release supervision" is included under Penal Law 70.45. A post-release supervision violator is an individual who has violated conditions of post-release supervision established by the Board of Parole.

Other Admissions

The remaining category of admissions to state prison is labeled "other admissions" (see Table 1.1). This category 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, been discharged per court order and had then been returned to custody when the sentence and criminal charges were upheld by the appellate courts (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=320) accounts for inmates who had been placed in the Department's temporary release program, absconded from this program and were then returned to custody. The number of returns in this category was less than 10 percent of the 3,531 recorded in 1994. This is a direct result of Governor Pataki's Executive Order issued in 1995 that restricts 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=486). "Return from other agency" (N=23) 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=79) 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 2 admissions to the Department in 2003 categorized as "other."

Section 2

COMMITMENT OFFENSE

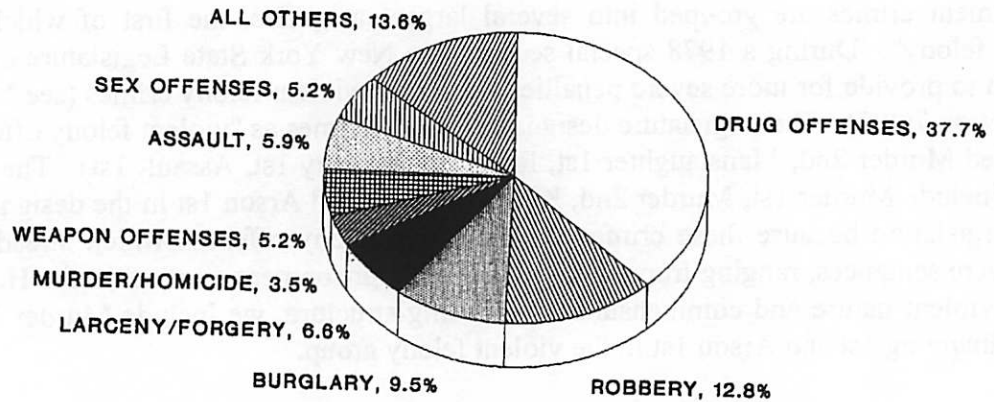
The commitment crime for the persons who were new court commitments to the Department of Correctional Services in 2003 is presented in Table 2.1 and in Figure 2. Commitment crimes are grouped into several larger categories, the first of which is termed "violent felony". During a 1978 special session, 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 are class A-1 felony offenses which 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 30% (N=5,125 cases) of 2003 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 10% (N=1,670) of new court commitments. The third category includes all felony classes of drug commitments. Thirty-eight percent (N=6,541) of 2003 new court commitments were for drug offenses. The fourth general category is termed "property offenses" and contains non-violent offenses such as Burglary 3rd, Grand Larceny, Forgery, and Stolen Property. Property offenses comprised 20% of 2003 new court commitments (N=3,405).

The last general category, entitled Youthful Offenders and Juvenile Offenders, were 4% (N=602) of new court commitments. Youthful Offenders (N=560) are persons who were 16 to 19 at the date of the offense for which they were adjudicated to be guilty of a felony crime, and were granted Youthful Offender status by the court, (see New York State Criminal Procedure Law Section 720.10). Juvenile Offenders (N=42) are persons who committed especially serious violent felony offenses before their sixteenth birthday and were tried and convicted 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 - 2003
 CRIME**



COMMITMENT CRIME
 2003 NEW COMMITMENTS
 NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

CRIME TYPE BY OFFENSE	NUMBER	PERCENT	CRIME BY CATEGORY	NUMBER	PERCENT
DRUG OFFENSES	6,541	37.7%	VIOLENT FELONY	5,125	29.6%
ROBBERY	2,222	12.8%	OTHER COERCIVE	1,670	9.6%
BURGLARY	1,653	9.5%	DRUG OFFENSES	6,541	37.7%
MURDER/HOMICIDE	603	3.5%	PROPERTY OFFENSES	3,405	19.6%
WEAPONS OFFENSES	904	5.2%	YOUTHFUL/JUVENILE	602	3.5%
LARCENY/FORGERY	1,140	6.6%	TOTAL	17,343	100.0%
ASSAULT	1,019	5.9%			
SEX OFFENSES	904	5.2%			
ALL OTHERS	2,357	13.6%			
TOTAL	17,343	100.0%			

TABLE 2.1 CRIME BY SEX; 2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	MALE		FEMALE		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
VIOLENT FELONY						
MURDER	241	1.5%	12	1.0%	253	1.5%
ATTEMPTED MURDER	117	.7%	2	.2%	119	.7%
MANSLAUGHTER 1ST	126	.8%	14	1.2%	140	.8%
RAPE 1ST	148	.9%	1	.1%	149	.9%
ROBBERY 1ST	712	4.4%	23	2.0%	735	4.2%
ROBBERY 2ND	938	5.8%	43	3.7%	981	5.7%
ASSAULT 1ST	320	2.0%	23	2.0%	343	2.0%
ASSAULT 2ND	427	2.6%	34	2.9%	461	2.7%
BURGLARY 1ST	116	.7%	2	.2%	118	.7%
BURGLARY 2ND	627	3.9%	32	2.8%	659	3.8%
ARSON 1ST,2ND	32	.2%	6	.5%	38	.2%
SODOMY 1ST	138	.9%	0	.0%	138	.8%
SEX AB-1ST, Ag. 2	285	1.8%	2	.2%	287	1.7%
WEAPONS OFFENSES	647	4.0%	15	1.3%	662	3.8%
KIDNAPPING 1ST,2ND	31	.2%	2	.2%	33	.2%
OTHER VIOLENT FELONIES	9	.1%	0	.0%	9	.1%
SUBTOTAL	4914	30.4%	211	18.2%	5125	29.6%
OTHER COERCIVE						
MANSLAUGHTER 2ND	45	.3%	5	.4%	50	.3%
OTHER HOMICIDE	39	.2%	2	.2%	41	.2%
ROBBERY 3RD	481	3.0%	25	2.2%	506	2.9%
ATT ASSAULT 2ND	195	1.2%	20	1.7%	215	1.2%
CONSPIRACY 2,3,4	85	.5%	8	.7%	93	.5%
OTHER WEAPONS	235	1.5%	7	.6%	242	1.4%
OTHER SEX OFFENSES	325	2.0%	5	.4%	330	1.9%
OTHER COERCIVE	181	1.1%	12	1.0%	193	1.1%
SUBTOTAL	1586	9.8%	84	7.2%	1670	9.6%
DRUG OFFENSES						
DRUG SALE	3556	22.0%	356	30.6%	3912	22.6%
DRUG POSSESSION	2437	15.1%	192	16.5%	2629	15.2%
SUBTOTAL	5993	37.0%	548	47.2%	6541	37.7%
PROPERTY AND OTHER OFFENSES						
BURGLARY 3RD	840	5.2%	36	3.1%	876	5.1%
GRAND LARCENY	682	4.2%	114	9.8%	796	4.6%
FORGERY	288	1.8%	56	4.8%	344	2.0%
STOLEN PROPERTY	343	2.1%	18	1.5%	361	2.1%
DRIVE INTOXICATED	399	2.5%	33	2.8%	432	2.5%
CONTEMPT 1ST	140	.9%	1	.1%	141	.8%
ALL OTHER FELONIES	422	2.6%	33	2.8%	455	2.6%
SUBTOTAL	3114	19.2%	291	25.0%	3405	19.6%
YOUTHFUL/JUVENILE						
YOUTHFUL OFFENDER	534	3.3%	26	2.2%	560	3.2%
JUVENILE OFFENDER	40	.2%	2	.2%	42	.2%
SUBTOTAL	574	3.5%	28	2.4%	602	3.5%
GRAND TOTAL	16181	100.0%	1162	100.0%	17343	100.0%

Gender Differences in Commitment Crime

The population of persons committed to state prison in 2003 was made up predominately by men offenders (93%). Women offenders were only 7% (N=1,162) of the 17,343 persons committed to state prison in 2003.

Among men committed to state prison in 2003, 30% were convicted of a violent felony crime. This is 1.7 times the percent of women (18%) 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, 47% were convicted of a drug offense compared with 37% of men.

Shifts in Commitment Crime 2000-2003

The number of violent felony offenders committed to state prison increased slightly over the last four years. There were 5,077 violent felony offenders committed in 2000, and 5,125 in 2003. The proportion of new court commitments who were violent felons rose from 27 to 30 percent over the same time period. The proportion of drug offenders in the admission population decreased from 44% in 2000 to 38% in 2003.

Over the same time period, from January 1, 2000 to December 31, 2003, the proportion of violent felons under DOCS' custody rose from 53.3% to 55.8%. (See "Men and Women Undercustody: 1987-2001," DOCS Research, 2003 and "The Hub System: Profile of Inmates Undercustody on January 1, 2004," DOCS Research.)

TABLE 2.2
CRIME BY YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000		2001		2002		2003	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
VIOLENT FELONY								
MURDER	291	1.6%	273	1.7%	279	1.6%	253	1.5%
ATTEMPTED MURDER	152	.8%	147	.9%	160	.9%	119	.7%
MANSLAUGHTER 1ST	183	1.0%	195	1.2%	181	1.1%	140	.8%
RAPE 1ST	144	.8%	136	.8%	163	1.0%	149	.9%
ROBBERY 1ST	821	4.4%	776	4.7%	784	4.6%	735	4.2%
ROBBERY 2ND	925	5.0%	787	4.8%	883	5.2%	981	5.7%
ASSAULT 1ST	333	1.8%	334	2.0%	367	2.2%	343	2.0%
ASSAULT 2ND	449	2.4%	437	2.6%	449	2.6%	461	2.7%
BURGLARY 1ST	114	.6%	102	.6%	116	.7%	118	.7%
BURGLARY 2ND	647	3.5%	650	3.9%	710	4.2%	659	3.8%
ARSON 1ST,2ND	27	.1%	36	.2%	28	.2%	38	.2%
SODOMY 1ST	115	.6%	127	.8%	120	.7%	138	.8%
SEX AB-1ST, Ag. 2	309	1.7%	241	1.5%	252	1.5%	287	1.7%
WEAPONS OFFENSES	518	2.8%	529	3.2%	576	3.4%	662	3.8%
KIDNAPPING 1ST,2ND	47	.3%	40	.2%	36	.2%	33	.2%
CONSPIRACY 1ST	1	.0%	1	.0%	1	.0%	0	.0%
OTHER VIOLENT FELONIES	1	.0%	2	.0%	3	.0%	9	.1%
TOTAL	5077	27.4%	4813	29.2%	5108	30.0%	5125	29.6%
OTHER COERCIVE								
MANSLAUGHTER 2ND	70	.4%	64	.4%	63	.4%	50	.3%
OTHER HOMICIDE	41	.2%	36	.2%	38	.2%	41	.2%
ROBBERY 3RD	455	2.5%	500	3.0%	535	3.1%	506	2.9%
ATT ASSAULT 2ND	189	1.0%	214	1.3%	219	1.3%	215	1.2%
CONSPIRACY 2,3,4	77	.4%	61	.4%	84	.5%	93	.5%
OTHER WEAPONS	198	1.1%	180	1.1%	163	1.0%	242	1.4%
OTHER SEX OFFENSES	267	1.4%	282	1.7%	296	1.7%	330	1.9%
OTHER COERCIVE	178	1.0%	176	1.1%	209	1.2%	193	1.1%
TOTAL	1475	7.9%	1513	9.2%	1607	9.4%	1670	9.6%
DRUG OFFENSES								
DRUG SALE	5915	31.9%	4441	26.9%	4174	24.5%	3912	22.6%
DRUG POSSESSION	2312	12.5%	2167	13.1%	2470	14.5%	2629	15.2%
TOTAL	8227	44.3%	6608	40.1%	6644	39.1%	6541	37.7%
PROPERTY AND OTHER OFFENSES								
BURGLARY 3RD	892	4.8%	789	4.8%	783	4.6%	876	5.1%
GRAND LARCENY	693	3.7%	652	4.0%	709	4.2%	796	4.6%
FORGERY	298	1.6%	307	1.9%	301	1.8%	344	2.0%
STOLEN PROPERTY	366	2.0%	277	1.7%	346	2.0%	361	2.1%
DRIVE INTOXICATED	538	2.9%	502	3.0%	436	2.6%	432	2.5%
CONTEMPT 1ST	147	.8%	158	1.0%	150	.9%	141	.8%
ALL OTHER FELONIES	285	1.5%	305	1.8%	382	2.2%	455	2.6%
TOTAL	3219	17.3%	2990	18.1%	3107	18.3%	3405	19.6%
YOUTHFUL/JUVENILE								
YOUTHFUL OFFENDER	522	2.8%	544	3.3%	513	3.0%	560	3.2%
JUVENILE OFFENDER	43	.2%	31	.2%	29	.2%	42	.2%
TOTAL	565	3.0%	575	3.5%	542	3.2%	602	3.5%
GRAND TOTAL	18563	100.0%	16499	100.0%	17008	100.0%	17343	100.0%

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 and for sex offenses against a child (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).

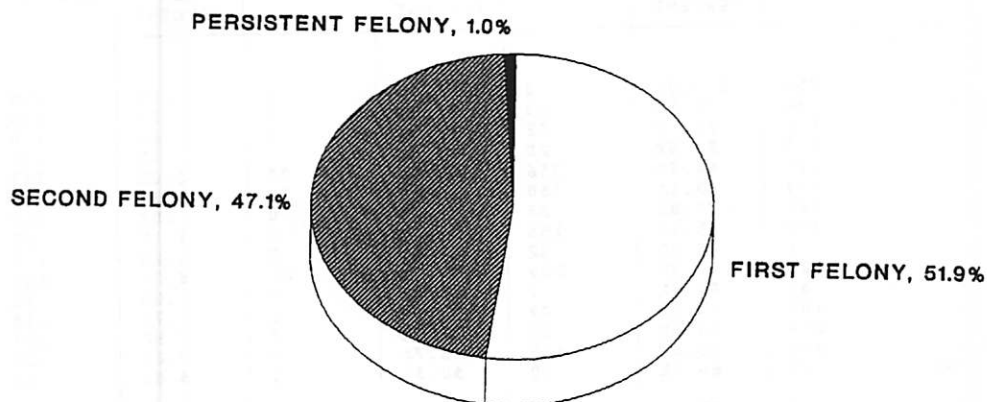
Among 2003 new court commitments 52% (N=9,002) were sentenced as first felony offenders, 47% as second felony offenders (N=8,173) and 1% (N=168) as persistent felony offenders (see Table 3.1 and Figure 3).

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 most often 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 2003, 58% of those committed for drug offenses and 54% of those committed for property offenses were sentenced as second felony offenders. Among those committed for violent felony crimes, 32% 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 - 2003
 PREDICATE SENTENCES**



**COMMITMENT CRIME BY PREDICATE SENTENCE STATUS
 2003 NEW COMMITMENTS
 NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES**

CRIME TYPE BY OFFENSE	TYPE OF SENTENCE						TOTAL NUMBER
	FIRST FELONY NUMBER	FIRST FELONY PERCENT	SECOND FELONY NUMBER	SECOND FELONY PERCENT	PERSISTENT FELONY NUMBER	PERSISTENT FELONY PERCENT	
VIOLENT FELONY	3,349	37.2%	1,643	20.1%	133	79.2%	5,125
OTHER COERCIVE	752	8.4%	908	11.1%	10	6.0%	1,670
DRUG OFFENSES	2,761	30.7%	3,772	46.2%	8	4.8%	6,541
PROPERTY OFFENSES	1,538	17.1%	1,850	22.6%	17	10.1%	3,405
YOUTHFUL/JUVENILE OFFENDER	602	6.7%	0	0.0%	0	0.0%	602
TOTAL	9,002	100.0%	8,173	100.0%	168	100.0%	17,343

TABLE 3.1
CRIME BY FELONY STATUS (ROW PERCENTAGES); 2003 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
VIOLENT FELONY								
MURDER	253	100.0%	0	.0%	0	.0%	253	100.0%
ATTEMPTED MURDER	94	79.0%	25	21.0%	0	.0%	119	100.0%
MANSLAUGHTER 1ST	108	77.1%	32	22.9%	0	.0%	140	100.0%
RAPE 1ST	120	80.5%	28	18.8%	1	.7%	149	100.0%
ROBBERY 1ST	477	64.9%	236	32.1%	22	3.0%	735	100.0%
ROBBERY 2ND	619	63.1%	330	33.6%	32	3.3%	981	100.0%
ASSAULT 1ST	260	75.8%	83	24.2%	0	.0%	343	100.0%
ASSAULT 2ND	300	65.1%	156	33.8%	5	1.1%	461	100.0%
BURGLARY 1ST	71	60.2%	42	35.6%	5	4.2%	118	100.0%
BURGLARY 2ND	329	49.9%	289	43.9%	41	6.2%	659	100.0%
ARSON 1ST,2ND	31	81.6%	7	18.4%	0	.0%	38	100.0%
SODOMY 1ST	108	78.3%	29	21.0%	1	.7%	138	100.0%
SEX.AB-1ST,Ag.2	214	74.6%	65	22.6%	8	2.8%	287	100.0%
WEAPONS OFFENSES	336	50.8%	309	46.7%	17	2.6%	662	100.0%
KIDNAPPING 1ST,2ND	22	66.7%	10	30.3%	1	3.0%	33	100.0%
OTHER VIOLENT FELONIES	7	77.8%	2	22.2%	0	.0%	9	100.0%
SUBTOTAL	3349	65.3%	1643	32.1%	133	2.6%	5125	100.0%
OTHER COERCIVE								
MANSLAUGHTER 2ND	41	82.0%	8	16.0%	1	2.0%	50	100.0%
OTHER HOMICIDE	37	90.2%	3	7.3%	1	2.4%	41	100.0%
ROBBERY 3RD	185	36.6%	318	62.8%	3	.6%	506	100.0%
ATT ASSAULT 2ND	65	30.2%	150	69.8%	0	.0%	215	100.0%
CONSPIRACY 2,3,4	69	74.2%	24	25.8%	0	.0%	93	100.0%
OTHER WEAPONS	55	22.7%	183	75.6%	4	1.7%	242	100.0%
OTHER SEX OFFENSES	205	62.1%	125	37.9%	0	.0%	330	100.0%
OTHER COERCIVE	95	49.2%	97	50.3%	1	.5%	193	100.0%
SUBTOTAL	752	45.0%	908	54.4%	10	.6%	1670	100.0%
DRUG OFFENSES								
DRUG SALE	1457	37.2%	2451	62.7%	4	.1%	3912	100.0%
DRUG POSSESSION	1304	49.6%	1321	50.2%	4	.2%	2629	100.0%
SUBTOTAL	2761	42.2%	3772	57.7%	8	.1%	6541	100.0%
PROPERTY AND OTHER OFFENSES								
BURGLARY 3RD	291	33.2%	580	66.2%	5	.6%	876	100.0%
GRAND LARCENY	292	36.7%	499	62.7%	5	.6%	796	100.0%
FORGERY	115	33.4%	227	66.0%	2	.6%	344	100.0%
STOLEN PROPERTY	97	26.9%	261	72.3%	3	.8%	361	100.0%
DRIVE INTOXICATED	426	98.6%	6	1.4%	0	.0%	432	100.0%
CONTEMPT 1ST	61	43.3%	80	56.7%	0	.0%	141	100.0%
ALL OTHER FELONIES	256	56.3%	197	43.3%	2	.4%	455	100.0%
SUBTOTAL	1538	45.2%	1850	54.3%	17	.5%	3405	100.0%
YOUTHFUL/JUVENILE								
YOUTHFUL OFFENDER	560	100.0%	0	.0%	0	.0%	560	100.0%
JUVENILE OFFENDER	42	100.0%	0	.0%	0	.0%	42	100.0%
SUBTOTAL	602	100.0%	0	.0%	0	.0%	602	100.0%
GRAND TOTAL	9002	51.9%	8173	47.1%	168	1.0%	17343	100.0%

TABLE 3.2
CRIME BY FELONY STATUS (COLUMN PERCENTAGES); 2003 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
VIOLENT FELONY								
MURDER	253	2.8%	0	.0%	0	.0%	253	1.5%
ATTEMPTED MURDER	94	1.0%	25	.3%	0	.0%	119	.7%
HANSLAUGHTER 1ST	108	1.2%	32	.4%	0	.0%	140	.8%
RAPE 1ST	120	1.3%	28	.3%	1	.6%	149	.9%
ROBBERY 1ST	477	5.3%	236	2.9%	22	13.1%	735	4.2%
ROBBERY 2ND	619	6.9%	330	4.0%	32	19.0%	981	5.7%
ASSAULT 1ST	260	2.9%	83	1.0%	0	.0%	343	2.0%
ASSAULT 2ND	300	3.3%	156	1.9%	5	3.0%	461	2.7%
BURGLARY 1ST	71	.8%	42	.5%	5	3.0%	118	.7%
BURGLARY 2ND	329	3.7%	289	3.5%	41	24.4%	659	3.8%
ARSON 1ST,2ND	31	.3%	7	.1%	0	.0%	38	.2%
SODOMY 1ST	108	1.2%	29	.4%	1	.6%	138	.8%
SEX.AB-1ST,Ag.2	214	2.4%	65	.8%	8	4.8%	287	1.7%
WEAPONS OFFENSES	336	3.7%	309	3.8%	17	10.1%	662	3.8%
KIDNAPPING 1ST,2ND	22	.2%	10	.1%	1	.6%	33	.2%
OTHER VIOLENT FELONIES	7	.1%	2	.0%	0	.0%	9	.1%
SUBTOTAL	3349	37.2%	1643	20.1%	133	79.2%	5125	29.6%
OTHER COERCIVE								
HANSLAUGHTER 2ND	41	.5%	8	.1%	1	.6%	50	.3%
OTHER HOMICIDE	37	.4%	3	.0%	1	.6%	41	.2%
ROBBERY 3RD	185	2.1%	318	3.9%	3	1.8%	506	2.9%
ATT ASSAULT 2ND	65	.7%	150	1.8%	0	.0%	215	1.2%
CONSPIRACY 2,3,4	69	.8%	24	.3%	0	.0%	93	.5%
OTHER WEAPONS	55	.6%	183	2.2%	4	2.4%	242	1.4%
OTHER SEX OFFENSES	205	2.3%	125	1.5%	0	.0%	330	1.9%
OTHER COERCIVE	95	1.1%	97	1.2%	1	.6%	193	1.1%
SUBTOTAL	752	8.4%	908	11.1%	10	6.0%	1670	9.6%
DRUG OFFENSES								
DRUG SALE	1457	16.2%	2451	30.0%	4	2.4%	3912	22.6%
DRUG POSSESSION	1304	14.5%	1321	16.2%	4	2.4%	2629	15.2%
SUBTOTAL	2761	30.7%	3772	46.2%	8	4.8%	6541	37.7%
PROPERTY AND OTHER OFFENSES								
BURGLARY 3RD	291	3.2%	580	7.1%	5	3.0%	876	5.1%
GRAND LARCENY	292	3.2%	499	6.1%	5	3.0%	796	4.6%
FORGERY	115	1.3%	227	2.8%	2	1.2%	344	2.0%
STOLEN PROPERTY	97	1.1%	261	3.2%	3	1.8%	361	2.1%
DRIVE INTOXICATED	426	4.7%	6	.1%	0	.0%	432	2.5%
CONTEMPT 1ST	61	.7%	80	1.0%	0	.0%	141	.8%
ALL OTHER FELONIES	256	2.8%	197	2.4%	2	1.2%	455	2.6%
SUBTOTAL	1538	17.1%	1850	22.6%	17	10.1%	3405	19.6%
YOUTHFUL/JUVENILE								
YOUTHFUL OFFENDER	560	6.2%	0	.0%	0	.0%	560	3.2%
JUVENILE OFFENDER	42	.5%	0	.0%	0	.0%	42	.2%
SUBTOTAL	602	6.7%	0	.0%	0	.0%	602	3.5%
GRAND TOTAL	9002	100.0%	8173	100.0%	168	100.0%	17343	100.0%

Proportion of Second Felony Offenders Decreases

Data are 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 2000 through 2003. The proportion of commitments sentenced as a second felony offender declined from 51% in 2000 (N=9,457), to 47% (N=8,173) in 2003.

The proportion of violent offenders sentenced as second felony offenders dropped from 34% in 2000 to 32% in 2003. There was also a slight decrease among drug offenders sentenced as second felons from 63% in 2000 to 58% in 2003 (see Table 3.4).

TABLE 3.3 CRIME BY FELONY STATUS AND YEAR: 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000				2001				2002				2003			
	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
VIOLENT FELONY																
MURDER	291	0	0	291	273	0	0	273	279	0	0	279	253	0	0	253
ATTEMPTED MURDER	123	27	2	152	124	23	0	147	116	42	2	160	94	25	0	119
MANSLAUGHTER 1ST	137	43	3	183	138	46	0	184	152	28	1	181	108	32	0	140
RAPE 1ST	96	35	3	134	104	29	1	134	112	46	5	163	120	28	0	149
ROBBERY 1ST	489	407	28	924	508	235	28	766	501	260	20	784	477	236	22	735
ROBBERY 2ND	561	334	30	925	500	271	16	787	561	302	23	885	619	330	32	981
ASSAULT 1ST	237	89	7	333	237	95	2	334	263	95	9	367	260	83	0	343
ASSAULT 2ND	292	150	7	449	289	140	8	437	290	155	4	449	300	156	5	461
BURGLARY 1ST	59	321	41	447	62	37	3	102	72	39	45	116	71	42	5	118
BURGLARY 2ND	285	321	41	647	316	297	37	650	328	337	45	710	339	219	41	659
ARSON 1ST, 2ND	16	11	0	27	27	9	0	36	28	51	0	79	38	7	0	45
SEX-AB-1ST, AG-2	88	24	3	115	100	26	0	127	92	27	1	120	108	29	1	138
WEAPONS OFFENSES	236	68	5	309	181	57	8	241	184	65	3	252	214	85	8	287
KIDNAPPING 1ST, 2ND	271	234	13	518	269	252	8	529	294	275	7	576	309	10	17	662
CONSPIRACY 1ST	57	10	0	67	27	13	0	40	30	6	0	36	22	10	1	33
OTHER VIOLENT FELONIES	1	0	0	1	1	0	0	1	1	0	0	1	0	0	0	0
TOTAL	3219	1714	144	5077	3167	1538	108	4813	3297	1686	128	5108	3559	1603	133	5125
	63.4%	33.5%	2.8%	100.0%	65.8%	32.0%	2.2%	100.0%	64.5%	33.0%	2.4%	100.0%	65.3%	32.1%	2.4%	100.0%
OTHER COERCIVE																
MANSLAUGHTER 2ND	56	14	0	70	52	12	0	64	49	14	0	63	41	8	1	50
OTHER HOMICIDE	32	8	1	41	33	3	0	36	27	11	0	38	37	3	1	41
ROBBERY 3RD	141	312	2	455	167	328	5	500	203	330	2	535	183	318	3	506
ATT ASSAULT 2ND	98	131	0	229	65	149	0	214	58	140	1	199	63	180	0	243
CONSPIRACY 2,3,4	37	40	0	77	37	22	0	59	45	19	0	64	69	24	0	93
OTHER WEAPONS	56	137	5	198	58	122	0	180	45	118	0	163	55	183	4	242
OTHER SEX OFFENSES	175	91	1	267	171	109	2	282	189	106	1	296	205	125	0	330
OTHER COERCIVE	104	74	0	178	91	32	3	124	124	85	0	209	95	97	1	193
TOTAL	689	807	9	1495	674	829	10	1513	760	843	4	1607	752	908	10	1670
	44.7%	54.7%	.6%	100.0%	44.5%	54.8%	.7%	100.0%	47.3%	52.5%	.2%	100.0%	45.0%	54.4%	.6%	100.0%
DRUG OFFENSES																
DRUG SALE	1900	4011	4	5915	1475	2942	4	4441	1468	2699	7	4174	1487	2481	4	3912
DRUG POSSESSION	1130	1180	2	2312	1102	1063	2	2167	1207	1259	4	2470	1304	1321	4	2629
TOTAL	3030	5191	6	8227	2577	4005	6	6608	2675	3958	11	6644	2761	3772	8	6541
	36.8%	65.1%	.1%	100.0%	39.0%	60.9%	.1%	100.0%	40.3%	59.6%	.2%	100.0%	42.2%	57.7%	.1%	100.0%
PROPERTY AND OTHER OFFENSES																
BURGLARY 3RD	264	626	2	892	250	538	1	789	240	541	2	783	291	580	5	876
GRAND LARCENY	248	442	3	693	211	439	2	652	243	464	2	709	292	499	5	796
FORGERY	101	197	0	298	96	210	1	307	100	199	2	301	115	227	3	344
STOLEN PROPERTY	97	266	3	366	73	204	0	277	94	251	1	346	97	261	0	361
DRIVE INTOXICATED	530	7	1	538	491	9	2	502	438	1	0	439	426	6	0	432
CONTEMPT 1ST	62	84	1	147	70	87	1	158	63	86	1	150	61	80	0	141
ALL OTHER FELONIES	162	125	0	285	168	137	0	305	205	177	0	382	256	197	2	455
TOTAL	1464	1745	10	3219	1389	1626	7	2990	1380	1719	8	3107	1538	1850	17	3405
	45.5%	54.2%	.3%	100.0%	45.5%	54.5%	.2%	100.0%	44.4%	55.3%	.3%	100.0%	45.2%	54.3%	.5%	100.0%
YOUTHFUL/JUVENILE																
YOUTHFUL OFFENDER	522	0	0	522	544	0	0	544	513	0	0	513	560	0	0	560
JUVENILE OFFENDER	43	0	0	43	31	0	0	31	29	0	0	29	42	0	0	42
TOTAL	565	0	0	565	575	0	0	575	542	0	0	542	602	0	0	602
	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%
GRAND TOTAL	8937	9457	169	18563	8552	8016	131	16499	8654	8206	148	17008	9002	8173	168	17343
	48.1%	50.9%	.9%	100.0%	50.6%	48.6%	.8%	100.0%	50.9%	48.2%	.9%	100.0%	51.9%	47.1%	1.0%	100.0%

TABLE 3.4 CRIME BY FELONY STATUS AND YEAR RECEIVED (ROW PERCENTAGES) ; 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000				2001				2002				2003			
	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
VIOLENT FELONY																
MURDER	100.0%	100.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	100.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%
ATTEMPTED MURDER	80.9%	17.8%	1.3%	100.0%	76.4%	15.6%	.0%	100.0%	72.5%	26.2%	.0%	100.0%	79.0%	21.0%	.0%	100.0%
MANSLAUGHTER 1ST	74.9%	23.5%	1.6%	100.0%	75.3%	23.6%	.5%	100.0%	84.0%	15.5%	.6%	100.0%	77.1%	22.9%	.0%	100.0%
RAPE 1ST	66.7%	31.3%	2.1%	100.0%	77.9%	21.9%	.7%	100.0%	68.7%	31.3%	3.1%	100.0%	80.5%	18.6%	.7%	100.0%
ROBBERY 1ST	59.6%	37.4%	3.0%	100.0%	65.1%	34.9%	3.6%	100.0%	63.9%	36.1%	2.9%	100.0%	64.9%	35.1%	3.0%	100.0%
ROBBERY 2ND	60.6%	36.1%	3.2%	100.0%	63.5%	34.5%	2.0%	100.0%	63.5%	36.5%	2.3%	100.0%	63.1%	36.9%	3.0%	100.0%
ASSAULT 1ST	71.2%	26.7%	2.1%	100.0%	71.0%	28.0%	.6%	100.0%	71.7%	28.3%	2.5%	100.0%	75.8%	24.2%	.0%	100.0%
ASSAULT 2ND	65.0%	33.9%	1.6%	100.0%	66.1%	33.9%	1.8%	100.0%	64.6%	35.4%	.9%	100.0%	65.1%	34.9%	1.1%	100.0%
BURGLARY 1ST	51.8%	44.7%	3.5%	100.0%	60.8%	36.2%	2.9%	100.0%	62.1%	37.9%	4.3%	100.0%	60.2%	39.8%	4.2%	100.0%
BURGLARY 2ND	44.0%	49.6%	6.3%	100.0%	48.6%	45.7%	5.7%	100.0%	46.2%	53.8%	6.3%	100.0%	50.0%	49.0%	6.1%	100.0%
ARSON 1ST, 2ND	59.3%	40.7%	.0%	100.0%	75.0%	25.0%	.0%	100.0%	71.4%	28.6%	.0%	100.0%	81.5%	18.5%	.0%	100.0%
SEX AB-1ST, AG. 2	76.5%	20.9%	2.6%	100.0%	78.7%	21.3%	1.2%	100.0%	78.7%	21.3%	.8%	100.0%	78.3%	21.7%	.7%	100.0%
WEAPONS OFFENSES	52.3%	45.2%	1.6%	100.0%	50.9%	47.1%	1.5%	100.0%	51.0%	47.7%	1.2%	100.0%	50.8%	49.2%	2.8%	100.0%
KIDNAPPING 1ST, 2ND	78.7%	21.3%	2.5%	100.0%	67.5%	32.5%	1.3%	100.0%	67.5%	32.5%	1.7%	100.0%	66.7%	33.3%	3.5%	100.0%
CONSPIRACY 1ST	100.0%	100.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%
OTHER VIOLENT FELONIES	.0%	.0%	100.0%	100.0%	100.0%	.0%	.0%	100.0%	66.7%	33.3%	.0%	100.0%	77.8%	22.2%	.0%	100.0%
TOTAL	63.4%	33.8%	2.8%	100.0%	65.8%	32.0%	2.2%	100.0%	64.5%	35.0%	2.4%	100.0%	65.4%	32.1%	2.6%	100.0%
OTHER COERCIVE																
MANSLAUGHTER 2ND	80.0%	20.0%	.0%	100.0%	81.3%	18.8%	.0%	100.0%	77.8%	22.2%	.0%	100.0%	82.0%	18.0%	2.0%	100.0%
OTHER HOMICIDE	78.0%	19.5%	2.4%	100.0%	91.7%	8.3%	.0%	100.0%	71.1%	28.9%	.0%	100.0%	90.2%	9.8%	2.5%	100.0%
ROBBERY 3RD	3.0%	68.6%	.4%	100.0%	33.4%	65.6%	1.0%	100.0%	37.0%	63.0%	.4%	100.0%	36.6%	63.4%	.6%	100.0%
ATT ASSAULT 2ND	30.7%	69.3%	.0%	100.0%	30.4%	69.6%	.0%	100.0%	26.2%	73.8%	.5%	100.0%	30.2%	69.8%	.0%	100.0%
CONSPIRACY 2, 3, 4	48.1%	51.9%	.0%	100.0%	60.7%	39.3%	.0%	100.0%	77.4%	22.6%	.0%	100.0%	74.2%	25.8%	.0%	100.0%
OTHER WEAPONS	28.3%	69.2%	2.5%	100.0%	32.2%	67.8%	.0%	100.0%	27.8%	72.2%	.0%	100.0%	22.7%	77.3%	1.7%	100.0%
OTHER SEX OFFENSES	65.5%	34.1%	.4%	100.0%	60.6%	39.4%	.7%	100.0%	63.9%	36.1%	.3%	100.0%	62.1%	37.9%	.0%	100.0%
OTHER COERCIVE	58.4%	41.6%	.0%	100.0%	51.7%	48.3%	1.7%	100.0%	59.3%	40.7%	.0%	100.0%	49.2%	50.8%	.5%	100.0%
TOTAL	44.7%	54.7%	.6%	100.0%	44.5%	54.8%	.7%	100.0%	47.3%	52.7%	.2%	100.0%	45.0%	55.0%	.6%	100.0%
DRUG OFFENSES																
DRUG SALE	32.1%	67.8%	.1%	100.0%	33.2%	66.7%	.1%	100.0%	35.2%	64.7%	.2%	100.0%	37.2%	62.7%	.1%	100.0%
DRUG POSSESSION	48.9%	51.0%	.1%	100.0%	50.9%	49.1%	.1%	100.0%	48.9%	51.0%	.2%	100.0%	49.6%	50.4%	.2%	100.0%
TOTAL	36.8%	63.1%	.1%	100.0%	39.0%	60.9%	.1%	100.0%	40.3%	59.6%	.2%	100.0%	42.2%	57.7%	.1%	100.0%
PROPERTY AND OTHER																
BURGLARY 3RD	29.6%	70.2%	.2%	100.0%	31.7%	68.2%	.1%	100.0%	30.7%	69.1%	.3%	100.0%	33.2%	66.8%	.6%	100.0%
GRAND LARCENY	35.8%	64.2%	.4%	100.0%	32.4%	67.6%	.3%	100.0%	34.3%	65.7%	.3%	100.0%	36.7%	63.3%	.6%	100.0%
FORGERY	33.3%	66.7%	.0%	100.0%	31.3%	68.7%	.3%	100.0%	35.2%	64.8%	.5%	100.0%	33.4%	66.6%	.6%	100.0%
STOLEN PROPERTY	26.2%	73.8%	.8%	100.0%	26.4%	73.6%	.0%	100.0%	27.2%	72.8%	.3%	100.0%	26.9%	73.1%	.8%	100.0%
DRIVE INTOXICATED	98.5%	1.5%	.2%	100.0%	97.8%	2.2%	.4%	100.0%	99.8%	.2%	.0%	100.0%	98.6%	1.4%	.0%	100.0%
CONTEMPT 1ST	42.2%	57.1%	.7%	100.0%	44.3%	55.7%	.6%	100.0%	42.0%	58.0%	.7%	100.0%	43.3%	56.7%	.0%	100.0%
ALL OTHER FELONIES	56.8%	43.2%	.0%	100.0%	55.1%	44.9%	.0%	100.0%	53.7%	46.3%	.0%	100.0%	56.3%	43.7%	.4%	100.0%
TOTAL	45.5%	54.2%	.3%	100.0%	45.5%	54.5%	.2%	100.0%	44.4%	55.6%	.3%	100.0%	45.2%	54.8%	.5%	100.0%
YOUTHFUL/JUVENILE																
YOUTHFUL OFFENDER	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%
JUVENILE OFFENDER	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%
TOTAL	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%	100.0%	.0%	.0%	100.0%
GRAND TOTAL	48.1%	50.9%	.9%	100.0%	50.6%	48.6%	.8%	100.0%	50.9%	49.2%	.9%	100.0%	51.9%	47.1%	1.0%	100.0%

TABLE 3.5 CRIME BY FELONY STATUS AND YEAR RECEIVED (COLUMN PERCENTAGES); 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000			2001			2002			2003		
	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL	FIRST FELONY	SECOND FELONY	TOTAL
VIOLENT FELONY												
MURDER	3.3%	.0%	1.6%	3.3%	.0%	1.7%	3.2%	.0%	1.6%	2.8%	.0%	1.5%
ATTEMPTED MURDER	1.4%	.5%	.8%	1.5%	.3%	.9%	1.3%	.5%	.9%	1.0%	.7%	.8%
MANSLAUGHTER 1ST	1.5%	.5%	1.0%	1.8%	.6%	1.2%	1.8%	.5%	1.1%	1.2%	.4%	.8%
RAPE 1ST	1.1%	.5%	.8%	1.3%	.4%	.8%	1.5%	.6%	1.0%	1.3%	.3%	.9%
ROBBERY 1ST	5.5%	3.4%	4.4%	6.0%	3.3%	4.7%	5.8%	3.4%	4.6%	5.3%	3.1%	4.2%
ROBBERY 2ND	6.3%	3.8%	5.0%	6.0%	3.5%	4.8%	6.5%	3.9%	5.2%	6.9%	4.3%	5.7%
ASSAULT 1ST	2.7%	1.0%	1.8%	2.8%	1.2%	2.0%	3.0%	1.2%	2.2%	2.9%	1.0%	2.0%
ASSAULT 2ND	3.3%	1.6%	2.4%	3.5%	1.8%	2.6%	3.4%	1.9%	2.6%	3.3%	1.9%	2.7%
BURGLARY 1ST	.7%	.6%	.5%	.7%	.5%	.6%	.8%	.5%	.7%	.8%	.6%	.7%
BURGLARY 2ND	3.2%	3.8%	3.5%	3.8%	4.1%	3.9%	3.8%	4.6%	4.2%	3.7%	4.0%	3.8%
ARSON 1ST, 2ND	.2%	.1%	.1%	.3%	.1%	.2%	.2%	.1%	.2%	.3%	.1%	.2%
SODOMY 1ST	1.0%	.3%	.6%	1.2%	.3%	.8%	1.1%	.3%	.8%	1.2%	.3%	.8%
SEX AB-1ST, AG. 2	2.6%	.8%	1.7%	2.2%	.7%	1.5%	2.1%	.8%	1.5%	2.4%	.9%	1.7%
WEAPONS OFFENSES	3.0%	2.6%	2.8%	3.2%	3.2%	3.2%	3.4%	3.4%	3.4%	5.7%	3.8%	3.8%
KIDNAPPING 1ST, 2ND	.4%	.1%	.3%	.3%	.2%	.2%	.3%	.2%	.2%	.1%	.1%	.2%
CONSPIRACY 1ST	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%
OTHER VIOLENT FELONIES	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.1%	.0%	.1%
TOTAL	36.0%	19.3%	27.4%	37.9%	20.2%	29.2%	38.1%	21.7%	30.0%	37.2%	21.3%	29.6%
OTHER COERCIVE												
MANSLAUGHTER 2ND	.6%	.1%	.4%	.6%	.1%	.4%	.6%	.2%	.4%	.5%	.1%	.3%
OTHER HOMICIDE	.4%	.1%	.2%	.4%	.0%	.2%	.3%	.1%	.2%	.4%	.2%	.2%
ROBBERY 3RD	1.6%	3.3%	2.5%	2.0%	4.1%	3.0%	2.3%	4.0%	3.1%	2.1%	3.8%	2.9%
ATT ASSAULT 2ND	.6%	1.4%	1.0%	.8%	1.8%	1.3%	.7%	1.9%	1.5%	.7%	1.8%	1.2%
CONSPIRACY 2,3,4	.4%	.4%	.4%	.4%	.3%	.4%	.8%	.2%	.5%	.8%	.3%	.5%
OTHER WEAPONS	.6%	1.5%	1.1%	.7%	1.5%	1.1%	.5%	1.4%	1.0%	.6%	2.2%	1.5%
OTHER SEX OFFENSES	2.0%	1.0%	1.4%	2.0%	1.4%	1.7%	2.2%	1.3%	1.7%	2.3%	1.5%	1.9%
OTHER COERCIVE	1.2%	.8%	1.0%	1.1%	1.0%	1.1%	1.4%	1.0%	1.2%	1.1%	1.2%	1.1%
TOTAL	7.4%	8.5%	7.9%	8.1%	10.3%	9.2%	8.8%	10.1%	9.4%	8.4%	11.0%	9.6%
DRUG OFFENSES												
DRUG SALE	21.3%	41.7%	31.9%	17.7%	36.4%	26.9%	17.0%	32.4%	24.5%	16.2%	29.4%	22.6%
DRUG POSSESSION	12.6%	12.5%	12.5%	13.2%	13.1%	13.1%	13.9%	15.1%	14.5%	14.5%	15.9%	15.2%
TOTAL	33.9%	54.0%	44.3%	30.9%	49.5%	40.1%	30.9%	47.5%	39.1%	30.7%	45.3%	37.7%
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	3.0%	6.5%	4.8%	3.0%	6.6%	4.8%	2.8%	6.5%	4.6%	3.2%	7.0%	5.1%
GRAND LARCENY	2.8%	4.6%	3.7%	2.5%	5.4%	4.0%	2.8%	5.6%	4.2%	3.2%	6.0%	4.6%
FORGERY	1.1%	2.0%	1.6%	1.1%	2.6%	1.9%	1.2%	3.0%	1.8%	1.3%	2.7%	2.0%
STOLEN PROPERTY	1.1%	2.8%	2.0%	1.1%	2.5%	1.7%	1.1%	3.0%	2.0%	1.1%	3.2%	2.1%
DRIVE INTOXICATED	5.9%	.1%	2.9%	5.9%	.1%	3.0%	5.0%	.0%	2.6%	4.7%	.1%	2.5%
CONTEMPT 1ST	.7%	.9%	.8%	.8%	1.1%	1.0%	.7%	1.0%	.9%	.7%	1.0%	.8%
ALL OTHER FELONIES	1.8%	1.3%	1.5%	2.0%	1.7%	1.8%	2.4%	2.1%	2.2%	2.8%	2.4%	2.6%
TOTAL	16.4%	18.2%	17.3%	16.3%	20.0%	18.1%	15.9%	20.7%	18.3%	17.1%	22.4%	19.6%
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	5.8%	.0%	2.8%	6.5%	.0%	3.3%	5.9%	.0%	3.0%	6.2%	.0%	3.2%
JUVENILE OFFENDER	.5%	.0%	.2%	.4%	.0%	.2%	.3%	.0%	.2%	.5%	.0%	.2%
TOTAL	6.3%	.0%	3.0%	6.9%	.0%	3.5%	6.3%	.0%	3.2%	6.7%	.0%	3.5%
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%

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.¹ Appendix A contains a brief summary of the range of minimum and maximum sentences for each felony class category.

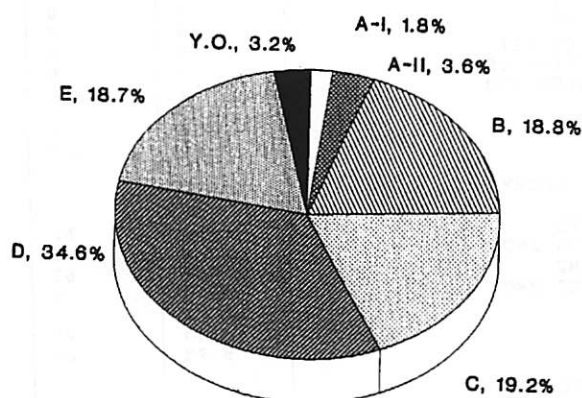
Table 4.1 shows the specific commitment crime, broken out by felony class category, for new court commitments to DOCS in 2003 (see also Figure 4). (Appendix B contains the Penal Law Section number for the offenses listed in Table 4.1.) The letters "ATT" before the offense indicate that the crime was an attempt. Two percent of 2003 new court commitments were Class A-I crimes (N=316). Class A-II offenses were 4% (N=628) of commitments. Offenses in the Class B felony category were 19% (N= 3,255) of 2003 new court commitments. Class C felony offenders were 19% (N=3,337) of 2003 commitments. The Class D felony category was the largest at 35% (N=6,001) of new commitments. Class E felony offenders comprised 19% (N=3,246) of new commitments. Youthful Offenders constituted 3% (N=560) of new commitments.

¹For example, the minimum sentence range for a Class D 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 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. 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. However, Table 5.2 (page 35) notes that First Felony offenders, as a group, had a higher (46 months) average minimum sentence in 2003 than Second Felony offenders (41 months).

As stated on page 10 of the report, statutes for class A-I felony crimes do not contain provisions for sentencing as a second felony offender.

Figure 4
 DEPARTMENT OF CORRECTIONAL SERVICES
 NEW COMMITMENTS - 2003
 FELONY CLASS



COMMITMENT CRIME BY FELONY CLASS
 2003 NEW COMMITMENTS
 NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

FELONY CLASS

OFFENSE ON COMMITMENT	A-I	A-II	B	C	D	E	Y.O.	TOTAL
VIOLENT FELONY	270	0	1,265	1,511	1,903	176	0	5,125
OTHER COERCIVE	0	0	68	96	765	741	0	1,670
DRUG OFFENSES	33	628	1,863	1,629	1,931	457	0	6,541
PROPERTY/OTHER	0	0	33	99	1,401	1,872	0	3,405
YOUTHFUL OFFENDER	0	0	0	0	0	0	560	560
JUVENILE OFFENDER	13	0	26	2	1	0	0	42
TOTAL	316	628	3,255	3,337	6,001	3,246	560	17,343
PERCENT	1.8%	3.6%	18.8%	19.2%	34.6%	18.7%	3.2%	100.0%

TABLE 4.1
CRIME AND FELONY CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (COLUMN PERCENTAGES)
2003 NEW COURT COMMITMENTS

CRIME AND CRIME CLASS	first felony offender	second felony offender	persist felony offender	TOTAL
A-I FELONY				
MURDER 1ST	18	0	0	18
ATT MURDER 1ST	8	0	0	8
MURDER 2ND	233	0	0	233
ARSON 1ST	2	0	0	2
CSCS 1ST	7	0	0	7
CPCS 1ST	25	0	0	25
ATT CPCS 1ST	1	0	0	1
KIDNAPPING 1ST	9	0	0	9
JO-MURDER 2ND	13	0	0	13
TOTAL	316	0	0	316
	3.5%	.0%	.0%	1.8%
A-II FELONY				
CSCS 2ND	230	32	0	262
ATT CSCS 2ND	2	0	0	2
CPCS 2ND	297	63	0	360
ATT CPCS 2ND	4	0	0	4
TOTAL	533	95	0	628
	5.9%	1.2%	.0%	3.6%
CLASS B FELONY				
ATT MURDER 2ND	88	25	0	113
MANSLAUGHTER 1ST	108	30	0	138
RAPE 1ST	72	19	0	91
ROBBERY 1ST	291	134	12	437
ASSAULT 1ST B FELONY	154	41	0	195
AG ASSAULT POLICE	1	0	0	1
GANG ASSAULT 1ST	16	2	0	18
BURGLARY 1ST	55	26	5	86
GRAND LARCEN 1ST	12	1	0	13
STOLEN PROP 1ST	1	0	0	1
BUS CORRUPTION	16	3	0	19
ATT ARSON 1ST	1	0	0	1
ARSON 2ND	18	5	0	23
ARSON 3RD	0	1	0	1
SODOMY 1ST	75	18	0	93
AG SEX ABUSE 1ST	0	1	0	1
SEX CONDUCT CHILD 1ST	29	9	0	38
CSCS 3RD	629	379	1	1009
CPCS 3RD	528	227	0	755
CSCS AT SCHOOL	60	39	0	99
USE FIREARMS 1ST	12	5	0	17
KIDNAPPING 2ND	7	5	1	13
CONSPIRACY 2ND	56	11	0	67
JO-MANSLAUGHTER 1ST	7	0	0	7
ATT JO-MURDER 2ND	1	0	0	1
JO-RAPE 1ST	2	0	0	2
JO-ROBBERY 1ST	10	0	0	10
JO-SODOMY 1ST	2	0	0	2
JO-ASSAULT 1ST DEGREE	4	0	0	4
TOTAL	2255	981	19	3255
	25.0%	12.0%	11.3%	18.8%

(continued)

TABLE 4.1
CRIME AND FELONY CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (COLUMN PERCENTAGES)
2003 NEW COURT COMMITMENTS

CRIME AND CRIME CLASS	first felony offender	second felony offender	persist felony offender	TOTAL
CLASS C FELONY				
ATT MANSLAUGHTER 1ST	0	2	0	2
MANSLAUGHTER 2ND	41	8	1	50
VEHICULR MANSL 1ST	1	1	0	2
ATT RAPE 1ST	48	9	1	58
ATT ROBBERY 1ST	186	102	10	298
ROBBERY 2ND	271	134	11	416
ATT ASSAULT 1ST B FELONY	78	36	0	114
ASSAULT 1ST	2	0	0	2
ASSAULT 2ND	2	0	0	2
ATT AG ASSAULT POLICE	3	3	0	6
ATT GANG ASSAULT 1ST	6	1	0	7
GANG ASSAULT 2ND	12	1	0	13
ATT BURGLARY 1ST	16	16	0	32
BURGLARY 2ND	161	155	23	339
GRAND LARCEN 2ND	56	10	0	66
GR LAR 2ND AUTO	3	0	0	3
STOLEN PROP 2ND	1	3	0	4
TRADE COUNTERFEIT 1ST	1	0	0	1
MONEY LAUNDERING 2	1	0	0	1
ATT BUS CORRUPTION	3	0	0	3
POS FORGE INS 1ST	7	5	0	12
ATT ARSON 2ND	10	2	0	12
ARSON 3RD	21	6	0	27
ATT ARSON 3RD	1	0	0	1
PROMO PROSTI 2ND	3	1	0	4
ATT SODOMY 1ST	33	11	1	45
AG SEX ABUSE 2ND	2	0	0	2
ATT SEX CONDUCT CHILD 1ST	3	2	0	5
ATT CSCS 3RD	286	509	0	795
ATT CPCS 3RD	103	171	0	274
CSCS 4TH	49	277	2	328
CPCS 4TH	83	124	2	209
CRIM SALE MARI 1	1	2	0	3
CRIM POS MARI 1	7	4	0	11
ATT CSCS AT SCHOOL	4	5	0	9
ATT C POS WEAP 1ST	0	2	0	2
C POS WEAPON 2ND	90	46	4	140
CRIM SALE FIREARM 2ND	2	1	0	3
USE FIREARMS 2ND	2	0	0	2
CHILD PORNOGRAPHY	5	0	0	5
ENDNGR PUB HLTH 1ST	1	0	0	1
ATT KIDNAPPING 2ND	6	5	0	11
BRIBERY 2ND	2	0	0	2
ATT CONSPIRACY 2ND	6	5	0	11
CRIM FACIL 2ND	2	0	0	2
JO-ROBBERY 2ND	2	0	0	2
TOTAL	1623 18.0%	1659 20.3%	55 32.7%	3337 19.2%

(continued)

TABLE 4.1
CRIME AND FELONY CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (COLUMN PERCENTAGES)
2003 NEW COURT COMMITMENTS

CRIME AND CRIME CLASS	first felony offender	second felony offender	persist felony offender	TOTAL
CLASS D FELONY				
VEHICULR MANSL 2ND	18	0	1	19
RAPE 2ND	47	20	0	67
ATT ROBBERY 2ND	348	196	21	565
ROBBERY 3RD	154	223	3	380
ASSAULT 2ND	280	152	5	437
RECK ENDANGER 1ST	41	39	0	80
VEHIC ASSAULT 1ST	0	3	0	3
ATT GANG ASSAULT 2ND	4	3	0	7
ATT ASLT POLICE/FIRE/EMT	2	0	0	2
STALKING 1ST	2	0	0	2
ATT BURGLARY 2ND	168	134	18	320
BURGLARY 3RD	238	369	3	610
FAIL REGIS SEX 2ND	5	3	0	8
ATT GRAND LAR 2ND	2	2	0	4
GRAND LARCEN 3RD	74	61	0	135
WLFARE FRAUD 3 D FELONY	1	2	0	3
GR LAR 3RD AUTO	14	35	0	49
AUTO STRIPPING 1ST	1	0	0	1
STOLEN PROP 3RD	38	77	1	116
TAMP PUB RECDS 1ST	0	1	0	1
ATT CRIM USURY 1ST	0	1	0	1
IDENTITY THEFT 1	3	5	0	8
ATT MONEY LAUNDERING 2	0	1	0	1
INSUR FRAUD 3RD	6	2	0	8
ATT POS FORGE 1ST	3	3	0	6
FORGERY 2ND	29	49	0	78
POS FORGE INS 2ND	52	65	1	118
ATT ARSON 3RD	8	5	0	13
ATT PRO PROST 2ND	1	1	0	2
PROMO PROSTI 3RD	4	3	0	7
SODOMY 2ND	41	7	0	48
SEXUAL ABUSE 1ST	163	47	6	216
ATT AG SEX ABU 2ND	1	0	0	1
AG SEX ABUSE 3RD	0	0	1	1
SEX CONDUCT CHILD 2ND	15	4	1	20
ATT CSCS 4TH	2	11	0	13
ATT CPCS 4TH	20	63	0	83
CSCS 5TH	164	1003	1	1168
CPCS 5TH	195	446	0	641
ATT CR SALE MARI	1	0	0	1
ATT CR POS MARI1	0	2	0	2
CRIM SALE MARI 2	4	2	0	6
CRIM POS MARI 2	10	7	0	17
C POS WEAPON 3RD	161	121	7	289
ATT C POS WEAP 2ND	23	14	1	38
CR POS WEAP 3 SUB1,2,3	41	87	4	132
ATT CR SALE FIREARM 2ND	1	0	0	1
CRIM SALE FIREARM 3RD	5	5	0	10
DWI: ALC OR DRGS 3 OFF	157	2	0	159
DIS INDEC MAT MIN 1ST	2	1	0	3
PROMO CHILD PORN	2	1	0	3
PROMO CHILD SEX	3	0	0	3
DRIVE IMPAIR 3 OFF	2	0	0	2
FALSLY REPRT INCIDNT-1ST	3	0	0	3
CRIM MISCHIEF 2ND	8	11	0	19
CRIM TRESPASS 1ST	1	0	0	1
ESCAPE 1ST	0	3	0	3
CONTRABAND 1ST	1	17	0	18
HINDER PROSEC 1ST	0	1	0	1
COERCION 1ST	0	4	0	4
AGG.CRIMINAL CONTEMPT	14	8	1	23
BAIL JUMPING 1ST	3	5	0	8
PERJURY 1ST	3	1	0	4
BRIBING WITNESS	1	0	0	1
INTIMIDATE WIT 2ND	1	0	0	1
BRIBERY 3RD	0	1	0	1
CONSPIRACY 3RD	0	3	0	3
CRIM SOLI 2ND	1	0	0	1
ATT CRIM FACIL 2ND	0	1	0	1
JO-CRIM POSS WEAP 3 SCH	1	0	0	1
TOTAL	2593 28.8%	3333 40.8%	75 44.6%	6001 34.6%

(continued)

TABLE 4.1
CRIME AND FELONY CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (COLUMN PERCENTAGES)
2003 NEW COURT COMMITMENTS

CRIME AND CRIME CLASS	first felony offender	second felony offender	persist felony offender	TOTAL
CLASS E FELONY				
CRIM NEGLIGENCE HOMICIDE	18	2	0	20
ATT RAPE 2ND	12	11	0	23
RAPE 3RD	39	39	0	78
ATT ROBBERY 3RD	31	95	0	126
ATT ASSAULT 2ND	65	150	0	215
ASSAULT 3RD	1	0	0	1
ATT RECK ENDANG1ST	5	19	0	24
VEHIC ASSAULT 2ND	8	3	0	11
HEMORRHOID	0	2	0	2
STALKING 2ND	0	2	0	2
ATT BURGLARY 3RD	93	211	2	266
ATT FAIL REGIS SEX 2ND	0	2	0	2
ATT GRAND LAR 3RD	3	32	0	35
GRAND LARCEN 4TH	98	252	4	354
WELFARE FRAUD 4TH DEG	0	2	0	2
UNLAW USE VEHIC 2ND	2	30	1	33
ATT OR LAR 3RD AUTO	0	16	0	16
OR LAR 4TH AUTO	26	43	0	69
AUTO STRIPPING 2ND	1	17	0	18
ATT STOLN PROP 3RD	1	18	0	19
STOLEN PROP 4TH	96	163	2	221
TRADE COUNTERFEIT 2ND	0	2	0	2
FALSE BUS RCDS 1ST	3	1	0	4
FALSE INSTRUMENT	3	4	0	7
DEFRAUD 1ST	11	9	0	20
ATT IDENTITY THEFT 1	0	1	0	1
MONEY LAUNDERING 4	0	1	0	1
ATT INS FRAUD 3RD	0	1	0	1
INSUR FRAUD 4TH	0	1	0	1
SECURITIES FRAUD	1	1	0	2
ATT FORGERY 2ND	8	46	1	55
ATT POS FORGE 2ND	14	56	0	70
ATT POS FORGE DEVICE	0	2	0	2
ILL VEHIC PLATE	2	1	0	3
ARSON 4TH	6	2	0	8
ATT PRO PROST 3RD	0	1	0	1
PATRO PROST 2ND	1	0	0	1
ATT SODOMY 2ND	7	2	0	9
SODOMY 3RD	19	10	0	29
ATT SEX ABUSE 1ST	28	33	0	61
INCEST	1	1	0	2
ATT AG SEX ABU 3RD	0	1	0	1
ATT SEX CONDUCT CHILD 2ND	1	2	0	3
AGG SEX ABUSE 4TH	1	0	0	1
PUBLIC HEALTH LAW	0	1	0	1
ATT CSCS 5TH	10	184	0	194
ATT CPCS 5TH	25	203	2	230
ATT CR SALE MAR2	2	3	0	5
ATT CR POS MAR2	2	1	0	3
CRIM SALE MAR1 3	6	3	0	9
CRIM POS MAR1 3	4	9	0	13
ATT C POS WEAP 3RD	45	120	5	170
ATT CR POS WEAP 3 SUB1-3	9	91	0	100
DRIVE INTOX 2 OFF	264	4	0	270
ATT DIS INDEC MAT MIN 1ST	3	0	0	3
POS OBS SEX PERF BY CHILD	5	1	0	6
POS SEX PERF CHILD E FELON	7	0	0	7
DRIVE IMPAIR 2 OFF	1	0	0	1
LEAVE ACCIDENT SCENE	6	1	0	7
UNLICENSED DRIVER	90	2	0	92
ATT FLSLY RPRT INCDNT-1ST	1	0	0	1
FALSLY RPRT INCDNT-2ND	0	2	0	2
CRIM NUISANCE 1	2	2	0	4
AGG HAR: EMPER BY INMATE	3	1	0	4
PROMO GAMBLING 1ST	0	1	0	1
ATT CR MISCHIEF2ND	1	1	0	2
CRIM MISCHIEF 3RD	13	25	1	39
CERETARY DESEC 1ST	2	0	0	2
ATT CR TRESPASS1ST	0	2	0	2
ATT ESCAPE 1ST	0	1	0	1
ESCAPE 2ND	3	2	0	5
ABSCONDING 1ST	0	1	0	1
ATT CONTRABAND 1ST	3	20	0	23
HINDER PROSEC 2ND	1	0	0	1
UNLAWFUL IMPRIS 1ST	2	4	1	7
ATT COERCION 1ST	0	3	0	3
ATT AGG.CRIM.CONTEMPT	0	4	0	4
BAIL JUMPING 2ND	11	20	0	31
TAMPERING EVIDENCE	2	4	0	6
CONTEMPT 1ST	61	80	0	141
TAMP WITNESS 3RD	1	0	0	1
ATT TAMP WITNESS2ND	1	0	0	1
ATT PERJURY 1ST	0	3	0	3
PERJURY 2ND	0	1	0	1
ATT BRIBING WITNESS	0	1	0	1
INTIMIDATE WIT 3RD	1	3	0	4
ATT BRIBE REC 3RD	1	0	0	1
CONSPIRACY 4TH	7	5	0	12
TOTAL	1122	2105	19	3246
	12.5%	25.6%	11.3%	18.7%
YOUTHFUL OFFENDER				
YOUTHFUL OFFENDER	560	0	0	560
TOTAL	560	0	0	560
	6.2%	.0%	.0%	3.2%
GRAND TOTAL	9002	8173	168	17343
	100.0%	100.0%	100.0%	100.0%

The percent of first, second, and persistent felony offenders in each felony class group is presented in Table 4.2. 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. As one moves from the Class A-II category to the Class E category the proportion of second felony offenders steadily increases. Two-thirds of Class E (65%) and 56% of Class D commitments were second felony offenders whereas, only 30% of Class B commitments were second felony offenders.

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 2003 in Table 4.3.

Trends in Commitments by Felony Class

Table 4.4 shows changes across the years 2000-2003 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 declined from 51% of all offenders in 2000 to 47% in 2003. Class D first felony commitments experienced the largest percentage change of all offenders, increasing from 13% of all commitments in 2000 to 15% of all commitments in 2003.

TABLE 4.2
CRIME CLASS BY 1ST OR 2ND FELONY OFFENDER STATUS (ROW PERCENTAGES)
2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	first felony offender	second felony offender	persist felony offender	TOTAL
A-I FELONY	316 100.0%	0 .0%	0 .0%	316 100.0%
A-II FELONY	533 84.9%	95 15.1%	0 .0%	628 100.0%
CLASS B FELONY	2255 69.3%	981 30.1%	19 .6%	3255 100.0%
CLASS C FELONY	1623 48.6%	1659 49.7%	55 1.6%	3337 100.0%
CLASS D FELONY	2593 43.2%	3333 55.5%	75 1.2%	6001 100.0%
CLASS E FELONY	1122 34.6%	2105 64.8%	19 .6%	3246 100.0%
YOUTHFUL OFFENDER	560 100.0%	0 .0%	0 .0%	560 100.0%
TOTAL	9002 51.9%	8173 47.1%	168 1.0%	17343 100.0%

TABLE 4.3
CRIME BY FELONY CRIME CLASS AND SECOND FELONY STATUS; 2003 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	CLASS E	SUBTOTAL
VIOLENT FELONY														
MURDER	253	0	0	0	0	0	0	253	0	0	0	0	0	0
ATTEMPTED MURDER	6	0	88	0	0	0	0	94	0	25	0	0	0	25
MANSLAUGHTER 1ST	0	0	108	0	0	0	0	108	0	30	2	0	0	32
RAPE 1ST	0	0	72	48	0	0	0	120	0	19	9	0	0	28
ROBBERY 1ST	0	0	291	186	0	0	0	477	0	134	102	0	0	236
ROBBERY 2ND	0	0	0	271	348	0	0	619	0	43	134	196	0	330
ASSAULT 1ST	0	0	171	99	0	0	0	260	0	0	40	0	0	40
ASSAULT 2ND	0	0	0	14	286	0	0	300	0	0	1	155	0	156
BURGLARY 1ST	0	0	55	16	0	0	0	71	0	26	16	0	0	42
BURGLARY 2ND	0	0	0	161	168	0	0	329	0	0	155	136	0	289
ARSON	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARSON 1ST,2ND	2	0	19	10	0	0	0	31	0	5	2	0	0	7
SODOMY 1ST	0	0	75	33	0	0	0	108	0	18	11	0	0	29
SEX AB-1ST,AG-2	0	0	29	5	179	1	0	214	0	10	2	51	2	65
WEAPONS OFFENSES	0	0	12	94	185	45	0	336	0	5	49	135	130	309
KIDNAPING 1ST,2ND	9	0	7	6	0	0	0	22	0	5	5	0	0	10
OTHER VIOLENT FELONIES	0	0	0	0	6	1	0	7	0	0	0	0	2	2
SUBTOTAL	270	0	927	933	1172	47	0	3349	0	320	528	671	134	1643
	8.1%	0%	27.7%	27.9%	35.0%	1.4%	0%	100.0%	0%	19.5%	32.1%	40.8%	7.5%	100.0%
OTHER COERCIVE														
MANSLAUGHTER 2ND	0	0	0	41	0	0	0	41	0	0	0	0	0	0
OTHER HOMICIDE	0	0	0	1	18	18	0	37	0	0	1	0	2	3
ROBBERY 3RD	0	0	0	0	154	31	0	185	0	0	0	223	95	318
ATT ASSAULT 2ND	0	0	0	0	0	65	0	65	0	0	0	0	150	150
CONSPIRACY 2,3,4	0	0	56	6	0	7	0	69	0	11	5	0	5	24
OTHER WEAPONS	0	0	0	0	46	9	0	55	0	0	0	92	91	183
OTHER SEX OFFENSES	0	0	0	5	93	107	0	205	0	0	0	28	97	125
OTHER COERCIVE	0	0	0	22	49	24	0	95	0	1	6	51	39	97
SUBTOTAL	0	0	56	75	360	261	0	752	0	12	20	357	479	908
	0%	0%	7.4%	10.0%	47.9%	34.7%	0%	100.0%	0%	1.3%	2.2%	43.7%	52.8%	100.0%
DRUG OFFENSES														
DRUG SALE	7	232	689	340	171	18	0	1487	32	418	793	1016	192	2451
DRUG POSSESSION	26	301	528	193	225	31	0	1304	63	227	299	518	214	1321
SUBTOTAL	33	533	1217	533	396	49	0	2761	95	645	1092	1534	406	3772
	1.2%	19.3%	44.1%	19.3%	14.3%	1.8%	0%	100.0%	2.5%	17.1%	29.0%	40.7%	10.8%	100.0%
PROPERTY AND OTHER OFFENSES														
BURGLARY 3RD	0	0	0	0	238	53	0	291	0	0	0	369	211	580
GRAND LARCENY	0	0	12	59	91	130	0	292	0	1	10	98	390	499
FORGERY	0	0	0	7	84	24	0	115	0	0	5	117	105	227
STOLEN PROPERTY	0	0	1	1	38	57	0	97	0	0	3	77	181	261
DRIVE INTOXICATED	0	0	0	0	159	267	0	426	0	0	0	2	4	6
CONTENTMENT 1ST	0	0	0	0	0	61	0	61	0	0	0	0	80	80
ALL OTHER FELONIES	0	0	16	13	54	173	0	256	0	3	1	68	125	197
SUBTOTAL	0	0	29	80	664	765	0	1538	0	4	19	731	1096	1850
	0%	0%	1.9%	5.2%	43.2%	49.7%	0%	100.0%	0%	0.2%	1.0%	39.5%	59.2%	100.0%
YOUTHFUL/JUVENILE														
YOUTHFUL OFFENDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0
JUVENILE OFFENDER	13	0	26	2	1	0	0	42	0	0	0	0	0	0
SUBTOTAL	13	0	26	2	1	0	0	602	0	0	0	0	0	0
	2.2%	0%	4.3%	0.3%	0.2%	0%	0%	100.0%	0%	0%	0%	0%	0%	0%
GRAND TOTAL	316	533	2255	1623	2593	1122	560	9002	95	981	1659	3333	2105	8173
	3.5%	5.9%	25.0%	18.0%	28.8%	12.5%	6.2%	100.0%	1.2%	12.0%	20.3%	40.8%	25.8%	100.0%

(continued)

TABLE 4.3
CRIME BY FELONY CRIME CLASS AND SECOND FELONY STATUS; 2003 NEW COURT COMMITMENTS

COMMITMENT OFFENSE	PERSISTENT FELONY					TOTAL							
	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	253	0	0	0	0	0	0	253
ATTEMPTED MURDER	0	0	0	0	0	6	0	113	0	0	0	0	119
MANSLAUGHTER 1ST	0	0	0	0	0	0	0	138	2	0	0	0	140
RAPE 1ST	0	1	0	0	1	0	0	91	58	0	0	0	149
ROBBERY 1ST	12	10	0	0	22	0	0	437	298	0	0	0	735
ROBBERY 2ND	0	11	21	0	32	0	0	0	416	555	0	0	971
ASSAULT 1ST	0	0	0	0	0	0	0	214	129	0	0	0	343
ASSAULT 2ND	0	0	0	0	0	0	0	0	0	446	0	0	446
BURGLARY 1ST	5	0	5	0	10	0	0	86	32	320	0	0	438
BURGLARY 2ND	0	23	18	0	41	0	0	24	0	0	0	0	61
ARSON 1ST, 2ND	0	0	0	0	0	2	0	0	12	0	0	0	12
ARSON 1ST	0	0	0	0	0	0	0	0	45	0	0	0	45
SEX AB-1ST, AG. 2	0	1	0	0	1	0	0	93	0	0	0	0	93
WEAPONS OFFENSES	0	0	8	0	8	0	0	39	0	238	3	0	280
KIDNAPPING 1ST, 2ND	0	4	0	5	9	0	0	17	147	328	170	0	662
OTHER VIOLENT FELONIES	1	0	0	0	1	9	0	13	11	0	0	0	33
SUBTOTAL	18	50	60	5	133	270	0	1265	1511	1903	176	0	5129
	13.5%	37.6%	45.1%	3.8%	100.0%	5.3%	.0%	24.7%	29.5%	37.1%	3.4%	.0%	100.0%
OTHER COERCIVE													
MANSLAUGHTER 2ND	0	1	0	0	1	0	0	0	50	0	0	0	50
OTHER HOMICIDE	0	0	1	0	1	0	0	0	2	19	120	0	141
ROBBERY 3RD	0	0	3	0	3	0	0	0	0	380	0	0	380
ATT ASSAULT 2ND	0	0	0	0	0	0	0	0	0	0	215	0	215
CONSPIRACY 2, 3, 4	0	0	0	0	0	0	0	67	11	3	0	0	81
OTHER WEAPONS	0	0	4	0	4	0	0	0	0	142	100	0	242
OTHER SEX OFFENSES	0	0	0	0	0	0	0	0	5	121	204	0	330
OTHER COERCIVE	0	0	0	1	1	0	0	1	28	100	64	0	193
SUBTOTAL	0	1	8	1	10	0	0	68	96	765	741	0	1670
	.0%	10.0%	80.0%	10.0%	100.0%	.0%	.0%	4.1%	5.7%	45.8%	44.4%	.0%	100.0%
DRUG OFFENSES													
DRUG SALE	1	2	1	0	4	7	264	1108	1135	1188	210	0	3912
DRUG POSSESSION	0	2	0	2	4	26	364	755	494	743	247	0	2629
SUBTOTAL	1	4	1	2	8	33	628	1863	1629	1931	457	0	6541
	12.5%	50.0%	12.5%	25.0%	100.0%	.5%	9.6%	28.5%	24.9%	29.5%	7.0%	.0%	100.0%
PROPERTY AND OTHER OFFENSES													
BURGLARY 3RD	0	0	3	2	5	0	0	0	0	610	266	0	876
GRAND LARCENY	0	0	0	5	5	0	0	13	69	189	525	0	796
FORGERY	0	0	1	1	2	0	0	0	12	202	130	0	344
STOLEN PROPERTY	0	0	1	2	3	0	0	1	4	116	240	0	361
DRIVE INTOXICATED	0	0	0	0	0	0	0	0	0	161	271	0	432
CONTEMPT 1ST	0	0	0	0	0	0	0	0	0	141	0	0	141
ALL OTHER FELONIES	0	0	1	1	2	0	0	19	14	123	299	0	455
SUBTOTAL	0	0	6	11	17	0	0	33	99	1401	1872	0	3405
	.0%	.0%	35.3%	64.7%	100.0%	.0%	.0%	1.0%	2.9%	41.1%	55.0%	.0%	100.0%
YOUTHFUL/JUVENILE													
YOUTHFUL OFFENDER	0	0	0	0	0	0	0	0	0	0	0	560	560
JUVENILE OFFENDER	0	0	0	0	0	13	0	26	2	1	0	0	42
SUBTOTAL	0	0	0	0	0	13	0	26	2	1	0	560	602
	.0%	.0%	.0%	.0%	.0%	2.2%	.0%	4.3%	.3%	.2%	.0%	93.0%	100.0%
GRAND TOTAL	19	55	75	19	168	316	628	3255	3337	6001	3246	560	17343
	11.3%	32.7%	44.6%	11.3%	100.0%	1.8%	3.6%	18.0%	19.2%	34.6%	18.7%	3.2%	100.0%

TABLE 4.4
CRIME CLASS AND SECOND FELONY OFFENDER STATUS BY YEAR
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS	2000		2001		2002		2003	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
FIRST FELONY								
A-I FELONY	361	1.9%	319	1.9%	329	1.9%	316	1.8%
A-II FELONY	501	2.7%	417	2.5%	501	2.9%	533	3.1%
CLASS B FELONY	2513	13.5%	2376	14.4%	2384	14.0%	2255	13.0%
CLASS C FELONY	1571	8.5%	1387	8.4%	1553	9.1%	1623	9.4%
CLASS D FELONY	2366	12.7%	2290	13.9%	2344	13.8%	2593	15.0%
CLASS E FELONY	1103	5.9%	1019	6.2%	1030	6.1%	1122	6.5%
YOUTHFUL OFFENDER	522	2.8%	544	3.3%	513	3.0%	560	3.2%
TOTAL	8937	48.1%	8352	50.6%	8654	50.9%	9002	51.9%
SECOND FELONY								
A-II FELONY	57	.3%	60	.4%	82	.5%	95	.5%
CLASS B FELONY	1294	7.0%	1002	6.1%	1101	6.5%	981	5.7%
CLASS C FELONY	2157	11.6%	1687	10.2%	1735	10.2%	1659	9.6%
CLASS D FELONY	3808	20.5%	3220	19.5%	3256	19.1%	3333	19.2%
CLASS E FELONY	2141	11.5%	2047	12.4%	2032	11.9%	2105	12.1%
TOTAL	9457	50.9%	8016	48.6%	8206	48.2%	8173	47.1%
PERSIST FELONY								
CLASS B FELONY	40	.2%	31	.2%	38	.2%	19	.1%
CLASS C FELONY	63	.3%	42	.3%	53	.3%	55	.3%
CLASS D FELONY	54	.3%	44	.3%	49	.3%	75	.4%
CLASS E FELONY	12	.1%	14	.1%	8	.0%	19	.1%
TOTAL	169	.9%	131	.8%	148	.9%	168	1.0%
GRAND TOTAL	18563	100.0%	16499	100.0%	17008	100.0%	17343	100.0%

Section 5

MINIMUM AND MAXIMUM SENTENCE

Persons committed to prison in New York State in 2003 received a sentence based on either (1) the penal law in effect prior 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 September 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.

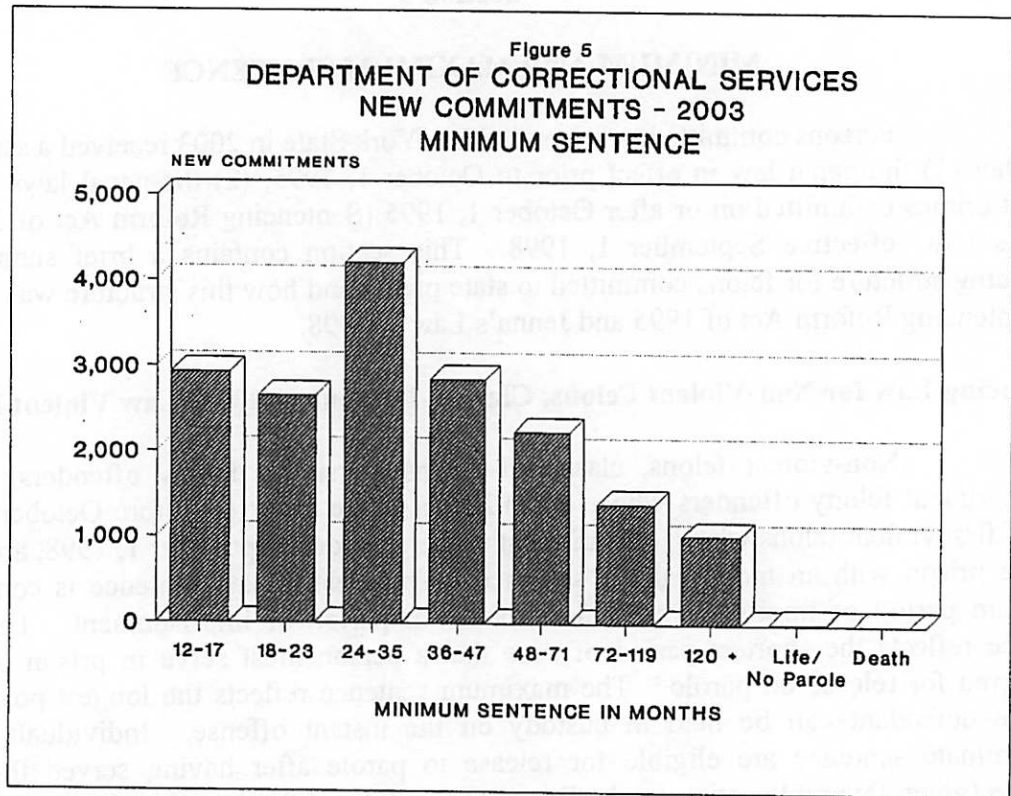
Sentencing Law for Non-Violent Felons, Class A-1 Felons and Old Law Violent Felons

Non-violent felons, class A-1 felons, persistent felony offenders, and second felony, violent felony offenders whose commitment crime occurred before October 1, 1995, as well as first violent felons whose commitment crime preceded September 1, 1998, 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.² 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 two-thirds of the maximum sentence has been served).³ Persons in custody may serve past their conditional release dates if they have lost "good time" during service of their sentence either for disciplinary reasons or for failure to satisfactorily participate in designated treatment programs, such as sex offender treatment, aggression replacement therapy or alcohol and substance abuse treatment.⁴

² Felony criminal offenses in New York are classified according to felony categories (Class A-1, A-II, 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. Appendix A presents a brief summary of the sentences that apply to each felony class category.

³ Since class A felony offenders and Persistent Felony Offenders have life maximum sentences, there are no "conditional release dates" because there are no fixed dates which constitute two-thirds of Life sentences.

⁴ Good time refers to days deducted from the maximum sentence for inmates while under custody. Offenders serving indeterminate sentences with less than "life" maximums, may earn up to one-third off of the maximum sentence. Offenders who receive a determinate sentence may earn one-seventh off the determinate sentence for good behavior. These violent offenders can be released after serving six-sevenths of the determinate sentence, provided they have not lost good time.



MINIMUM SENTENCE
2003 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	29	425	934	1,028	522	2,938	16.9%
18 - 23 MONTHS	630	393	566	1,057	13	2,659	15.3%
24 - 35 MONTHS	675	532	2,031	939	33	4,210	24.3%
36 - 47 MONTHS	791	180	1,598	272	14	2,855	16.5%
48 - 71 MONTHS	1,093	91	981	62	12	2,239	12.9%
72 - 119 MONTHS	972	31	359	28	8	1,398	8.1%
120 +	919	18	72	19	0	1,028	5.9%
LIFE/NO PAROLE	15	0	0	0	0	15	0.1%
DEATH	1	0	0	0	0	1	0.0%
TOTAL COMMITMENTS	5,125	1,670	6,541	3,405	602	17,343	100.0%

Second Felons

Under the law prior to October 1, 1995, all second felony offenders were required to serve one-half of their maximum sentences. Under the 1995 Sentencing Reform Act, a second, violent felony offender must receive a determinate sentence. That is, when the crime commission dates are after October 1, 1995, second violent felons receive a maximum term that is fixed by the judge for a specific length of time. For each felony class category there is a range in which the judge may select a fixed sentence. Since the sentence is determinate (i.e., fixed at a specified length), 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 a determinate sentence case is computed to be six-sevenths of the determinate sentence.

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. 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.

First Felons

For first felony offenders sentenced to state prison for violent felony crimes 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 the date of the crime was prior to October 1, 1995, the minimum term was one-third of 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 1995, to a range of 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 all offenses that are not designated as a violent felony, the judge must fix the minimum period of imprisonment at some point between one-year and one-third of the maximum term.

Effective September 1, 1998, the New York State Legislature extended determinate sentencing to persons convicted of first violent felony crimes. As with second violent felons convicted after October 1, 1995, first violent felons receive a maximum term fixed by the judge at sentencing. First violent felons are no longer 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 1/7th of the determinate sentence for good behavior (see Appendix A).

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 felon 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 2003 commitments is presented in Table 5.1 (also see Figure 5).

TABLE 5.1 CRIME BY MINIMUM SENTENCE: 2003 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
VIOLENT FELONY										
MURDER	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	257 93.7X	15 5.9X	1 .4X	253 100.0X
ATTEMPTED MURDER	0 .0X	0 .0X	0 .0X	0 .0X	27 22.7X	89 49.6X	33 27.7X	0 .0X	0 .0X	119 100.0X
HANSLAUGHTER 1ST	0 .0X	0 .0X	1 .7X	2 1.4X	7 5.0X	35 25.0X	95 67.9X	0 .0X	0 .0X	140 100.0X
RAPE 1ST	0 .0X	0 .0X	2 1.3X	27 18.1X	26 17.4X	47 31.5X	47 31.5X	0 .0X	0 .0X	149 100.0X
ROBBERY 1ST	1 .1X	1 .1X	8 1.1X	123 16.7X	231 31.4X	244 33.2X	127 17.3X	0 .0X	0 .0X	735 100.0X
ROBBERY 2ND	1 .1X	191 19.5X	207 21.1X	218 22.2X	181 18.5X	121 12.3X	62 6.3X	0 .0X	0 .0X	981 100.0X
ASSAULT 1ST	0 .0X	1 .3X	3 .9X	55 15.5X	115 32.9X	104 30.9X	47 19.5X	0 .0X	0 .0X	343 100.0X
ASSAULT 2ND	0 .0X	123 26.7X	124 26.9X	67 14.5X	102 22.1X	36 7.8X	9 2.0X	0 .0X	0 .0X	461 100.0X
BURGLARY 1ST	0 .0X	0 .0X	0 .0X	10 8.5X	33 28.0X	42 36.4X	32 27.1X	0 .0X	0 .0X	118 100.0X
BURGLARY 2ND	2 .3X	85 12.9X	108 16.4X	127 19.3X	149 24.3X	107 16.2X	70 10.6X	0 .0X	0 .0X	659 100.0X
ARSON 1ST,2ND	0 .0X	1 2.6X	0 .0X	9 23.7X	11 28.9X	9 23.7X	6 21.1X	0 .0X	0 .0X	38 100.0X
SODOMY 1ST	0 .0X	0 .0X	3 2.2X	20 14.3X	23 16.7X	54 39.1X	38 27.5X	0 .0X	0 .0X	138 100.0X
SEX-AB-1ST,AB-2	5 1.7X	63 22.0X	54 18.8X	34 12.5X	41 21.3X	40 15.9X	28 9.8X	0 .0X	0 .0X	287 100.0X
WEAPONS OFFENSES	19 2.9X	160 24.2X	162 24.5X	96 14.5X	112 16.9X	43 9.5X	50 7.6X	0 .0X	0 .0X	462 100.0X
KIDNAPPING 1ST,2ND	0 .0X	0 .0X	0 .0X	3 9.1X	6 18.2X	8 24.2X	16 48.5X	0 .0X	0 .0X	33 100.0X
OTHER VIOLENT FELONIES	1 11.1X	5 59.4X	3 33.3X	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	9 100.0X
SUBTOTAL	29 .6X	480 12.3X	475 13.2X	791 15.4X	1095 21.3X	972 19.0X	919 17.9X	15 .3X	1 .0X	3125 100.0X
OTHER COERCIVE										
HANSLAUGHTER 2ND	4 8.0X	1 2.0X	8 16.0X	14 32.0X	13 26.0X	5 10.0X	3 6.0X	0 .0X	0 .0X	50 100.0X
OTHER HOMICIDE	26 63.4X	3 7.3X	9 22.0X	1 2.4X	2 4.9X	0 .0X	0 .0X	0 .0X	0 .0X	41 100.0X
ROBBERY 3RD	112 22.1X	91 18.0X	195 38.5X	77 15.2X	23 4.5X	4 .8X	4 .8X	0 .0X	0 .0X	506 100.0X
ATT ASSAULT 2ND	53 24.7X	180 46.5X	56 26.0X	4 1.9X	2 .9X	0 .0X	0 .0X	0 .0X	0 .0X	215 100.0X
CONSPIRACY 2,3,4	21 22.6X	3 5.2X	18 19.4X	19 20.4X	20 21.5X	8 8.4X	4 4.3X	0 .0X	0 .0X	95 100.0X
OTHER WEAPONS	30 12.4X	85 35.1X	88 36.4X	25 9.5X	10 4.1X	2 .8X	4 1.7X	0 .0X	0 .0X	242 100.0X
OTHER SEX OFFENSES	133 40.3X	45 19.7X	94 28.5X	19 5.8X	11 3.3X	7 2.1X	1 .3X	0 .0X	0 .0X	330 100.0X
OTHER COERCIVE	46 23.8X	45 25.3X	64 35.2X	21 10.9X	10 5.2X	5 2.6X	2 1.0X	0 .0X	0 .0X	195 100.0X
SUBTOTAL	425 25.4X	393 23.5X	532 31.9X	180 10.8X	91 5.4X	31 1.9X	18 1.1X	0 .0X	0 .0X	1670 100.0X
DRUG OFFENSES										
DRUG SALE	534 13.7X	284 7.3X	1271 32.3X	1007 25.7X	626 16.0X	169 4.3X	21 .5X	0 .0X	0 .0X	3912 100.0X
DRUG POSSESSION	400 15.2X	282 10.7X	760 28.9X	591 22.5X	355 13.5X	190 7.2X	51 1.9X	0 .0X	0 .0X	2629 100.0X
SUBTOTAL	934 14.3X	566 8.7X	2031 31.1X	1598 24.4X	981 15.0X	359 5.5X	72 1.1X	0 .0X	0 .0X	6541 100.0X
PROPERTY AND OTHER OFFENSES										
BURGLARY 3RD	166 18.9X	223 25.5X	322 36.8X	128 14.4X	20 2.3X	12 1.4X	5 .4X	0 .0X	0 .0X	876 100.0X
GRAND LARCENY	162 20.4X	335 42.1X	216 27.1X	49 6.2X	18 2.3X	8 1.0X	8 1.0X	0 .0X	0 .0X	794 100.0X
FORGERY	71 20.6X	116 33.7X	116 33.7X	33 9.6X	4 1.7X	1 .3X	1 .3X	0 .0X	0 .0X	344 100.0X
STOLEN PROPERTY	41 16.9X	166 46.0X	96 26.4X	30 8.3X	5 1.4X	1 .3X	2 .6X	0 .0X	0 .0X	361 100.0X
DRIVE INTOXICATED	346 80.1X	35 8.1X	48 11.1X	3 .7X	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	432 100.0X
CONTEMPT 1ST	44 31.2X	44 45.4X	29 20.6X	2 1.4X	2 1.4X	0 .0X	0 .0X	0 .0X	0 .0X	141 100.0X
ALL OTHER FELONIES	178 39.1X	118 25.9X	112 24.4X	27 5.9X	11 2.4X	4 1.3X	3 .7X	0 .0X	0 .0X	455 100.0X
SUBTOTAL	1028 30.2X	1057 31.0X	939 27.6X	272 8.0X	42 1.8X	28 .8X	19 .4X	0 .0X	0 .0X	3495 100.0X
YOUTHFUL/JUVENILE										
YOUTHFUL OFFENDER	520 92.9X	13 2.3X	22 3.9X	4 .7X	1 .2X	0 .0X	0 .0X	0 .0X	0 .0X	560 100.0X
JUVENILE OFFENDER	2 4.8X	0 .0X	11 26.2X	10 23.8X	11 26.2X	8 19.0X	0 .0X	0 .0X	0 .0X	42 100.0X
SUBTOTAL	522 86.7X	13 2.2X	33 5.5X	14 2.3X	12 2.0X	8 1.3X	0 .0X	0 .0X	0 .0X	602 100.0X
GRAND TOTAL	2938 16.9X	2659 15.3X	4210 24.3X	2885 14.5X	2239 12.9X	1598 8.1X	1028 5.9X	15 .1X	1 .0X	17343 100.0X

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 2003. 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 2003 was 45 months. The average minimum sentence for violent felony crimes was 83 months; for other coercive crimes it was 27 months, for drug offenders 35 months; for property offenders 22 months; and for Youthful/Juvenile Offenders 17 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 67 months, for second felony offenders convicted of Robbery 1st it was 104 months, and for persistent felony offenders committed for Robbery 1st the average was 244 months (see Table 5.2). The reader should note, however, that the average minimum sentence for second felony offenders is less than that of first felony offenders. This is because the first felony category includes people sentenced for the class A-1 offenses of Murder 1st, Murder 2nd, Arson 1st and Kidnapping 1st. 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. Consequently, 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 2000 through 2003 is presented in Table 5.3. (This table combines persistent and second felony offenders). The table shows that the overall average minimum sentence increased between 2000 and 2003 for first felons from 44 months to 45 months. Among second felony offenders, the average minimum increased from 45 months in 2000 to 46 months in 2003.

The data in Table 5.3 show that the average minimum sentence for violent felony offenders remained the same from 2000 to 2001 (85 months), decreased to 84 months in 2002, and 83 months in 2003. Average minimum sentence for first violent felony offenders decreased from 82 months in 2000 to 80 months in 2003.

Among second felony offenders convicted of a violent felony, the average minimum sentence decreased from 91 months in 2000 to 84 months in 2002. The average minimum sentence for second felony offenders then rose back up in 2003 to 88 months.

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

TABLE 5-2 AVERAGE AND MEDIAN MINIMUM SENTENCE (IN MONTHS) BY CRIME
AND BY 1ST OR 2ND FELONY OFFENDER STATUS; 2003 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
VIOLENT FELONY												
MURDER	253	320.1	300.0	0	131.1	103.0	0	0	0	253	320.1	300.0
ATTEMPTED MURDER	94	109.7	82.0	25	156.5	103.0	0	0	0	119	114.2	82.0
MANSLAUGHTER 1ST	108	149.3	149.0	32	147.4	103.0	0	0	0	140	151.4	149.0
RAPE 1ST	120	105.2	82.0	28	104.0	51.0	1	192.0	192.0	149	113.7	82.0
ROBBERY 1ST	477	66.5	51.0	236	59.4	51.0	22	243.8	240.0	735	83.9	72.0
ROBBERY 2ND	619	37.3	35.0	330	120.3	82.0	32	182.6	186.0	981	49.5	36.0
ASSAULT 1ST	260	80.4	57.0	83	47.3	51.0	5	290.4	264.0	343	90.0	72.0
ASSAULT 2ND	300	34.8	28.0	156	107.8	94.5	0	222.0	240.0	461	41.8	31.0
BURGLARY 1ST	771	93.9	62.0	42	66.4	51.0	5	196.0	192.0	118	105.5	82.0
BURGLARY 2ND	329	58.7	36.0	289	111.3	103.0	41	60.6	60.6	659	60.6	51.0
ARSON	31	86.3	51.0	7	164.8	103.0	0	0	0	38	90.9	51.0
SODOMY 1ST	108	102.3	77.0	29	69.9	51.0	1	204.0	204.0	138	116.1	82.0
SEX-AB-1ST,Ag.2	214	49.4	36.0	65	69.9	51.0	8	348.0	350.0	287	62.4	41.0
WEAPONS OFFENSES	336	43.2	31.0	309	69.4	36.0	17	324.4	240.0	662	53.3	35.0
KIDNAPPING 1ST,2ND	22	216.5	113.0	10	140.1	82.0	1	600.0	600.0	33	205.0	103.0
OTHER VIOLENT FELONIES	7	22.4	21.0	2	26.0	26.0	0	0	0	9	23.2	21.0
SUBTOTAL	3349	80.4	51.0	1643	75.8	51.0	133	234.9	192.0	5125	82.9	51.0
OTHER COERCIVE												
MANSLAUGHTER 2ND	41	43.7	36.0	8	59.8	51.0	1	180.0	180.0	50	49.0	36.0
OTHER HOMICIDE	37	17.7	16.0	3	34.0	24.0	1	24.0	24.0	41	19.0	16.0
ROBBERY 3RD	185	19.3	16.0	318	29.6	24.0	3	174.0	180.0	506	26.7	24.0
ATT ASSAULT 2ND	65	15.1	12.0	150	21.1	18.0	0	0	0	215	19.3	18.0
CONSPIRACY 2,3,4	69	35.2	30.0	24	64.7	48.0	0	0	0	93	42.8	36.0
OTHER WEAPONS	55	20.6	16.0	183	28.2	24.0	4	366.0	300.0	242	29.8	24.0
OTHER SEX OFFENSES	205	21.2	16.0	125	24.7	24.0	0	0	0	330	22.5	18.0
OTHER COERCIVE	95	22.8	18.0	97	50.5	24.0	1	300.0	300.0	193	28.1	24.0
SUBTOTAL	752	22.7	16.0	908	27.9	24.0	10	249.0	282.0	1670	26.9	24.0
DRUG OFFENSES												
DRUG SALE	1487	28.7	24.0	2451	37.1	36.0	4	70.5	39.0	3912	34.0	30.0
DRUG POSSESSION	1304	34.3	24.0	1321	37.7	30.0	4	81.0	35.0	2629	36.1	30.0
SUBTOTAL	2761	31.4	24.0	3772	37.3	36.0	8	75.8	39.0	6541	34.9	30.0
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	291	19.2	16.0	580	27.6	24.0	5	292.8	180.0	876	26.4	24.0
GRAND LARCENY	292	21.3	16.0	499	22.7	18.0	5	159.6	180.0	796	23.1	18.0
FORGERY	118	17.2	16.0	227	24.7	24.0	2	96.0	96.0	344	22.6	18.0
STOLEN PROPERTY	97	17.5	16.0	261	22.9	18.0	3	146.0	180.0	361	22.5	18.0
DRIVE INTOXICATED	426	14.9	12.0	6	18.7	18.0	0	0	0	432	16.9	12.0
CONTEMPT 1ST	61	17.0	16.0	80	20.1	18.0	0	0	0	141	18.8	18.0
ALL OTHER FELONIES	256	18.3	15.5	197	24.8	24.0	2	180.0	180.0	455	21.8	18.0
SUBTOTAL	1538	17.9	16.0	1850	24.6	24.0	17	191.3	180.0	3405	22.4	18.0
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	560	14.5	12.0	0	0	0	0	0	0	560	14.5	12.0
JUVENILE OFFENDER	42	49.4	40.0	0	0	0	0	0	0	42	49.4	40.0
SUBTOTAL	602	16.9	12.0	0	0	0	0	0	0	602	16.9	12.0
GRAND TOTAL	9002	45.6	24.0	8173	41.1	30.0	168	223.8	192.0	17343	45.2	30.0

TABLE 5.3 CRIME BY AVERAGE MINIMUM SENTENCE (IN MONTHS)
BY FIRST OR SECOND FELONY OFFENDER STATUS AND BY YEAR RECEIVED; 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000			2001			2002			2003		
	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	314.2	205.4	314.2	329.2	181.3	329.2	314.4	155.6	314.4	320.1	131.1	320.1
ATTEMPTED MURDER	118.3	154.2	134.9	133.3	153.5	140.8	129.8	158.4	136.9	109.7	131.1	114.2
MANSLAUGHTER 1ST	119.9	154.2	128.5	122.3	153.5	129.8	140.8	158.4	136.9	109.7	131.1	114.2
RAPE 1ST	111.5	155.8	126.3	95.5	129.1	118.4	116.5	123.2	132.6	105.2	158.5	151.4
ROBBERY 1ST	68.6	125.7	91.7	71.4	125.4	90.3	69.5	123.2	88.9	66.5	148.9	113.7
ROBBERY 2ND	36.5	71.1	50.1	34.8	64.7	45.7	37.0	66.8	47.9	37.3	116.0	83.9
ASSAULT 1ST	68.0	125.6	84.6	73.5	99.2	81.0	73.2	109.7	83.6	80.4	120.3	90.0
ASSAULT 2ND	32.0	49.0	37.9	31.8	56.9	40.3	32.6	49.7	38.6	34.8	70.3	49.5
BURGLARY 1ST	76.1	125.9	100.1	79.2	128.1	98.4	81.3	132.2	100.6	93.9	123.1	105.5
BURGLARY 2ND	37.4	79.1	60.7	37.8	76.4	57.6	40.3	76.0	59.5	38.7	82.5	60.6
ARSON 1ST,2ND	75.8	118.0	93.0	75.2	96.2	80.5	78.9	84.8	80.6	86.3	111.3	90.9
SODOMY 1ST	86.5	145.1	100.3	112.6	165.8	119.7	108.3	111.1	108.9	102.3	165.8	116.1
SEX-AB-1ST,49.2	43.5	70.1	49.8	42.3	91.0	54.4	50.7	72.4	56.5	49.4	100.4	62.4
WEAPONS OFFENSES	33.3	50.9	41.7	35.3	47.6	41.3	35.6	44.3	39.9	43.2	63.8	53.3
KIDNAPPING 1ST,2ND	170.6	172.1	170.9	92.9	137.6	107.4	116.5	140.7	120.5	216.5	181.9	205.0
CONSPIRACY 1ST	276.0	276.0	276.0	300.0	300.0	300.0	264.0	264.0	264.0	264.0	264.0	264.0
OTHER VIOLENT FELONIES	-	156.0	156.0	57.0	-	57.0	20.5	30.0	23.7	22.4	26.0	23.2
TOTAL	81.5	90.5	84.8	83.6	86.9	84.8	83.6	84.3	83.9	80.4	87.7	82.9
OTHER COERCIVE												
MANSLAUGHTER 2ND	40.9	61.4	45.0	48.0	85.0	55.0	46.8	86.1	55.6	43.7	73.1	49.0
OTHER HOMICIDE	18.6	49.3	25.3	19.2	22.0	19.4	19.9	29.7	22.7	17.7	31.5	19.0
ROBBERY 3RD	20.2	26.9	24.8	17.6	29.5	25.5	18.1	28.2	24.3	19.3	30.9	26.7
ATT ASSAULT 2ND	15.8	21.4	19.7	13.5	20.6	18.5	14.1	20.4	18.7	15.1	21.1	19.3
CONSPIRACY 2,3,4	33.6	42.1	38.0	29.9	37.1	32.8	38.7	66.3	40.5	35.2	64.7	42.8
OTHER WEAPONS	18.3	28.4	25.5	19.1	24.8	23.0	20.6	25.0	23.8	20.6	32.5	29.8
OTHER SEX OFFENSES	23.2	29.6	25.4	21.6	25.6	23.1	21.9	25.2	22.2	21.2	26.7	22.5
OTHER COERCIVE	20.3	27.6	23.3	21.1	29.3	25.1	21.4	25.2	23.0	22.8	33.3	28.1
DRUG SALE	26.1	36.1	32.9	25.5	35.8	32.4	26.9	37.3	35.6	28.7	37.2	34.0
DRUG POSSESSION	35.9	35.6	35.7	32.5	36.7	33.6	34.0	36.1	35.0	34.3	37.8	36.1
BURGLARY 3RD	19.8	26.2	23.5	18.2	26.5	23.9	18.9	27.9	25.2	19.2	23.9	26.4
GRAND LARCENY	20.3	23.7	22.5	19.8	22.5	21.6	19.1	23.7	22.1	19.2	24.1	23.1
FORGERY	18.7	25.4	23.1	18.2	26.7	24.1	20.0	23.0	24.7	17.2	25.3	22.6
STOLEN PROPERTY	17.9	24.6	22.9	16.8	22.8	21.2	14.6	23.2	21.4	17.5	24.3	22.6
DRIVE INTOXICATED	14.9	17.5	14.9	14.6	18.5	14.7	14.6	12.0	14.6	14.9	18.7	14.9
YOUTHFUL OFFENDER	14.3	-	14.3	14.4	-	14.4	14.2	-	14.2	14.5	-	14.5
JUVENILE OFFENDER	49.0	-	49.0	57.7	-	57.7	49.7	-	49.7	49.4	-	49.4
CONTEMPT 1ST	17.0	20.7	19.2	14.3	20.4	17.7	15.3	22.1	19.3	17.0	20.1	18.8
ALL OTHER FELONIES	17.8	24.7	20.8	17.6	23.5	20.3	17.2	22.4	19.6	16.3	26.3	21.8
TOTAL	24.6	32.6	29.2	23.3	31.7	28.0	24.3	32.6	28.9	25.0	33.2	29.4
GRAND TOTAL	45.1	43.8	44.4	46.2	42.9	44.5	46.9	43.8	45.4	45.6	44.8	45.2

TABLE 5.4 CRIME BY MEDIAN MINIMUM SENTENCE (IN MONTHS)
BY FIRST OR SECOND FELONY OFFENDER STATUS AND BY YEAR RECEIVED 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000			2001			2002			2003		
	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	82.0	123.0	82.0	83.5	123.0	102.0	93.0	123.0	82.0	103.0		82.0
MANSLAUGHTER 1ST	120.0	144.0	120.0	113.0	150.0	120.0	154.0	154.0	149.0	149.0		149.0
RAPE 1ST	84.0	103.0	102.0	72.0	166.0	82.0	82.0	103.0	82.0	103.0		82.0
ROBBERY 1ST	51.0	102.0	72.0	51.0	103.0	72.0	51.0	103.0	72.0	99.0		72.0
ROBBERY 2ND	31.0	51.0	36.0	31.0	51.0	36.0	36.0	51.0	35.0	51.0		36.0
ASSAULT 1ST	51.0	102.5	62.0	51.0	82.0	67.0	51.0	82.0	57.0	82.0		72.0
ASSAULT 2ND	29.0	41.0	31.0	26.0	51.0	31.0	30.0	46.0	28.0	51.0		51.0
BURGLARY 1ST	62.0	103.0	82.0	51.0	102.0	82.0	62.0	102.0	62.0	102.0		82.0
BURGLARY 2ND	36.0	51.0	51.0	35.5	59.0	41.0	36.0	51.0	36.0	62.0		51.0
ARSON 1ST, 2ND	51.0	72.0	62.0	72.0	72.0	72.0	51.0	59.0	51.0	103.0		51.0
SODOMY 1ST	61.5	123.0	82.0	72.0	103.0	82.0	82.0	102.5	77.0	108.0		82.0
SEX-AB-1ST, AB-2	31.0	51.0	36.0	31.0	51.0	36.0	31.0	51.0	36.0	51.0		41.0
WEAPONS OFFENSES	30.0	35.0	31.0	30.0	35.5	31.0	30.5	31.0	31.0	41.0		35.0
KIDNAPPING 1ST, 2ND	103.0	105.0	103.0	72.0	103.0	82.0	60.5	82.5	113.0	82.0		103.0
CONSPIRACY 1ST	276.0		276.0	300.0		300.0	264.0		264.0			
OTHER VIOLENT FELONIES		156.0	156.0	57.0		57.0	20.5	30.0	21.0	26.0		21.0
TOTAL	46.0	62.0	51.0	51.0	62.0	51.0	51.0	62.0	51.0	62.0		51.0
OTHER COERCIVE												
MANSLAUGHTER 2ND	36.0	48.0	38.0	42.0	90.0	48.0	42.0	90.0	48.0	54.0		36.0
OTHER HOMICIDE	16.0	24.0	16.0	16.0	24.0	16.0	16.0	24.0	16.0	24.0		16.0
ROBBERY 3RD	18.0	24.0	24.0	16.0	24.0	24.0	16.0	24.0	16.0	24.0		24.0
ATT ASSAULT 2ND	16.0	18.0	18.0	12.0	18.0	18.0	12.0	18.0	12.0	18.0		18.0
CONSPIRACY 2,3,4	30.0	36.0	36.0	24.0	36.0	24.0	24.0	42.0	28.0	48.0		36.0
OTHER WEAPONS	16.0	24.0	20.5	16.0	24.0	18.0	18.0	24.0	16.0	24.0		24.0
OTHER SEX OFFENSES	16.0	24.0	18.0	16.0	24.0	18.0	12.0	24.0	18.0	24.0		18.0
OTHER COERCIVE	16.0	24.0	20.0	16.0	24.0	24.0	18.0	24.0	16.0	24.0		24.0
TOTAL	16.0	24.0	21.0	16.0	24.0	18.0	16.0	24.0	20.0	24.0		24.0
DRUG OFFENSES												
DRUG SALE	18.0	36.0	30.0	18.0	36.0	30.0	24.0	36.0	30.0	36.0		30.0
DRUG POSSESSION	24.0	30.0	30.0	24.0	30.0	24.0	24.0	30.0	24.0	30.0		30.0
TOTAL	24.0	35.0	30.0	24.0	30.0	30.0	24.0	36.0	30.0	36.0		30.0
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	16.0	24.0	24.0	16.0	24.0	24.0	16.0	24.0	24.0	24.0		24.0
GRAND LARCENY	16.0	18.0	18.0	16.0	18.0	18.0	16.0	18.0	16.0	18.0		18.0
FORGERY	16.0	24.0	24.0	16.0	24.0	24.0	16.0	24.0	16.0	24.0		18.0
STOLEN PROPERTY	16.0	18.0	18.0	12.0	18.0	18.0	12.0	18.0	12.0	18.0		18.0
DRIVE INTOXICATED	12.0	16.0	12.0	12.0	16.0	12.0	12.0	12.0	12.0	18.0		12.0
CONTEMPT 1ST	16.0	18.0	16.0	12.0	18.0	18.0	12.0	18.0	16.0	18.0		18.0
ALL OTHER FELONIES	12.0	18.0	18.0	12.0	18.0	18.0	12.0	18.0	15.5	24.0		18.0
TOTAL	16.0	24.0	18.0	12.0	24.0	18.0	12.0	24.0	18.0	24.0		18.0
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	12.0		12.0	12.0		12.0	12.0		12.0			12.0
JUVENILE OFFENDER	36.0		36.0	48.0		48.0	36.0		40.0			40.0
TOTAL	12.0		12.0	12.0		12.0	12.0		12.0			12.0
GRAND TOTAL	24.0	30.0	30.0	24.0	30.0	28.0	24.0	30.0	30.0	30.0		30.0

Minimum Sentence by Felony Class Category

Average minimum sentence by felony class category and second felony offender status for 2003 New Court Commitments is presented in Table 5.5. These figures show that as the felony class declines from A to E the average minimum sentence 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 D and E first felony offenders has remained steady over the period 2000 to 2003, while in comparison, the average minimum for class B and C first felony offenders has increased over the period 2000 to 2003.

TABLE 5.5
AVERAGE AND MEDIAN MINIMUM SENTENCE (IN MONTHS)
BY FELONY CLASS CATEGORY AND BY 1ST OR 2ND FELONY OFFENDER STATUS; 2003 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	316	301.3	288.0	0	78.9	72.0	0	.	.	316	301.3	288.0
A-II FELONY	533	53.1	48.0	95	91.2	60.0	19	269.1	240.0	628	57.0	48.0
CLASS B FELONY	2255	57.5	36.0	981	53.7	42.0	55	236.2	216.0	3255	68.9	54.0
CLASS C FELONY	1623	41.5	36.0	1459	32.4	30.0	75	229.3	168.0	3337	50.8	36.0
CLASS D FELONY	2593	25.0	21.0	3333	20.1	18.0	19	120.6	120.0	6001	31.7	24.0
CLASS E FELONY	1122	15.3	12.0	2105	14.5	12.0	0	.	.	3246	19.0	18.0
YOUTHFUL OFFENDER	560	14.5	12.0	0	41.1	30.0	168	223.8	192.0	560	14.5	12.0
TOTAL	9002	45.6	24.0	8173	41.1	30.0	168	223.8	192.0	17343	45.2	30.0

TABLE 5.6 AVERAGE MINIMUM SENTENCE (IN MONTHS) BY FELONY CRIME CLASS
AND BY FIRST OR SECOND FELONY OFFENDER STATUS; 2000-2003 NEW COURT COMMITMENTS

	2000			2001			2002			2003		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
first felony offender												
A-I FELONY	361	297.6	288.0	319	315.5	300.0	329	303.3	276.0	316	301.3	288.0
A-II FELONY	501	54.6	48.0	417	55.0	48.0	501	54.4	48.0	533	53.1	48.0
CLASS B FELONY	2513	51.0	36.0	2376	55.7	36.0	2384	58.3	36.0	2255	57.5	36.0
CLASS C FELONY	1571	35.9	36.0	1387	38.1	36.0	1553	39.0	36.0	1623	41.5	36.0
CLASS D FELONY	2366	25.2	21.0	2290	23.5	21.0	2344	24.4	21.0	2593	25.0	21.0
CLASS E FELONY	1103	15.0	12.0	1019	14.8	12.0	1050	14.5	12.0	1122	15.3	12.0
YOUTHFUL OFFENDER	522	14.3	12.0	544	14.4	12.0	513	14.2	12.0	560	14.5	12.0
TOTAL	8937	45.1	24.0	8352	46.2	24.0	8654	46.9	24.0	9002	45.6	24.0
second felony offender												
A-II FELONY	57	78.8	72.0	60	76.4	72.0	82	76.5	72.0	95	78.9	72.0
CLASS B FELONY	1334	95.6	60.0	1033	95.7	60.0	1139	93.8	60.0	1000	94.6	61.0
CLASS C FELONY	2220	53.6	42.0	1729	54.5	42.0	1788	56.0	42.0	1714	59.5	42.0
CLASS D FELONY	3862	32.8	30.0	3264	33.5	30.0	3305	33.6	30.0	3408	36.7	30.0
CLASS E FELONY	2153	20.6	18.0	2061	20.4	18.0	2040	20.6	18.0	2124	21.0	18.0
TOTAL	9626	43.8	30.0	8147	42.9	30.0	8354	43.8	30.0	8341	44.8	30.0
GRAND TOTAL	18563	44.4	30.0	16499	44.5	28.0	17008	45.4	30.0	17343	45.2	30.0

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

In Table 5.7 where the data are broken out by felony class category, violent or nonviolent offense, and first or second felony offender status, several categories of offenders show increases in the average minimum sentence between 2000 to 2003.

Among first violent felony offenders convicted of Class B, C, or E felonies, the average minimum sentence increased between 2000 and 2003. For example, among Class B first violent offenders, the average minimum was 96 months in 2000 but increased to 103 months in 2003. Among non-violent, first felons there was only a slight increase in average minimum sentence for Class B and Class C felons. For example, Class B non-violent, first felons received average minimum sentences of 24 months in 2000 and 26 months in 2003, and Class C non-violent felons received average minimum sentences of 23 months in 2000 and 26 months in 2003.

Among second violent felony offenders convicted of D felonies, the average minimum sentence increased between 2000 and 2003. For Class D second violent offenders, the average minimum was 52 months in 2002, but increased to 60 months in 2003. For Class C and E second violent felony offenders, the increase from 2000 to 2003, respectively, for average minimum sentence was slighter, a three month increase for Class C and a two month increase for Class E.

Among second non-violent felony offenders, increases for average minimum sentence from 2000 to 2003 were slight. For Class B, Class C, and Class D second non-violent offenders, the increase from 2000 to 2003, respectively, for average minimum sentence was a one month increase for Class B, a two month increase for Class C, and a two month increase for Class D. For Class E second non-violent offenders, the increase (0.1 months) was negligible.

TABLE 5.7 AVERAGE MINIMUM SENTENCE (IN MONTHS) BY FELONY CLASS, VIOLENT FELONY STATUS, AND BY FIRST OR SECOND FELONY OFFENDER STATUS; 2000-2003 NEW COURT COMMITMENTS

	2000			2001			2002			2003		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
FIRST FELONY												
VIOLENT FELONY												
A-I FELONY	312	316.5	300.0	286	332.9	300.0	297	315.6	300.0	270	323.5	300.0
CLASS B FELONY	949	95.8	72.0	1008	98.8	82.0	1012	103.8	82.0	927	103.3	77.0
CLASS C FELONY	833	47.1	36.0	785	49.1	36.0	897	50.0	41.0	933	52.7	41.0
CLASS D FELONY	1090	30.2	24.0	1053	29.3	21.0	1056	29.7	21.0	1172	30.7	26.0
CLASS E FELONY	35	17.9	15.0	35	19.2	15.0	35	19.7	20.0	47	21.5	21.0
TOTAL	3219	81.5	46.0	3167	83.6	51.0	3297	83.6	51.0	3349	80.4	51.0
NON-VIOLENT FELONY												
A-I FELONY	49	177.3	180.0	33	164.2	180.0	32	189.2	180.0	46	171.5	180.0
CLASS B FELONY	501	54.6	48.0	417	55.0	48.0	501	54.4	48.0	533	53.1	48.0
CLASS C FELONY	1564	23.9	18.0	1368	24.0	21.0	1372	24.7	24.0	1328	25.5	24.0
CLASS D FELONY	738	23.3	18.0	602	23.7	18.0	656	24.0	18.0	690	26.3	24.0
CLASS E FELONY	1276	20.9	18.0	1237	18.6	16.0	1288	20.0	16.0	1431	20.3	18.0
YOUTHFUL OFFENDER	1068	14.9	12.0	984	14.7	12.0	995	14.4	12.0	1075	15.0	12.0
TOTAL	522	14.3	12.0	544	14.4	12.0	513	14.2	12.0	560	14.5	12.0
TOTAL	5718	24.6	16.0	5185	23.3	16.0	5357	24.3	16.0	5653	25.0	16.0
SECOND FELONY												
VIOLENT FELONY												
CLASS B FELONY	458	160.1	123.0	370	159.0	123.0	399	154.5	123.0	338	156.2	123.0
CLASS C FELONY	590	93.0	72.0	521	88.8	72.0	591	87.8	72.0	578	96.2	72.0
CLASS D FELONY	713	52.3	46.0	645	53.9	51.0	691	51.4	51.0	731	59.5	51.0
CLASS E FELONY	97	27.8	26.0	110	29.0	30.0	130	27.4	30.0	129	30.2	31.0
TOTAL	1858	90.5	62.0	1646	86.9	62.0	1811	84.3	62.0	1776	87.7	62.0
NON-VIOLENT FELONY												
A-II FELONY	57	78.8	72.0	60	76.4	72.0	82	76.5	72.0	95	78.9	72.0
CLASS B FELONY	876	61.9	54.0	663	60.3	54.0	740	61.1	54.0	662	63.2	54.0
CLASS C FELONY	1630	39.3	36.0	1208	39.8	36.0	1197	40.3	36.0	1136	40.9	36.0
CLASS D FELONY	3149	28.3	24.0	2619	28.5	24.0	2614	28.8	24.0	2677	30.5	24.0
CLASS E FELONY	2056	20.3	18.0	1951	19.9	18.0	1910	20.1	18.0	1995	20.4	18.0
TOTAL	7768	32.6	24.0	6501	31.7	24.0	6543	32.6	24.0	6565	33.2	24.0
GRAND TOTAL	18563	44.4	30.0	16499	44.5	28.0	17008	45.4	30.0	17343	45.2	30.0

Maximum Sentence Length

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

Persons committed for violent felony offenses were more likely (30%) to be given a maximum sentence of eight years (96 months) or longer when compared with drug (29%) or property offenders (4%). Eight percent of violent felony offenders received a Life maximum sentence (see Table 5.8A). Ten 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 are presented.

For 2003 new court commitments the average maximum sentence was 80 months, the median 48 months. The average maximum sentence for a first felony offender was 85 months, the median 48 months. The average maximum sentence for a second felony offender was 71 months, and the median was 60 months.

TABLE 5.8A CRIME BY MAXIMUM SENTENCE; 2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	12-35 MONTHS	36-47 MONTHS	48-59 MONTHS	60-95 MONTHS	96-179 MONTHS	180 & + MONTHS	LIFE MAX	LIFE, NO PAROLE	DEATH	TOTAL
VIOLENT FELONY										
MURDER	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	237 93.7%	15 5.9%	1 .4%	253 100.0%
ATTEMPTED MURDER	0 .0%	0 .0%	0 .0%	46 37.0%	49 41.2%	20 16.8%	6 5.0%	0 .0%	0 .0%	119 100.0%
MANSLAUGHTER 1ST	0 .0%	0 .0%	0 .0%	7 5.0%	60 42.9%	73 52.1%	0 .0%	0 .0%	0 .0%	140 100.0%
RAPE 1ST	0 .0%	19 12.8%	9 6.0%	36 24.2%	46 30.9%	38 25.5%	1 .7%	0 .0%	0 .0%	169 100.0%
ROBBERY 1ST	0 .0%	89 12.1%	35 4.8%	325 44.2%	194 26.4%	70 9.5%	22 3.0%	0 .0%	0 .0%	735 100.0%
ROBBERY 2ND	229 23.3%	289 29.5%	98 10.0%	239 24.4%	77 7.8%	17 1.7%	32 3.3%	0 .0%	0 .0%	981 100.0%
ASSAULT 1ST	0 .0%	39 11.4%	17 5.0%	147 42.9%	88 25.7%	52 15.2%	0 .0%	0 .0%	0 .0%	343 100.0%
ASSAULT 2ND	145 31.5%	121 24.2%	45 9.8%	133 28.9%	9 2.0%	3 .7%	5 1.1%	0 .0%	0 .0%	461 100.0%
BURGLARY 1ST	0 .0%	8 6.8%	2 1.7%	42 35.6%	39 33.1%	22 18.6%	5 4.2%	0 .0%	0 .0%	118 100.0%
BURGLARY 2ND	103 15.6%	171 25.9%	46 7.0%	201 30.5%	83 12.6%	14 2.1%	41 6.2%	0 .0%	0 .0%	659 100.0%
ARSON 1ST,2ND	1 2.4%	8 21.1%	1 2.4%	12 31.6%	9 23.7%	5 13.2%	2 5.3%	0 .0%	0 .0%	38 100.0%
SODOMY 1ST	0 .0%	14 10.1%	7 5.1%	42 30.4%	41 29.7%	33 23.9%	1 .7%	0 .0%	0 .0%	138 100.0%
SEX.AB-1ST,Ag.2	65 22.4%	66 23.0%	24 8.4%	83 28.9%	25 8.7%	14 4.9%	10 3.5%	0 .0%	0 .0%	287 100.0%
WEAPONS OFFENSES	192 29.0%	182 27.5%	58 8.8%	148 22.4%	41 6.2%	24 3.6%	17 2.4%	0 .0%	0 .0%	662 100.0%
KIDNAPPING 1ST,2ND	0 .0%	2 6.1%	1 3.0%	8 24.2%	8 24.2%	4 12.1%	10 30.3%	0 .0%	0 .0%	33 100.0%
OTHER VIOLENT FELONIES	5 55.6%	4 44.4%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	9 100.0%
SUBTOTAL	740 14.4%	1012 19.7%	343 6.7%	1467 28.6%	769 15.0%	389 7.6%	7.6%	15 3.1%	1 .2%	5125 100.0%
OTHER COERCIVE										
MANSLAUGHTER 2ND	0 .0%	3 6.0%	2 4.0%	10 20.0%	25 50.0%	9 18.0%	1 2.0%	0 .0%	0 .0%	50 100.0%
OTHER HOMICIDE	0 .0%	20 48.8%	11 26.8%	8 19.5%	1 2.4%	1 2.4%	0 .0%	0 .0%	0 .0%	41 100.0%
ROBBERY 3RD	1 .2%	170 35.6%	147 29.1%	164 32.4%	18 3.6%	4 .8%	2 .4%	0 .0%	0 .0%	506 100.0%
ATT ASSAULT 2ND	1 .5%	138 44.2%	68 31.6%	7 3.3%	1 .5%	0 .0%	0 .0%	0 .0%	0 .0%	215 100.0%
CONSPIRACY 2,3,4	0 .0%	21 22.6%	6 6.5%	20 21.5%	29 31.2%	16 17.2%	1 1.1%	0 .0%	0 .0%	93 100.0%
OTHER WEAPONS	0 .0%	107 44.2%	73 30.2%	51 21.1%	5 2.1%	2 .8%	1.7%	0 .0%	0 .0%	242 100.0%
OTHER SEX OFFENSES	0 .0%	158 47.9%	102 30.9%	53 16.1%	12 3.6%	5 1.5%	0 .0%	0 .0%	0 .0%	330 100.0%
OTHER COERCIVE	0 .0%	77 39.9%	48 24.9%	50 25.9%	15 7.8%	2 1.0%	1 .5%	0 .0%	0 .0%	193 100.0%
SUBTOTAL	2 .1%	694 41.6%	457 27.4%	363 21.7%	106 6.3%	39 2.3%	9 .5%	0 .0%	0 .0%	1670 100.0%
DRUG OFFENSES										
DRUG SALE	0 .0%	699 17.9%	730 18.7%	1469 37.4%	699 17.9%	43 1.1%	272 7.0%	0 .0%	0 .0%	3912 100.0%
DRUG POSSESSION	0 .0%	583 22.2%	471 17.9%	712 27.1%	423 16.1%	49 1.9%	391 14.9%	0 .0%	0 .0%	2629 100.0%
SUBTOTAL	0 .0%	1282 19.6%	1201 18.4%	2181 33.3%	1122 17.2%	92 1.4%	663 10.1%	0 .0%	0 .0%	4541 100.0%
PROPERTY AND OTHER OFFENSES										
BURGLARY 3RD	0 .0%	319 34.4%	271 30.9%	250 28.5%	29 3.3%	3 .3%	4 .5%	0 .0%	0 .0%	876 100.0%
GRAND LARCENY	1 .1%	428 53.8%	215 27.0%	102 12.8%	31 3.9%	15 1.9%	4 .5%	0 .0%	0 .0%	796 100.0%
FORGERY	0 .0%	153 44.5%	117 34.0%	45 18.9%	8 2.3%	0 .0%	1 .3%	0 .0%	0 .0%	344 100.0%
STOLEN PROPERTY	0 .0%	211 58.4%	93 25.8%	49 13.6%	6 1.7%	0 .0%	2 .6%	0 .0%	0 .0%	361 100.0%
DRIVE INTOXICATED	0 .0%	266 41.6%	114 26.4%	50 11.6%	2 .5%	0 .0%	0 .0%	0 .0%	0 .0%	432 100.0%
CONTEMPT 1ST	0 .0%	93 44.0%	42 29.8%	3 2.1%	3 2.1%	0 .0%	0 .0%	0 .0%	0 .0%	141 100.0%
ALL OTHER FELONIES	1 .2%	239 52.5%	134 29.5%	61 13.4%	12 2.6%	6 1.3%	2 .4%	0 .0%	0 .0%	455 100.0%
SUBTOTAL	2 .1%	1709 50.2%	986 29.0%	580 17.0%	91 2.7%	24 .7%	13 .4%	0 .0%	0 .0%	3405 100.0%
YOUTHFUL/JUVENILE										
YOUTHFUL OFFENDER	1 .2%	337 40.2%	212 37.9%	7 1.2%	3 .5%	0 .0%	0 .0%	0 .0%	0 .0%	560 100.0%
JUVENILE OFFENDER	0 .0%	2 4.8%	1 2.4%	12 28.6%	14 33.3%	0 .0%	13 31.0%	0 .0%	0 .0%	42 100.0%
SUBTOTAL	1 .2%	339 56.3%	213 35.4%	19 3.2%	17 2.8%	0 .0%	13 2.2%	0 .0%	0 .0%	602 100.0%
GRAND TOTAL	745 4.3%	5036 29.0%	3208 18.5%	4610 26.6%	2105 12.1%	564 3.1%	1087 6.3%	15 1.2%	1 .0%	17543 100.0%

TABLE 5.58 CRIME BY MAXIMUM SENTENCE (COL. PCTS.)
2002 NEW COURT COMMITMENTS

COMMITMENT CRIME	12-35 MONTHS	36-47 MONTHS	48-59 MONTHS	60-95 MONTHS	96-179 MONTHS	180 & + MONTHS	LIFE MAX	LIFE, NO PAROLE	DEATH	TOTAL
VIOLENT FELONY										
MURDER	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	237 21.8X	15 100.0X	1 100.0X	253 1.5X
ATTEMPTED MURDER	0 .0X	0 .0X	0 .0X	44 1.0X	49 2.3X	20 5.7X	6 .6X	0 .0X	0 .0X	119 .7X
MANSLAUGHTER 1ST	0 .0X	0 .0X	0 .0X	7 .2X	60 2.9X	73 13.4X	0 .0X	0 .0X	0 .0X	140 .8X
RAPE 1ST	0 .0X	19 .4X	9 .3X	36 .8X	44 2.2X	88 7.0X	1 .1X	0 .0X	0 .0X	149 .9X
ROBBERY 1ST	0 .0X	89 1.8X	35 1.1X	325 7.0X	194 9.2X	70 12.9X	22 2.0X	0 .0X	0 .0X	735 4.2X
ROBBERY 2ND	229 30.7X	289 5.7X	98 3.1X	239 5.2X	77 3.7X	17 5.1X	32 2.9X	0 .0X	0 .0X	981 5.7X
ASSAULT 1ST	0 .0X	39 .8X	17 .5X	147 3.2X	88 4.2X	52 9.6X	0 .0X	0 .0X	0 .0X	343 2.0X
ASSAULT 2ND	145 19.5X	121 2.4X	45 1.4X	133 2.9X	9 .4X	3 .6X	5 .5X	0 .0X	0 .0X	461 2.7X
BURGLARY 1ST	0 .0X	8 .2X	2 .1X	42 .9X	39 1.9X	22 4.0X	5 .5X	0 .0X	0 .0X	118 .7X
BURGLARY 2ND	103 13.8X	171 3.4X	46 1.4X	201 4.4X	83 3.9X	14 2.6X	41 3.8X	0 .0X	0 .0X	659 3.8X
ARSON 1ST, 2ND	1 .1X	8 .2X	1 .0X	12 .3X	9 .4X	5 .9X	2 .2X	0 .0X	0 .0X	38 .2X
SODOMY 1ST	0 .0X	14 .3X	7 .2X	42 .9X	41 1.9X	33 6.1X	1 .1X	0 .0X	0 .0X	138 .8X
SEX AB-1ST, Ap. 2	45 8.7X	66 1.3X	24 .7X	83 1.8X	25 1.2X	14 2.6X	10 .9X	0 .0X	0 .0X	287 1.7X
WEAPONS OFFENSES	192 25.6X	182 3.6X	58 1.8X	146 3.2X	41 1.9X	24 4.4X	17 1.6X	0 .0X	0 .0X	462 3.8X
KIDNAPPING 1ST, 2ND	0 .0X	2 .0X	1 .0X	8 .2X	8 .4X	4 .7X	10 .9X	0 .0X	0 .0X	33 .2X
OTHER VIOLENT FELONIES	5 .7X	4 .1X	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	0 .0X	9 .1X
SUBTOTAL	740 99.3X	1012 20.1X	343 10.7X	1467 31.8X	769 36.5X	389 71.5X	389 35.8X	15 100.0X	1 100.0X	5125 29.6X
OTHER COERCIVE										
MANSLAUGHTER 2ND	0 .0X	3 .1X	2 .1X	10 .2X	25 1.2X	9 1.7X	1 .1X	0 .0X	0 .0X	50 .3X
OTHER HOMICIDE	0 .0X	20 .4X	11 .3X	8 .2X	1 .0X	1 .2X	0 .0X	0 .0X	0 .0X	41 .2X
ROBBERY 3RD	1 .1X	170 3.4X	147 4.6X	164 3.6X	18 .9X	4 .7X	2 .2X	0 .0X	0 .0X	506 2.9X
ATT ASSAULT 2ND	1 .1X	138 2.7X	68 2.1X	7 .2X	1 .0X	0 .0X	0 .0X	0 .0X	0 .0X	215 1.2X
CONSPIRACY 2,3,4	0 .0X	21 .4X	6 .2X	20 .4X	29 1.4X	16 2.9X	1 .1X	0 .0X	0 .0X	93 .5X
OTHER WEAPONS	0 .0X	107 2.1X	73 2.3X	51 1.1X	5 .2X	2 .4X	4 .4X	0 .0X	0 .0X	242 1.4X
OTHER SEX OFFENSES	0 .0X	188 3.1X	102 3.2X	53 1.1X	12 .6X	5 .9X	0 .0X	0 .0X	0 .0X	350 1.9X
OTHER COERCIVE	8 .0X	77 1.5X	48 1.5X	50 1.1X	15 .7X	2 .4X	1 .1X	0 .0X	0 .0X	193 1.1X
SUBTOTAL	2 .3X	494 13.8X	487 14.3X	345 7.9X	106 5.0X	29 7.2X	9 .8X	0 .0X	0 .0X	1470 9.6X
DRUG OFFENSES										
DRUG SALE	0 .0X	499 13.9X	730 22.8X	1469 31.9X	699 33.2X	43 7.9X	272 25.0X	0 .0X	0 .0X	3912 22.6X
DRUG POSSESSION	0 .0X	583 11.6X	471 14.7X	712 15.4X	423 20.1X	49 9.0X	391 36.0X	0 .0X	0 .0X	2629 15.2X
SUBTOTAL	0 .0X	1282 25.5X	1201 37.5X	2181 47.3X	1122 53.3X	92 16.9X	663 61.0X	0 .0X	0 .0X	4541 37.7X
PROPERTY AND OTHER OFFENSES										
BURGLARY 3RD	0 .0X	319 6.3X	271 8.5X	250 5.4X	29 1.4X	3 .6X	4 .4X	0 .0X	0 .0X	876 5.1X
GRAND LARCENY	1 .1X	428 8.5X	215 6.7X	102 2.2X	31 1.5X	15 2.8X	4 .4X	0 .0X	0 .0X	796 4.6X
FORGERY	0 .0X	193 3.0X	117 3.7X	65 1.4X	8 .4X	0 .0X	1 .1X	0 .0X	0 .0X	344 2.0X
STOLEN PROPERTY	0 .0X	211 4.2X	95 2.9X	49 1.1X	6 .3X	0 .0X	2 .2X	0 .0X	0 .0X	361 2.1X
DRIVE INTOXICATED	0 .0X	266 5.3X	114 3.6X	90 1.1X	2 .1X	0 .0X	0 .0X	0 .0X	0 .0X	482 2.5X
CONTEMPT 1ST	0 .0X	95 1.8X	42 1.3X	3 .1X	3 .1X	0 .0X	0 .0X	0 .0X	0 .0X	141 .8X
ALL OTHER FELONIES	1 .1X	259 4.7X	134 4.2X	61 1.3X	12 .6X	6 1.1X	2 .2X	0 .0X	0 .0X	455 2.6X
SUBTOTAL	2 .3X	1709 33.9X	986 30.8X	560 12.6X	91 4.3X	24 4.4X	13 1.2X	0 .0X	0 .0X	3405 19.6X
YOUTHFUL/JUVENILE										
YOUTHFUL OFFENDER	1 .1X	337 6.7X	212 6.6X	7 .2X	3 .1X	0 .0X	0 .0X	0 .0X	0 .0X	560 3.2X
JUVENILE OFFENDER	0 .0X	2 .0X	1 .0X	12 .3X	14 .7X	0 .0X	15 1.2X	0 .0X	0 .0X	42 .2X
SUBTOTAL	1 .1X	339 6.7X	213 6.7X	19 .4X	17 .8X	0 .0X	15 1.2X	0 .0X	0 .0X	602 3.5X
GRAND TOTAL	745 100.0X	5036 100.0X	3200 100.0X	4610 100.0X	2105 100.0X	544 100.0X	1087 100.0X	15 100.0X	1 100.0X	17343 100.0X

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), 2003 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
VIOLENT FELONY												
MURDER	253	314.3	300.0	0			0			253	314.3	300.0
ATTEMPTED MURDER	94	123.1	96.0	25	155.5	145.0	0			119	129.9	96.0
MANSLAUGHTER 1ST	108	183.8	180.0	32	180.9	175.0	0			140	184.6	180.0
RAPE 1ST	120	126.6	96.0	28	180.9	120.0	0			148	138.0	102.0
ROBBERY 1ST	477	79.2	60.0	236	122.2	96.0	32	300.0	300.0	735	99.6	64.0
ROBBERY 2ND	619	43.8	42.0	330	69.9	60.0	22	300.0	300.0	981	60.9	42.0
ASSAULT 1ST	260	94.4	66.0	83	142.2	96.0	0			343	104.0	84.0
ASSAULT 2ND	300	41.0	36.0	156	55.3	40.0	5	300.0	300.0	456	48.7	36.0
BURGLARY 1ST	71	109.7	72.0	42	127.9	111.0	5	300.0	300.0	113	124.2	96.0
BURGLARY 2ND	329	46.0	42.0	289	78.3	60.0	41	300.0	300.0	659	75.9	60.0
ARSON 1ST,2ND	31	98.6	60.0	7	130.3	120.0	0			38	104.4	60.0
SODOMY 1ST	108	121.6	90.0	29	191.8	120.0	1	300.0	300.0	138	137.6	96.0
SEX AB-1ST, AG-2	214	59.9	42.0	65	77.9	60.0	8	300.0	300.0	287	70.7	48.0
WEAPONS OFFENSES	336	51.5	36.0	309	58.2	42.0	17	300.0	300.0	662	61.0	42.0
KIDNAPPING 1ST,2ND	22	178.6	132.0	10	163.8	96.0	1	300.0	300.0	33	177.8	120.0
OTHER VIOLENT FELONIES	7	29.1	24.0	2	30.0	30.0	0			9	29.3	24.0
SUBTOTAL	3349	89.9	60.0	1643	89.2	60.0	133	300.0	300.0	5125	95.1	60.0
OTHER COERCIVE												
MANSLAUGHTER 2ND	41	115.5	108.0	0	114.0	102.0	1	300.0	300.0	50	118.9	108.0
OTHER HOMICIDE	37	50.8	36.0	3	68.0	48.0	1	72.0	72.0	41	52.5	48.0
ROBBERY 3RD	185	52.7	48.0	318	58.3	48.0	3	228.0	300.0	506	57.3	48.0
ATT ASSAULT 2ND	65	40.3	36.0	150	41.9	36.0	0			215	41.4	36.0
CONSPIRACY 2,3,4	69	108.8	90.0	24	115.5	90.0	0			93	110.6	90.0
OTHER WEAPONS	55	55.1	42.0	183	49.7	48.0	4	300.0	300.0	242	55.0	48.0
OTHER SEX OFFENSES	205	56.3	36.0	125	46.6	48.0	0			330	52.6	48.0
OTHER COERCIVE	95	58.5	48.0	97	57.0	48.0	1	300.0	300.0	193	59.0	48.0
SUBTOTAL	752	62.0	48.0	908	54.2	48.0	10	255.6	300.0	1670	58.9	48.0
DRUG OFFENSES												
DRUG SALE	1457	102.8	72.0	2451	75.8	72.0	4	126.0	78.0	3912	85.9	72.0
DRUG POSSESSION	1304	125.3	72.0	1321	81.6	60.0	4	117.0	66.0	2629	103.3	72.0
SUBTOTAL	2761	113.4	72.0	3772	77.8	72.0	8	121.5	78.0	6541	92.9	72.0
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	291	52.1	48.0	580	54.6	48.0	5	249.6	300.0	876	54.9	48.0
GRAND LARCENY	292	59.8	48.0	499	45.3	36.0	5	247.2	300.0	796	51.8	36.0
FORGERY	115	48.0	48.0	227	49.3	48.0	2	168.0	168.0	344	49.6	48.0
STOLEN PROPERTY	97	44.8	36.0	261	45.8	36.0	3	212.0	300.0	361	46.9	36.0
DRIVE INTOXICATED	426	44.2	36.0	6	46.0	42.0	0			432	44.2	36.0
CONVENTED 1ST	81	48.3	36.0	80	39.3	36.0	0			161	42.5	36.0
ALL OTHER FELONIES	256	50.0	36.0	197	48.2	42.0	2	300.0	300.0	455	50.3	36.0
SUBTOTAL	1538	50.0	36.0	1850	48.8	48.0	17	238.6	300.0	3405	50.3	42.0
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	560	41.4	36.0	0			0			560	41.4	36.0
JUVENILE OFFENDER	42	157.9	120.0	0			0			42	157.9	120.0
SUBTOTAL	602	49.5	36.0	0			0			602	49.5	36.0
GRAND TOTAL	9002	85.3	48.0	8173	70.9	60.0	168	282.6	300.0	17343	80.4	48.0

Trends in Average Maximum Sentence Length

The average maximum sentence by crime and second felony status for each year 2000 through 2003 is presented in Table 5.10. (This table combines persistent and second felony offenders.) This table shows that with the exception of 2001, when the average maximum sentence for first felony offenders was 83 months, first felony offenders received an average maximum sentence of approximately 86 months between 2000 and 2003. Among second felony offenders, the average maximum remained around 74 months between 2000 and 2002, then slightly increased to 75 months during 2003.

The data in Table 5.10 show that the average maximum sentence for violent felony offenders decreased between 2000 and 2003 from 101 months in 2000 to 95 months in 2003. A similar pattern was observed for first violent felony offenders whose average maximum sentence decreased from 97 months in 2000 to 90 months in 2003.

The average maximum sentence for second violent felony offenders decreased between 2000 and 2002, from 109 months in 2000 to 102 months in 2002. The average maximum sentence for second violent felony offenders then rose to 105 months in 2003.

TABLE 5.10 CRIME BY AVERAGE MAXIMUM SENTENCE (IN MONTHS)
BY FIRST OR SECOND FELONY OFFENDER STATUS AND BY YEAR RECEIVED: 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000			2001			2002			2003		
	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	309.1	205.2	309.1	312.3	211.6	312.3	316.3	180.1	316.3	316.3	155.5	316.3
ATTEMPTED MURDER	149.1	187.3	159.8	157.3	200.7	148.9	144.9	107.7	154.6	123.1	155.5	159.9
MANSLAUGHTER 1ST	180.9	187.3	182.5	155.0	200.7	166.0	172.8	107.7	175.2	183.8	187.3	184.6
RAPE 1ST	148.0	202.8	166.3	119.5	230.6	144.0	159.7	104.5	163.7	126.6	185.0	158.0
ROBBERY 1ST	88.3	141.0	109.6	86.7	146.9	107.7	82.8	141.8	104.1	79.2	90.2	99.6
ROBBERY 2ND	45.4	88.8	62.5	41.5	79.9	55.5	43.7	63.9	58.3	43.8	90.2	60.9
ASSAULT 1ST	85.9	147.4	103.6	87.5	117.0	96.0	87.5	133.3	100.3	94.4	142.2	106.0
ASSAULT 2ND	40.3	63.0	46.2	39.0	69.6	49.4	38.7	59.6	46.1	41.0	62.9	48.7
BURGLARY 1ST	99.1	146.9	122.2	92.6	148.6	114.6	96.2	155.9	118.8	109.7	146.2	124.2
BURGLARY 2ND	47.3	96.7	74.9	46.2	97.4	71.5	47.7	99.6	75.6	46.0	105.8	75.9
ARSON 1ST, 2ND	97.5	137.5	113.8	91.3	112.7	96.7	88.8	99.0	91.7	98.6	130.3	104.4
SODOMY 1ST	115.9	191.6	133.7	144.0	177.6	151.2	132.6	135.1	133.2	121.6	195.4	137.6
SEX AB-1ST, AG-2	58.9	79.4	63.7	53.3	89.2	62.2	62.9	80.3	67.6	59.9	102.2	70.7
WEAPONS OFFENSES	43.3	66.3	54.3	43.7	61.0	52.2	43.1	56.6	49.7	51.5	70.8	51.0
KIDNAPPING 1ST, 2ND	188.8	210.0	193.3	118.4	160.6	132.1	129.2	163.0	134.8	176.6	177.8	177.8
CONSPIRACY 1ST	300.0	.	300.0	300.0	.	300.0	300.0	.	300.0	.	.	.
OTHER VIOLENT FELONIES	.	300.0	300.0	66.0	.	66.0	24.0	36.0	28.0	29.1	30.0	29.3
TOTAL	96.9	108.6	101.2	93.7	105.2	97.6	94.7	102.3	97.4	89.9	105.0	95.1
OTHER COERCIVE												
MANSLAUGHTER 2ND	114.2	114.9	114.3	128.6	152.0	133.0	120.8	159.9	129.5	115.5	134.7	118.9
OTHER HOMICIDE	54.4	84.0	60.9	56.2	44.0	55.2	59.6	59.5	59.5	50.7	52.5	52.5
ROBBERY 3RD	54.4	53.0	53.4	50.3	57.2	54.9	52.0	57.2	54.9	46.3	59.9	57.3
ATT ASSAULT 2ND	41.9	42.7	42.5	38.5	40.3	39.8	33.3	40.8	44.2	40.3	41.9	41.4
CONSPIRACY 2,3,4	99.7	86.1	92.6	91.5	73.8	84.5	111.0	76.0	107.6	108.8	115.5	110.6
OTHER WEAPONS	49.8	56.9	54.9	53.5	48.5	50.1	50.0	52.5	49.6	55.1	52.0	55.0
OTHER SEX OFFENSES	61.9	56.1	59.9	60.7	50.5	56.7	60.0	52.3	57.2	56.3	44.6	52.6
OTHER COERCIVE	54.8	54.7	54.8	58.9	58.4	58.7	57.5	50.3	54.6	58.5	59.0	59.0
TOTAL	62.6	55.5	58.7	61.8	54.0	57.5	63.6	53.7	58.4	62.0	54.3	58.9
DRUG OFFENSES												
DRUG SALE	87.4	72.9	77.5	86.9	72.4	77.2	93.7	76.1	82.3	102.8	75.9	85.9
DRUG POSSESSION	133.4	74.7	103.4	122.6	74.7	99.1	130.0	76.8	102.8	125.3	81.7	103.3
TOTAL	104.5	73.3	84.8	102.2	73.0	84.4	110.1	76.4	89.9	113.4	77.9	92.9
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	53.0	52.3	52.8	52.3	52.7	52.6	53.0	55.6	54.8	52.1	54.3	54.9
GRAND LARCENY	57.4	46.4	50.3	56.2	44.8	48.5	53.3	47.3	52.4	49.8	47.3	51.8
FORGERY	51.6	50.5	50.9	53.9	53.5	53.6	54.8	53.6	54.0	42.0	56.4	49.6
STOLEN PROPERTY	46.5	47.2	47.0	47.2	45.5	46.0	44.9	46.2	45.8	44.8	47.7	46.9
DRIVE INTOXICATED	44.6	40.5	44.6	43.7	49.1	43.8	43.9	36.0	43.9	44.2	47.0	46.2
CONTEMPT 1ST	47.2	41.0	43.6	41.0	41.0	41.1	43.3	42.4	42.4	38.5	38.5	43.5
ALL OTHER FELONIES	50.1	49.1	49.6	51.0	47.0	49.2	49.3	44.3	47.0	50.0	50.7	50.3
TOTAL	49.8	49.0	49.3	48.9	48.6	48.8	48.7	50.0	49.4	50.0	50.6	50.3
YOUTHFUL OFFENDER												
YOUTHFUL OFFENDER	41.7	.	41.7	42.0	.	42.0	41.2	.	41.2	41.4	.	41.4
JUVENILE OFFENDER	144.6	.	144.6	179.8	.	179.8	140.3	.	140.3	157.9	.	157.9
TOTAL	49.5	.	49.5	49.5	.	49.5	46.5	.	46.5	49.5	.	49.5
GRAND TOTAL	86.2	74.2	80.0	83.4	72.7	78.1	86.4	74.2	80.4	85.3	75.2	80.4

Section 6

PRIOR ADULT CRIMINAL RECORD

Prior adult criminal record for 2003 new court commitments is presented in Table 6.1. Persons are coded according to their most serious contact with the criminal justice system.

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 the rap sheet has no further information on disposition of the charges). The third category consists of 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 alternative). 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.

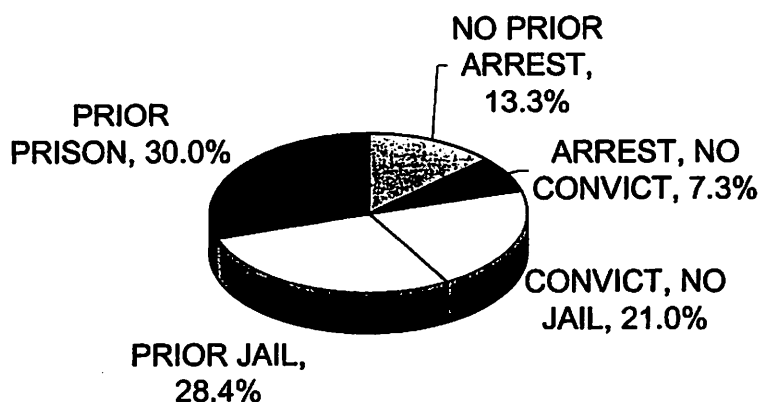
Among 2003 commitments, 30% had served a prior prison term for a felony conviction. An additional 28% had served a prior term in a local jail that could have been as a result of either a felony or misdemeanor conviction. Another 21% had a prior felony or misdemeanor conviction which resulted in a sentence 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. Thirteen percent had no prior arrests (see Figure 6).

The data presented in Table 6.1 also show that 79% of the 2003 new court commitments had prior convictions for misdemeanor or felony offenses. Property offenders were the most likely to have prior convictions (91%), followed by drug offenders (83%), other coercive offenders (81%), and violent felony offenders (70%). Youthful offenders and juvenile offenders were the least likely to have prior convictions (46% and 31%, respectively).

Trends in Prior Adult Criminal Record

Prior criminal history for new court commitments during the years 2000 to 2003 is shown in Table 6.2. The percent of commitments by prior criminal record categories is largely unchanged over the four-year period. The proportion of new commitments with prior incarceration, either jail or prison, decreased about three percent in the interval (61% to 58%).

Figure 6
DEPARTMENT OF CORRECTIONAL SERVICES
NEW COMMITMENTS - 2003
PRIOR CRIMINAL RECORD



CRIME BY PRIOR ADULT CRIMINAL RECORD
 2003 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	1,037	480	1,043	1,295	1,270	5,125
OTHER COERCIVE	183	128	347	477	535	1,670
DRUG OFFENSES	707	400	1,329	1,944	2,161	6,541
PROPERTY OFFENSES	167	135	776	1,090	1,237	3,405
YOUTHFUL/JUVENILE OFFENDER	204	130	144	117	7	602
TOTAL	2,298	1,273	3,639	4,923	5,210	17,343
PERCENT	13.3%	7.3%	21.0%	28.4%	30.0%	100.0%

TABLE 6.1 CRIME BY PRIOR ADULT CRIMINAL RECORD; 2003 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
VIOLENT FELONY												
MURDER	65	25.7%	26	10.3%	50	19.8%	49	19.4%	63	24.9%	253	100.0%
ATTEMPTED MURDER	33	27.7%	15	12.6%	26	21.8%	26	21.8%	19	16.0%	119	100.0%
MANSLAUGHTER 1ST	53	37.9%	7	5.0%	32	22.9%	23	16.4%	25	17.9%	140	100.0%
RAPE 1ST	45	30.2%	9	6.0%	35	23.5%	31	20.8%	29	19.5%	149	100.0%
ROBBERY 1ST	136	18.5%	97	13.2%	140	19.0%	173	23.5%	189	25.7%	735	100.0%
ROBBERY 2ND	184	18.8%	92	9.4%	184	18.8%	278	28.3%	243	24.8%	981	100.0%
ASSAULT 1ST	108	31.5%	28	8.2%	77	22.4%	74	21.6%	56	16.3%	343	100.0%
ASSAULT 2ND	78	16.9%	39	8.5%	106	23.0%	131	28.4%	107	23.2%	461	100.0%
BURGLARY 1ST	17	14.4%	11	9.3%	20	16.9%	39	33.1%	31	26.3%	118	100.0%
BURGLARY 2ND	58	8.8%	44	6.7%	120	18.2%	193	29.3%	244	37.0%	659	100.0%
ARSON 1ST,2ND	15	39.5%	4	10.5%	7	18.4%	9	23.7%	3	7.9%	38	100.0%
SODOMY 1ST	56	40.6%	9	6.5%	35	25.4%	19	13.8%	19	13.8%	138	100.0%
SEX AB-1ST,Ag.2	99	34.5%	32	11.1%	62	21.6%	47	16.4%	47	16.4%	287	100.0%
WEAPONS OFFENSES	80	12.1%	62	9.4%	138	20.8%	196	29.6%	186	28.1%	662	100.0%
KIDNAPPING 1ST,2ND	9	27.3%	3	9.1%	7	21.2%	7	21.2%	7	21.2%	33	100.0%
OTHER VIOLENT FELONIES	1	11.1%	2	22.2%	4	44.4%	0	.0%	2	22.2%	9	100.0%
SUBTOTAL	1037	20.2%	480	9.4%	1043	20.4%	1295	25.3%	1270	24.8%	5125	100.0%
OTHER COERCIVE												
MANSLAUGHTER 2ND	24	48.0%	7	14.0%	8	16.0%	5	10.0%	6	12.0%	50	100.0%
OTHER HOMICIDE	15	36.6%	6	14.6%	12	29.3%	6	14.6%	2	4.9%	41	100.0%
ROBBERY 3RD	36	7.1%	32	6.3%	93	18.4%	133	26.3%	212	41.9%	506	100.0%
ATT ASSAULT 2ND	4	1.9%	8	3.7%	34	15.8%	89	41.4%	80	37.2%	215	100.0%
CONSPIRACY 2,3,4	22	23.7%	14	15.1%	16	17.2%	22	23.7%	19	20.4%	93	100.0%
OTHER WEAPONS	2	.8%	11	4.5%	45	18.6%	84	34.7%	100	41.3%	242	100.0%
OTHER SEX OFFENSES	60	18.2%	36	10.9%	84	25.5%	92	27.9%	58	17.6%	330	100.0%
OTHER COERCIVE	20	10.4%	14	7.3%	55	28.5%	46	23.8%	58	30.1%	193	100.0%
SUBTOTAL	183	11.0%	128	7.7%	347	20.8%	477	28.6%	535	32.0%	1670	100.0%
DRUG OFFENSES												
DRUG SALE	309	7.9%	210	5.4%	751	19.2%	1251	32.0%	1391	35.6%	3912	100.0%
DRUG POSSESSION	398	15.1%	190	7.2%	578	22.0%	693	26.4%	770	29.3%	2629	100.0%
SUBTOTAL	707	10.8%	400	6.1%	1329	20.3%	1944	29.7%	2161	33.0%	6541	100.0%
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	24	2.7%	36	4.1%	158	18.0%	285	32.5%	373	42.6%	876	100.0%
GRAND LARCENY	75	9.4%	44	5.5%	154	19.3%	218	27.4%	305	38.3%	796	100.0%
FORGERY	15	4.4%	10	2.9%	98	28.5%	95	27.6%	126	36.6%	344	100.0%
STOLEN PROPERTY	12	3.3%	10	2.8%	69	19.1%	124	34.3%	146	40.4%	361	100.0%
DRIVE INTOXICATED	1	.2%	7	1.6%	153	35.4%	176	40.7%	95	22.0%	432	100.0%
CONTEMPT 1ST	0	.0%	4	2.8%	34	24.1%	66	46.8%	37	26.2%	141	100.0%
ALL OTHER FELONIES	40	8.8%	24	5.3%	110	24.2%	126	27.7%	155	34.1%	455	100.0%
SUBTOTAL	167	4.9%	135	4.0%	776	22.8%	1090	32.0%	1237	36.3%	3405	100.0%
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	181	32.3%	124	22.1%	135	24.1%	116	20.7%	4	.7%	560	100.0%
JUVENILE OFFENDER	23	54.8%	6	14.3%	9	21.4%	1	2.4%	3	7.1%	42	100.0%
SUBTOTAL	204	33.9%	130	21.6%	144	25.9%	117	19.4%	7	1.2%	602	100.0%
GRAND TOTAL	2298	13.3%	1273	7.3%	3639	21.0%	4923	28.4%	5210	30.0%	17343	100.0%

TABLE 6.2
PRIOR ADULT CRIMINAL RECORD BY YEAR
2000-2003 NEW COURT COMMITMENTS

PRIOR CRIMINAL RECORD	2000	2001	2002	2003
NO PRIOR ARREST	2142 11.5%	2194 13.3%	2273 13.4%	2298 13.3%
NO PRIOR CONVICTION	1283 6.9%	1170 7.1%	1329 7.8%	1273 7.3%
CONVICTION NO JAIL	3771 20.3%	3329 20.2%	3400 20.0%	3639 21.0%
PRIOR JAIL TERM	5681 30.6%	4923 29.8%	4851 28.5%	4923 28.4%
PRIOR PRISON TERM	5686 30.6%	4883 29.6%	5155 30.3%	5210 30.0%
TOTAL	18563 100.0%	16499 100.0%	17008 100.0%	17343 100.0%

Section 7

DRUG COMMITMENTS

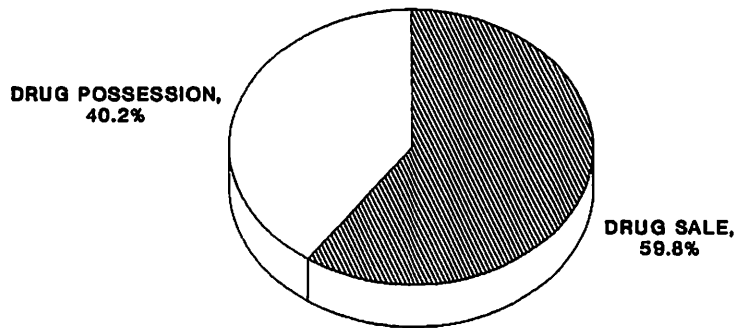
The number of drug offenders committed to state prison decreased by 20 percent between 2000 (N=8,227) and 2003 (N=6,541) (see Table 7.1), a decline that occurred in all felony class categories.

The proportion of drug commitments who were sentenced as second felony offenders steadily decreased between 2000 and 2003. Specifically, 63% of 2000 drug commitments were sentenced as second felony offenders, compared with 61% in 2001, 60% in 2002 and 58% in 2003.

The data presented in Table 7.3 indicate that as felony class decreases from Class A-II felonies to Class E felonies, the proportion of second felony offenders increases. For example, in 2003, 15% of Class A-II felony drug offenders were sentenced as second felony offenders, while 35% of Class B, 67% of Class C, 79% of Class D, and 89% of Class E drug felony commitments were sentenced as second felony offenders. This pattern maintains across the 2000-2003 time period.

All Class A-1 drug offenders are sentenced as first felony offenders. Since the A-1 category already carries the most severe sentence (at least 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 33 Class A-1 drug offenders received in 2003, 52% (17) have prior felony convictions.

Figure 7
**DEPARTMENT OF CORRECTIONAL SERVICES
NEW COMMITMENTS - 2003
DRUG OFFENSES**



**FELONY CLASS BY DRUG SALE OR POSSESSION
2003 NEW COMMITMENTS
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES**

FELONY CLASS	DRUG SALE	DRUG POSSESSION	TOTAL
CLASS A-I	7	26	33
CLASS A-II	264	364	628
CLASS B	1,108	755	1,863
CLASS C	1,135	494	1,629
CLASS D	1,188	743	1,931
CLASS E	210	247	457
TOTAL	3,912	2,629	6,541
PERCENT	59.8%	40.2%	100.0%

TABLE 7.1
DRUG CRIMES BY FELONY CLASS CATEGORY AND YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY OF DRUG OFFENSE	2000		2001		2002		2003	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
A-I FELONY	38	.5%	21	.3%	25	.4%	33	.5%
A-II FELONY	558	6.8%	477	7.2%	583	8.8%	628	9.6%
CLASS B FELONY	2344	28.5%	1949	29.5%	1996	30.0%	1863	28.5%
CLASS C FELONY	2184	26.5%	1616	24.5%	1620	24.4%	1629	24.9%
CLASS D FELONY	2496	30.3%	1968	29.8%	1941	29.2%	1931	29.5%
CLASS E FELONY	607	7.4%	577	8.7%	479	7.2%	457	7.0%
TOTAL	8227	100.0%	6608	100.0%	6644	100.0%	6541	100.0%

TABLE 7.2
DRUG CRIMES BY FELONY CLASS CATEGORY,
FIRST OR SECOND FELONY OFFENDER STATUS AND YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	2000		2001		2002		2003	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
first felony offender								
A-I FELONY	38	.5%	21	.3%	25	.4%	33	.5%
A-II FELONY	501	6.1%	417	6.3%	501	7.5%	533	8.1%
CLASS B FELONY	1485	18.1%	1297	19.6%	1268	19.1%	1217	18.6%
CLASS C FELONY	588	7.1%	454	6.9%	474	7.1%	533	8.1%
CLASS D FELONY	367	4.5%	334	5.1%	363	5.5%	396	6.1%
CLASS E FELONY	51	.6%	54	.8%	44	.7%	49	.7%
TOTAL	3030	36.8%	2577	39.0%	2675	40.3%	2761	42.2%
second felony offender								
A-II FELONY	57	.7%	60	.9%	82	1.2%	95	1.5%
CLASS B FELONY	859	10.4%	652	9.9%	728	11.0%	646	9.9%
CLASS C FELONY	1596	19.4%	1162	17.6%	1146	17.2%	1096	16.8%
CLASS D FELONY	2129	25.9%	1634	24.7%	1578	23.8%	1535	23.5%
CLASS E FELONY	556	6.8%	523	7.9%	435	6.5%	408	6.2%
TOTAL	5197	63.2%	4031	61.0%	3969	59.7%	3780	57.8%
GRAND TOTAL	8227	100.0%	6608	100.0%	6644	100.0%	6541	100.0%

TABLE 7.3
SECOND FELONY OFFENDER STATUS BY FELONY CLASS CATEGORY
AND YEAR RECEIVED AMONG DRUG CRIME COMMITMENTS
2000-2003 NEW COURT COMMITMENTS

CRIME CLASS AND 2ND FELONY STATUS	2000		2001		2002		2003	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
A-I FELONY								
1ST FELONY	38	100.0%	21	100.0%	25	100.0%	33	100.0%
TOTAL	38	100.0%	21	100.0%	25	100.0%	33	100.0%
A-II FELONY								
1ST FELONY	501	89.8%	417	87.4%	501	85.9%	533	84.9%
2ND FELONY	57	10.2%	60	12.6%	82	14.1%	95	15.1%
TOTAL	558	100.0%	477	100.0%	583	100.0%	628	100.0%
CLASS B FELONY								
1ST FELONY	1485	63.4%	1297	66.5%	1268	63.5%	1217	65.3%
2ND FELONY	859	36.6%	652	33.5%	728	36.5%	646	34.7%
TOTAL	2344	100.0%	1949	100.0%	1996	100.0%	1863	100.0%
CLASS C FELONY								
1ST FELONY	588	26.9%	454	28.1%	474	29.3%	533	32.7%
2ND FELONY	1596	73.1%	1162	71.9%	1146	70.7%	1096	67.3%
TOTAL	2184	100.0%	1616	100.0%	1620	100.0%	1629	100.0%
CLASS D FELONY								
1ST FELONY	367	14.7%	334	17.0%	363	18.7%	396	20.5%
2ND FELONY	2129	85.3%	1634	83.0%	1578	81.3%	1535	79.5%
TOTAL	2496	100.0%	1968	100.0%	1941	100.0%	1931	100.0%
CLASS E FELONY								
1ST FELONY	51	8.4%	54	9.4%	44	9.2%	49	10.7%
2ND FELONY	556	91.6%	523	90.6%	435	90.8%	408	89.3%
TOTAL	607	100.0%	577	100.0%	479	100.0%	457	100.0%
GRAND TOTAL								
1ST FELONY	3030	36.8%	2577	39.0%	2675	40.3%	2761	42.2%
2ND FELONY	5197	63.2%	4031	61.0%	3969	59.7%	3780	57.8%
TOTAL	8227	100.0%	6608	100.0%	6644	100.0%	6541	100.0%

Trends in Drug Commitments by Possession or Sale

Of those committed to state prison for a drug offense, the majority are commitments for drug sale, outnumbering those for drug possession by 3 to 2 (see Table 7.4 and Figure 7).

However, since 2000 the percent of drug commitments to state prison who were convicted of drug sale decreased from 72% of total drug commitments in 2000 (N=5,915) to 60% of drug commitments in 2003 (N=3,912).

Trends in Drug Commitments by Region

Drug commitments to state prison from New York City decreased by 29%, from 5,877 in 2000, to 4,149 in 2003. (See Table 7.5, counties that fall into each specific region are listed in Table 11.1). Over the period 2000 to 2003, the majority of Upstate drug commitments were sentenced as first felony offenders, whereas the majority of Downstate drug commitments were sentenced as second felony offenders.

Table 7.6 shows felony crime class and second felony offender status for drug commitments over the period 2000 to 2003. In this table the five New York City counties are shown separately.

Drug Commitments by Gender

Male drug offenders, in 2003, were more likely to be sentenced as Second Felony offenders (59%) than female drug offenders (49%) (see Table 7.7).

Drug Commitments by Race/Ethnic Status

The majority of Whites committed for drug offenses were first felony commitments (62%) in 2003 (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 53%, respectively) (see Table 7.8).

TABLE 7.4
TYPE OF DRUG CRIME AND FELONY CLASS CATEGORY BY YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	2000		2001		2002		2003	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
SALE								
A-I FELONY	12	.1%	5	.1%	5	.1%	7	.1%
A-II FELONY	229	2.8%	182	2.8%	226	3.4%	264	4.0%
CLASS B FELONY	1720	20.9%	1335	20.2%	1308	19.7%	1108	16.9%
CLASS C FELONY	1742	21.2%	1216	18.4%	1187	17.9%	1135	17.4%
CLASS D FELONY	1829	22.2%	1345	20.4%	1211	18.2%	1188	18.2%
CLASS E FELONY	383	4.7%	358	5.4%	237	3.6%	210	3.2%
TOTAL	5915	71.9%	4441	67.2%	4174	62.8%	3912	59.8%
POSSESSION								
A-I FELONY	26	.3%	16	.2%	20	.3%	26	.4%
A-II FELONY	329	4.0%	295	4.5%	357	5.4%	364	5.6%
CLASS B FELONY	624	7.6%	614	9.3%	688	10.4%	755	11.5%
CLASS C FELONY	442	5.4%	400	6.1%	433	6.5%	494	7.6%
CLASS D FELONY	667	8.1%	623	9.4%	730	11.0%	743	11.4%
CLASS E FELONY	224	2.7%	219	3.3%	242	3.6%	247	3.8%
TOTAL	2312	28.1%	2167	32.8%	2470	37.2%	2629	40.2%
GRAND TOTAL	8227	100.0%	6608	100.0%	6644	100.0%	6541	100.0%

TABLE 7.5 DRUG CRIMES BY FELONY CLASS CATEGORY, 1ST OR 2ND FELONY OFFENDER STATUS, REGION OF THE STATE AND YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	2000			2001			2002			2003		
	NEW YORK CITY	SUBURBAN NEW YORK	UPSTATE OTHER	NEW YORK CITY	SUBURBAN NEW YORK	UPSTATE OTHER	NEW YORK CITY	SUBURBAN NEW YORK	UPSTATE OTHER	NEW YORK CITY	SUBURBAN NEW YORK	UPSTATE OTHER
FIRST FELONY												
A-I FELONY	28 .5%	2 .3%	5 .4%	14 .3%	1 .2%	6 .8%	0 .0%	17 .4%	1 .2%	6 .7%	19 .5%	3 .4%
A-II FELONY	373 6.3%	55 7.3%	41 5.2%	292 6.3%	49 8.5%	41 5.1%	35 5.7%	395 8.3%	48 7.6%	32 3.5%	381 9.2%	60 8.8%
CLASS B FELONY	972 16.5%	119 15.7%	259 32.5%	884 19.1%	112 19.5%	113 14.2%	188 30.4%	822 18.5%	122 19.5%	123 13.5%	817 19.7%	123 18.0%
CLASS C FELONY	368 6.3%	52 6.9%	79 9.9%	283 6.1%	23 4.0%	79 9.3%	69 11.2%	284 6.4%	41 6.5%	91 10.0%	270 6.5%	67 6.9%
CLASS D FELONY	89 1.5%	25 3.3%	99 12.4%	77 1.7%	18 3.1%	158 19.8%	81 13.1%	62 1.4%	24 3.8%	187 20.5%	84 2.0%	21 3.1%
CLASS E FELONY	21 .4%	7 .9%	16 2.0%	26 .6%	8 1.4%	9 1.1%	11 1.8%	15 .3%	4 .6%	5 .5%	11 .3%	1 .1%
TOTAL	1851 31.5%	260 34.3%	499 62.7%	1576 34.1%	211 36.8%	606 50.9%	384 62.1%	1595 36.0%	240 38.0%	644 48.7%	1542 38.1%	285 37.3%
SECOND FELONY												
A-II FELONY	44 .7%	3 .4%	1 .1%	43 .9%	6 1.0%	5 .6%	6 1.0%	61 1.4%	7 1.1%	13 1.4%	72 1.7%	8 1.2%
CLASS B FELONY	638 10.5%	47 6.2%	106 13.3%	483 10.5%	26 4.5%	60 7.5%	83 13.4%	527 11.9%	37 5.9%	72 7.9%	439 10.5%	62 9.1%
CLASS C FELONY	1179 20.1%	219 28.9%	95 10.7%	847 18.3%	126 22.0%	124 15.6%	65 10.5%	771 17.4%	138 21.9%	157 17.2%	671 16.2%	193 28.2%
CLASS D FELONY	1701 28.9%	188 24.8%	88 11.1%	1241 26.9%	172 30.0%	158 19.8%	63 10.2%	1137 25.6%	175 27.7%	188 20.6%	1101 26.5%	125 18.5%
CLASS E FELONY	464 7.9%	40 5.3%	17 2.1%	429 9.3%	33 5.7%	44 5.5%	17 2.8%	342 7.7%	34 5.4%	37 4.1%	294 7.1%	41 6.0%
TOTAL	4026 68.5%	497 65.7%	297 37.3%	3843 65.9%	363 68.2%	391 49.1%	284 37.9%	2888 64.0%	391 62.0%	467 51.3%	2567 61.9%	429 62.7%
GRAND TOTAL	5877 100.0%	757 100.0%	797 100.0%	4619 100.0%	574 100.0%	797 100.0%	618 100.0%	4433 100.0%	631 100.0%	911 100.0%	4169 100.0%	684 100.0%

TABLE 7.6 DRUG CRIMES BY FELONY CLASS CATEGORY, 1ST OR 2ND FELONY STATUS, REGION OF THE STATE AND YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	2000						2001					
	KINGS	NEW YORK	QUEENS	RICHMOND	BRONX	SUBURBAN NEW YORK	UPSTATE OTHER	KINGS	NEW YORK	QUEENS	RICHMOND	BRONX
FIRST FELONY												
A-I FELONY	4 .0%	14 .5%	7 1.3%	1 1.1%	2 .1%	2 .3%	3 .4%	0 .0%	10 .4%	3 .5%	0 .0%	1 .1%
A-II FELONY	33 5.0%	208 9.8%	18 3.2%	2 2.3%	32 2.0%	55 7.3%	32 4.0%	17 3.1%	239 10.2%	12 2.2%	2 4.7%	22 1.9%
CLASS B FELONY	120 18.3%	316 10.7%	144 25.9%	20 23.0%	372 22.0%	119 15.7%	155 16.9%	109 20.0%	327 13.9%	144 26.1%	2 4.7%	302 26.7%
CLASS C FELONY	74 11.3%	81 2.7%	56 10.1%	9 10.3%	148 9.1%	52 6.9%	89 11.2%	67 12.3%	72 3.1%	53 9.6%	5 11.6%	86 7.5%
CLASS D FELONY	15 2.3%	27 .9%	5 .9%	4 4.6%	38 2.3%	25 3.3%	154 19.3%	20 3.7%	22 .9%	6 1.1%	8 18.6%	21 1.5%
CLASS E FELONY	4 .6%	7 .2%	2 .4%	0 .0%	8 .5%	7 .9%	7 .9%	6 1.1%	6 .3%	7 1.3%	0 .0%	7 .6%
TOTAL	250 38.1%	733 24.9%	232 41.7%	36 41.4%	600 36.8%	260 34.3%	420 52.7%	219 40.2%	676 28.8%	225 40.8%	17 39.8%	439 38.5%
SECOND FELONY												
A-II FELONY	3 .5%	37 1.3%	1 .2%	0 .0%	3 .2%	3 .4%	9 1.1%	1 .2%	36 1.5%	2 .4%	1 2.3%	3 .3%
CLASS B FELONY	93 14.2%	275 9.3%	92 16.5%	11 12.6%	167 10.2%	47 6.2%	68 8.5%	59 10.8%	163 6.9%	107 19.4%	11 25.6%	143 12.7%
CLASS C FELONY	112 17.0%	731 24.8%	66 11.8%	22 25.3%	248 15.2%	219 28.9%	113 14.2%	94 17.2%	543 23.1%	68 12.3%	8 18.4%	134 11.9%
CLASS D FELONY	125 19.0%	946 32.1%	119 21.4%	13 14.9%	498 30.6%	188 24.8%	152 19.1%	112 20.6%	720 30.6%	103 18.7%	4 9.3%	302 26.7%
CLASS E FELONY	74 11.3%	224 7.6%	47 8.4%	5 5.7%	114 7.0%	40 5.3%	35 4.4%	60 11.0%	212 9.0%	47 8.5%	2 4.7%	108 9.6%
TOTAL	407 61.9%	2213 75.1%	325 58.3%	51 58.6%	1030 63.2%	497 65.7%	377 47.3%	326 59.8%	1674 71.2%	327 59.2%	26 60.5%	490 61.1%
GRAND TOTAL	657 100.0%	2946 100.0%	557 100.0%	87 100.0%	1630 100.0%	757 100.0%	797 100.0%	545 100.0%	2350 100.0%	552 100.0%	43 100.0%	1129 100.0%

(continued)

TABLE 7.6 DRUG CRIMES BY FELONY CLASS CATEGORY, 1ST OR 2ND FELONY STATUS, REGION OF THE STATE AND YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY		2002								2003							
		KINGS	NEW YORK	QUEENS	RICHMOND	BRONX	SUBURBAN NEW YORK	UPSTATE URBAN	UPSTATE OTHER	KINGS	NEW YORK	QUEENS	RICHMOND	BRONX	SUBURBAN NEW YORK	UPSTATE URBAN	UPSTATE OTHER
FIRST FELONY																	
A-I FELONY	1 .2%	11 .5%	2 .4%	0 .0%	3 .3%	1 .2%	6 .7%	1 .1%	1 .2%	12 .5%	3 .9%	0 .0%	5 .3%	3 .4%	10 1.0%	1 .1%	
A-II FELONY	25 4.4%	315 14.0%	20 4.4%	6 12.0%	29 2.6%	48 7.6%	32 3.5%	26 3.9%	20 3.6%	319 14.4%	13 3.0%	2 4.0%	27 2.7%	60 8.8%	50 5.1%	42 5.8%	
CLASS B FELONY	106 18.7%	278 12.3%	140 30.6%	6 12.0%	292 26.5%	122 19.3%	123 13.5%	201 30.0%	136 24.2%	284 12.8%	96 28.2%	8 19.0%	293 29.8%	123 18.0%	114 11.7%	163 22.3%	
CLASS C FELONY	64 11.3%	79 3.5%	46 10.1%	9 18.0%	86 7.8%	41 6.5%	91 10.0%	58 8.7%	69 12.3%	97 4.4%	36 10.6%	4 9.5%	64 6.5%	47 6.9%	118 12.1%	98 13.4%	
CLASS D FELONY	19 3.4%	23 1.0%	4 .9%	5 10.0%	11 1.0%	24 3.8%	187 20.5%	90 13.5%	24 4.3%	28 1.3%	11 3.2%	1 2.4%	20 2.0%	21 3.1%	184 18.8%	107 14.7%	
CLASS E FELONY	3 .5%	3 .1%	5 1.1%	0 .0%	6 .4%	6 .6%	5 .5%	20 3.0%	5 .9%	1 .0%	0 .0%	0 .0%	5 .5%	1 .1%	15 1.5%	22 3.0%	
TOTAL	218 36.4%	709 31.4%	217 47.5%	26 52.0%	425 38.5%	240 38.0%	464 48.7%	396 59.2%	255 45.3%	741 35.4%	159 46.8%	15 35.7%	412 41.9%	255 37.3%	491 50.2%	433 59.3%	
SECOND FELONY																	
A-II FELONY	4 .7%	50 2.2%	5 1.1%	1 2.0%	1 .1%	7 1.1%	13 1.4%	1 .1%	6 1.1%	61 2.7%	2 .6%	1 2.4%	2 .2%	8 1.2%	9 .9%	6 .8%	
CLASS B FELONY	89 15.7%	183 8.1%	88 19.3%	5 10.0%	162 14.7%	37 5.9%	72 7.9%	92 13.8%	80 14.2%	163 7.3%	48 14.1%	6 14.3%	132 13.4%	62 9.1%	78 8.0%	77 10.5%	
CLASS C FELONY	80 15.5%	447 19.2%	56 12.3%	11 22.0%	169 15.3%	138 21.9%	157 17.2%	80 12.0%	85 15.1%	424 19.1%	36 10.6%	12 28.6%	114 11.6%	193 28.2%	153 15.6%	79 10.8%	
CLASS D FELONY	132 23.3%	659 29.2%	64 14.0%	5 10.0%	277 25.1%	175 27.7%	188 20.6%	78 11.7%	104 18.5%	686 30.9%	64 18.0%	6 14.3%	241 24.5%	125 18.3%	204 20.9%	105 14.4%	
CLASS E FELONY	36 6.3%	208 9.2%	27 5.9%	2 4.0%	69 6.3%	34 5.4%	37 4.1%	22 3.3%	33 5.9%	146 6.6%	31 9.1%	2 4.8%	82 8.3%	41 6.0%	43 4.4%	30 4.1%	
TOTAL	349 61.6%	1547 68.6%	240 52.5%	24 48.0%	678 61.5%	391 62.0%	467 51.3%	273 40.8%	308 54.7%	1480 66.6%	181 53.2%	27 64.3%	571 58.1%	429 62.7%	487 49.8%	297 40.7%	
GRAND TOTAL	567 100.0%	2256 100.0%	457 100.0%	50 100.0%	1103 100.0%	631 100.0%	911 100.0%	669 100.0%	563 100.0%	2221 100.0%	360 100.0%	42 100.0%	983 100.0%	684 100.0%	978 100.0%	730 100.0%	

TABLE 7.7
DRUG CRIMES BY FELONY CLASS CATEGORY, 1ST OR 2ND FELONY OFFENDER STATUS, SEX, AND YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	2000				2001				2002				2003			
	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	36	.5X	2	.3X	20	.3X	1	.2X	25	.4X	0	.0X	31	.5X	2	.6X
A-II FELONY	466	6.5X	35	4.4X	395	6.6X	22	3.4X	466	7.7X	35	5.7X	489	8.2X	42	8.0X
CLASS B FELONY	1319	17.7X	166	20.9X	1129	18.9X	168	25.9X	1115	18.5X	133	24.9X	1091	18.2X	126	23.0X
CLASS C FELONY	532	7.2X	56	7.1X	393	6.6X	61	9.4X	421	7.0X	53	8.6X	479	8.0X	56	9.9X
CLASS D FELONY	338	4.5X	29	3.7X	304	5.1X	30	4.6X	306	5.1X	57	9.3X	349	5.8X	47	8.6X
CLASS E FELONY	46	.6X	5	.6X	50	.8X	4	.6X	41	.7X	3	.5X	41	.7X	8	1.5X
TOTAL	2737	36.8X	293	36.9X	2291	38.4X	286	44.1X	2374	39.4X	301	48.9X	2480	41.4X	281	51.3X
SECOND FELONY																
A-II FELONY	56	.8X	1	.1X	58	1.0X	2	.3X	80	1.3X	2	.3X	91	1.5X	6	.7X
CLASS B FELONY	799	10.7X	60	7.6X	605	10.2X	47	7.3X	675	11.2X	55	8.9X	603	10.1X	43	7.8X
CLASS C FELONY	1444	19.4X	152	19.2X	1065	17.8X	96	15.5X	1045	17.3X	101	16.4X	1018	17.0X	78	14.2X
CLASS D FELONY	1917	25.8X	212	26.7X	1478	25.8X	156	24.0X	1486	24.1X	132	19.8X	1427	23.8X	108	19.7X
CLASS E FELONY	481	6.5X	75	9.5X	464	7.8X	59	9.1X	401	6.7X	34	5.6X	374	6.2X	36	6.2X
TOTAL	4697	63.2X	500	63.1X	3668	61.6X	363	55.9X	3655	60.6X	314	51.1X	3513	58.6X	267	48.7X
GRAND TOTAL	7434	100.0X	793	100.0X	5959	100.0X	649	100.0X	6029	100.0X	615	100.0X	5993	100.0X	548	100.0X

TABLE 7.8

FELONY CLASS CATEGORY	2000						2001						2001								
	WHITE			HISPANIC			OTHERS			WHITE			AFRICAN AMERICAN			HISPANIC			OTHERS		
	NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT	
first felony offender																					
A-I FELONY	2	4.2%	15	.3%	19	.62%	2	3.3%	0	.0%	10	.3%	11	.4%	0	.0%					
A-II FELONY	39	7.4%	107	2.6%	353	10.7%	2	3.3%	30	6.3%	101	2.9%	284	10.7%	2	3.1%					
CLASS B FELONY	151	28.7%	652	15.0%	669	20.3%	13	21.7%	139	29.3%	552	16.1%	591	22.3%	15	23.4%					
CLASS C FELONY	60	11.4%	314	7.2%	210	6.4%	4	6.7%	54	11.6%	228	6.7%	168	6.3%	4	6.3%					
CLASS D FELONY	62	11.8%	223	5.1%	78	2.4%	4	6.7%	61	13.1%	190	5.5%	170	2.9%	5	7.6%					
CLASS E FELONY	15	2.8%	27	.6%	10	.3%	1	1.7%	9	1.9%	31	.9%	13	.5%	1	1.6%					
TOTAL	327	62.2%	1338	30.8%	1339	40.6%	26	43.3%	293	63.0%	1112	32.5%	1145	43.1%	27	42.2%					
second felony offender																					
A-I FELONY	3	.6%	24	.6%	30	.9%	0	.0%	4	.9%	24	.7%	32	1.2%	0	.0%					
CLASS B FELONY	31	5.2%	512	11.8%	309	9.4%	7	11.7%	27	5.8%	380	11.1%	242	9.1%	3	4.7%					
CLASS C FELONY	55	10.5%	940	21.6%	589	17.9%	12	20.0%	49	10.5%	660	19.3%	439	16.5%	14	21.9%					
CLASS D FELONY	84	16.0%	1202	27.7%	832	25.3%	11	18.5%	45	13.5%	966	27.6%	610	23.0%	15	23.4%					
CLASS E FELONY	26	4.3%	330	7.6%	196	5.3%	4	6.7%	29	6.2%	303	8.6%	186	7.0%	5	7.6%					
TOTAL	199	37.8%	3008	69.2%	1956	59.4%	34	56.7%	172	37.0%	2313	67.5%	1509	56.9%	37	57.8%					
GRAND TOTAL	526	100.0%	4346	100.0%	3295	100.0%	60	100.0%	465	100.0%	3425	100.0%	2654	100.0%	64	100.0%					

(continued)

FELONY CLASS CATEGORY	2002												2003											
	WHITE			AFRICAN AMERICAN			HISPANIC			OTHERS			WHITE			AFRICAN AMERICAN			HISPANIC			OTHERS		
	NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT		NUMBER	PERCENT	
first felony offender																								
A-I FELONY	3	7.7%		8	.2%		14	.5%	0	.0%		1	.2%		10	.3%		21	.8%		1	.3%		
A-II FELONY	34	7.4%		94	2.8%		369	13.9%	4	2.7%		54	10.9%		86	2.8%		388	15.1%		5	4.4%		
CLASS B FELONY	141	30.6%		530	15.7%		561	21.1%	36	24.5%		114	23.1%		524	15.8%		555	21.6%		24	21.2%		
CLASS C FELONY	52	11.3%		231	6.8%		175	6.6%	14	10.9%		86	17.3%		291	8.7%		173	6.7%		13	11.5%		
CLASS D FELONY	50	10.8%		252	7.4%		53	2.0%	8	5.4%		47	9.4%		249	7.4%		69	2.7%		11	9.7%		
CLASS E FELONY	17	3.7%		19	.6%		7	.3%	1	.7%		14	2.8%		22	.7%		13	.5%		0	.0%		
TOTAL	297	64.4%		1134	33.5%		1179	44.4%	65	44.2%		306	61.9%		1182	35.1%		1219	47.4%		54	47.8%		
second felony offender																								
A-II FELONY	5	1.1%		29	.9%		47	1.8%	1	.7%		8	1.6%		34	1.0%		53	2.1%		0	.0%		
CLASS B FELONY	30	6.5%		400	11.8%		289	10.9%	9	6.1%		31	6.3%		370	11.0%		237	9.2%		8	7.1%		
CLASS C FELONY	44	9.5%		650	19.2%		431	16.2%	21	14.5%		47	9.5%		455	19.5%		378	14.7%		16	14.2%		
CLASS D FELONY	58	12.4%		922	27.3%		558	21.6%	40	27.2%		72	14.6%		899	26.7%		530	20.9%		26	23.0%		
CLASS E FELONY	27	5.9%		248	7.3%		149	5.8%	11	7.5%		30	6.1%		224	6.7%		145	5.6%		9	8.0%		
TOTAL	164	35.4%		2249	66.5%		1474	55.6%	82	55.8%		188	38.1%		2182	64.9%		1351	52.6%		59	52.2%		
GRAND TOTAL	461	100.0%		3383	100.0%		2653	100.0%	147	100.0%		494	100.0%		3364	100.0%		2570	100.0%		113	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 2003 a first felony offender convicted of a Class B drug felony received a minimum term (on average) of 24 months, but a second felony offender convicted of a Class B drug felony received a minimum term (on average) of 62 months. Examining the median minimum sentence provides a similar picture. In 2003, a Class B felon convicted as a first felony offender received a median minimum sentence of 24 months, four months longer than a year earlier, while a Class B second felony offender received a median minimum of 54 months, unchanged since 2000 (see Table 7.10).

The average minimum sentence for the total group of drug offenders committed in 2003 was 35 months. This figure has remained fairly constant throughout the study period of 2000-2003. For first felony offenders, the average minimum sentence was 31 months and for second felony offenders, the average minimum sentence was 37 months in 2003. The difference in average minimum sentences between the two groups is not greater 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
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	2000			2001			2002			2003		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
A-I FELONY	38	202.4	186.0	21	208.9	180.0	25	211.8	180.0	33	208.7	180.0
A-II FELONY	558	57.1	48.0	477	57.7	48.0	583	57.5	48.0	628	57.0	48.0
CLASS B FELONY	2344	37.4	30.0	1949	35.7	24.0	1996	37.3	35.0	1863	37.5	30.0
CLASS C FELONY	2184	34.1	36.0	1616	33.8	36.0	1620	34.3	36.0	1629	35.1	36.0
CLASS D FELONY	2496	25.7	24.0	1968	25.4	24.0	1941	25.5	24.0	1931	25.9	24.0
CLASS E FELONY	607	18.4	18.0	577	18.2	18.0	479	18.1	18.0	457	18.3	18.0
TOTAL	8227	33.7	30.0	6608	32.8	30.0	6644	34.2	30.0	6541	34.9	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
2000-2003 NEW COURT COMMITMENTS

FELONY CLASS CATEGORY	2000			2001			2002			2003		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
first felony offender												
A-I FELONY	38	202.4	186.0	21	208.9	180.0	25	211.8	180.0	33	208.7	180.0
A-II FELONY	501	54.6	48.0	417	55.0	48.0	501	54.4	48.0	533	53.1	48.0
CLASS B FELONY	1485	23.4	18.0	1297	23.3	18.0	1268	23.7	20.0	1217	24.5	24.0
CLASS C FELONY	588	21.1	16.0	484	20.0	12.0	474	21.6	16.0	533	24.3	18.0
CLASS D FELONY	367	19.7	18.0	334	18.1	16.0	363	19.3	18.0	396	20.1	18.0
CLASS E FELONY	51	15.9	16.0	54	15.5	16.0	44	14.6	14.0	49	15.5	12.0
TOTAL	3030	29.8	24.0	2577	28.5	24.0	2675	30.1	24.0	2761	31.4	24.0
second felony offender												
A-II FELONY	57	78.8	72.0	60	76.4	72.0	82	76.5	72.0	95	78.9	72.0
CLASS B FELONY	859	61.8	54.0	652	60.4	54.0	728	61.1	54.0	646	62.0	54.0
CLASS C FELONY	1596	38.9	36.0	1162	39.2	36.0	1146	39.5	36.0	1096	40.3	36.0
CLASS D FELONY	2129	26.7	24.0	1634	26.9	24.0	1578	26.9	24.0	1535	27.4	24.0
CLASS E FELONY	556	18.7	18.0	523	18.4	18.0	435	18.4	18.0	408	18.6	18.0
TOTAL	5197	36.0	35.0	4031	35.5	30.0	3969	36.9	36.0	3780	37.4	36.0
GRAND TOTAL	8227	33.7	30.0	6608	32.8	30.0	6644	34.2	30.0	6541	34.9	30.0

Section 8

GENDER

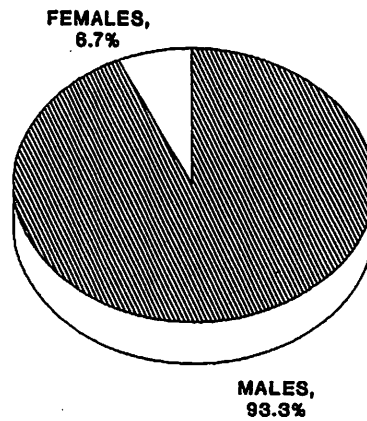
There were significant differences in the type of commitment offenses of men and women. In 2003, 30% of men were committed for a violent felony offense compared with only 18% of women (see Table 8.1). Men were also slightly more likely to be committed for other coercive offenses (10% compared with 7% for women). Women were more likely than men to be committed for property and other offenses (25% and 19%, respectively). On the other hand, women were considerably more likely than men to be committed to state prison for a drug offense (47% compared with 37% for men). While men and women were equally likely to be convicted of drug possession (15% and 17%, respectively), women were much more likely to be convicted of drug sale (31% for women and 22% for men).

The proportion of women committed to state prison for a drug offense declined from 59% in 2000 to 47% in 2003. Among men the percentage similarly declined from 43% in 1999 to 37% in 2003.

Long Term Trend

Table 8.2 provides a historical view of the gender distribution of new commitments. The largest number of women offenders committed to state prison were admitted in calendar year 1991 (N=2,264). In 2003 there were 1,162 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 in the new commitments cohort spiked to a high of 9.4% in 1991 before gradually descending to 6.7% in 2003. The 1,162 female admissions in 2003 represent the fewest female admissions since 1988. However, the number is almost triple the 405 female admissions received a generation earlier in 1981.

Figure 8
DEPARTMENT OF CORRECTIONAL SERVICES
NEW COMMITMENTS - 2003
GENDER



CRIME BY GENDER
2003 NEW COMMITMENTS
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

OFFENSE ON COMMITMENT	GENDER		TOTAL
	MALE	FEMALE	
VIOLENT FELONY	4,914	211	5,125
OTHER COERCIVE	1,586	84	1,670
DRUG OFFENSES	5,993	548	6,541
PROPERTY OFFENSES	3,114	291	3,405
YOUTHFUL/JUVENILE OFFENDER	574	28	602
TOTAL	16,181	1,162	17,343
PERCENT	93.3%	6.7%	100.0%

TABLE 8.1
CRIME BY SEX AND YEAR
2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000			2001			2002			2003		
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
VIOLENT FELONY												
MURDER	276 1.6%	15 1.1%	291 1.4%	262 1.7%	11 .9%	273 1.7%	265 1.7%	14 1.2%	279 1.4%	241 1.5%	12 1.0%	253 1.5%
ATTEMPTED MURDER	182 .9%	0 .0%	182 .8%	142 .9%	5 .4%	147 .9%	158 1.0%	2 .2%	160 .9%	117 .7%	2 .2%	119 .7%
MANSLAUGHTER 1ST	158 .9%	25 1.9%	183 1.0%	176 1.2%	19 1.6%	195 1.2%	171 1.1%	10 .8%	181 1.1%	126 .8%	14 1.2%	140 .8%
RAPE 1ST	144 .8%	0 .0%	144 .8%	136 .9%	0 .0%	136 .8%	143 1.0%	0 .0%	143 1.0%	148 .9%	1 .1%	149 .9%
ROBBERY 1ST	792 4.6%	29 2.2%	821 4.4%	756 4.9%	20 1.7%	776 4.7%	762 4.8%	22 1.8%	784 4.4%	712 4.4%	23 2.0%	735 4.2%
ROBBERY 2ND	888 5.2%	37 2.8%	925 5.0%	750 4.9%	37 3.1%	787 4.8%	841 5.3%	42 3.5%	883 5.2%	935 5.8%	45 3.7%	981 5.7%
ASSAULT 1ST	308 1.8%	25 1.9%	333 1.8%	309 2.0%	25 2.1%	334 2.0%	344 2.2%	23 1.9%	367 2.2%	320 2.0%	23 2.0%	343 2.0%
ASSAULT 2ND	414 2.4%	35 2.4%	449 2.4%	395 2.4%	42 3.5%	437 2.6%	413 2.6%	36 3.0%	449 2.6%	427 2.6%	34 2.9%	461 2.7%
BURGLARY 1ST	109 .6%	5 .4%	114 .6%	100 .7%	2 .2%	102 .6%	111 .7%	5 .4%	116 .7%	116 .7%	2 .2%	118 .7%
BURGLARY 2ND	624 3.6%	23 1.7%	647 3.5%	624 4.1%	24 2.0%	650 3.9%	680 4.3%	30 2.5%	710 4.2%	627 3.9%	32 2.8%	659 3.8%
ARSON 1ST,2ND	22 .1%	5 .4%	27 .1%	34 .2%	2 .2%	36 .2%	23 .1%	5 .4%	28 .2%	32 .2%	6 .5%	38 .2%
SODOMY 1ST	114 .7%	1 .1%	115 .6%	126 .8%	1 .1%	127 .8%	119 .8%	1 .1%	120 .7%	138 .9%	0 .0%	138 .8%
SEX.AB-1ST,Ag.2	308 1.8%	1 .1%	309 1.7%	240 1.6%	1 .1%	241 1.5%	249 1.6%	3 .2%	252 1.5%	285 1.8%	2 .2%	287 1.7%
WEAPONS OFFENSES	511 3.0%	7 .5%	518 2.8%	518 3.4%	11 .9%	529 3.2%	571 3.6%	9 .4%	576 3.4%	647 4.0%	15 1.3%	662 3.8%
KIDNAPPING 1ST,2ND	46 .3%	1 .1%	47 .3%	40 .3%	0 .0%	40 .2%	33 .2%	3 .2%	36 .2%	31 .2%	2 .2%	33 .2%
CONSPIRACY 1ST	1 .0%	0 .0%	1 .0%	1 .0%	0 .0%	1 .0%	1 .0%	0 .0%	1 .0%	0 .0%	0 .0%	0 .0%
OTHER VIOLENT FELONIES	1 .0%	0 .0%	1 .0%	2 .0%	0 .0%	2 .0%	3 .0%	0 .0%	3 .0%	9 .1%	0 .0%	9 .1%
TOTAL	4868 28.3%	209 15.6%	5077 27.4%	4613 30.2%	200 16.5%	4813 29.2%	4987 31.1%	201 16.6%	5188 30.0%	4914 30.4%	211 18.2%	5125 29.6%
OTHER COERCIVE												
MANSLAUGHTER 2ND	40 .3%	10 .7%	70 .4%	55 .4%	9 .7%	64 .4%	52 .3%	11 .9%	63 .4%	45 .3%	5 .4%	50 .3%
OTHER HOMICIDE	32 .2%	9 .7%	41 .2%	32 .2%	4 .3%	36 .2%	34 .2%	4 .3%	38 .2%	39 .2%	2 .2%	41 .2%
ROBBERY 3RD	433 2.5%	22 1.6%	455 2.5%	479 3.1%	21 1.7%	500 3.0%	508 3.2%	27 2.2%	535 3.1%	481 3.0%	25 2.2%	506 2.9%
ATT ASSAULT 2ND	181 1.1%	8 .6%	189 1.0%	204 1.3%	10 .8%	214 1.3%	209 1.3%	10 .8%	219 1.3%	195 1.2%	20 1.7%	215 1.2%
CONSPIRACY 2,3,4	70 .4%	7 .5%	77 .4%	55 .4%	6 .5%	61 .4%	79 .5%	5 .4%	84 .5%	85 .5%	8 .7%	93 .5%
OTHER WEAPONS	196 1.1%	2 .1%	198 1.1%	174 1.2%	4 .3%	180 1.1%	160 1.0%	3 .2%	163 1.0%	235 1.5%	7 .6%	242 1.4%
OTHER SEX OFFENSES	265 1.5%	2 .1%	267 1.4%	277 1.8%	5 .4%	282 1.7%	292 1.8%	4 .3%	296 1.7%	325 2.0%	9 .4%	330 1.9%
OTHER COERCIVE	147 1.0%	11 .8%	178 1.0%	143 1.1%	13 1.1%	176 1.2%	191 1.2%	18 1.5%	209 1.2%	181 1.1%	12 1.0%	193 1.1%
TOTAL	1484 8.2%	71 5.3%	1475 7.9%	1441 9.4%	72 5.9%	1513 9.2%	1525 9.7%	82 6.8%	1607 9.4%	1586 9.8%	84 7.2%	1670 9.6%
DRUG OFFENSES												
DRUG SALE	5291 30.7%	624 46.7%	5915 31.9%	3976 26.0%	465 38.4%	4441 26.9%	3755 23.8%	619 34.5%	4174 24.3%	3556 22.0%	356 30.6%	3912 22.6%
DRUG POSSESSION	2143 12.4%	169 12.4%	2312 12.5%	1983 13.0%	184 15.2%	2167 13.1%	2274 14.4%	196 16.2%	2470 14.5%	2437 15.1%	192 16.5%	2629 15.2%
TOTAL	7434 43.2%	793 59.3%	8227 44.3%	5959 39.0%	649 53.5%	6608 40.1%	6029 38.2%	815 50.7%	6644 39.1%	5993 37.0%	548 47.2%	6541 37.7%
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	660 5.0%	32 2.4%	692 4.8%	758 5.0%	31 2.6%	789 4.8%	740 4.8%	23 1.9%	763 4.6%	840 5.2%	36 3.1%	876 5.1%
GRAND LARCENY	615 3.6%	78 5.8%	693 3.7%	566 3.7%	86 7.1%	652 4.0%	593 3.8%	116 9.6%	709 4.2%	682 4.2%	114 9.8%	796 4.6%
FORGERY	234 1.4%	62 4.6%	296 1.4%	234 1.5%	73 6.0%	307 1.9%	235 1.5%	66 5.4%	301 1.8%	288 1.8%	56 4.8%	344 2.0%
STOLEN PROPERTY	344 2.0%	22 1.6%	366 2.0%	265 1.7%	12 1.0%	277 1.7%	318 2.0%	28 2.3%	346 2.0%	343 2.1%	18 1.5%	361 2.1%
DRIVE INTOXICATED	512 3.0%	26 1.9%	538 2.9%	471 3.1%	31 2.6%	502 3.0%	417 2.6%	19 1.6%	436 2.6%	399 2.5%	33 2.8%	432 2.5%
CONTEMPT 1ST	144 .8%	3 .2%	147 .8%	156 1.0%	2 .2%	158 1.0%	146 .9%	4 .3%	150 .9%	140 .9%	1 .1%	141 .8%
ALL OTHER FELONIES	265 1.5%	20 1.5%	285 1.5%	272 1.8%	33 2.7%	305 1.8%	350 2.2%	32 2.6%	382 2.2%	422 2.6%	33 2.8%	455 2.6%
TOTAL	2976 17.3%	243 18.2%	3219 17.3%	2722 17.8%	268 22.1%	2990 18.1%	2819 17.8%	288 23.7%	3107 18.3%	3114 19.2%	291 25.0%	3405 19.6%
YOUTHFUL/JUVENILE OFFENSES												
YOUTHFUL OFFENDER	501 2.9%	21 1.4%	522 2.8%	521 3.4%	23 1.9%	544 3.3%	487 3.1%	24 2.1%	513 3.0%	534 3.3%	26 2.2%	560 3.2%
JUVENILE OFFENDER	43 .2%	0 .0%	43 .2%	31 .2%	0 .0%	31 .2%	28 .2%	1 .1%	29 .2%	40 .2%	2 .2%	42 .2%
TOTAL	544 3.2%	21 1.6%	565 3.0%	552 3.6%	23 1.9%	575 3.5%	515 3.3%	27 2.2%	542 3.2%	574 3.5%	28 2.4%	602 3.5%
GRAND TOTAL	17226 100.0%	1337 100.0%	18563 100.0%	15287 100.0%	1212 100.0%	16499 100.0%	15795 100.0%	1213 100.0%	17088 100.0%	14181 100.0%	1162 100.0%	17343 100.0%

TABLE 8.2

WOMEN NEW COURT COMMITMENTS 1980-2002

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%
2000	1,337	7.2%
2001	1,212	7.3%
2002	1,213	7.1%
2003	1,162	6.7%

Section 9

RACE/ETHNIC STATUS

In 2003, 20% of commitments were White, 47% were African American, and 30% were Hispanic. The balance, including "not stated" contributed 3% of the total commitments (N=452) (see Table 9.1).

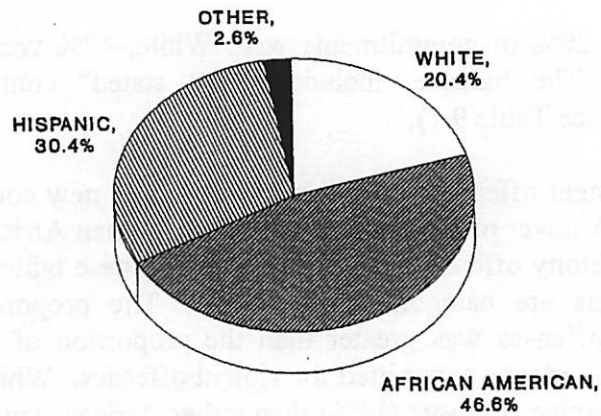
Commitment offense by ethnic status for 2003 new court commitments is shown in Tables 9.2 and 9.3. A lower proportion of Whites (26%) than African Americans (32%) were committed for violent felony offenses (see Table 9.2). In these tables Native American, Asian and other ethnic groups are categorized as "other." The proportion of Hispanics (29%) committed for violent offenses was greater than the proportion of Whites and less than the proportion of African Americans committed for violent offenses. Whites were more likely to be committed for other coercive offenses (14%) than either African Americans (9%) or Hispanics (7%).

There are important differences in commitments to prison for drug offenses according to race/ethnic statistics.

In brief, during 2003, White offenders were primarily committed to state prison for property offenses (42%) and violent felony offenses (26%). African American offenders were primarily committed for drug offenses (42%) and secondarily for violent felony offenses (32%). Hispanic offenders committed to state prison in 2003 were primarily drug offenders (49%) and 29% were violent felony offenders (see Table 9.2).

Table 9.3 shows the ethnic status distribution for specific offenses with the percentages based on each offense group. For example, among commitments for murder in 2003 (N=253), 15% were Whites (N=39), 59% were African Americans (N=150), 24% were Hispanics (N=60), and the remaining 2% (N=4) were "others."

Figure 9
DEPARTMENT OF CORRECTIONAL SERVICES
NEW COMMITMENTS - 2003
ETHNIC GROUP



CRIME BY ETHNIC STATUS
2003 NEW COMMITMENTS
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

OFFENSE ON COMMITMENT	ETHNIC STATUS				TOTAL
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	
VIOLENT FELONY	923	2,571	1,513	118	5,125
OTHER COERCIVE	495	719	392	64	1,670
DRUG OFFENSES	494	3,364	2,570	113	6,541
PROPERTY OFFENSES	1,479	1,151	642	133	3,405
YOUTHFUL/JUVENILE OFFENDER	153	269	156	24	602
TOTAL	3,544	8,074	5,273	452	17,343
PERCENT	20.4%	46.6%	30.4%	2.6%	100.0%

TABLE 9.1
ETHNIC STATUS BY SEX
2003 NEW COURT COMMITMENTS

ETHNIC STATUS	INMATE GENDER		TOTAL
	MALE	FEMALE	
WHITE	3252 20.1%	292 25.1%	3544 20.4%
AFRICAN AMERICAN	7554 46.7%	520 44.8%	8074 46.6%
HISPANIC	4951 30.6%	322 27.7%	5273 30.4%
OTHER	424 2.6%	28 2.4%	452 2.6%
TOTAL	16181 100.0%	1162 100.0%	17343 100.0%

TABLE 9.2
CRIME BY ETHNIC STATUS (NUMBER AND COLUMN PERCENTAGES)
2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	WHITE		AFRICAN AMERICAN		HISPANIC		OTHER		UNKNOWN		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
VIOLENT FELONY												
MURDER	39	1.1%	150	1.9%	60	1.1%	4	1.3%	0	.0%	253	1.5%
ATTEMPTED MURDER	8	.2%	54	.7%	53	1.0%	4	1.3%	0	.0%	119	.7%
MANSLAUGHTER 1ST	14	.4%	90	1.0%	41	.8%	4	1.3%	0	.0%	140	.8%
RAPE 1ST	37	1.0%	55	.7%	50	.9%	6	2.0%	1	.7%	149	.9%
ROBBERY 1ST	70	2.0%	430	5.3%	228	4.3%	6	7.5%	1	.7%	735	4.2%
ROBBERY 2ND	115	3.2%	547	6.8%	294	5.6%	23	4.9%	2	1.4%	981	5.7%
ASSAULT 1ST	41	1.2%	158	2.0%	128	2.4%	15	4.9%	1	.7%	343	2.0%
ASSAULT 2ND	79	2.2%	229	2.8%	140	2.7%	12	3.9%	1	.7%	461	2.7%
BURGLARY 1ST	16	.5%	57	.7%	42	.8%	3	1.0%	0	.0%	118	.7%
BURGLARY 2ND	230	6.5%	231	2.9%	186	3.5%	11	3.6%	1	.7%	659	3.8%
ARSON 1ST, 2ND	15	.4%	16	.2%	6	.1%	2	.7%	1	.7%	38	.2%
SODOMY 1ST	70	2.0%	32	.4%	32	.6%	4	1.3%	0	.0%	138	.8%
SEX AB-1ST, AG-2	145	4.1%	69	.9%	67	1.3%	5	1.6%	1	.7%	287	1.7%
WEAPONS OFFENSES	35	1.0%	499	5.6%	169	3.2%	7	2.3%	2	1.4%	662	3.8%
KIDNAPPING 1ST, 2ND	9	.3%	10	.1%	14	.3%	0	.0%	0	.0%	33	.2%
OTHER VIOLENT FELONIES	2	.1%	4	.0%	3	.1%	0	.0%	0	.0%	9	.1%
SUBTOTAL	923	26.0%	2571	31.8%	1513	28.7%	106	34.5%	12	8.3%	5125	29.6%
OTHER COERCIVE												
MANSLAUGHTER 2ND	16	.5%	16	.2%	15	.3%	2	.7%	1	.7%	50	.3%
OTHER HOMICIDE	25	.7%	6	.1%	6	.1%	2	.7%	2	1.4%	41	.2%
ROBBERY 3RD	113	3.2%	260	3.2%	117	2.2%	9	2.9%	7	4.8%	506	2.9%
ATT ASSAULT 2ND	49	1.4%	104	1.3%	51	1.0%	6	2.0%	5	3.4%	215	1.2%
CONSPIRACY 2, 3, 4	15	.4%	38	.5%	37	.7%	2	.7%	1	.7%	93	.5%
OTHER WEAPONS	31	.9%	149	1.8%	52	1.0%	7	2.3%	3	2.1%	242	1.4%
OTHER SEX OFFENSES	161	4.5%	83	1.0%	76	1.4%	8	2.6%	2	1.4%	380	1.9%
OTHER COERCIVE	85	2.4%	63	.8%	38	.7%	5	1.6%	2	1.4%	193	1.1%
SUBTOTAL	495	14.0%	719	8.9%	392	7.4%	41	13.4%	23	15.9%	1670	9.6%
DRUG OFFENSES												
DRUG SALE	252	7.1%	1981	24.5%	1618	30.7%	29	9.4%	32	22.1%	3912	22.6%
DRUG POSSESSION	242	6.8%	1383	17.1%	952	18.1%	27	8.8%	25	17.2%	2629	15.2%
SUBTOTAL	494	13.9%	3364	41.7%	2570	48.7%	56	18.2%	57	39.3%	6541	37.7%
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	378	10.7%	303	3.8%	163	3.1%	16	5.2%	16	11.0%	876	5.1%
GRAND LARCENY	292	8.2%	311	3.9%	169	3.2%	12	3.9%	12	8.3%	796	4.6%
FORGERY	124	3.5%	147	1.8%	103	2.0%	10	3.3%	1	.7%	344	2.0%
STOLEN PROPERTY	91	2.6%	154	1.9%	103	2.0%	6	4.1%	6	4.1%	361	2.1%
DRIVE INTOXICATED	340	9.6%	39	.5%	33	.6%	15	4.9%	5	3.4%	432	2.5%
CONTEMPT 1ST	50	1.4%	59	.7%	26	.5%	4	1.3%	2	1.4%	141	.8%
ALL OTHER FELONIES	204	5.8%	138	1.7%	86	1.6%	24	7.8%	3	2.1%	455	2.6%
SUBTOTAL	1479	41.7%	1151	14.3%	662	12.2%	88	28.7%	45	31.0%	3405	19.6%
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	151	4.3%	245	3.0%	142	2.7%	15	4.9%	7	4.8%	560	3.2%
JUVENILE OFFENDER	2	.1%	24	.3%	14	.3%	1	.3%	1	.7%	42	.2%
SUBTOTAL	153	4.3%	269	3.3%	156	3.0%	16	5.2%	8	5.5%	602	3.5%
GRAND TOTAL	3544	100.0%	8074	100.0%	5273	100.0%	307	100.0%	145	100.0%	17343	100.0%

TABLE 9.3
CRIME BY ETHNIC STATUS (NUMBER AND ROW PERCENTAGES)
2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	WHITE		AFRICAN AMERICAN		HISPANIC		OTHER		UNKNOWN		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
VIOLENT FELONY												
MURDER	39	15.4%	150	59.3%	60	23.7%	4	1.6%	0	.0%	253	100.0%
ATTEMPTED MURDER	8	6.7%	54	45.4%	53	44.5%	4	3.4%	0	.0%	119	100.0%
MANSLAUGHTER 1ST	14	10.0%	80	57.1%	41	29.3%	4	2.9%	1	.7%	149	100.0%
RAPE 1ST	37	24.8%	55	36.9%	50	33.6%	6	4.0%	1	.7%	149	100.0%
ROBBERY 1ST	70	9.5%	430	58.5%	228	31.0%	6	.8%	1	.1%	735	100.0%
ROBBERY 2ND	115	11.7%	547	55.8%	294	30.0%	23	2.3%	2	.2%	981	100.0%
ASSAULT 1ST	41	12.0%	158	46.1%	128	37.3%	15	4.4%	1	.3%	343	100.0%
ASSAULT 2ND	79	17.1%	229	49.7%	140	30.4%	12	2.6%	0	.0%	461	100.0%
BURGLARY 1ST	16	13.6%	57	48.3%	42	35.6%	3	2.5%	0	.0%	118	100.0%
BURGLARY 2ND	230	34.9%	231	35.1%	186	28.2%	11	1.7%	1	.2%	659	100.0%
ARSON 1ST,2ND	13	34.2%	16	42.1%	6	15.8%	2	5.3%	1	2.6%	38	100.0%
SODOMY 1ST	70	50.7%	32	23.2%	32	23.2%	4	2.9%	0	.0%	138	100.0%
SEX AB-1ST,2ND	145	50.5%	69	24.0%	67	23.3%	5	1.7%	1	.3%	287	100.0%
WEAPONS OFFENSES	35	5.3%	449	67.8%	169	25.5%	7	1.1%	2	.3%	662	100.0%
KIDNAPPING 1ST,2ND	9	27.3%	10	30.3%	14	42.4%	0	.0%	0	.0%	33	100.0%
OTHER VIOLENT FELONIES	2	22.2%	4	44.4%	3	33.3%	0	.0%	0	.0%	9	100.0%
TOTAL	923	18.0%	2571	50.2%	1513	29.5%	106	2.1%	12	.2%	5125	100.0%
OTHER COERCIVE												
MANSLAUGHTER 2ND	16	32.0%	16	32.0%	15	30.0%	2	4.0%	1	2.0%	50	100.0%
OTHER HOMICIDE	125	61.0%	6	14.6%	15	14.6%	2	4.9%	2	4.9%	41	100.0%
ROBBERY 3RD	115	22.3%	260	51.4%	117	23.1%	9	1.8%	7	1.4%	506	100.0%
ATT ASSAULT 2ND	49	22.8%	104	48.4%	51	23.7%	6	2.8%	5	2.3%	215	100.0%
CONSPIRACY 2,3,4	15	16.1%	38	40.9%	37	39.8%	2	2.2%	1	1.1%	93	100.0%
OTHER WEAPONS	31	12.8%	149	61.6%	52	21.5%	7	2.9%	3	1.2%	242	100.0%
OTHER SEX OFFENSES	161	48.8%	83	25.2%	76	23.0%	8	2.4%	2	.6%	330	100.0%
OTHER COERCIVE	85	44.0%	63	32.6%	38	19.7%	5	2.6%	2	1.0%	193	100.0%
TOTAL	495	29.6%	719	43.1%	392	23.5%	41	2.5%	23	1.4%	1670	100.0%
DRUG OFFENSES												
DRUG SALE	252	6.4%	1981	50.6%	1618	41.4%	29	.7%	32	.8%	3912	100.0%
DRUG POSSESSION	242	9.2%	1383	52.6%	952	36.2%	27	1.0%	25	1.0%	2629	100.0%
TOTAL	494	7.6%	3364	51.4%	2570	39.3%	56	.9%	57	.9%	6541	100.0%
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	378	43.2%	303	34.6%	163	18.6%	16	1.8%	16	1.8%	876	100.0%
GRAND LARCENY	292	36.7%	311	39.1%	169	21.2%	12	1.5%	12	1.5%	796	100.0%
FORGERY	124	36.0%	147	42.7%	62	18.0%	10	2.9%	1	.3%	344	100.0%
STOLEN PROPERTY	391	25.2%	154	42.7%	103	28.5%	7	1.9%	6	1.7%	361	100.0%
DRIVE INTOXICATED	340	78.7%	39	9.0%	33	7.6%	15	3.5%	5	1.2%	432	100.0%
CONTEMPT 1ST	50	35.5%	59	41.8%	26	18.4%	4	2.8%	2	1.4%	141	100.0%
ALL OTHER FELONIES	204	44.8%	138	30.3%	86	18.9%	24	5.3%	3	.7%	455	100.0%
TOTAL	1479	43.4%	1151	33.8%	642	18.9%	88	2.6%	45	1.3%	3405	100.0%
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	151	27.0%	245	43.8%	142	25.4%	15	2.7%	7	1.2%	560	100.0%
JUVENILE OFFENDER	2	4.8%	24	57.1%	14	33.3%	1	2.4%	1	2.4%	42	100.0%
TOTAL	153	25.4%	269	44.7%	156	25.9%	16	2.7%	8	1.3%	602	100.0%
GRAND TOTAL	3544	20.4%	8074	46.6%	5273	30.4%	307	1.8%	145	.8%	17343	100.0%

Race/Ethnic Status of Women Commitments

Earlier tables have shown the high percentage of drug offenses among women. The data in Table 9.4 show that 59% of Hispanic women and 53% of African American women committed to state prison were sentenced for a drug offense. In sharp contrast, only 26% 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 (47%) than were African-American women (18%) or Hispanic women (15%) (see Table 9.4).

Trends in Commitment Crime by Ethnic Status

The number of White, African American and Hispanic offenders in each crime category for commitment years 2000 through 2003 is shown in Table 9.5. These are the figures upon which the percentages in Table 9.6 are based.

The proportion of African Americans committed for violent felony offenses slightly increased from 29% in 2000 to 32% in 2003 (see Table 9.6). In other areas there were also either minor changes or no changes in African American offense patterns in the period 2000-2003.

There was a decline among Whites in the percent committed for violent felony crimes between 2000 (28%) and 2003 (26%) (see Table 9.6). There was also a slight decrease in the percent of Whites committed for drug offenses between 2000 (15%) and 2003 (14%).

Among Hispanics the proportion committed for violent crimes rose from 25% in 2000 to 29% in 2003. There was a decrease in Hispanic drug offense commitments from 58% in 2000 to 49% in 2003.

The number of males in each crime and ethnic status group for the years 2000 to 2003 is presented in Table 9.7. The percent figures in Table 9.8 are based on the numbers in Table 9.7. 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 9.6.

TABLE 9.4 CRIME BY SEX AND ETHNIC STATUS; 2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	MALE					FEMALE					TOTAL
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN	
VIOLENT FELONY											
MURDER	37 1.1%	145 1.9%	55 1.1%	4 1.3%	0 .0%	2 .7%	5 1.0%	5 1.6%	0 .0%	0 .0%	253 1.5%
ATTEMPTED MURDER	7 .2%	53 .7%	53 1.1%	4 1.3%	0 .0%	1 .3%	1 .2%	0 .0%	0 .0%	0 .0%	119 .7%
MANSLAUGHTER 1ST	13 .4%	71 .9%	37 .7%	4 1.3%	1 .8%	1 .3%	9 1.7%	4 1.2%	0 .0%	0 .0%	140 .8%
RAPE 1ST	36 1.1%	55 .7%	50 1.0%	6 2.0%	1 .8%	1 .3%	0 .0%	0 .0%	0 .0%	0 .0%	149 .9%
ROBBERY 1ST	65 2.0%	420 5.6%	220 4.4%	6 2.0%	1 .8%	5 1.7%	10 1.9%	8 2.5%	0 .0%	0 .0%	735 4.2%
ROBBERY 2ND	102 3.1%	531 7.0%	282 5.7%	22 7.2%	1 .8%	13 4.9%	16 3.1%	12 3.7%	1 33.3%	1 4.0%	981 5.7%
ASSAULT 1ST	38 1.2%	147 1.9%	120 2.4%	15 4.9%	0 .0%	3 1.0%	11 2.1%	8 2.5%	0 .0%	1 4.0%	343 2.0%
ASSAULT 2ND	74 2.3%	210 2.8%	150 2.6%	12 3.9%	1 .8%	5 1.7%	19 3.7%	10 3.1%	0 .0%	0 .0%	461 2.7%
BURGLARY 1ST	16 .5%	55 .7%	42 .8%	3 1.0%	0 .0%	0 .0%	2 .4%	0 .0%	0 .0%	0 .0%	118 .7%
BURGLARY 2ND	217 6.7%	221 2.9%	178 3.6%	11 3.6%	0 .0%	13 4.5%	10 1.9%	8 2.5%	0 .0%	1 4.0%	659 3.8%
ARSON 1ST,2ND	11 .3%	13 .2%	6 .1%	2 .7%	0 .0%	2 .7%	3 .6%	0 .0%	0 .0%	1 4.0%	38 .2%
SODOMY 1ST	70 2.2%	32 .4%	32 .6%	4 1.3%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	138 .8%
SEX AB-1ST,Ag.2	143 4.4%	69 .9%	67 1.4%	5 1.6%	1 .8%	2 .7%	0 .0%	0 .0%	0 .0%	0 .0%	287 1.7%
WEAPONS OFFENSES	36 1.0%	437 5.8%	167 3.4%	7 2.3%	2 1.7%	1 .3%	12 2.3%	2 .6%	0 .0%	0 .0%	462 3.8%
KIDNAPPING 1ST,2ND	7 .2%	10 .1%	14 .3%	0 .0%	0 .0%	2 .7%	0 .0%	0 .0%	0 .0%	0 .0%	33 .2%
OTHER VIOLENT FELONIES	2 .1%	4 .1%	3 .1%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	9 .1%
SUBTOTAL	872 26.8%	2473 32.7%	1456 29.4%	105 34.5%	8 6.7%	51 17.5%	98 18.8%	57 17.7%	1 33.3%	4 16.0%	5125 29.6%
OTHER COERCIVE											
MANSLAUGHTER 2ND	15 .5%	14 .2%	13 .3%	2 .7%	1 .8%	1 .3%	2 .4%	2 .6%	0 .0%	0 .0%	50 .3%
OTHER HOMICIDE	24 .7%	5 .1%	6 .1%	2 .7%	2 1.7%	1 .3%	1 .2%	0 .0%	0 .0%	0 .0%	41 .2%
ROBBERY 3RD	111 3.4%	248 3.3%	108 2.2%	9 3.0%	5 4.2%	2 .7%	12 2.3%	9 2.8%	0 .0%	2 8.0%	586 2.9%
ATT ASSAULT 2ND	45 1.4%	91 1.2%	49 1.0%	6 2.0%	4 3.3%	4 1.4%	13 2.5%	2 .6%	0 .0%	1 4.0%	215 1.2%
CONSPIRACY 2,3,4	12 .4%	35 .5%	35 .7%	2 .7%	1 .8%	3 1.0%	3 .6%	2 .6%	0 .0%	0 .0%	95 .5%
OTHER WEAPONS	31 1.0%	143 1.9%	51 1.0%	7 2.3%	3 2.5%	0 .0%	6 1.2%	1 .3%	0 .0%	0 .0%	242 1.4%
OTHER SEX OFFENSES	156 4.8%	83 1.1%	76 1.5%	8 2.6%	2 1.7%	5 1.7%	0 .0%	0 .0%	0 .0%	0 .0%	330 1.9%
OTHER COERCIVE	81 2.5%	59 .8%	34 .7%	5 1.6%	2 1.7%	4 1.4%	4 .8%	4 1.2%	0 .0%	0 .0%	195 1.1%
SUBTOTAL	475 14.6%	678 9.0%	372 7.5%	41 13.8%	20 16.7%	20 6.8%	41 7.9%	20 6.2%	0 .0%	3 12.0%	1670 9.6%
DRUG SALE	211 6.5%	1795 23.8%	1491 30.1%	29 9.5%	30 25.0%	41 14.0%	186 35.8%	127 39.4%	0 .0%	2 8.0%	3912 22.6%
DRUG POSSESSION	204 6.3%	1295 17.1%	888 17.9%	27 8.9%	21 17.5%	36 12.3%	88 16.9%	64 19.9%	0 .0%	4 16.0%	2629 15.2%
SUBTOTAL	417 12.8%	3090 40.9%	2379 48.1%	56 18.4%	51 42.5%	77 26.4%	274 52.7%	191 59.3%	0 .0%	6 24.0%	4541 37.7%
PROPERTY AND OTHER											
BURGLARY 3RD	363 11.2%	291 3.9%	156 3.2%	16 5.3%	16 11.7%	15 5.1%	12 2.3%	7 2.2%	0 .0%	2 8.0%	876 5.1%
GRAND LARCENY	244 7.5%	267 3.5%	151 3.0%	12 3.9%	8 6.7%	48 16.4%	44 8.5%	18 5.6%	0 .0%	4 16.0%	796 4.6%
FORGERY	97 5.0%	128 1.7%	54 1.1%	9 3.0%	0 .0%	27 9.2%	19 3.7%	8 2.5%	1 33.3%	1 4.0%	344 2.0%
STOLEN PROPERTY	87 2.7%	143 1.9%	101 2.0%	7 2.3%	5 4.2%	4 1.4%	11 2.1%	2 .6%	0 .0%	1 4.0%	361 2.1%
DRIVE INTOXICATED	312 9.6%	39 .5%	30 .6%	14 4.6%	4 3.3%	28 9.6%	0 .0%	3 .9%	1 33.3%	1 4.0%	432 2.5%
CONTEMPT 1ST	49 1.5%	59 .8%	26 .5%	4 1.3%	2 1.7%	1 .3%	0 .0%	0 .0%	0 .0%	0 .0%	141 .8%
ALL OTHER FELONIES	191 5.9%	129 1.7%	76 1.5%	24 7.9%	2 1.7%	13 4.5%	9 1.7%	10 3.1%	0 .0%	1 4.0%	455 2.6%
SUBTOTAL	1343 41.3%	1056 14.0%	594 12.0%	86 28.3%	35 29.2%	156 46.6%	95 18.3%	48 14.9%	2 66.7%	10 40.0%	3685 19.6%
YOUTHFUL OFFENDER	144 4.4%	233 3.1%	136 2.7%	15 4.9%	6 5.0%	7 2.4%	12 2.3%	6 1.9%	0 .0%	1 4.0%	560 3.2%
JUVENILE OFFENDER	1 .0%	24 .3%	14 .3%	1 .3%	0 .0%	1 .3%	0 .0%	0 .0%	0 .0%	1 4.0%	42 .2%
SUBTOTAL	145 4.5%	257 3.4%	150 3.0%	16 5.3%	6 5.0%	8 2.7%	12 2.3%	6 1.9%	0 .0%	2 8.0%	602 3.5%
GRAND TOTAL	3252 100.0%	7554 100.0%	4951 100.0%	304 100.0%	120 100.0%	292 100.0%	520 100.0%	322 100.0%	3 100.0%	25 100.0%	17543 100.0%

TABLE 9.5 CRIME BY ETHNIC STATUS AND YEAR: 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000				2001				2002				2003			
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER
VIOLENT FELONY																
MURDER	42	148	73	8	30	158	74	11	48	155	73	3	39	150	60	4
ATTEMPTED MURDER	18	78	52	6	15	90	38	4	9	85	60	6	8	94	35	5
MANSLAUGHTER 1ST	20	98	61	4	18	103	62	12	23	80	75	3	14	80	51	7
RAPE 1ST	52	77	28	7	39	56	39	21	39	74	49	21	77	420	228	7
ROBBERY 1ST	84	474	240	23	91	441	242	12	108	413	269	9	115	527	294	25
ROBBERY 2ND	116	515	283	13	135	464	240	14	121	482	284	13	119	158	128	16
ASSAULT 1ST	54	186	88	5	28	173	119	14	37	189	133	18	41	239	140	13
ASSAULT 2ND	102	214	119	14	101	192	129	15	71	223	141	14	79	157	42	3
CONSPIRACY 1ST	28	57	27	2	17	49	32	4	23	50	21	2	16	231	186	12
BURGLARY 1ST	211	249	178	9	211	225	203	11	23	230	212	9	230	13	6	3
BURGLARY 2ND	13	13	5	0	9	17	8	2	57	37	26	0	70	32	32	4
ARSON 1ST, 2ND	65	26	20	4	42	78	31	6	124	58	65	5	145	69	67	6
SODOMY 1ST	199	87	59	4	105	74	134	10	35	397	134	10	35	449	169	9
SEX AB-1ST, AG-2	39	356	142	1	11	354	9	2	3	20	12	1	9	10	14	0
WEAPONS OFFENSES	13	18	14	0	10	17	1	0	0	0	1	0	0	0	0	0
KIDNAPPING 1ST, 2ND	0	0	1	0	0	0	1	0	0	0	1	0	0	4	3	0
OTHER VIOLENT FELONIES	0	1	0	0	0	2	0	0	2	0	1	0	2	2571	1513	118
TOTAL	1014	2571	1390	102	841	2420	1420	132	894	2532	1588	94	923	2571	1513	118
OTHER COERCIVE																
MANSLAUGHTER 2ND	24	23	22	1	19	18	24	3	17	27	18	1	16	16	15	3
OTHER HOMICIDE	21	12	6	2	25	9	3	1	23	303	133	9	25	6	6	4
ROBBERY 3RD	92	248	89	6	97	284	112	7	40	117	85	7	113	260	117	16
ATT ASSAULT 2ND	51	89	45	4	62	100	35	1	18	55	37	2	15	104	51	11
CONSPIRACY 2,3,4	1	31	40	3	1	11	35	1	1	33	34	7	3	38	37	3
OTHER WEAPONS	32	116	45	3	32	112	35	1	25	79	34	7	31	149	52	10
OTHER SEX OFFENSES	149	86	23	7	169	57	41	5	159	68	38	4	161	83	76	19
OTHER COERCIVE	82	60	29	7	73	57	41	5	99	68	38	4	85	63	58	7
TOTAL	454	665	321	35	481	670	328	34	463	734	575	35	495	719	392	64
DRUG OFFENSES																
DRUG OFFENSES	313	3100	2452	50	254	2257	1885	45	295	2072	1785	62	282	1981	1618	61
DRUG SALE	213	1246	843	10	211	1168	769	19	210	1348	859	45	242	1583	952	52
DRUG POSSESSION	526	4346	3295	60	465	3425	2654	64	465	3420	2654	105	494	3364	2570	113
PROPERTY AND OTHER OFFENSES																
PROPERTY AND OTHER OFFENSES	363	349	156	24	318	286	174	11	340	285	165	13	378	303	163	32
BURGLARY 3RD	241	279	157	16	212	287	141	12	267	268	139	15	282	311	159	24
GRAND LARCENY	108	149	32	9	104	154	43	6	126	122	44	9	134	147	62	11
FORGERY	119	149	91	7	79	126	72	0	92	152	91	11	91	154	103	13
STOLEN PROPERTY	445	46	37	10	403	51	35	13	346	27	30	15	340	39	33	20
DRIVE INTOXICATED	53	67	24	3	61	41	36	0	41	59	28	2	50	139	56	2
CONTEMPT 1ST	139	86	50	10	118	101	70	16	153	123	97	9	204	138	86	27
ALL OTHER FELONIES	1468	1125	547	79	1298	1066	571	58	1405	1036	594	72	1479	1151	642	133
TOTAL	3604	8992	5670	297	3222	7876	5096	307	3563	7985	5537	323	3544	8074	5273	452
YOUTHFUL/JUVENILE																
YOUTHFUL OFFENDER	159	254	108	21	135	274	116	19	133	245	118	17	151	245	142	22
JUVENILE OFFENDER	3	31	9	0	5	19	7	0	3	18	8	0	2	24	14	2
TOTAL	142	285	117	21	140	293	123	19	136	263	126	17	153	269	156	24
GRAND TOTAL	3604	8992	5670	297	3222	7876	5096	307	3563	7985	5537	323	3544	8074	5273	452

TABLE 9.6
CRIME BY ETHNIC STATUS (IN PERCENT)
2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000				2001				2002				2003			
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER
VIOLENT FELONY																
MURDER	1.7%	1.6%	1.3%	2.7%	.9%	2.0%	1.5%	3.6%	1.4%	1.9%	1.4%	.9%	1.1%	1.9%	1.1%	.9%
ATTEMPTED MURDER	.5%	.8%	.9%	2.0%	.6%	1.1%	1.2%	1.3%	.7%	1.1%	1.1%	.9%	.4%	1.2%	1.1%	.8%
MANSLAUGHTER 1ST	.6%	1.1%	1.1%	1.3%	.5%	1.3%	1.2%	1.9%	.3%	1.0%	1.4%	.9%	.2%	1.0%	.8%	1.1%
RAPE 1ST	.9%	.9%	.5%	2.4%	1.2%	.7%	.8%	.7%	1.2%	.9%	.9%	.3%	.1%	.7%	.9%	1.5%
ROBBERY 1ST	2.3%	5.3%	4.2%	7.7%	2.2%	5.6%	4.7%	6.8%	1.2%	5.2%	5.0%	6.5%	2.0%	5.3%	4.3%	5.1%
ROBBERY 2ND	3.2%	5.7%	5.0%	4.4%	2.6%	5.6%	4.7%	5.9%	3.2%	6.0%	5.3%	5.8%	3.2%	6.8%	5.6%	5.5%
ASSAULT 1ST	1.5%	2.1%	1.6%	4.4%	1.9%	2.2%	2.3%	4.6%	1.1%	2.4%	2.5%	2.5%	1.2%	2.0%	2.4%	3.5%
ASSAULT 2ND	2.8%	2.4%	2.1%	4.7%	3.1%	2.6%	2.5%	4.9%	2.1%	2.8%	2.8%	4.3%	2.2%	2.8%	2.7%	2.9%
BURGLARY 1ST	.8%	.6%	.9%	4.7%	.5%	.8%	.6%	1.3%	.6%	.6%	.8%	.6%	.5%	.7%	.8%	.7%
BURGLARY 2ND	5.2%	2.8%	3.1%	5.0%	6.5%	2.9%	4.0%	3.6%	6.9%	3.2%	4.0%	2.8%	6.5%	2.9%	3.5%	2.7%
ARSON 1ST	.8%	.4%	.4%	1.0%	.4%	.2%	.2%	.7%	.2%	.1%	.1%	.6%	.4%	.2%	.1%	.7%
ARSON 2ND	.4%	.1%	.1%	.6%	.1%	.1%	.1%	.2%	.1%	.1%	.1%	.1%	.2%	.1%	.1%	.1%
SEX AB-1ST, AG-2	1.4%	1.0%	1.0%	1.3%	3.3%	.9%	2.2%	3.0%	1.7%	3.7%	1.5%	3.5%	2.0%	3.4%	1.6%	.9%
WEAPONS OFFENSES	1.1%	5.7%	2.5%	1.5%	1.0%	4.5%	2.6%	3.5%	3.7%	5.0%	2.8%	5.1%	1.0%	5.2%	1.3%	1.3%
KIDNAPPING 1ST, 2ND	.4%	.2%	.2%	.7%	.4%	.2%	.2%	.3%	1.1%	.3%	.3%	.3%	.3%	.3%	.3%	2.0%
CONSPIRACY 1ST	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%
OTHER VIOLENT FELONIES	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.1%	.0%	.0%	.0%	.1%	.0%	.1%	.0%
TOTAL	28.1%	28.6%	24.5%	34.3%	26.1%	30.7%	27.9%	43.0%	26.6%	31.7%	29.8%	29.1%	26.0%	31.8%	28.7%	26.1%
OTHER COERCIVE																
MANSLAUGHTER 2ND	.7%	.3%	.4%	.3%	.6%	.2%	.5%	1.0%	.5%	.3%	.3%	.3%	.5%	.2%	.3%	.7%
OTHER HOMICIDE	.4%	1%	1%	.7%	.4%	1%	1%	.5%	.2%	.4%	.2%	.2%	.2%	.3%	.1%	.9%
ROBBERY 3RD	2.6%	3.0%	1.6%	2.3%	3.0%	3.4%	2.2%	2.5%	2.7%	3.4%	2.5%	2.3%	3.2%	3.2%	2.6%	3.2%
ATT ASSAULT 2ND	1.1%	1.0%	.8%	1.5%	1.9%	1.3%	.9%	2.5%	1.2%	1.5%	1.2%	2.3%	1.4%	1.5%	1.2%	2.7%
CONSPIRACY 2, 3, 4	.9%	.3%	.7%	1.0%	.3%	.2%	.6%	.3%	.3%	.6%	.7%	.6%	.2%	.7%	.7%	.9%
OTHER WEAPONS	.9%	1.3%	.8%	1.7%	.8%	1.2%	.7%	.5%	.7%	1.2%	.6%	.6%	.9%	1.8%	1.0%	2.2%
OTHER SEX OFFENSES	4.1%	.7%	.5%	2.4%	5.2%	.9%	.7%	2.9%	4.7%	1.0%	1.0%	1.2%	4.5%	1.0%	1.5%	1.2%
OTHER COERCIVE	2.3%	.7%	.8%	2.4%	2.3%	.7%	.8%	1.6%	2.9%	.9%	.7%	1.2%	2.4%	.8%	1.7%	1.5%
TOTAL	12.6%	7.4%	5.7%	11.8%	14.9%	8.5%	6.4%	11.1%	13.8%	9.2%	7.0%	10.8%	14.0%	8.9%	7.4%	14.2%
DRUG OFFENSES																
DRUG SALE	8.7%	34.5%	43.2%	16.8%	7.9%	28.7%	37.0%	14.7%	7.4%	25.9%	33.4%	19.3%	7.1%	24.5%	30.7%	13.5%
DRUG POSSESSION	5.9%	13.9%	14.9%	3.4%	6.5%	14.6%	18.1%	6.2%	6.2%	14.9%	16.3%	13.5%	6.8%	17.1%	18.1%	11.5%
TOTAL	14.6%	48.3%	58.1%	20.2%	14.4%	43.5%	52.1%	20.8%	13.8%	42.8%	49.7%	32.5%	13.9%	41.7%	48.7%	25.0%
PROPERTY AND OTHER OFFENSES																
BURGLARY 3RD	10.1%	3.9%	2.8%	8.1%	9.9%	3.6%	3.4%	3.6%	10.1%	3.6%	2.7%	4.0%	10.7%	3.8%	3.1%	7.1%
GRAND LARCENY	6.7%	3.1%	2.8%	5.4%	6.6%	3.6%	2.8%	3.9%	7.9%	3.4%	3.0%	4.6%	6.2%	3.9%	3.2%	5.3%
FORGERY	3.0%	1.7%	.6%	3.0%	3.2%	2.0%	.8%	2.0%	3.0%	1.5%	.8%	2.8%	3.5%	1.8%	1.2%	2.4%
STOLEN PROPERTY	3.3%	1.7%	1.6%	3.3%	2.5%	1.6%	1.4%	.0%	2.7%	1.9%	1.7%	3.4%	2.9%	1.9%	2.0%	2.8%
DRIVE INTOXICATED	12.3%	.5%	.7%	3.6%	12.5%	.6%	1.4%	4.2%	10.9%	.3%	.3%	4.0%	9.6%	.5%	.6%	4.9%
CONTEMPT 1ST	1.5%	1.9%	1.8%	1.0%	1.9%	.8%	.7%	.0%	1.8%	.7%	.5%	.6%	1.3%	.7%	.5%	1.8%
ALL OTHER FELONIES	5.9%	1.0%	.9%	3.5%	3.7%	1.5%	1.4%	5.2%	4.5%	1.5%	1.8%	2.8%	5.8%	1.7%	1.6%	6.0%
TOTAL	40.7%	12.5%	9.6%	26.6%	40.2%	13.5%	11.2%	18.9%	41.8%	13.0%	11.1%	22.3%	41.7%	14.3%	12.2%	29.4%
YOUTHFUL/JUVENILE																
YOUTHFUL OFFENDER	3.9%	2.8%	1.9%	7.1%	4.2%	3.5%	2.3%	6.2%	4.0%	3.1%	2.2%	5.3%	4.3%	3.0%	2.7%	4.9%
JUVENILE OFFENDER	.1%	.3%	.2%	.0%	.2%	.2%	.1%	.0%	.1%	.2%	.1%	.0%	.1%	.3%	.5%	.4%
TOTAL	3.9%	3.2%	2.1%	7.1%	4.3%	3.7%	2.4%	6.2%	4.0%	3.3%	2.4%	5.3%	4.3%	3.3%	3.0%	5.3%
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%

TABLE 9.7 CRIME BY ETHNIC STATUS BY YEAR, MALES ONLY: 2000-2005 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000				2001				2002				2003			
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER
VIOLENT FELONY																
MURDER	55	141	72	8	27	152	72	11	45	148	71	3	37	145	55	4
ATTEMPTED MURDER	18	76	52	6	14	57	37	14	21	84	60	3	13	55	27	5
MANSLAUGHTER 1ST	15	84	55	4	16	54	58	12	39	76	71	3	13	71	37	7
RAPE 1ST	32	77	28	23	22	43	39	21	79	400	49	21	102	531	220	23
ROBBERY 1ST	80	458	234	25	42	430	238	12	99	462	271	120	98	147	120	15
ROBBERY 2ND	108	494	273	12	84	420	232	12	85	171	180	14	8	210	150	13
ASSAULT 1ST	48	170	85	12	25	156	114	14	65	208	128	14	74	55	42	3
ASSAULT 2ND	98	121	132	12	93	148	120	14	19	208	128	2	16	221	178	11
ASSAULT 3RD	25	121	132	3	17	147	32	11	219	250	202	2	217	221	13	2
BURGLARY 1ST	202	249	172	9	201	217	197	11	11	250	202	2	11	13	6	4
BURGLARY 2ND	42	24	15	0	8	16	8	2	56	37	24	0	70	32	32	2
ARSON 1ST, 2ND	42	24	15	0	8	16	8	2	56	37	24	0	70	32	32	2
SOBONY, 1ST, 2ND	158	67	159	4	105	70	59	6	134	394	133	5	143	437	167	9
WEAPONS OFFENSES	38	331	141	1	30	346	132	12	34	20	9	10	34	10	14	0
KIDNAPING 1ST, 2ND	15	18	13	2	12	17	1	0	0	0	1	0	0	0	0	0
CONSPIRACY 1ST	0	0	1	0	0	0	1	0	0	0	1	0	0	0	0	0
OTHER VIOLENT FELONIES	0	1	0	0	0	2	0	0	2	0	1	0	2	4	3	0
TOTAL	966	2453	1349	100	798	2305	1379	131	848	2438	1527	94	872	2473	1456	115
OTHER COERCIVE																
MANSLAUGHTER 2ND	19	19	21	1	14	16	22	3	12	22	17	1	15	14	13	3
MANSLAUGHTER 2ND	16	10	4	2	22	22	3	7	21	26	6	0	24	5	6	14
COERCIVE 3RD	85	256	86	6	90	273	109	7	63	291	126	8	45	248	108	12
ATT ASSAULT 2ND	50	83	44	4	59	95	34	7	39	112	37	2	12	91	32	10
CONSPIRACY 2, 3, 4	2	29	37	2	10	16	34	1	25	94	34	4	12	143	74	10
OTHER WEAPONS	32	114	45	5	124	149	35	1	155	79	56	4	136	59	34	7
OTHER SEX OFFENSES	147	66	45	7	68	51	39	5	91	61	36	3	81	59	34	7
OTHER COERCIVE	75	56	29	7	68	51	39	5	91	61	36	3	81	59	34	7
TOTAL	426	433	311	34	484	640	313	34	434	697	361	33	475	678	372	61
DRUG OFFENSES																
DRUG SALE	261	2753	2228	47	203	1990	1739	46	197	1868	1648	62	211	1795	1431	59
DRUG POSSESSION	193	1160	781	9	176	1080	708	19	179	1247	805	43	206	1395	888	48
TOTAL	454	3915	3009	56	379	3070	2447	65	376	3095	2453	105	417	3090	2379	107
PROPERTY AND OTHER OFFENSES																
BURGLARY 3RD	353	331	152	24	308	271	168	11	337	272	130	13	363	291	156	30
GRAND LARCENY	199	252	148	16	177	252	125	12	216	220	142	15	244	267	151	20
FORGERY	91	113	24	8	78	117	33	6	93	96	37	9	97	128	56	9
STOLEN PROPERTY	112	137	39	6	74	120	71	0	65	135	87	11	87	143	101	12
DRIVE INTOXICATED	419	46	37	10	375	50	14	12	349	27	29	12	312	59	30	18
CONTEMPT 1ST	52	65	24	3	50	60	35	0	59	57	28	2	49	59	26	6
ALL OTHER FELONIES	130	78	47	10	104	92	60	16	139	115	87	9	191	129	76	26
TOTAL	1356	1022	521	77	1177	942	526	57	1278	922	548	71	1343	1056	594	121
YOUTHFUL/JUVENILE																
YOUTHFUL OFFENDER	130	246	105	20	129	261	112	19	133	233	114	17	144	233	136	21
JUVENILE OFFENDER	3	31	9	0	5	19	7	0	2	18	8	0	1	24	14	1
TOTAL	133	277	114	20	134	280	119	19	125	251	122	17	145	257	150	22
GRAND TOTAL	3335	8300	5304	287	2942	7257	4784	304	3061	7403	5011	320	3252	7354	4951	424

COMMITMENT CRIME	2000					2001					2002					2003				
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER				
VIOLENT FELONY																				
MURDER	1.6%	1.7%	1.4%	2.3%	.9%	2.1%	1.5%	3.6%	1.4%	2.0%	1.4%	1.9%	1.1%	1.9%	1.1%	.9%				
ATTEMPTED MURDER	.5%	.9%	1.0%	2.2%	.5%	1.3%	1.3%	1.3%	.3%	1.1%	1.2%	1.3%	.4%	.7%	1.1%	.5%				
MANSLAUGHTER 1ST	1.0%	1.0%	1.5%	1.4%	1.5%	1.2%	3.3%	1.3%	1.7%	1.0%	1.4%	1.5%	.6%	.9%	1.7%	1.2%				
RAPE 1ST	1.0%	1.5%	4.4%	2.4%	1.3%	.8%	.7%	6.9%	2.6%	4.2%	5.3%	4.2%	1.1%	.7%	4.0%	1.7%				
ROBBERY 1ST	5.2%	5.5%	5.1%	8.0%	2.9%	5.8%	4.8%	6.9%	3.1%	4.2%	4.2%	2.8%	2.0%	5.6%	5.7%	5.5%				
ROBBERY 2ND	2.2%	2.0%	2.1%	4.2%	1.7%	2.1%	2.4%	4.6%	2.1%	2.3%	2.6%	2.5%	1.2%	1.9%	2.4%	3.3%				
ASSAULT 1ST	1.4%	2.3%	2.1%	1.7%	5.2%	2.3%	2.5%	4.6%	2.1%	2.3%	2.6%	2.8%	2.3%	2.8%	2.6%	3.5%				
ASSAULT 2ND	2.9%	.7%	.5%	.7%	.6%	.6%	.7%	1.5%	2.1%	.4%	.8%	.8%	.5%	.7%	.8%	1.1%				
ASSAULT 3RD	6.1%	2.9%	3.2%	3.1%	6.8%	3.9%	3.2%	5.6%	7.2%	3.4%	4.0%	2.8%	6.7%	2.9%	3.6%	5.2%				
BURGLARY 1ST	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%				
BURGLARY 2ND	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%				
BURGLARY 3RD	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%				
ASSON 1ST, 2ND	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%				
SODDY 1ST	1.9%	3.3%	1.1%	1.4%	3.6%	1.0%	1.2%	2.0%	1.8%	.8%	1.5%	1.0%	2.2%	.8%	1.4%	.9%				
SEX AB-1ST, Ag. 2	4.7%	1.0%	1.1%	1.5%	5.6%	1.0%	1.2%	3.3%	4.0%	5.3%	2.7%	3.1%	4.0%	5.2%	3.4%	2.1%				
WEAPONS OFFENSES	1.1%	4.0%	2.2%	.7%	1.0%	4.8%	2.8%	3.3%	1.1%	5.3%	2.7%	3.1%	1.0%	5.2%	3.4%	2.1%				
KIDNAPPING 1ST, 2ND	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%				
CONSPIRACY 1ST, 2ND	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%	.2%				
OTHER VIOLENT FELONIES	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.0%	.1%	.0%	.0%	.0%	.1%	.1%	.1%	.0%				
TOTAL	29.0%	29.6%	29.5%	34.8%	27.1%	31.8%	28.8%	43.1%	27.7%	32.9%	30.5%	29.4%	26.8%	32.7%	29.4%	26.7%				
OTHER COERCIVE																				
MANSLAUGHTER 2ND	.6%	.2%	.4%	.3%	.5%	.2%	.5%	1.0%	.6%	.3%	.5%	.3%	.5%	.2%	.5%	.7%				
OTHER HOMICIDE	.5%	.1%	.1%	.1%	.7%	.1%	.1%	.3%	.7%	.1%	.1%	.2%	.7%	.1%	.1%	.9%				
ROBBERY 3RD	2.5%	3.6%	1.4%	2.1%	3.1%	3.6%	2.3%	2.3%	2.7%	3.9%	2.1%	2.5%	3.4%	3.3%	3.4%	2.8%				
ATT ASSAULT 2ND	1.5%	1.5%	.7%	.7%	2.0%	1.3%	.6%	.3%	1.3%	1.2%	1.2%	.6%	1.6%	1.2%	1.0%	.7%				
CONSPIRACY 2,3,4	1.0%	1.4%	.8%	1.7%	.9%	1.6%	.7%	.3%	.5%	1.3%	.7%	.2%	1.0%	1.9%	1.0%	2.4%				
OTHER WEAPONS OFFENSES	4.4%	1.4%	.8%	1.7%	5.8%	1.6%	.7%	.3%	5.1%	1.1%	1.1%	1.2%	4.8%	1.1%	1.5%	2.4%				
OTHER SEX OFFENSES	2.2%	.7%	.5%	2.4%	2.3%	.7%	.8%	1.6%	3.0%	.8%	.7%	.9%	2.5%	.8%	1.7%	1.7%				
OTHER COERCIVE																				
TOTAL	12.8%	7.6%	5.9%	11.8%	15.4%	8.6%	6.5%	11.2%	14.2%	9.4%	7.2%	10.3%	14.6%	9.0%	7.5%	14.4%				
DRUG OFFENSES																				
DRUG SALE	7.8%	33.2%	42.0%	16.4%	6.9%	27.4%	36.4%	14.5%	6.4%	25.0%	32.9%	19.4%	6.5%	23.8%	30.1%	13.9%				
DRUG POSSESSION	5.8%	14.0%	16.7%	3.1%	6.0%	14.9%	14.8%	6.3%	5.8%	16.8%	16.1%	13.4%	6.3%	17.1%	17.9%	11.3%				
TOTAL	13.6%	47.2%	58.7%	19.5%	12.9%	42.3%	51.1%	20.7%	12.3%	41.8%	49.0%	32.8%	12.8%	40.9%	48.1%	25.2%				
PROPERTY AND OTHER OFFENSES																				
BURGLARY 3RD	10.6%	4.0%	2.9%	8.4%	10.5%	3.7%	3.5%	3.6%	11.0%	3.7%	2.8%	4.1%	11.2%	3.9%	3.2%	7.1%				
GRAND LARCENY	6.0%	3.0%	2.8%	5.6%	5.6%	3.0%	2.6%	3.9%	7.1%	3.0%	2.8%	4.7%	7.5%	3.5%	3.0%	4.7%				
FORGERY	2.7%	1.4%	.5%	2.6%	2.7%	1.4%	.7%	2.0%	3.0%	1.3%	.7%	2.6%	3.0%	1.7%	1.1%	2.1%				
STOLEN PROPERTY	3.4%	1.7%	1.7%	2.1%	2.1%	1.7%	1.5%	2.0%	2.8%	1.8%	1.7%	3.4%	2.7%	1.9%	2.0%	2.8%				
DRIVEN INTOXICATED	12.6%	6.0%	.7%	3.5%	12.7%	.6%	.7%	3.9%	11.4%	.4%	.6%	3.7%	9.5%	.5%	.6%	4.2%				
CONTEMPT 1ST	1.6%	.8%	.5%	1.0%	1.5%	.7%	.7%	1.0%	1.9%	.8%	.4%	.5%	1.5%	.8%	1.4%	1.5%				
ALL OTHER FELONIES	3.9%	.9%	.9%	1.5%	3.5%	1.5%	1.3%	5.3%	4.5%	1.6%	1.7%	2.8%	5.9%	1.7%	1.5%	6.1%				
TOTAL	40.7%	12.3%	9.8%	26.6%	40.0%	13.3%	11.0%	18.8%	41.8%	12.5%	10.9%	22.2%	41.3%	14.0%	12.0%	28.5%				
YOUTHFUL/JUVENILE																				
YOUTHFUL OFFENDER	3.9%	3.0%	2.0%	7.0%	4.4%	3.6%	2.3%	6.3%	4.0%	3.1%	2.3%	5.3%	4.4%	3.1%	2.7%	5.0%				
JUVENILE OFFENDER	.1%	.5%	.2%	.0%	.2%	.1%	.1%	.0%	.1%	.2%	.2%	.0%	.0%	.3%	.3%	.2%				
TOTAL	4.0%	3.3%	2.1%	7.0%	4.6%	3.9%	2.5%	6.3%	4.1%	3.4%	2.4%	5.3%	4.5%	3.4%	3.0%	5.2%				
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%				

Trends in Commitment Crime by Race/Ethnic Status for Females

As stated previously, the number of women committed to state prison dropped during the period 2000–2003. This decline occurred across all the ethnic categories except White females who increased from 269 in 2000 to 292 in 2003 (see Table 9.9). The largest percentage change was the 25% decrease in the number of African American women committed to state prison from 692 in 2000 to 520 in 2003.

The crime distribution of White women new court commitments was relatively stable in the violent felony offense category. Decreases were observed in the coercive offense category (10% in 2000 to 7% in 2003), and in the drug offense category (27% in 2000 to 26% in 2003). However, an increase was observed in the property and other offense category (42% in 2000 to 47% in 2003).

The crime distribution of African American women slightly increased in the violent felony offense category (17% in 2000 to 19% in 2003, after decreasing to 16% in 2002), and increased in the coercive offense category (5% in 2000 to 8% in 2003). However, the distribution of African American women decreased in the drug category (from 62% in 2000 to 53% in 2003) and increased for property and other offenses (from 15% in 2000 to 18% in 2003).

Hispanic women increased in the coercive offense category (3% in 2000 to 6% in 2003), but decreased in the drug offense category (from 78% in 2000 to 59% in 2003), while increasing in the violent felony offense category (from 11% in 2000 to 18% in 2003), and property and other offense categories (from 7% in 2000 to 15% in 2003).

TABLE 9.9 CRIME BY ETHNIC STATUS BY YEAR: FEMALES ONLY 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000				2001				2002				2003			
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER
VIOLENT FELONY																
MURDER	7	7	1	0	3	4	2	0	5	7	2	0	2	5	5	0
ATTEMPTED MURDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MANSLAUGHTER 1ST	5	14	0	0	2	13	4	0	2	4	4	0	1	9	4	0
RAPE 1ST	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
ROBBERY 1ST	4	19	0	0	5	8	4	0	2	13	7	0	1	10	0	0
AGGRAVATED SEXUAL ABUSE 1ST	6	21	10	0	8	24	5	0	9	20	13	0	15	16	12	2
ASSAULT 1ST	4	16	3	0	3	17	5	0	2	18	4	0	3	11	8	1
ASSAULT 2ND	4	23	4	2	8	24	9	0	6	15	13	0	5	19	10	0
BURGLARY 1ST	3	1	1	0	0	2	0	0	0	2	3	0	12	12	0	1
BURGLARY 2ND	9	8	6	0	10	8	6	0	12	9	10	0	20	13	0	1
ARSON 1ST, 2ND	1	4	0	0	1	1	0	0	0	3	2	0	0	0	0	0
SODOMY 1ST	1	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0
SEX AB-1ST, AG-2	1	5	1	0	0	1	0	0	2	3	0	0	1	0	2	0
WEAPONS OFFENSES	1	1	1	0	1	1	2	0	1	0	3	0	2	12	0	0
KIDNAPPING 1ST, 2ND	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	48	118	41	2	43	115	41	1	46	94	61	0	51	98	57	5
OTHER COERCIVE																
MANSLAUGHTER 2ND	5	4	1	0	5	2	2	0	5	5	1	0	1	2	2	0
OTHER HOMICIDE	5	7	3	0	1	11	3	0	2	12	0	0	1	12	0	0
ROBBERY 3RD	7	12	3	0	7	15	2	0	7	5	4	0	2	13	2	0
ATT ASSAULT 2ND	1	6	1	0	1	1	4	0	1	3	0	0	3	6	1	0
CONSPIRACY 2,3,4	0	2	0	0	0	2	0	0	0	0	0	0	0	0	0	0
OTHER WEAPONS	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OTHER SEX OFFENSES	2	0	0	0	5	0	0	0	0	7	2	1	4	4	4	0
OTHER COERCIVE	7	4	0	0	5	6	2	0	6	0	0	0	6	0	0	0
TOTAL	28	32	10	1	27	30	15	0	29	37	14	2	20	41	20	3
DRUG OFFENSES																
DRUG SALE	52	345	224	3	51	247	146	1	58	224	137	0	41	186	127	2
DRUG POSSESSION	20	86	62	1	35	88	61	0	31	101	64	0	36	88	64	4
TOTAL	72	431	286	4	86	355	207	1	89	325	201	0	77	274	191	6
PROPERTY AND OTHER OFFENSES																
BURGLARY 3RD	10	18	4	0	10	15	6	0	3	13	7	0	15	12	7	2
GRAND LARCENY	42	27	9	1	32	32	10	0	51	48	17	0	48	44	18	4
FORGERY	17	56	2	1	25	37	10	0	33	26	4	0	27	19	8	2
STOLEN PROPERTY	1	12	0	0	0	4	1	0	0	17	4	0	4	11	2	1
DRIVE INTOXICATED	26	1	0	0	28	1	1	1	17	0	1	1	28	0	3	2
CONTEMPT 1ST	1	2	0	0	0	1	1	0	2	2	0	0	1	0	0	0
ALL OTHER FELONIES	9	8	3	0	14	9	10	0	14	8	10	0	13	9	10	1
TOTAL	112	103	26	2	118	104	45	1	127	114	46	1	136	95	48	12
YOUTHFUL/JUVENILE																
YOUTHFUL OFFENDER	9	8	3	1	6	13	4	0	10	12	4	0	7	12	6	1
JUVENILE OFFENDER	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	1
TOTAL	9	8	3	1	6	13	4	0	11	12	4	0	8	12	6	2
GRAND TOTAL	249	692	366	10	280	617	312	3	302	582	326	3	292	520	322	28

Section 10

AGE AT ADMISSION

The average age at admission was 31.6 years in 2003 (see Table 10.1). On average, women were older than men at the time of admission. For men the average age was 31.4 years while for women it was 34.6 years (see Table 10.1).

Across the three major race/ethnic groupings, Whites were the oldest at commitment (average age 33.5 years), followed by Hispanics (average age 31.6 years). African-Americans (30.8 years) were the youngest. Others (Asians, Native American, etc.) were also 30.8 years (see Table 10.2).

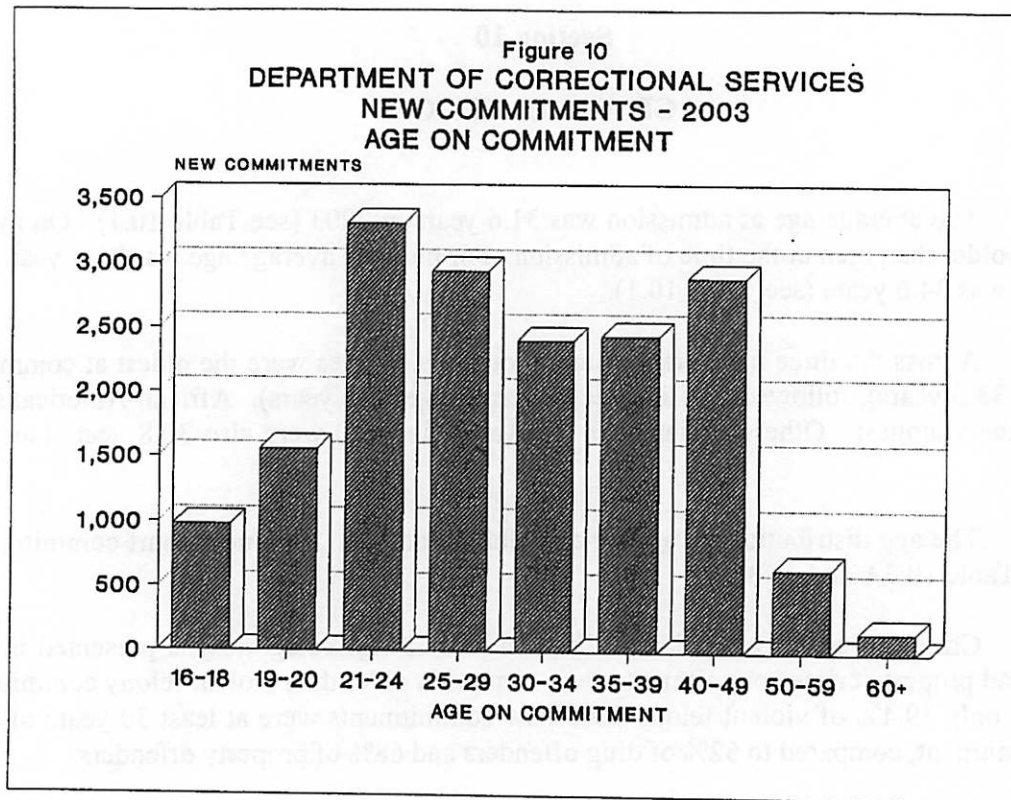
The age distribution by gender and ethnic status for 2003 new court commitments is presented in Table 10.3A and 10.3B.

Crime by age at commitment (broken into 13 age categories) is presented in Table 10.4. Drug and property crime commitments were somewhat older than violent felony commitments. For example, only 39.4% of violent felony 2003 new commitments were at least 30 years of age or older at commitment, compared to 52% of drug offenders and 68% of property offenders.

Average Age at Admission by Crime and Gender

Among 2003 commitments, women were at least two years older on average than were men committed for the same category of offenses, except among property and other offenders and Youthful Offenders/Juvenile Offenders, where the age gap was a year or less (see Table 10.5).

It can also be seen in Table 10.5 that for men and women, the average age at commitment within the violent felony group was relatively stable between 2000 and 2003. However, women's violent felony group average age briefly decreased from 31.1 years old in 2000 to 29.3 years in 2001. The average age of both men and women was relatively stable from 2000 to 2003 in the crime categories of drug offenders, property and older offenders, and Youthful Offenders/Juvenile Offenders. However, the average of both men and women increased from 31.6 years in 2000 to 32.4 years in 2001, decreased back to 31.8 years in 2002 and remained at 31.8 years in 2003.



AGE ON COMMITMENT
2003 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	946	1,507	3,157	2,778	2,237	2,183	2,615	601	157	16,181
FEMALES	33	51	153	167	165	258	278	51	6	1,162
TOTAL COMMITMENTS:	979	1,558	3,310	2,945	2,402	2,441	2,893	652	163	17,343
PERCENT	5.6%	9.0%	19.1%	17.0%	13.8%	14.1%	16.7%	3.8%	0.9%	100.0%

TABLE 10.1 AGE AT COMMITMENT BY SEX
2003 NEW COURT COMMITMENTS

COMMITMENT AGE	MALE	FEMALE	TOTAL
16 YR	68 .4%	0 .0%	68 .4%
17 YR	328 2.0%	17 1.5%	345 2.0%
18 YR	550 3.4%	16 1.4%	566 3.3%
19 YR	681 4.2%	21 1.8%	702 4.0%
20 YR	826 5.1%	30 2.6%	856 4.9%
21 YR	832 5.1%	45 3.9%	877 5.1%
22-24	2325 14.4%	108 9.3%	2433 14.0%
25-29	2778 17.2%	167 14.4%	2945 17.0%
30-34	2237 13.8%	165 14.2%	2402 13.8%
35-39	2183 13.5%	258 22.2%	2441 14.1%
40-49	2615 16.2%	278 23.9%	2893 16.7%
50-59	601 3.7%	51 4.4%	652 3.8%
60 +	157 1.0%	6 .5%	163 .9%
TOTAL	16181 100.0%	1162 100.0%	17343 100.0%
AVERAGE	31.4	34.6	31.6

TABLE 10.2
AGE AT COMMITMENT BY ETHNIC STATUS
2003 NEW COURT COMMITMENTS

AGE AT COMMITMENT	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN	TOTAL
16 YR	12 .3%	39 .5%	15 .3%	1 .3%	1 .7%	68 .4%
17 YR	65 1.8%	190 2.4%	85 1.6%	2 .7%	3 2.1%	345 2.0%
18 YR	107 3.0%	304 3.8%	140 2.7%	13 4.2%	2 1.4%	566 3.3%
19 YR	127 3.6%	371 4.6%	188 3.6%	13 4.2%	3 2.1%	702 4.0%
20 YR	142 4.0%	445 5.5%	242 4.6%	17 5.5%	10 6.9%	856 4.9%
21 YR	168 4.7%	428 5.3%	259 4.9%	18 5.9%	4 2.8%	877 5.1%
22-24	418 11.8%	1193 14.8%	758 14.4%	44 14.3%	20 13.8%	2433 14.0%
25-29	471 13.3%	1399 17.3%	987 18.7%	63 20.5%	25 17.2%	2945 17.0%
30-34	506 14.3%	1023 12.7%	804 15.2%	43 14.0%	26 17.9%	2402 13.8%
35-39	534 15.1%	1117 13.8%	731 13.9%	37 12.1%	22 15.2%	2441 14.1%
40-49	733 20.7%	1277 15.8%	814 15.4%	45 14.7%	24 16.6%	2893 16.7%
50-59	194 5.5%	243 3.0%	202 3.8%	9 2.9%	4 2.8%	652 3.8%
60 +	67 1.9%	45 .6%	68 .9%	2 .7%	1 .7%	163 .9%
TOTAL	3544 100.0%	8074 100.0%	5273 100.0%	307 100.0%	145 100.0%	17343 100.0%
AVERAGE	33.5	30.8	31.6	30.8	31.9	31.6

TABLE 10.3A
AGE BY SEX BY ETHNIC STATUS
2003 NEW COURT COMMITMENTS

AGE AT COMMITMENT	MALE					FEMALE						
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN	TOTAL	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN	TOTAL
16 YR	12 .4%	39 .5%	15 .3%	1 .3%	1 .8%	68 .4%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%
17 YR	62 1.9%	182 2.4%	79 1.6%	2 .7%	3 2.5%	328 2.0%	3 1.0%	8 1.5%	6 1.9%	0 .0%	0 .0%	17 1.5%
18 YR	103 3.2%	296 3.9%	136 2.7%	13 4.3%	2 1.7%	550 3.4%	4 1.4%	8 1.5%	4 1.2%	0 .0%	0 .0%	16 1.4%
19 YR	122 3.8%	360 4.8%	183 3.7%	13 4.3%	3 2.5%	681 4.2%	5 1.7%	11 2.1%	5 1.6%	0 .0%	0 .0%	21 1.8%
20 YR	136 4.2%	431 5.7%	233 4.7%	17 5.6%	9 7.5%	826 5.1%	6 2.1%	14 2.7%	9 2.8%	0 .0%	1 4.0%	30 2.6%
21 YR	155 4.8%	410 5.4%	246 5.0%	18 5.9%	3 2.5%	832 5.1%	13 4.5%	18 3.5%	13 4.0%	0 .0%	1 4.0%	45 3.9%
22-24	393 12.1%	1143 15.1%	729 14.7%	44 14.5%	16 13.3%	2325 14.4%	25 8.6%	50 9.6%	29 9.0%	0 .0%	4 16.0%	108 9.3%
25-29	418 12.9%	1338 17.7%	941 19.0%	61 20.1%	20 16.7%	2778 17.2%	53 18.2%	61 11.7%	46 14.3%	2 66.7%	5 20.0%	167 14.6%
30-34	475 14.6%	943 12.5%	758 15.3%	43 14.1%	18 15.0%	2237 13.8%	31 10.6%	80 15.4%	46 14.3%	0 .0%	8 32.0%	165 14.2%
35-39	470 14.5%	995 13.2%	661 13.4%	37 12.2%	20 16.7%	2183 13.5%	64 21.9%	122 23.5%	70 21.7%	0 .0%	2 8.0%	258 22.2%
40-49	663 20.4%	1147 15.2%	740 14.9%	44 14.5%	21 17.5%	2615 16.2%	70 24.0%	130 25.0%	74 23.0%	1 33.3%	3 12.0%	278 23.9%
50-59	179 5.5%	226 3.0%	184 3.7%	9 3.0%	3 2.5%	601 3.7%	15 5.1%	17 3.3%	18 5.6%	0 .0%	1 4.0%	51 4.4%
60 +	64 2.0%	44 .6%	46 .9%	2 .7%	1 .8%	157 1.0%	3 1.0%	1 .2%	2 .6%	0 .0%	0 .0%	6 .5%
TOTAL	3252 100.0%	7554 100.0%	4951 100.0%	304 100.0%	120 100.0%	16181 100.0%	292 100.0%	520 100.0%	322 100.0%	3 100.0%	25 100.0%	1162 100.0%
AVERAGE	100.0% 33.4	100.0% 30.5	100.0% 31.4	100.0% 30.8	100.0% 31.9	100.0% 31.4	100.0% 34.7	100.0% 34.6	100.0% 34.7	100.0% 32.6	100.0% 31.6	100.0% 34.6

AGE AT COMMITMENT	MALE					FEMALE					GRAND TOTAL	
	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER	UNKNOWN	TOTAL	WHITE	AFRICAN AMERICAN	HISPANIC	OTHER		UNKNOWN	TOTAL
16.00	12	39	15	1	1	68	0	0	0	0	0	0
17.00	62	182	79	13	3	328	3	8	6	0	0	17
18.00	103	296	134	13	2	550	4	8	4	0	0	14
19.00	122	320	193	13	2	681	5	11	5	0	0	21
20.00	136	431	233	17	3	821	6	14	7	0	0	30
21.00	155	470	246	18	3	852	13	18	13	0	1	45
22.00	140	411	225	22	3	802	10	15	11	2	2	38
23.00	120	412	255	12	6	805	9	14	11	0	0	36
24.00	133	350	248	10	7	718	16	21	17	0	0	34
25.00	92	314	216	15	2	659	16	11	8	0	0	35
26.00	102	330	219	12	7	670	15	11	11	0	2	30
27.00	81	254	176	10	5	526	9	11	12	1	0	31
28.00	77	245	168	12	4	506	7	10	10	0	0	37
29.00	66	195	162	12	2	437	7	10	15	1	1	34
30.00	82	205	158	6	4	454	4	12	10	0	0	24
31.00	89	170	148	6	3	418	4	14	7	0	0	24
32.00	103	183	168	10	4	468	7	16	9	1	1	35
33.00	93	194	135	10	4	434	7	16	9	0	0	34
34.00	108	191	151	9	4	463	9	20	9	0	0	38
35.00	94	223	185	11	3	486	8	20	8	0	0	50
36.00	89	175	127	3	6	400	15	22	13	2	2	43
37.00	85	166	141	8	3	423	14	22	15	0	0	38
38.00	106	233	132	7	3	431	16	31	12	0	0	50
39.00	92	208	106	2	7	431	11	27	10	0	1	41
40.00	97	174	110	7	4	379	14	16	15	0	0	45
41.00	87	174	105	7	4	377	10	20	10	0	0	33
42.00	76	132	96	3	4	309	6	14	8	0	0	26
43.00	80	129	79	11	4	303	10	12	0	0	0	31
44.00	74	126	78	3	2	285	16	10	10	0	1	33
45.00	65	101	78	4	0	238	8	24	9	0	0	24
46.00	62	107	64	5	0	238	4	11	7	0	0	18
47.00	47	75	50	4	1	177	4	7	2	0	0	10
48.00	34	60	46	3	0	143	1	9	3	0	0	17
49.00	43	69	36	2	0	151	5	6	4	0	0	16
50.00	35	45	29	0	0	109	6	6	2	0	0	5
51.00	22	27	23	3	1	86	1	4	1	0	0	6
52.00	20	33	19	0	0	74	1	2	1	0	0	3
53.00	22	31	28	1	0	81	0	2	2	0	0	6
54.00	14	19	16	2	0	51	0	2	3	0	0	5
55.00	18	23	14	0	0	56	0	1	0	0	1	5
56.00	21	13	13	1	0	48	2	0	0	0	0	5
57.00	14	12	13	2	0	41	2	0	3	0	0	4
58.00	8	10	9	0	0	27	0	0	1	0	0	2
59.00	5	13	10	0	0	28	1	0	1	0	0	3
60.00	9	13	8	0	0	35	1	0	0	0	0	3
61.00	5	9	6	0	0	16	0	0	1	0	0	1
62.00	8	5	6	0	0	17	0	0	0	0	0	1
63.00	4	3	5	0	0	13	0	0	0	0	0	0
64.00	4	4	5	0	0	13	0	0	0	0	0	0
65.00	7	4	6	0	0	17	0	0	0	0	0	0
66.00	12	3	1	0	0	16	0	0	0	0	0	0
67.00	4	5	5	0	0	14	1	0	0	0	0	1
68.00	2	1	2	0	0	7	0	0	0	0	0	0
69.00	2	3	3	0	0	7	0	0	0	0	0	0
70.00	1	3	3	0	0	7	0	0	0	0	0	0
71.00	1	0	0	0	0	1	0	0	0	0	0	0
72.00	1	0	1	0	0	2	0	0	0	0	0	0
73.00	1	0	0	0	0	1	0	0	0	0	0	0
74.00	2	1	1	0	0	4	0	0	0	0	0	0
75.00	0	0	0	0	0	0	0	0	0	0	0	0
76.00	1	0	0	0	0	1	0	0	0	0	0	1
77.00	1	0	0	0	0	1	0	0	0	0	0	1
78.00	1	0	1	0	0	2	0	0	0	0	0	2
TOTAL	3252	7554	4951	304	120	16181	292	520	522	3	25	1162
AVERAGE	33.4	50.5	31.4	30.8	31.9	31.4	34.7	34.6	34.7	35.6	31.6	34.6
												17343
												31.6

TABLE 10.4 CRIME BY AGE AT COMMITMENT, 2003 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
VIOLENT FELONY														
MURDER	1 .4%	4 1.4%	13 5.1%	5 2.0%	14 5.5%	13 5.1%	54 21.3%	47 18.4%	24 9.5%	31 12.3%	35 13.8%	10 4.0%	2 .8%	253 100.0%
ATTEMPTED MURDER	0 .0%	5 4.2%	9 7.6%	7 5.9%	8 6.7%	10 8.4%	26 21.8%	25 21.0%	8 6.7%	7 5.9%	10 8.4%	4 3.4%	0 .0%	119 100.0%
MANSLAUGHTER 1ST	0 .0%	4 2.9%	4 4.3%	11 7.9%	10 7.1%	7 5.0%	18 12.9%	26 18.6%	22 15.7%	10 7.1%	17 12.1%	7 5.0%	2 1.4%	140 100.0%
RAPE 1ST	0 .0%	0 .0%	5 3.4%	5 3.4%	9 6.0%	4 2.7%	19 12.8%	17 11.4%	25 16.8%	29 16.8%	32 21.5%	7 4.7%	1 .7%	149 100.0%
ROBBERY 1ST	4 .5%	33 4.9%	51 6.9%	57 7.8%	53 7.2%	61 8.5%	138 18.8%	114 15.5%	71 9.7%	73 9.9%	68 9.3%	11 1.5%	1 .1%	735 100.0%
ROBBERY 2ND	7 .7%	41 4.2%	67 6.8%	88 9.0%	94 9.6%	82 8.4%	161 16.4%	155 15.8%	94 9.8%	102 10.4%	74 7.5%	14 1.4%	0 .0%	981 100.0%
ASSAULT 1ST	1 .3%	11 3.2%	11 3.2%	27 7.9%	22 6.4%	27 7.9%	70 20.4%	51 14.9%	45 13.1%	27 7.9%	32 9.3%	16 4.7%	3 .9%	343 100.0%
ASSAULT 2ND	1 .2%	13 2.8%	17 3.7%	24 5.2%	30 6.5%	27 5.9%	77 16.7%	87 18.9%	65 14.1%	53 11.5%	46 10.0%	19 4.1%	2 .4%	461 100.0%
BURGLARY 1ST	1 .8%	7 5.9%	4 3.4%	6 5.1%	4 3.4%	9 7.6%	24 20.3%	18 15.3%	16 13.6%	11 9.3%	14 11.9%	4 3.4%	0 .0%	118 100.0%
BURGLARY 2ND	1 .2%	7 1.1%	21 3.2%	32 4.9%	38 5.8%	35 5.3%	92 14.0%	86 13.1%	86 13.1%	101 15.3%	133 20.2%	22 3.3%	5 .8%	659 100.0%
ARSON 1ST,2ND	0 .0%	0 .0%	0 .0%	1 2.6%	3 7.9%	1 2.6%	2 5.3%	6 15.8%	6 15.8%	1 2.6%	14 34.8%	4 10.5%	0 .0%	38 100.0%
SODOMY 1ST	0 .0%	3 2.2%	5 3.6%	0 .0%	5 3.6%	5 3.6%	17 12.3%	14 10.1%	20 14.5%	26 18.8%	24 17.4%	15 10.9%	4 2.9%	138 100.0%
SEX AB-1ST, AG-2	0 .0%	3 1.0%	8 2.8%	7 2.4%	8 2.8%	7 2.4%	17 5.9%	32 11.1%	52 18.1%	50 17.4%	50 17.4%	35 11.9%	20 7.0%	287 100.0%
WEAPONS OFFENSES	3 .5%	15 2.5%	26 3.9%	41 6.2%	48 7.3%	47 7.1%	130 19.6%	167 25.2%	77 11.6%	50 7.6%	49 7.4%	5 .8%	4 .6%	462 100.0%
KIDNAPPING 1ST,2ND	0 .0%	0 .0%	0 .0%	2 6.1%	1 3.0%	3 9.1%	6 18.2%	4 12.1%	6 18.2%	5 15.2%	5 15.2%	0 .0%	1 3.0%	33 100.0%
OTHER VIOLENT FELONIES	0 .0%	0 .0%	0 .0%	2 22.2%	1 11.1%	1 11.1%	1 11.1%	2 22.2%	0 .0%	1 11.1%	0 .0%	1 11.1%	0 .0%	9 100.0%
SUBTOTAL	19 .4%	146 2.8%	243 4.7%	315 6.1%	348 6.8%	339 6.6%	852 16.6%	851 16.6%	619 12.1%	573 11.2%	603 11.8%	172 3.4%	45 .9%	5125 100.0%
OTHER COERCIVE														
MANSLAUGHTER 2ND	0 .0%	3 6.0%	1 2.0%	1 2.0%	1 2.0%	2 4.0%	8 16.0%	6 12.0%	10 20.0%	3 6.0%	13 26.0%	1 2.0%	1 2.0%	50 100.0%
OTHER HOMICIDE	0 .0%	0 .0%	1 2.4%	2 4.9%	2 4.9%	3 7.3%	2 4.9%	8 19.5%	5 12.2%	5 12.2%	11 26.6%	1 2.4%	1 2.4%	41 100.0%
ROBBERY 3RD	1 .2%	12 2.4%	17 3.4%	17 3.4%	27 5.3%	22 4.3%	61 12.1%	70 13.8%	83 16.4%	98 19.4%	91 18.0%	7 1.4%	0 .0%	506 100.0%
ATT ASSAULT 2ND	0 .0%	1 .5%	7 3.3%	7 3.3%	9 4.2%	8 3.7%	32 14.9%	45 20.9%	36 16.7%	28 13.0%	37 17.2%	5 2.3%	0 .0%	215 100.0%
CONSPIRACY 2,3,4	1 1.1%	1 1.1%	1 1.1%	4 4.3%	6 6.5%	6 6.5%	14 15.1%	26 28.0%	12 12.9%	10 10.8%	10 10.8%	1 1.1%	1 1.1%	93 100.0%
OTHER WEAPONS	0 .0%	0 .0%	3 1.2%	5 2.1%	6 2.5%	13 5.4%	40 16.5%	68 28.1%	34 14.0%	35 14.5%	27 11.2%	9 3.7%	2 .8%	242 100.0%
OTHER SEX OFFENSES	0 .0%	1 .3%	3 .9%	8 2.4%	19 5.8%	17 5.2%	36 10.9%	62 18.8%	51 15.5%	47 14.2%	59 17.9%	21 6.4%	6 1.8%	330 100.0%
OTHER COERCIVE	0 .0%	2 1.0%	3 1.6%	5 2.6%	7 3.6%	8 4.1%	33 17.1%	49 25.4%	29 15.0%	26 13.5%	26 13.5%	2 1.0%	3 1.6%	193 100.0%
SUBTOTAL	2 .1%	20 1.2%	36 2.2%	49 2.9%	77 4.6%	79 4.7%	226 15.5%	334 20.0%	260 15.6%	252 15.1%	274 16.4%	47 2.8%	14 .8%	1670 100.0%
DRUG SALE	5 .1%	15 .4%	54 1.4%	104 2.7%	150 3.8%	186 4.8%	546 14.0%	733 18.7%	549 14.5%	597 15.3%	751 19.2%	160 4.1%	42 1.1%	3912 100.0%
DRUG POSSESSION	7 .3%	17 .6%	37 1.4%	62 2.4%	105 4.0%	124 4.7%	448 17.0%	572 21.8%	441 16.8%	318 12.1%	372 14.1%	104 4.0%	22 .8%	2629 100.0%
SUBTOTAL	12 .2%	32 .5%	91 1.4%	166 2.5%	255 3.9%	310 4.7%	994 15.2%	1305 20.0%	1010 15.4%	915 14.0%	1123 17.2%	264 4.0%	64 1.0%	4541 100.0%
PROPERTY AND OTHER														
BURGLARY 3RD	2 .2%	6 .7%	26 3.0%	35 4.0%	35 4.0%	38 4.3%	105 12.0%	96 11.0%	119 13.1%	175 20.0%	216 24.7%	27 3.1%	0 .0%	876 100.0%
GRAND LARCENY	0 .0%	7 .9%	13 1.6%	13 1.6%	21 2.6%	23 2.9%	75 9.4%	110 13.8%	119 14.9%	163 20.5%	188 23.6%	50 6.3%	14 1.8%	796 100.0%
FORGERY	0 .0%	0 .0%	1 .3%	1 .3%	7 2.0%	8 2.3%	29 8.4%	56 16.3%	63 18.3%	69 20.1%	90 26.2%	18 5.2%	2 .6%	344 100.0%
STOLEN PROPERTY	0 .0%	8 2.2%	4 1.1%	8 2.2%	16 4.4%	11 3.0%	64 12.2%	68 18.8%	55 15.2%	58 16.1%	74 20.5%	11 3.0%	4 1.1%	361 100.0%
DRIVE INTOXICATED	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	14 3.2%	31 7.2%	63 14.6%	104 24.1%	176 40.7%	36 8.3%	8 1.9%	432 100.0%
CONTEMPT 1ST	0 .0%	0 .0%	0 .0%	0 .0%	3 2.1%	1 .7%	18 12.8%	18 12.8%	19 13.5%	37 26.2%	40 28.4%	4 2.8%	1 .7%	161 100.0%
ALL OTHER FELONIES	1 .2%	2 .4%	5 1.1%	6 1.3%	6 1.3%	9 2.0%	61 9.0%	70 15.4%	77 16.9%	95 20.9%	109 24.0%	23 5.1%	11 2.4%	455 100.0%
SUBTOTAL	3 .1%	23 .7%	49 1.4%	63 1.9%	88 2.6%	90 2.6%	326 13.2%	449 15.0%	511 15.0%	701 20.6%	893 26.2%	169 5.0%	40 1.2%	3405 100.0%
YOUTHFUL OFFENDER	30 5.4%	118 21.1%	139 24.8%	107 19.1%	72 12.9%	53 9.8%	33 5.9%	6 1.1%	2 .4%	0 .0%	0 .0%	0 .0%	0 .0%	560 100.0%
JUVENILE OFFENDER	2 4.8%	6 14.3%	8 19.0%	2 4.8%	16 38.1%	6 14.3%	2 4.8%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	0 .0%	42 100.0%
SUBTOTAL	32 5.3%	124 20.6%	147 24.4%	109 18.1%	88 14.6%	59 9.8%	35 5.8%	6 1.0%	2 .3%	0 .0%	0 .0%	0 .0%	0 .0%	602 100.0%
GRAND TOTAL	48 .4%	348 2.0%	566 3.3%	702 4.0%	856 4.9%	877 5.1%	2433 16.0%	2945 17.0%	2402 13.8%	2441 14.1%	2893 16.7%	452 3.8%	143 .9%	17343 100.0%

TABLE 10.5 CRIME BY SEX, AVERAGE AGE AND YEAR RECEIVED; 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000						2001					
	MALE		FEMALE		TOTAL		MALE		FEMALE		TOTAL	
	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE
VIOLENT FELONY												
MURDER	276	29.4	15	35.5	291	29.7	262	29.2	11	32.3	273	29.3
ATTEMPTED MURDER	152	29.0	0	.	152	29.0	142	27.2	5	32.8	147	27.4
MANSLAUGHTER 1ST	158	28.4	25	30.9	183	28.7	176	28.9	19	30.9	195	29.1
RAPE 1ST	144	33.4	0	.	144	33.4	136	34.1	0	.	136	34.1
ROBBERY 1ST	792	26.4	29	27.2	821	26.4	756	25.9	20	30.7	776	26.0
ROBBERY 2ND	888	26.3	37	29.0	925	26.4	750	25.7	37	24.8	787	25.7
ASSAULT 1ST	508	27.9	25	31.3	533	28.2	309	28.3	25	30.4	334	28.4
ASSAULT 2ND	414	29.6	35	31.9	449	29.8	395	29.8	42	28.9	437	29.7
BURGLARY 1ST	109	30.1	5	29.6	114	30.1	100	28.5	2	21.5	102	28.3
BURGLARY 2ND	624	30.7	23	33.6	647	30.8	626	30.2	24	30.8	650	30.2
ARSON 1ST,2ND	22	33.7	5	40.5	27	35.0	34	33.7	2	42.6	36	34.2
SODOMY 1ST	114	35.3	1	61.2	115	35.5	126	35.6	1	33.7	127	35.6
SEX.AB-1ST,Ag.2	308	35.9	1	29.1	309	35.9	240	36.9	1	35.0	241	36.9
WEAPONS OFFENSES	511	27.0	7	27.2	518	27.0	518	26.7	11	28.7	529	26.8
KIDNAPPING 1ST,2ND	46	30.7	1	27.8	47	30.6	40	31.4	0	.	40	31.4
CONSPIRACY 1ST	1	25.9	0	.	1	25.9	1	28.8	0	.	1	28.8
OTHER VIOLENT FELONIES	1	28.8	0	.	1	28.8	2	22.5	0	.	2	22.5
TOTAL	4868	28.9	209	31.1	5077	28.9	4613	28.6	200	29.3	4813	28.6
OTHER COERCIVE												
MANSLAUGHTER 2ND	60	28.7	10	31.5	70	29.1	55	32.2	9	32.7	64	32.3
OTHER HOMICIDE	32	30.4	9	30.6	41	30.5	32	33.0	4	30.8	36	32.7
ROBBERY 3RD	433	30.6	22	33.2	455	30.7	479	30.7	21	34.8	500	30.9
ATT ASSAULT 2ND	181	31.1	8	31.7	189	31.1	204	32.0	10	32.3	214	32.0
CONSPIRACY 2,3,4	70	33.7	7	39.9	77	34.2	55	35.2	6	27.7	61	34.5
OTHER WEAPONS	196	30.2	2	38.1	198	30.3	176	32.8	4	28.7	180	32.7
OTHER SEX OFFENSES	265	35.4	2	23.1	267	35.3	277	35.6	5	29.3	282	35.5
OTHER COERCIVE	167	30.6	11	28.9	178	30.5	163	30.3	13	38.0	176	30.8
TOTAL	1404	31.6	71	32.3	1475	31.6	1441	32.3	72	33.2	1513	32.4
DRUG OFFENSES												
DRUG SALE	5291	33.0	624	37.4	5915	33.5	3976	32.7	465	35.9	4441	33.0
DRUG POSSESSION	2143	31.3	169	33.9	2312	31.4	1983	30.7	184	31.9	2167	30.8
TOTAL	7434	32.5	793	36.6	8227	32.9	5959	32.0	649	34.7	6608	32.3
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	860	32.6	32	33.5	892	32.6	758	32.2	31	33.6	789	32.2
GRAND LARCENY	615	35.5	78	39.1	693	35.9	566	36.1	86	37.9	652	36.4
FORGERY	236	34.6	62	34.6	298	34.6	234	33.7	73	33.8	307	33.7
STOLEN PROPERTY	344	30.4	22	35.4	366	30.7	265	31.1	12	32.6	277	31.2
DRIVE INTOXICATED	512	38.8	26	37.5	538	38.7	471	39.7	31	39.0	502	39.7
CONTEMPT 1ST	144	35.3	3	25.5	147	35.1	156	34.9	2	29.3	158	34.8
ALL OTHER FELONIES	265	35.1	20	34.4	285	35.0	272	35.0	33	37.2	305	35.2
TOTAL	2976	34.5	243	36.2	3219	34.6	2722	34.8	268	36.0	2990	34.9
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	501	19.1	21	19.3	522	19.1	521	19.0	23	18.9	544	19.0
JUVENILE OFFENDER	43	19.9	0	.	43	19.9	31	21.0	0	.	31	21.0
TOTAL	544	19.2	21	19.3	565	19.2	552	19.1	23	18.9	575	19.1
GRAND TOTAL	17226	31.3	1337	35.2	18563	31.6	15287	31.0	1212	33.7	16499	31.2

(continued)

TABLE 10.5 CRIME BY SEX, AVERAGE AGE AND YEAR RECEIVED; 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2002						2003					
	MALE		FEMALE		TOTAL		MALE		FEMALE		TOTAL	
	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE
VIOLENT FELONY												
MURDER	265	29.3	14	38.9	279	29.8	241	30.5	12	28.6	253	30.4
ATTEMPTED MURDER	158	29.5	2	37.9	160	29.6	117	26.8	2	27.0	119	26.8
MANSLAUGHTER 1ST	171	28.5	10	32.0	181	28.7	126	30.5	14	28.9	140	30.3
RAPE 1ST	163	32.3	0	.	163	32.3	148	33.3	1	39.8	149	33.4
ROBBERY 1ST	762	27.3	22	31.0	784	27.4	712	27.4	23	26.2	735	27.3
ROBBERY 2ND	841	26.6	42	28.5	883	26.7	938	26.8	43	30.1	981	26.9
ASSAULT 1ST	344	28.4	23	29.1	367	28.5	320	29.1	23	29.0	343	29.1
ASSAULT 2ND	413	30.1	36	29.9	449	30.1	427	29.5	34	32.3	461	29.7
BURGLARY 1ST	111	30.1	5	26.4	116	30.0	116	28.8	2	45.2	118	29.0
BURGLARY 2ND	680	30.8	30	33.2	710	30.9	627	32.0	32	34.3	659	32.1
ARSON 1ST,2ND	23	38.6	5	33.5	28	37.7	32	35.9	6	39.3	38	36.4
SODOMY 1ST	119	33.3	1	29.1	120	33.3	138	35.5	0	.	138	35.5
SEX.AB-1ST,Ag.2	249	37.5	3	32.5	252	37.4	285	37.8	2	40.7	287	37.8
WEAPONS OFFENSES	571	26.5	5	32.3	576	26.6	647	27.5	15	31.6	662	27.6
KIDNAPPING 1ST,2ND	33	31.9	3	34.7	36	32.1	31	31.8	2	29.7	33	31.7
CONSPIRACY 1ST	1	33.4	0	.	1	33.4	0	.	0	.	0	.
OTHER VIOLENT FELONIES	3	34.6	0	.	3	34.6	9	27.5	0	.	9	27.5
TOTAL	4907	29.1	201	31.1	5108	29.2	4914	29.5	211	31.0	5125	29.6
OTHER COERCIVE												
MANSLAUGHTER 2ND	52	34.6	11	38.4	63	35.2	45	32.6	5	37.3	50	33.0
OTHER HOMICIDE	34	33.0	4	35.1	38	33.2	39	33.7	2	26.6	41	33.4
ROBBERY 3RD	508	30.1	27	33.7	535	30.3	481	31.5	25	33.3	506	31.6
ATT ASSAULT 2ND	209	32.0	10	34.5	219	32.1	195	31.2	20	33.1	215	31.4
CONSPIRACY 2,3,4	79	30.2	5	35.2	84	30.5	85	29.2	8	35.4	93	29.7
OTHER WEAPONS	160	30.6	3	31.1	163	30.6	235	31.2	7	35.1	242	31.3
OTHER SEX OFFENSES	292	34.1	4	34.5	296	34.1	325	33.5	5	33.5	330	33.5
OTHER COERCIVE	191	31.9	18	38.9	209	32.5	181	31.0	12	33.5	193	31.1
TOTAL	1525	31.6	82	35.7	1607	31.8	1586	31.7	84	33.7	1670	31.8
DRUG OFFENSES												
DRUG SALE	3755	32.6	419	36.6	4174	33.0	3556	32.5	356	36.6	3912	32.9
DRUG POSSESSION	2274	31.0	196	34.1	2470	31.2	2437	31.3	192	34.0	2629	31.5
TOTAL	6029	32.0	615	35.8	6644	32.3	5993	32.0	548	35.7	6541	32.3
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	760	32.7	23	35.6	783	32.8	840	33.3	36	34.3	876	33.3
GRAND LARCENY	593	35.0	116	40.1	709	36.5	682	35.1	114	37.5	796	35.4
FORGERY	235	34.1	66	35.6	301	34.5	288	35.5	56	37.2	344	35.8
STOLEN PROPERTY	318	32.2	28	34.1	346	32.3	343	32.7	18	35.7	361	32.9
DRIVE INTOXICATED	417	39.4	19	41.1	436	39.5	399	40.6	33	39.1	432	40.5
CONTEMPT 1ST	146	35.3	4	33.9	150	35.3	140	35.9	1	46.1	141	36.0
ALL OTHER FELONIES	350	34.3	32	34.0	382	34.3	422	36.2	33	33.8	455	36.0
TOTAL	2819	34.7	288	37.5	3107	35.0	3114	35.3	291	36.7	3405	35.4
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	487	19.1	26	19.7	513	19.1	534	19.3	26	19.4	560	19.3
JUVENILE OFFENDER	28	19.9	1	21.0	29	20.0	40	19.6	2	21.0	42	19.7
TOTAL	515	19.1	27	19.7	542	19.2	574	19.4	28	19.5	602	19.4
GRAND TOTAL	15795	31.1	1213	35.0	17008	31.4	16181	31.4	1162	34.6	17343	31.6

Average Age at Admission by Crime and Race/Ethnic Status

Whites committed in 2003 for violent felony crimes were older (average age 33.4 years) than either African-Americans (average age 28.5 years) or Hispanics (average age 28.9 years) committed for violent crimes (see Table 10.6). Whites committed in 2003 for other coercive crimes were also older (average age 33.0 years) than African-Americans (average age 31.9 years) or Hispanics (average age 30.6 years). However, among drug offenders, average ages were equivalent for Whites (33.1 years), Hispanics (33.6 years), while African-Americans (31.3 years) were two years younger.

Trends in Age at Commitment

Offenders committed in 2003 were the same age (average age 31.6 years) as those committed in 2000 (average age 31.6 years) (see Table 10.7). Between 2000 and 2003, the percent of commitments that were 25 to 34 years of age declined from 32% to 31%, while commitments that were 40 and older increased from 20% to 21%.

TABLE 10.6
CRIME BY AVERAGE AGE BY ETHNIC STATUS AND YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000						2001					
	WHITE		AFRICAN AMERICAN		HISPANIC		OTHER		TOTAL		WHITE	
	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE	NUMBER	AVERAGE
VIOLENT FELONY												
MURDER	62	55.1	148	28.2	73	28.2	8	32.6	291	29.7	30	33.1
ATTEMPTED MURDER	16	40.8	76	26.8	52	27.6	4	32.6	152	29.0	15	34.2
MAHSLAUGHTER 1ST	20	30.7	98	28.6	61	27.6	4	32.6	183	28.7	18	32.4
RAPE 1ST	32	34.8	77	32.7	28	26.1	7	38.5	144	33.4	39	36.7
ROBBERY 1ST	84	29.1	474	26.2	240	26.1	23	38.5	821	26.4	72	30.0
ROBBERY 2ND	114	28.4	515	26.3	283	25.7	13	38.5	935	26.4	91	30.2
ROBBERY 3RD	102	21.5	216	27.6	108	27.6	15	38.5	333	28.2	28	30.7
ASSAULT 1ST	102	21.5	216	27.6	108	27.6	15	38.5	333	28.2	28	30.7
ASSAULT 2ND	28	29.8	87	29.7	27	31.8	12	38.5	114	30.1	11	31.4
BURGLARY 1ST	211	29.7	249	31.6	178	31.2	9	38.5	447	30.8	21	32.9
BURGLARY 2ND	13	34.7	19	36.5	5	33.2	0	38.5	27	35.0	9	37.0
ARSON 1ST, 2ND	65	55.5	24	32.2	20	37.8	4	47.2	115	35.5	62	39.3
SEX-AB-1ST, AG. 2	159	37.7	87	33.8	59	35.7	4	44.8	309	35.9	105	39.0
SEX-AB-2ND, AG. 2	37	32.3	36	26.3	142	27.2	1	26.1	518	27.0	31	31.3
WEAPONS OFFENSES	10	29.4	18	30.5	1	22.6	2	26.1	47	30.6	12	34.5
CONSPIRACY 1ST, 2ND	0	0	0	0	0	0	0	0	1	23.9	0	0
OTHER VIOLENT FELONIES	0	0	1	28.8	0	0	0	0	1	28.8	0	0
TOTAL	1014	32.0	2571	28.0	1390	28.3	102	31.1	5077	28.9	861	32.5
OTHER COERCIVE												
MAHSLAUGHTER 2ND	24	31.4	25	27.7	22	27.9	1	31.7	70	29.1	19	36.0
OTHER HOMICIDE	21	32.4	12	28.7	6	28.4	2	31.7	41	30.5	23	32.9
ROBBERY 3RD	92	30.6	268	31.4	89	28.6	6	32.8	455	30.7	97	31.8
ATT ASSAULT 2ND	51	30.7	89	31.8	40	30.3	5	38.9	189	31.1	62	32.9
CONSPIRACY 2, 3, 4	3	30.0	31	31.6	40	34.7	1	38.9	77	34.2	11	40.4
OTHER SEX OFFENSES	12	30.8	116	30.5	45	29.4	5	39.4	198	30.3	27	37.6
OTHER SEX OFFENSES	12	30.8	116	30.5	45	29.4	5	39.4	198	30.3	27	37.6
OTHER COERCIVE	82	32.3	60	27.9	29	35.3	7	32.5	178	30.3	75	31.2
TOTAL	454	33.0	665	31.2	321	30.6	35	31.1	1475	31.6	481	34.3
DRUG OFFENSES												
DRUG SALE	313	34.1	3100	33.4	2452	33.5	50	35.5	5915	33.5	284	33.4
DRUG POSSESSION	213	33.0	1246	33.0	843	33.2	10	33.9	2312	31.4	211	32.8
TOTAL	526	33.7	4346	32.4	3295	33.4	60	34.6	8227	32.9	495	33.1
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	363	29.4	349	36.4	156	32.4	24	28.1	892	32.6	318	28.7
GRAND LARCENY	241	34.0	279	36.6	157	36.7	16	32.4	693	35.9	212	35.0
FORCENY PROPERTY	108	30.0	149	35.5	52	31.9	9	36.5	298	34.6	104	32.9
DRIVE INTOXICATED	419	33.9	149	30.4	91	30.8	7	36.1	366	30.7	79	32.1
CONTENT 1ST	85	35.4	47	31.7	27	40.1	10	37.9	350	38.7	405	39.2
ALL OTHER FELONIES	139	35.7	66	33.9	50	35.4	10	38.0	285	35.0	110	37.0
TOTAL	1468	34.5	1125	35.4	547	33.7	79	31.1	3219	34.6	1295	34.8
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	139	19.4	254	18.9	108	19.5	21	18.4	522	19.1	135	18.9
JUVENILE OFFENDER	5	20.7	31	19.3	9	21.8	0	0	45	19.3	5	19.8
TOTAL	142	19.5	285	18.9	117	19.7	21	18.4	565	19.2	140	18.9
GRAND TOTAL	3604	32.9	8992	31.0	5670	31.7	297	31.4	18563	31.6	3222	33.2

(continued)

TABLE 10.6
CRIME BY AVERAGE AGE BY ETHNIC STATUS AND YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2002										2003									
	WHITE					HISPANIC					AFRICAN AMERICAN					HISPANIC				
	NUMBER	AVERAGE	NUMBER	AVERAGE	TOTAL	NUMBER	AVERAGE	NUMBER	AVERAGE	TOTAL	NUMBER	AVERAGE	NUMBER	AVERAGE	TOTAL	NUMBER	AVERAGE	NUMBER	AVERAGE	TOTAL
VIOLENT FELONY																				
MURDER	48	34.7	155	28.4	279	29.7	75	29.6	30.9	29.8	39	35.9	150	28.6	60	30.7	4	37.4	755	30.4
ATTEMPTED MURDER	9	42.6	85	28.3	140	29.6	60	29.6	28.8	29.6	18	32.0	56	28.7	23	28.7	5	38.0	160	28.8
MANSLAUGHTER 1ST	23	39.3	80	27.0	145	28.5	45	28.5	26.8	28.5	15	32.5	55	28.5	23	28.5	5	38.0	160	28.8
RAPE 1ST	39	35.0	115	24.2	184	27.9	45	27.9	26.8	27.9	17	32.5	55	28.5	23	28.5	5	38.0	160	28.8
ROBBERY 1ST	101	30.7	413	24.2	784	27.4	249	27.4	24.1	27.4	70	32.5	430	26.4	228	27.3	7	33.4	755	27.3
ROBBERY 2ND	37	31.6	189	27.4	885	26.1	135	26.1	24.1	26.1	115	29.4	547	26.5	294	26.5	25	27.6	981	26.9
ASSAULT 1ST	71	30.7	225	31.0	141	28.0	141	28.0	28.3	28.5	41	34.1	158	28.3	128	28.5	16	28.4	543	28.1
ASSAULT 2ND	19	31.6	50	30.3	449	30.1	145	29.4	34.2	30.1	79	29.4	229	30.6	140	28.6	13	28.2	461	29.0
BURGLARY 1ST	231	30.0	257	31.3	116	30.0	212	31.6	36.0	30.0	230	32.5	57	28.6	42	30.9	12	35.2	459	32.1
BURGLARY 2ND	57	42.2	171	29.0	70	27.7	57	27.7	36.0	27.7	11	32.5	21	32.0	16	31.4	3	37.0	58	36.4
ARSON 1ST, 2ND	37	42.2	171	29.0	120	35.3	57	35.3	32.1	35.3	70	34.9	32	34.0	32	34.7	4	31.0	138	35.5
SEXUAL ABUSE 1ST, 2ND	124	41.0	57	32.9	252	37.4	65	35.2	32.1	37.4	145	34.6	49	27.0	67	34.5	6	41.3	287	37.0
WEAPONS OFFENSES	35	34.4	596	35.8	576	26.6	134	26.6	32.1	26.6	35	32.0	449	27.2	169	27.3	9	30.2	462	27.6
KIDNAPPING 1ST, 2ND	3	45.5	20	28.8	36	32.1	12	32.1	27.4	32.1	9	40.1	10	28.1	14	28.9	0	.	33	31.7
CONSPIRACY 1ST	0	.	0	.	1	33.4	1	33.4	.	33.4	0	.	0	.	0	.	0	.	0	.
OTHER VIOLENT FELONIES	2	43.0	0	.	3	34.6	1	17.8	.	34.6	2	24.1	4	24.3	3	34.0	0	.	9	27.5
TOTAL	894	33.3	2529	28.0	5108	29.2	1580	28.8	29.8	29.2	923	33.4	2571	28.5	1513	28.9	118	30.5	5125	29.6
OTHER COERCIVE																				
MANSLAUGHTER 2ND	17	36.6	27	34.6	45	35.2	18	35.2	27.9	35.2	16	35.2	16	35.9	15	29.8	3	33.2	50	33.0
OTHER HOMICIDE	25	36.4	80	31.6	38	33.2	38	33.2	25.6	33.2	25	31.7	16	32.6	16	36.5	4	30.7	41	35.4
ADULTERY	37	30.3	115	33.2	535	30.3	135	30.3	29.0	30.3	113	31.7	240	32.2	117	30.4	16	30.8	506	31.6
ADULTERY 2ND	10	32.0	35	28.7	84	32.2	55	30.8	11	32.9	49	32.5	104	31.9	51	29.6	11	30.4	215	31.4
CONSPIRACY 2, 3, 4	25	33.3	96	30.7	165	30.6	84	30.5	23.6	30.6	15	37.1	38	26.7	37	29.8	3	29.8	93	29.7
OTHER WEAPONS	159	35.6	78	32.4	296	34.1	54	31.8	29.0	34.1	161	31.4	149	31.4	52	31.2	10	30.1	252	31.2
OTHER SEX OFFENSES	99	33.4	60	32.7	209	32.5	30	30.4	28.4	32.5	85	32.7	63	30.6	76	31.8	17	24.2	195	31.1
TOTAL	460	33.4	727	31.6	1607	31.8	375	30.5	30.3	31.8	495	33.0	719	31.9	392	30.6	64	30.0	1670	31.8
DRUG OFFENSES																				
DRUG SALE	253	31.8	2051	32.5	4174	33.0	1784	33.8	31.1	33.0	282	32.5	1981	32.2	1618	33.7	61	30.8	3912	32.9
DRUG POSSESSION	208	31.9	1332	29.9	2470	31.2	849	33.1	30.3	31.2	242	33.6	1505	29.9	952	33.4	52	30.3	2629	31.3
TOTAL	461	31.8	3383	31.5	6644	32.3	2633	33.6	30.8	32.3	494	33.1	3564	31.3	2570	33.6	113	30.6	6541	32.3
PROBATION AND OTHER OFFENSES																				
BURGLARY 3RD	338	20.6	203	37.7	785	32.5	145	33.1	28.9	32.5	378	30.1	303	37.4	165	33.7	32	30.9	876	33.3
GRAND LARCENY	242	36.7	245	36.6	709	34.5	145	32.9	33.7	34.5	292	35.9	311	32.4	169	33.6	24	32.3	796	35.4
FORGERY	126	31.0	151	33.5	301	32.3	91	32.1	34.9	32.3	124	34.9	147	33.5	62	33.0	11	37.3	344	35.6
FORGERY PROPERTY	344	35.1	151	33.5	346	32.3	91	32.1	34.9	32.3	124	34.9	147	33.5	62	33.0	11	37.3	344	35.6
DRIVE INTOXICATED	41	36.0	27	42.1	30	40.6	30	40.6	40.9	39.5	340	40.2	39	43.6	33	39.2	2	40.2	432	40.5
CONTEMPT 1ST	61	35.0	29	36.4	150	35.3	50	35.3	38.0	35.3	50	35.3	138	35.0	66	34.4	24	35.5	141	36.0
ALL OTHER FELONIES	153	35.2	123	35.9	382	34.3	97	34.0	28.5	34.3	204	37.2	138	35.0	86	34.4	27	37.3	455	36.0
TOTAL	1397	34.6	1028	36.3	3107	35.0	594	36.0	33.4	35.0	1479	35.4	1151	34.5	642	33.5	133	34.7	3405	35.4
YOUTHFUL/JUVENILE																				
YOUTHFUL OFFENDER	133	19.3	245	18.9	513	19.1	118	19.1	20.0	19.1	151	19.4	245	19.2	142	19.5	22	19.4	560	19.3
JUVENILE OFFENDER	5	21.3	18	19.9	29	20.0	8	19.8	.	20.0	2	21.0	24	19.3	14	20.5	2	21.0	42	19.7
TOTAL	138	19.4	263	19.0	542	19.2	126	19.2	20.0	19.2	153	19.4	269	19.2	156	19.5	24	19.6	602	19.4
GRAND TOTAL	3348	33.1	7930	30.6	17808	31.6	5336	31.6	30.6	31.6	3344	33.5	8074	30.8	5273	31.6	452	31.1	17543	31.6

TABLE 10.7 AGE AT COMMITMENT BY YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

AGE AT COMMITMENT	2000	2001	2002	2003	TOTAL
16 YR	62 .3%	69 .4%	82 .5%	68 .4%	281 .4%
17 YR	435 2.3%	367 2.2%	307 1.8%	345 2.0%	1454 2.1%
18 YR	628 3.4%	645 3.9%	548 3.2%	566 3.3%	2387 3.4%
19 YR	797 4.3%	781 4.7%	764 4.5%	702 4.0%	3044 4.4%
20 YR	888 4.8%	833 5.0%	893 5.3%	856 4.9%	3470 5.0%
21 YR	880 4.7%	836 5.1%	821 4.8%	877 5.1%	3414 4.9%
22-24	2330 12.6%	2169 13.1%	2376 14.0%	2433 14.0%	9308 13.4%
25-29	2970 16.0%	2676 16.2%	2823 16.6%	2945 17.0%	11414 16.4%
30-34	2978 16.0%	2533 15.4%	2515 14.8%	2402 13.8%	10428 15.0%
35-39	2850 15.4%	2400 14.5%	2513 14.8%	2441 14.1%	10204 14.7%
40-49	2904 15.6%	2455 14.9%	2612 15.4%	2893 16.7%	10864 15.7%
50-59	703 3.8%	573 3.5%	609 3.6%	652 3.8%	2537 3.7%
60 +	138 .7%	162 1.0%	145 .9%	163 .9%	608 .9%
TOTAL	18563 100.0%	16499 100.0%	17008 100.0%	17343 100.0%	69413 100.0%
AVERAGE	31.6	31.2	31.4	31.6	31.5

Section 11

COUNTY AND REGION OF COMMITMENT

Fifty-four percent (N=9,373) of 2003 new court commitments were sentenced to state prison from New York City (see Table 11.1 and Figure 11). The 62 counties in New York State are grouped for statistical purposes into 4 larger regions. New York City refers to commitments from Kings, New York, Queens, Richmond, and Bronx counties, the five counties (or boroughs) that comprise New York City. 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 Other refers to all the remaining New York State counties.

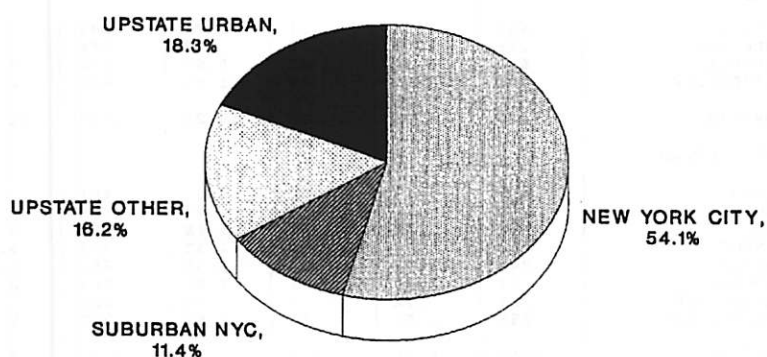
Eleven percent (N=1,985) were sentenced from the Suburban counties near New York City. Eighteen percent (N=3,171) were committed from Upstate Urban counties and 16% (N=2,813) from Upstate Other counties. Table 11.1 also shows that a somewhat lower proportion of women (50%) were from New York City than were men (54%).

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 (44%) followed by violent felony offenders (31%) and then property offenders (14%) (See Table 11.2). The Suburban New York counties were similar to New York City with drug commitments as the largest category (34%), followed by violent felony offenders (33%) and then property offenders (20%). 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. Thirty-one percent of Upstate Urban commitments were for violent felony offenses with an additional 31% for drug offenses. Among Upstate Other counties, drug offenses (26%) and property offenses (35%) accounted for most of the total new commitments.

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

Figure 11
DEPARTMENT OF CORRECTIONAL SERVICES
NEW COMMITMENTS - 2003
CRIME BY REGION



CRIME BY REGION
2003 NEW COMMITMENTS
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

OFFENSE ON COMMITMENT	REGION				TOTAL
	N.Y.C.	SUBURBAN N.Y.C.	UPSTATE URBAN	UPSTATE OTHER	
VIOLENT FELONY	2,914	654	969	588	5,125
OTHER COERCIVE	767	180	381	342	1,670
DRUG OFFENSES	4,149	684	978	730	6,541
PROPERTY OFFENSES	1,268	407	733	997	3,405
YOUTHFUL/JUVENILE OFFENDER	276	60	110	156	602
TOTAL	9,374	1,985	3,171	2,813	17,343
PERCENT	54.1%	11.4%	18.3%	16.2%	100.0%

TABLE 11.1 REGION OF THE STATE AND COUNTY OF COMMITMENT BY SEX;
2003 NEW COURT COMMITMENTS

COMMITMENT COUNTY	MALE		FEMALE		TOTAL	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
NEW YORK CITY						
KINGS	1795	11.1%	102	8.8%	1897	10.9%
NEW YORK	3793	23.4%	280	24.1%	4073	23.5%
QUEENS	1237	7.6%	54	4.6%	1291	7.4%
RICHMOND	178	1.1%	7	.6%	185	1.1%
BRONX	1786	11.0%	142	12.2%	1928	11.1%
SUBTOTAL	8789	54.3%	585	50.3%	9374	54.1%
SUBURBAN NEWYORK						
NASSAU	631	3.9%	31	2.7%	662	3.8%
ROCKLAND	176	1.1%	10	.9%	186	1.1%
SUFFOLK	618	3.8%	58	5.0%	676	3.9%
WESTCHESTR	442	2.7%	19	1.6%	461	2.7%
SUBTOTAL	1867	11.5%	118	10.2%	1985	11.4%
UPSTATE URBAN						
ALBANY	579	3.6%	62	5.3%	641	3.7%
BROOME	203	1.3%	22	1.9%	225	1.3%
ERIE	592	3.7%	36	3.1%	628	3.6%
MONROE	539	3.3%	38	3.3%	577	3.3%
ONEIDA	241	1.5%	18	1.5%	259	1.5%
ONONDAGA	368	2.3%	21	1.8%	389	2.2%
RENSSELAER	153	.9%	11	.9%	164	.9%
SCHENECTADY	255	1.6%	33	2.8%	288	1.7%
SUBTOTAL	2930	18.1%	241	20.7%	3171	18.3%
UPSTATE OTHER						
ALLEGANY	18	.1%	0	.0%	18	.1%
CATTARAUGUS	78	.5%	4	.3%	82	.5%
CAYUGA	84	.5%	2	.2%	86	.5%
CHAUTAUQUA	83	.5%	5	.4%	88	.5%
CHEMUNG	58	.4%	9	.8%	67	.4%
CHENANGO	33	.2%	1	.1%	34	.2%
CLINTON	25	.2%	1	.1%	26	.1%
COLUMBIA	39	.2%	3	.3%	42	.2%
CORTLAND	26	.2%	1	.1%	27	.2%
DELAWARE	25	.2%	1	.1%	26	.1%
DUTCHESS	137	.8%	15	1.3%	152	.9%
ESSEX	9	.1%	2	.2%	11	.1%
FRANKLIN	35	.2%	3	.3%	38	.2%
FULTON	36	.2%	5	.4%	41	.2%
GENESEE	74	.5%	4	.3%	78	.4%
GREENE	35	.2%	6	.5%	41	.2%
HAMILTON	3	.0%	0	.0%	3	.0%
HERKIMER	43	.3%	0	.0%	43	.2%
JEFFERSON	55	.3%	1	.1%	56	.3%
LEWIS	0	.0%	1	.1%	1	.0%
LIVINGSTON	29	.2%	2	.2%	31	.2%
MADISON	20	.1%	0	.0%	20	.1%
MONTGOMERY	55	.3%	4	.3%	59	.3%
NIAGARA	155	1.0%	7	.6%	162	.9%
ONTARIO	122	.8%	21	1.8%	143	.8%
ORANGE	368	2.3%	37	3.2%	405	2.3%
ORLEANS	33	.2%	1	.1%	34	.2%
OSWEGO	82	.5%	4	.3%	86	.5%
OTSEGO	39	.2%	0	.0%	39	.2%
PUTNAM	14	.1%	2	.2%	16	.1%
ST LAWRENCE	59	.4%	2	.2%	61	.4%
SARATOGA	100	.6%	11	.9%	111	.6%
SCHOHARIE	15	.1%	2	.2%	17	.1%
SCHUYLER	8	.0%	0	.0%	8	.0%
SENECA	25	.2%	1	.1%	26	.1%
STEBEN	77	.5%	5	.4%	82	.5%
SULLIVAN	98	.6%	10	.9%	108	.6%
TIOGA	26	.2%	1	.1%	27	.2%
TOMPKINS	39	.2%	5	.4%	44	.3%
ULSTER	127	.8%	14	1.2%	141	.8%
WARREN	72	.4%	11	.9%	83	.5%
WASHINGTON	28	.2%	8	.7%	36	.2%
WAYNE	70	.4%	1	.1%	71	.4%
WYOMING	17	.1%	2	.2%	19	.1%
YATES	21	.1%	3	.3%	24	.1%
SUBTOTAL	2595	16.0%	218	18.8%	2813	16.2%
GRAND TOTAL	16181	100.0%	1162	100.0%	17343	100.0%

TABLE 11.2
CRIME BY REGION OF THE STATE
2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	NEW YORK CITY	SUBURBAN NEWYORK	UPSTATE URBAN	UPSTATE OTHER	TOTAL
VIOLENT FELONY					
MURDER	125	28	74	26	253
ATTEMPTED MURDER	104	3	11	1	119
MANSLAUGHTER 1ST	102	15	15	8	140
RAPE 1ST	64	19	33	33	149
ROBBERY 1ST	495	91	119	30	735
ROBBERY 2ND	636	137	157	51	981
ASSAULT 1ST	228	40	46	29	343
ASSAULT 2ND	248	64	80	69	461
BURGLARY 1ST	51	14	41	12	118
BURGLARY 2ND	260	115	150	134	659
ARSON 1ST,2ND	13	4	16	5	38
SODOMY 1ST	37	16	31	54	138
SEX.AB-1ST,Ag.2	92	32	57	106	287
WEAPONS OFFENSES	447	63	126	26	662
KIDNAPPING 1ST,2ND	9	13	7	4	33
OTHER VIOLENT FELONIES	3	0	6	0	9
SUBTOTAL	2914 31.1%	654 32.9%	969 30.6%	588 20.9%	5125 29.6%
OTHER COERCIVE					
MANSLAUGHTER 2ND	28	6	6	10	50
OTHER HOMICIDE	10	8	12	11	41
ROBBERY 3RD	296	39	121	50	506
ATT ASSAULT 2ND	89	26	56	44	215
CONSPIRACY 2,3,4	71	5	11	6	93
OTHER WEAPONS	114	39	57	32	242
OTHER SEX OFFENSES	87	35	75	133	330
OTHER COERCIVE	72	22	43	56	193
SUBTOTAL	767 8.2%	180 9.1%	381 12.0%	342 12.2%	1670 9.6%
DRUG OFFENSES					
DRUG SALE	2741	405	417	349	3912
DRUG POSSESSION	1408	279	561	381	2629
SUBTOTAL	4149 44.3%	684 34.5%	978 30.8%	730 26.0%	6541 37.7%
PROPERTY AND OTHER OFFENSES					
BURGLARY 3RD	343	86	191	256	876
GRAND LARCENY	381	120	143	152	796
FORGERY	116	50	87	91	344
STOLEN PROPERTY	187	45	80	49	361
DRIVE INTOXICATED	9	49	96	278	432
CONTEMPT 1ST	56	10	39	36	141
ALL OTHER FELONIES	176	47	97	135	455
SUBTOTAL	1268 13.5%	407 20.5%	733 23.1%	997 35.4%	3405 19.6%
YOUTHFUL/JUVENILE					
YOUTHFUL OFFENDER	242	58	106	154	560
JUVENILE OFFENDER	34	2	4	2	42
SUBTOTAL	276 2.9%	60 3.0%	110 3.5%	156 5.5%	602 3.5%
GRAND TOTAL	9374 100.0%	1985 100.0%	3171 100.0%	2813 100.0%	17343 100.0%

TABLE 11.3 CRIME BY COUNTY (AND REGION) OF COMMITMENT: 2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	NEW YORK CITY					SUBURBAN NEW YORK					UPSTATE URBAN									
	KINGS	NEW YORK	QUEENS	RICHMOND	BROOKLYN	TOTAL	NASSAU	ROCKLAND	SUFFOLK	WESTCHST	TOTAL	ALBANY	BROOKE	ERIE	MONTGOMERY	ONEIDA	ORONDAGA	RENSSELAIR	SCHENECTADY	TOTAL
VIOLENT FELONY																				
MURDER	56	26	17	0	28	125	0	3	4	13	28	5	4	17	26	3	10	4	5	74
ATTEMPTED MURDER	37	23	13	1	34	104	2	0	0	1	3	2	0	4	6	2	5	0	1	11
MANSLAUGHTER 1ST	23	24	26	0	28	102	7	0	2	7	15	3	0	1	3	0	5	0	0	15
RAPE 1ST	19	20	10	0	15	64	3	0	0	0	13	8	0	10	11	2	5	1	7	33
ROBBERY 1ST	145	161	192	5	92	495	37	18	25	27	91	28	8	39	51	7	14	17	5	139
ROBBERY 2ND	129	243	147	17	150	495	37	18	25	27	91	28	8	39	51	7	14	17	5	139
ASSAULT 1ST	45	67	46	4	44	208	14	6	13	13	40	12	4	10	26	2	3	3	3	80
ASSAULT 2ND	53	99	43	6	64	248	10	6	23	17	64	18	9	10	15	1	4	1	0	106
BURGLARY 1ST	12	22	52	10	28	124	3	15	41	33	114	20	3	10	12	11	18	9	10	150
BURGLARY 2ND	67	104	52	2	20	243	24	0	0	2	26	4	1	7	12	0	1	1	1	16
ARSON 1ST 2ND	9	13	7	2	6	37	1	2	2	2	15	3	1	6	8	3	0	0	0	31
SODOMY 1ST 2ND	27	24	19	4	18	107	7	1	11	13	32	3	8	3	16	15	8	3	3	87
SEX-AB-1ST-AG-2	170	134	52	10	68	442	28	4	15	17	43	30	3	33	25	0	13	3	11	126
WEAPONS OFFENSES	2	1	2	0	0	5	4	0	0	4	13	0	0	0	3	0	1	0	0	7
KIDNAPPING 1ST 2ND	0	1	2	0	0	3	0	0	0	0	0	0	0	0	1	0	0	0	2	4
OTHER VIOLENT FELONIES																				
SUBTOTAL	807	961	538	64	566	2914	196	57	200	201	454	140	50	268	257	66	112	38	54	969
	42.5%	25.4%	41.7%	34.6%	26.2%	31.1%	29.6%	30.6%	29.6%	43.6%	32.9%	21.8%	24.0%	39.5%	44.5%	25.5%	28.0%	23.2%	18.8%	30.6%
OTHER COERCIVE																				
MANSLAUGHTER 2ND	13	1	4	3	7	28	1	1	3	1	6	0	0	1	1	2	0	0	0	6
OTHER HOMICIDE	4	1	1	1	3	10	1	5	15	2	5	1	1	1	3	3	2	2	2	12
ROBBERY 3RD	89	86	91	10	40	296	10	0	15	6	59	19	10	14	30	9	25	7	7	156
ATT ASSAULT 2ND	26	29	15	1	20	91	1	0	4	0	26	10	0	10	5	4	1	1	1	54
CONSPIRACY 2,3,4	20	41	6	1	1	71	0	1	0	0	1	10	2	2	1	5	4	3	3	57
OTHER WEAPONS	24	22	28	13	17	114	23	2	13	8	39	15	7	11	9	5	7	7	6	75
OTHER SEX OFFENSES	22	19	15	4	20	72	10	0	9	12	35	10	5	9	4	2	3	5	3	43
OTHER COERCIVE	12	19	13	2	26	72	6	0	0	7	22	10	5	11	4	2	2	5	5	39
SUBTOTAL	208	237	131	35	156	767	66	9	68	37	180	73	43	45	59	35	52	29	25	381
	11.0%	9.5%	10.1%	18.9%	8.1%	8.2%	10.0%	4.8%	10.1%	8.0%	9.1%	11.4%	19.1%	10.4%	10.2%	13.5%	13.4%	17.7%	9.7%	12.0%
DRUG OFFENSES																				
DRUG SALE	358	1419	156	20	788	2741	191	33	141	40	405	148	35	48	36	19	18	46	69	417
DRUG POSSESSION	205	802	184	22	195	1408	72	44	88	75	279	118	43	87	104	47	69	30	63	861
SUBTOTAL	563	2221	340	42	983	4149	263	77	229	115	684	266	78	135	140	66	87	74	132	978
	29.7%	54.5%	26.3%	22.7%	51.0%	44.3%	39.7%	41.4%	33.9%	24.9%	34.5%	41.5%	34.7%	21.5%	24.3%	25.5%	22.4%	45.1%	45.0%	30.8%
PROPERTY AND OTHER OFFENSES																				
BURGLARY 3RD	84	142	58	11	48	343	19	8	46	13	86	31	12	44	29	28	25	5	17	191
GRAND LARCENY	57	230	42	10	42	381	39	15	35	31	120	35	8	32	17	12	21	2	16	182
FORGERY	7	75	15	7	22	126	16	10	10	12	50	16	14	12	17	5	12	3	2	80
STOLEN PROPERTY	35	46	8	3	5	97	13	2	25	6	49	32	4	14	12	12	12	5	9	96
DRIVE INTOXICATED	4	2	9	0	0	16	0	0	0	0	19	4	4	18	19	0	12	4	3	39
CONTEMPT 1ST	17	22	9	0	0	54	3	0	7	2	10	4	1	1	9	0	19	2	9	57
ALL OTHER FELONIES	27	66	43	4	36	176	10	7	19	11	47	14	8	30	7	8	19	4	9	97
SUBTOTAL	231	601	233	38	165	1268	107	43	168	89	497	151	49	159	104	72	105	25	70	733
	12.2%	14.8%	16.0%	20.5%	8.6%	15.3%	16.2%	23.1%	24.9%	19.3%	20.5%	23.6%	21.6%	25.3%	18.0%	27.0%	27.0%	45.1%	24.3%	25.1%
YOUTHFUL/JUVENILE																				
YOUTHFUL OFFENDER	72	43	48	5	74	262	29	0	10	19	58	11	1	19	17	18	33	0	7	106
JUVENILE OFFENDER	14	10	1	1	6	34	1	0	0	0	2	0	0	2	0	2	0	0	0	4
SUBTOTAL	86	53	49	6	80	276	30	0	10	19	60	11	1	21	17	20	33	0	7	110
	4.6%	1.3%	3.6%	3.2%	4.1%	2.7%	4.5%	.0%	1.6%	4.1%	5.0%	1.7%	.4%	5.3%	2.9%	7.7%	6.5%	.0%	2.4%	5.5%
GRAND TOTAL	1897	4672	1391	185	1928	9374	662	186	676	461	1985	661	225	628	577	299	388	164	288	3171
	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%	100.0%	100.0%

(continued)

TABLE 11.3 CRIME BY COUNTY (AND REGION) OF COMMITMENT; 2003 NEW COURT COMMITMENTS

COMMITMENT CRIME		UPSTATE OTHER					UPSTATE OTHER										UPSTATE OTHER					UPSTATE OTHER				
		ALLEGANY	CATTARAUGUS	CAYUGA	CHAUTAUQUE	CHEMUNG	CHENANGO	CLINTON	COLUMBIA	CORTLAND	DELAWARE	DUTCHESS	ESSEX	FRANKLIN	FULTON	GENESEE	GREENE									
VIOLENT FELONY		0	0	3	1	2	1	1	0	0	0	0	0	0	0	0	0									
MURDER		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
ATTEMPTED MURDER		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
MANSLAUGHTER 1ST		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
RAPE 1ST		0	0	0	0	0	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	0	0	0	0									
ROBBERY 2ND		0	0	0	0	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	0	0	0	0									
ASSAULT 2ND		0	0	0	0	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	0	0	0	0									
BURGLARY 2ND		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
ARSON 1ST		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
SEX AB-1ST, AG. 2		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
WEAPONS OFFENSES		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
KIDNAPPING 1ST, 2ND		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
OTHER VIOLENT FELONIES		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
SUBTOTAL		22.2%	18.3%	25.6%	12.5%	34.3%	35.3%	18.6%	16.7%	18.5%	23.7%	18.2%	31.6%	24.4%	24.4%	19.5%	19.5%									
OTHER COERCIVE		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
MANSLAUGHTER 2ND		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
OTHER HOMICIDE		1	0	1	2	1	0	0	0	0	0	0	0	0	0	0	0									
ROBBERY 3RD		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
ATT ASSAULT 2ND		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
CONSPIRACY 2,3,4		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
OTHER WEAPONS		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
OTHER SEX OFFENSES		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
OTHER COERCIVE		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
SUBTOTAL		22.2%	14.6%	8.1%	10.2%	6.0%	17.6%	15.4%	7.1%	18.5%	11.2%	18.2%	10.9%	7.3%	10.3%	4.9%	4.9%									
DRUG OFFENSES		0	2	23	33	6	2	4	7	1	20	2	3	2	8	8	1									
DRUG SALE		1	10	30	40	15	2	4	11	8	48	2	5	12	12	10	10									
DRUG POSSESSION		5.6%	12.2%	34.9%	45.3%	22.4%	5.9%	15.4%	26.2%	29.6%	29.6%	18.2%	13.2%	29.3%	15.4%	24.4%	24.4%									
SUBTOTAL																										
PROPERTY AND OTHER OFFENSES		3	11	6	10	8	4	3	2	4	12	1	6	2	1	3	3									
BURGLARY 3RD		1	6	2	5	5	1	2	3	0	5	1	0	0	1	2	2									
GRAND LARCENY		1	1	1	1	1	2	1	1	1	7	0	1	1	3	3	3									
FORGERY		0	1	1	6	3	5	6	6	1	7	0	1	0	8	6	6									
STOLEN PROPERTY		2	15	4	6	0	0	0	0	0	7	0	0	0	2	1	1									
DRIVE INTOXICATED		0	0	0	0	0	0	0	0	0	4	1	1	1	2	1	1									
CONTEMPT 1ST		1	4	6	3	4	1	2	5	8	4	3	3	3	2	2	7									
ALL OTHER FELONIES		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
SUBTOTAL		44.4%	39	25	27	21	14	14	21	29.6%	42	5	15	15	33	21	21									
			47.6%	29.1%	30.7%	31.3%	41.2%	53.8%	50.0%	29.6%	27.6%	45.5%	39.5%	36.6%	42.3%	51.2%	51.2%									
YOUTHFUL/JUVENILE		1	6	2	1	4	0	0	0	1	12	0	2	1	6	0	0									
YOUTHFUL OFFENDER		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
JUVENILE OFFENDER		1	7.3%	2.3%	1.1%	6.0%	.0%	.0%	.0%	3.7%	7.9%	.0%	9.3%	2.4%	7.7%	.0%	.0%									
SUBTOTAL		5.4%	1	2	1	4	.0%	.0%	.0%	3.7%	7.9%	.0%	9.3%	2.4%	7.7%	.0%	.0%									
GRAND TOTAL		18	82	86	88	67	34	26	42	27	152	11	38	41	78	61	61									
		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%									

TABLE 11.3 CRIME BY COUNTY (AND REGION) OF COMMITMENT 2003 NEW YORK STATE

(continued)

(continued)

TABLE 11-3 CRIME BY COUNTY (AND REGION) OF COMMITMENT; 2003 NEW COURT COMMITMENTS

TABLE 11.3 CRIME BY COUNTY (AND REGION) OF COMMITMENT																
COMMITMENT CRIME	UPSTATE OTHER															
	HAMILTON	HERKIMER	JEFFERS	LEWIS	LIVINGST	NADISON	MONTGOM	NIAGARA	ONTARIO	ORANGE	ORLEANS	OSWEGO	OTSEGO	PUTNAM	ST LAWREN	
NON-VIOLENT FELONY	MURDER	0	0	1	0	0	0	1	0	6	0	1	0	0	0	
	ATTEMPTED MURDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	MANSLAUGHTER 1ST	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	RAPE 1ST	1	0	0	0	1	0	0	0	0	0	0	0	0	0	
	ROBBERY 1ST	0	0	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	0	0	
	ASSAULT 1ST	0	0	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	0	0	
	BURGLARY 1ST	0	0	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	0	0	
VIOLENT FELONY	ARSON 1ST	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 2ND	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 3RD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 4TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 5TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 6TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 7TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 8TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 9TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 10TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
OTHER FELONIES	ARSON 1ST 11TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 12TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 13TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 14TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 15TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 16TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 17TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 18TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 19TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ARSON 1ST 20TH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
SUBTOTAL		33.3%	10	11	0	6	13	35	25	75	9	10	11	25	14	
			23.3%	19.6%	.0%	30.0%	22.0%	21.6%	17.5%	18.5%	26.3%	11.6%	26.2%	25.0%	25.0%	
	OTHER COERCIVE															
	MANSLAUGHTER 2ND	0	0	0	0	0	0	5	1	0	1	0	0	0	0	
	OTHER HOMICIDE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ROBBERY 3RD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	ATT ASSAULT 2ND	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	CONSPIRACY 2,3,4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OTHER NEAR OFFENSES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	OTHER COERCIVE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
SUBTOTAL		33.3%	6	9	0	2	6	32	18	34	5	16	2	10	10	
			14.0%	16.1%	.0%	10.0%	6.0%	19.8%	12.6%	8.4%	14.7%	18.6%	5.1%	.0%	16.4%	
	DRUG OFFENSES															
	DRUG SALE	0	1	12	0	3	1	19	18	67	1	1	9	1	5	
	DRUG POSSESSION	0	4	10	0	0	2	31	28	83	1	9	11	2	4	
	SUBTOTAL	.0%	11.0%	39.5%	.0%	9.7%	15.0%	30.9%	32.2%	37.0%	5.9%	11.6%	51.3%	18.8%	16.8%	
	PROPERTY AND OTHER OFFENSES															
	BURGLARY 3RD	1	7	5	1	0	3	7	6	30	4	20	0	1	11	
	GRAND LARCENY	0	2	3	0	5	0	4	19	18	1	1	4	0	0	
	FORGERY	0	1	3	0	1	0	2	8	14	0	0	2	0	2	
STOLEN PROPERTY	0	1	0	0	0	0	1	0	11	0	0	1	1	6		
DRIVE INTOXICATED	0	3	1	0	0	2	7	8	16	7	0	2	0	0		
CONTEMPT 1ST	0	1	1	0	0	0	0	0	31	0	1	0	0	2		
ALL OTHER FELONIES	0	3	1	0	5	1	3	1	4	11	7	7	2	0		
SUBTOTAL		33.3%	18	16	1	7	24	34	53	115	13	42	5	7	23	
			41.9%	25.0%	100.0%	35.5%	40.7%	21.0%	37.1%	28.4%	38.2%	48.8%	12.8%	43.8%	37.7%	
	YOUTHFUL/JUVENILE															
	YOUTHFUL OFFENDER	0	6	0	0	0	5	11	1	30	5	8	1	2	5	
	JUVENILE OFFENDER	0	0	0	0	0	0	0	0	1	0	0	0	0	0	
	SUBTOTAL	.0%	9.3%	.0%	.0%	.0%	10.0%	8.5%	6.8%	.7%	14.7%	9.3%	2.6%	12.5%	8.2%	
	GRAND TOTAL	100.0%	43	56	1	31	20	59	162	143	405	34	86	39	61	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 11.3 CRIME BY COUNTY (AND REGION) OF COMMITMENT; 2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	UPSTATE OTHER										UPSTATE OTHER					GRAND TOTAL
	SARATOGA	SCHOGARE	SCHUYLER	SENECA	STEUBEN	SULLIVAN	TIOGA	TOMPKINS	ULSTER	WARREN	WASHINGTON	WAYNE	WYOMING	YATES	TOTAL	
VIOLENT FELONY																
MURDER	0	1	0	0	1	1	0	1	0	2	0	1	0	0	26	
ATTEMPTED MURDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
MANSLAUGHTER 1ST	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	
RAPE 1ST	2	0	1	0	2	1	1	1	1	0	0	1	0	0	33	
ROBBERY 1ST	0	0	0	0	0	2	0	2	3	1	0	1	0	0	30	
ROBBERY 2ND	0	0	0	0	2	0	0	0	0	0	0	0	0	0	51	
ASSAULT 1ST	0	0	0	0	1	0	0	0	2	3	0	1	1	0	29	
ASSAULT 2ND	4	0	0	1	1	0	0	0	0	0	1	5	1	1	12	
BURGLARY 1ST	0	0	0	0	0	0	0	0	13	5	2	2	0	0	134	
BURGLARY 2ND	8	0	0	1	0	6	0	3	0	0	2	3	1	0	38	
ARSON 1ST,2ND	0	0	0	1	2	0	0	0	0	0	2	3	0	0	54	
SODOMY 1ST	3	0	1	0	2	5	2	0	3	5	2	1	2	1	106	
SEX-AB-1ST,AB-2	4	0	0	0	1	0	0	0	0	0	1	0	0	0	26	
WEAPONS OFFENSES	0	0	0	0	0	0	0	1	0	0	0	0	0	0	33	
KIDNAPPING 1ST,2ND	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	
OTHER VIOLENT FELONIES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	
SUBTOTAL	22	2	2	8	12	18	7	9	25	16	8	20	5	6	588	
	19.8%	11.6%	25.0%	30.0%	14.6%	16.7%	25.9%	20.5%	17.7%	19.3%	22.2%	28.2%	26.3%	25.0%	20.3%	
OTHER COERCIVE																
MANSLAUGHTER 2ND	1	0	0	1	0	0	0	0	0	1	0	0	0	0	10	
OTHER HOMICIDE	0	0	0	0	0	0	0	0	4	1	0	1	0	0	11	
ROBBERY 3RD	2	0	1	1	0	2	0	1	0	3	0	1	0	1	50	
ATT ASSAULT 2ND	0	0	0	0	1	1	0	0	0	0	0	0	0	0	44	
CONSPIRACY 2,3,4	0	0	0	0	0	1	0	0	0	0	2	0	0	0	6	
OTHER WEAPONS	0	0	0	0	0	3	1	1	4	0	0	0	0	0	32	
OTHER SEX OFFENSES	7	0	0	0	0	0	0	0	0	4	6	0	1	0	133	
OTHER COERCIVE	0	3	1	0	3	2	0	0	2	2	1	1	0	0	56	
SUBTOTAL	11	4	2	5	11	12	4	6	16	14	9	3	1	2	342	
	9.9%	23.5%	25.0%	19.2%	13.4%	11.1%	14.0%	13.6%	11.5%	16.9%	25.0%	4.2%	5.3%	6.3%	12.2%	
DRUG OFFENSES																
DRUG SALE	24	1	0	1	0	12	1	4	21	3	2	6	3	4	349	
DRUG POSSESSION	17	3	0	1	6	22	3	8	19	8	4	9	2	0	2629	
SUBTOTAL	41	4	0	2	6	34	4	12	40	11	6	15	5	4	730	
	36.9%	23.5%	.0%	7.7%	7.3%	51.5%	14.0%	27.3%	28.4%	15.3%	16.7%	21.1%	26.3%	16.7%	26.0%	
PROPERTY AND OTHER OFFENSES																
BURGLARY 3RD	9	2	1	2	8	8	3	2	12	7	2	7	2	0	256	
GRAND LARCENY	6	0	0	0	6	8	2	5	13	6	2	4	1	2	152	
FORGERY	0	0	0	0	4	3	0	2	5	2	1	4	0	0	91	
STOLEN PROPERTY	0	1	0	1	3	3	0	0	1	3	3	1	0	0	261	
DRIVE INTOXICATED	14	1	1	2	10	5	0	4	19	13	1	9	0	9	279	
CONTEMPT 1ST	1	0	0	0	4	2	0	0	2	3	1	1	0	0	141	
ALL OTHER FELONIES	6	2	0	3	9	5	0	1	6	0	3	6	0	5	135	
SUBTOTAL	36	7	4	10	44	34	6	14	58	32	13	32	8	10	997	
	32.4%	41.2%	50.0%	38.5%	53.7%	31.5%	22.2%	31.8%	41.1%	38.6%	36.1%	45.1%	42.1%	41.7%	35.4%	
YOUTHFUL/JUVENILE																
YOUTHFUL OFFENDER	1	0	0	1	9	10	6	3	1	10	0	1	0	2	154	
JUVENILE OFFENDER	0	0	0	0	0	0	0	0	1	0	0	0	0	0	42	
SUBTOTAL	1	0	0	1	9	10	6	3	1	10	0	1	0	2	156	
	.9%	.0%	.0%	3.0%	11.0%	9.3%	22.2%	6.0%	1.4%	12.0%	.0%	1.4%	.0%	8.3%	5.5%	
GRAND TOTAL	111	17	8	26	82	108	27	44	141	83	36	71	19	24	2813	
	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 percentage of Class B felony offenders (23%) and a somewhat lower percent of Class E felony offenders (15%) when compared with other regions. The Suburban New York region had a higher percentage of Class D felony offenders (39%). The Upstate Urban region had a somewhat lower percent of Class B (12%) commitments and a somewhat higher percent of class D commitments (39%) than other regions. The Upstate Other region had a higher percent of Class E felons (28%) than do other regions.

Trends in Commitments by Region

There was some change in the percentage of offenders committed from each region of the state from 2000 to 2003 (see Table 11.5). New York City's contribution to the new commitment population dropped five percent from 59% in 2000 to 54% in 2003. In 2000, the Downstate area (New York City and Suburban New York) accounted for 69% of all new commitments, but this area reported 65% of new commitments in 2003.

In 2000, the Upstate area (Upstate Urban and Upstate Other) accounted for 31% of all new commitments, but this area reported 34% of all new commitments in 2003. The Upstate Urban area's contribution to the new commitment population increased three percent, from 15% in 2000 to 18% in 2003. The Upstate Other area's contribution to the new commitment population remained at 16% between 2000 and 2003.

Accordingly, while the Downstate area's contribution to the new commitment population dropped four percent between 2000 and 2003, the Upstate area's contribution to the new commitment population increased three percent between 2000 and 2003.

TABLE 11.4 REGION OF THE STATE AND COUNTY OF COMMITMENT BY FELONY CRIME CLASS
2003 NEW COURT COMMITMENTS

COMMITMENT 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	
NEW YORK CITY								
KINGS	66	26	472	363	621	277	72	1897
NEW YORK	39	380	723	845	1440	603	43	4073
QUEENS	22	15	322	229	415	240	48	1291
RICHMOND	0	3	26	39	69	43	5	185
BRONX	34	29	621	340	557	273	74	1928
TOTAL	161 1.7%	453 4.8%	2164 23.1%	1816 19.4%	3102 33.1%	1436 15.3%	242 2.6%	9374 100.0%
SUBURBAN NEWYORK								
NASSAU	10	8	98	189	200	128	29	662
ROCKLAND	4	20	40	53	50	19	0	186
SUFFOLK	9	36	120	153	207	141	10	676
WESTCHESTR	14	4	75	110	160	79	19	461
TOTAL	37 1.9%	68 3.4%	333 16.8%	505 25.4%	617 31.1%	367 18.5%	58 2.9%	1985 100.0%
UPSTATE URBAN								
ALBANY	7	8	54	119	292	150	11	641
BROOME	4	2	30	40	89	59	1	225
ERIE	17	13	46	157	209	167	19	628
MONROE	31	15	96	113	206	99	17	577
ONEIDA	4	4	52	31	114	36	18	259
ONONDAGA	14	12	61	71	124	74	33	389
RENSSELAER	4	4	6	29	91	30	0	164
SCHENECTADY	7	1	44	65	117	47	7	288
TOTAL	88 2.8%	59 1.9%	389 12.3%	625 19.7%	1242 39.2%	662 20.9%	106 3.3%	3171 100.0%
UPSTATE OTHER								
ALLEGANY	0	0	1	0	9	7	1	18
CATTARAUGUS	1	1	3	8	30	33	6	82
CAYUGA	3	0	13	16	35	17	2	86
CHAUTAUQUA	1	1	7	27	36	15	1	88
CHEMUNG	2	0	8	11	27	15	4	67
CHENANGO	1	0	3	9	9	12	0	34
CLINTON	1	0	1	0	14	10	0	26
COLUMBIA	0	0	7	4	15	16	0	42
CORTLAND	0	1	3	5	12	5	1	27
DELAWARE	0	0	3	0	16	7	0	26
DUTCHESS	1	5	7	25	70	32	12	152
ESSEX	0	0	2	1	4	4	0	11
FRANKLIN	0	0	5	4	14	13	2	38
FULTON	0	3	10	6	10	11	1	41
GENESEE	0	0	5	4	32	31	6	78
GREENE	0	0	6	4	16	15	0	41
HAMILTON	0	0	1	0	1	1	0	3
HERKIMER	0	0	3	4	16	16	4	43
JEFFERSON	1	0	8	12	20	15	0	56
LEWIS	0	0	0	0	0	1	0	1
LIVINGSTON	0	0	1	7	11	12	0	31
MADISON	0	0	4	0	11	3	2	20
MONTGOMERY	2	1	8	4	24	15	5	59
NIAGARA	1	1	10	19	65	55	11	162
ONTARIO	0	6	41	14	56	25	1	143
ORANGE	7	14	78	69	112	95	30	405
ORLEANS	0	0	2	3	11	13	5	34
OSWEGO	1	0	5	5	35	32	8	86
OTSEGO	0	0	3	14	19	2	1	39
PUTNAM	0	0	4	2	4	4	2	16
ST LAWRENCE	0	0	5	6	23	22	5	61
SARATOGA	0	3	7	35	36	29	1	111
SCHOHARIE	1	0	2	2	6	6	0	17
SCHUYLER	0	0	0	1	3	4	0	8
SENECA	1	1	3	2	8	10	1	26
STEUBEN	1	0	2	8	27	35	9	82
SULLIVAN	1	3	14	12	46	22	10	108
TIOGA	0	0	6	3	9	3	6	27
TOMPKINS	1	2	8	4	16	10	3	44
ULSTER	0	6	33	19	51	31	1	141
WARREN	2	0	6	9	35	21	10	83
WASHINGTON	0	0	5	0	9	22	0	36
WAYNE	1	0	18	9	23	19	1	71
WYOMING	0	0	2	3	7	7	0	19
YATES	0	0	6	1	7	8	2	24
TOTAL	30 1.1%	48 1.7%	369 13.1%	391 13.9%	1040 37.0%	781 27.8%	154 5.5%	2813 100.0%
GRAND TOTAL	316 1.8%	628 3.6%	3255 18.8%	3337 19.2%	6001 34.6%	3246 18.7%	560 3.2%	17343 100.0%

TABLE 11.5 REGION AND COUNTY OF COMMITMENT BY YEAR RECEIVED; 2000-2003 NEW COURT COMMITMENTS

COUNTY OF COMMITMENT	2000		2001		2002		2003	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
NEW YORK CITY								
KINGS	1891	10.2%	1715	10.4%	1877	11.0%	1897	10.9%
NEW YORK	4766	25.7%	4069	24.7%	4090	24.0%	4073	23.5%
QUEENS	1543	8.3%	1571	9.5%	1420	8.3%	1291	7.4%
RICHMOND	196	1.1%	144	.9%	170	1.0%	185	1.1%
BROX	2524	13.6%	2056	12.5%	2111	12.4%	1928	11.1%
TOTAL	10920	58.8%	9555	57.9%	9668	56.8%	9374	54.1%
SUBURBAN NEWYORK								
NASSAU	586	3.2%	551	3.3%	588	3.5%	662	3.8%
ROCKLAND	161	.9%	128	.8%	138	.8%	186	1.1%
SUFFOLK	720	3.9%	559	3.4%	647	3.8%	676	3.9%
WESTCHESTER	494	2.7%	413	2.5%	455	2.7%	461	2.7%
TOTAL	1961	10.6%	1651	10.0%	1828	10.7%	1985	11.4%
UPSTATE URBAN								
ALBANY	380	2.0%	509	3.1%	543	3.2%	641	3.7%
BROOME	202	1.1%	171	1.0%	174	1.0%	225	1.3%
ERIE	532	2.9%	502	3.0%	531	3.1%	628	3.6%
MONROE	580	3.1%	505	3.1%	552	3.2%	577	3.3%
ONEIDA	299	1.6%	261	1.6%	277	1.6%	259	1.5%
ONONDAGA	321	1.7%	259	1.6%	311	1.8%	389	2.2%
RENSSELAER	220	1.2%	175	1.1%	174	1.0%	164	.9%
SCHENECTADY	225	1.2%	271	1.6%	260	1.5%	288	1.7%
TOTAL	2759	14.9%	2653	16.1%	2822	16.6%	3171	18.3%
UPSTATE OTHER								
ALLEGANY	17	.1%	16	.1%	9	.1%	18	.1%
CATTARAUGUS	80	.4%	58	.4%	59	.3%	82	.5%
CAYUGA	61	.3%	70	.4%	67	.4%	86	.5%
CHAUTAUQUA	74	.4%	61	.4%	83	.5%	88	.5%
CHEMUNG	146	.8%	81	.5%	67	.4%	67	.4%
CHENANGO	28	.2%	25	.2%	23	.1%	34	.2%
CLINTON	59	.3%	48	.3%	31	.2%	26	.1%
COLUMBIA	76	.4%	66	.4%	73	.4%	42	.2%
CORTLAND	65	.4%	32	.2%	27	.2%	27	.2%
DELAWARE	33	.2%	25	.2%	19	.1%	26	.1%
DUTCHESS	189	1.0%	152	.9%	153	.9%	152	.9%
ESSEX	19	.1%	23	.1%	9	.1%	11	.1%
FRANKLIN	17	.1%	21	.1%	29	.2%	38	.2%
FULTON	65	.4%	52	.3%	45	.3%	41	.2%
GENESEE	69	.4%	83	.5%	84	.5%	78	.4%
GREENE	43	.2%	40	.2%	32	.2%	41	.2%
HAMILTON	4	.0%	3	.0%	1	.0%	3	.0%
HERKIMER	40	.2%	44	.3%	41	.2%	43	.2%
JEFFERSON	44	.2%	41	.2%	44	.3%	56	.3%
LEWIS	6	.0%	6	.0%	5	.0%	1	.0%
LIVINGSTON	45	.2%	50	.3%	47	.3%	31	.2%
MADISON	18	.1%	16	.1%	12	.1%	20	.1%
MONTGOMERY	53	.3%	48	.3%	51	.3%	59	.3%
NIAGARA	124	.7%	120	.7%	112	.7%	162	.9%
ONTARIO	144	.8%	128	.8%	137	.8%	143	.8%
ORANGE	414	2.2%	358	2.2%	444	2.6%	405	2.3%
ORLEANS	50	.3%	27	.2%	36	.2%	34	.2%
OSWEGO	65	.4%	85	.5%	99	.6%	86	.5%
OTSEGO	13	.1%	25	.2%	18	.1%	39	.2%
PUTNAM	23	.1%	12	.1%	14	.1%	16	.1%
ST LAWRENCE	68	.4%	52	.3%	40	.2%	61	.4%
SARATOGA	67	.4%	86	.5%	82	.5%	111	.6%
SCHOHARIE	18	.1%	9	.1%	16	.1%	17	.1%
SCHUYLER	6	.0%	10	.1%	8	.0%	8	.0%
SENECA	26	.1%	31	.2%	28	.2%	26	.1%
STEBEN	99	.5%	78	.5%	96	.6%	82	.5%
SULLIVAN	105	.6%	108	.7%	126	.7%	108	.6%
TIOGA	32	.2%	32	.2%	46	.3%	27	.2%
TOMPKINS	43	.2%	46	.3%	31	.2%	44	.3%
ULSTER	152	.8%	173	1.0%	158	.8%	141	.8%
WARREN	48	.3%	49	.3%	73	.4%	83	.5%
WASHINGTON	42	.2%	32	.2%	29	.2%	36	.2%
WAYNE	84	.5%	71	.4%	67	.4%	71	.4%
WYOMING	22	.1%	32	.2%	18	.1%	19	.1%
YATES	27	.1%	15	.1%	21	.1%	24	.1%
TOTAL	2923	15.7%	2640	16.0%	2690	15.8%	2813	16.2%
GRAND TOTAL	18563	100.0%	16499	100.0%	17008	100.0%	17343	100.0%

Section 12

COUNTRY OF BIRTH

Table 12.1 presents crime by birthplace for 2003 new court commitments. In this table, countries are grouped into world regions.

For 2003 new court commitments, 87% or 15,146 are native born (United States and U.S. possessions), while 13% or 2,176 are foreign-born.

Violent felonies comprised 29% (or 4,356) of the 15,146 native born offenders, while violent felonies comprised 35% (or 761) of the 2,176 foreign-born offenders.

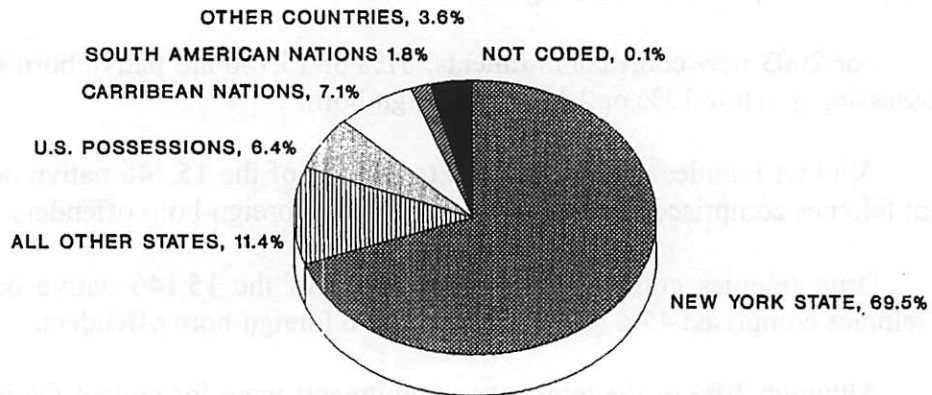
Drug felonies comprised 37% (or 5,557) of the 15,146 native born offenders, while drug felonies comprised 45% (or 975) of the 2,176 foreign-born offenders.

Although 30% of the total new commitments were for violent felonies, the world regions did not contribute in equal proportions to this category. For example, 59% of new commitments from Central America and 68% of new commitments from North America were violent felons.

A high percentage of the offenders born in U.S. Possessions (55%), island nations in the Caribbean (58%), and South America (47%) were sentenced for drug offenses.

Of the 6,532 drug offenders committed in 2003 with data on country of birth, 76% (N=4,938) were born in the United States, 10% (N=619) in U.S. Possessions, and 14% (N=975) in foreign nations (see Table 12.1).

Figure 12
DEPARTMENT OF CORRECTIONAL SERVICES
NEW COMMITMENTS - 2003
COUNTRY OF BIRTH



COMMITMENT CRIME BY BIRTHPLACE
2003 NEW COMMITMENTS
NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

OFFENSE ON COMMITMENT	BIRTHPLACE							TOTAL
	NEW YORK STATE	ALL OTHER STATES	U. S. POSSESSIONS	CARRIBEAN NATIONS	SOUTH AMERICAN NATIONS	OTHER COUNTRIES	NOT CODED	
VIOLENT FELONY	3,549	548	259	337	97	327	8	5,125
OTHER COERCIVE	1,249	203	72	59	29	56	2	1,670
DRUG OFFENSES	4,244	694	619	721	149	105	9	6,541
PROPERTY/OTHER	2,543	472	145	101	36	106	2	3,405
YOUTHFUL/JUVENILE OFFENDER	470	57	22	22	8	23	0	602
TOTAL	12,055	1,974	1,117	1,240	319	617	21	17,343
PERCENT	69.5%	11.4%	6.4%	7.1%	1.8%	3.6%	0.1%	100.0%

TABLE 12.1 CRIME BY BIRTHPLACE; 2003 NEW COURT COMMITMENTS

- 109 -

COMMITMENT CRIME	REGION OF BIRTH											TOTAL
	UNITED STATES	U. S. POSSESSIONS	NORTH AMERICA	CARRIBBEAN	REGION OF BIRTH					REGION OF BIRTH		
					CENTRAL AMERICA	SOUTH AMERICA	EUROPE	AFRICA	NEAR EAST	ASIA	SOUTH PACIFIC	
VIOLENT FELONY												
MURDER	204	8	3	24	5	2	3	1	1	2	0	253
ATTEMPTED MURDER	91	6	6	9	4	2	0	1	1	0	0	119
MANSLAUGHTER 1ST	107	2	4	15	2	4	2	0	0	2	0	139
RAPE 1ST	106	9	4	10	10	6	1	1	1	2	0	149
ROBBERY 1ST	592	39	15	56	17	18	6	2	0	0	0	735
ROBBERY 2ND	801	57	24	52	18	17	4	3	0	5	0	981
ROBBERY 3RD	241	16	20	29	15	17	3	0	0	11	0	342
ASSAULT 1ST	367	19	17	29	14	10	0	2	0	2	0	460
ASSAULT 2ND	93	8	1	13	3	0	0	0	0	0	0	118
BURGLARY 1ST	551	41	7	29	7	14	7	1	0	2	0	659
BURGLARY 2ND	129	7	0	1	3	2	2	0	0	0	0	38
ARSON 1ST, 2ND	29	2	0	1	4	1	1	0	0	0	0	138
SODOMY 1ST	110	7	5	6	11	7	2	3	0	2	0	285
SEX, AG-1ST, AG-2	232	17	14	53	8	3	9	2	1	1	0	659
WEAPONS OFFENSES	561	27	0	5	2	1	1	0	0	0	0	33
KIDNAPPING 1ST, 2ND	23	1	0	0	0	0	0	0	0	0	0	9
OTHER VIOLENT FELONIES	9	0	0	0	0	0	0	0	0	0	0	5117
TOTAL	4097	259	125	337	113	97	41	14	5	29	0	29.5%
	29.2%	23.2%	67.9%	27.2%	59.2%	30.4%	36.6%	36.8%	22.7%	44.6%	.0%	
OTHER COERCIVE												
MANSLAUGHTER 2ND	37	2	3	6	0	0	1	0	1	0	0	50
OTHER HOMICIDE	34	0	1	1	2	0	3	0	0	0	0	41
ROBBERY 3RD	455	21	3	6	3	12	2	2	0	3	0	506
ATT ASSAULT 2ND	193	0	0	11	0	2	0	0	1	1	0	215
CONSPIRACY 2,3,4	171	5	1	11	2	6	2	0	0	0	0	242
OTHER WEAPONS	212	8	4	17	4	4	2	0	0	2	0	529
OTHER SEX OFFENSES	277	19	1	1	1	4	3	0	0	0	0	192
OTHER COERCIVE	173	9	1	1	1	4	3	0	0	0	0	1668
TOTAL	1452	72	16	59	14	29	15	2	2	7	0	9.6%
	10.3%	6.4%	8.7%	4.8%	7.3%	9.1%	13.4%	5.3%	9.1%	10.8%	.0%	
DRUG OFFENSES												
DRUG SALE	2979	449	6	381	16	51	9	8	3	2	1	3905
DRUG POSSESSION	1959	170	14	340	23	98	12	4	2	3	2	2627
TOTAL	4938	619	20	721	39	149	21	12	5	5	3	6532
	35.2%	55.4%	10.9%	58.1%	20.4%	46.7%	18.8%	31.6%	22.7%	7.7%	60.0%	37.7%
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	805	42	5	14	1	2	6	0	0	1	0	876
GRAND LARCENY	699	40	4	28	3	6	7	4	3	2	0	796
FORGERY	289	14	0	13	5	6	4	3	2	4	0	364
STOLEN PROPERTY	310	20	0	18	0	8	2	1	0	1	0	361
DRIVE INTOXICATED	403	5	3	4	4	5	10	0	0	0	0	452
CONTEMPT 1ST	121	5	0	4	2	2	2	0	0	3	1	141
ALL OTHER FELONIES	388	19	1	22	1	7	2	1	3	9	0	453
TOTAL	3015	145	17	101	16	36	33	9	9	20	2	3403
	21.5%	13.0%	9.2%	8.1%	8.4%	11.3%	29.5%	23.7%	40.9%	30.8%	40.0%	19.6%
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	489	21	6	21	8	8	2	1	0	4	0	560
JUVENILE OFFENDER	38	1	0	1	1	0	0	0	1	0	0	42
TOTAL	527	22	6	22	9	8	2	1	1	4	0	602
	3.8%	2.0%	3.3%	1.8%	4.7%	2.5%	1.8%	2.6%	4.5%	6.2%	.0%	3.5%
GRAND TOTAL	14029	1117	184	1240	191	319	112	38	22	65	5	17322
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

There were 21 cases missing place of birth information.

TABLE 12.2: CRIME BY BIRTHPLACE(ROW PERCENTS); 2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	US AND POSSESS		CARIBBEAN		OTHER WESTERN HEMI		REST OF WORLD		TOTAL	
	NUMBER	ROW PERCENTS	NUMBER	ROW PERCENTS	NUMBER	ROW PERCENTS	NUMBER	ROW PERCENTS	NUMBER	ROW PERCENTS
VIOLENT FELONY										
MURDER	212	85.8%	24	9.5%	10	4.0%	7	2.8%	253	100.0%
ATTEMPTED MURDER	97	81.5%	9	7.8%	12	10.1%	1	.8%	119	100.0%
MANSLAUGHTER 1ST	109	78.4%	15	10.8%	10	7.2%	5	3.6%	139	100.0%
RAPE 1ST	115	77.2%	10	6.7%	20	13.4%	4	2.7%	149	100.0%
ROBBERY 1ST	631	85.9%	56	7.6%	40	5.6%	8	1.1%	735	100.0%
ROBBERY 2ND	858	87.5%	29	3.0%	59	6.0%	12	1.2%	981	100.0%
ASSAULT 1ST	257	75.1%	29	8.5%	42	12.3%	14	4.1%	342	100.0%
ASSAULT 2ND	386	83.9%	29	6.3%	41	8.9%	0	.0%	440	100.0%
BURGLARY 1ST	101	85.6%	13	11.0%	4	3.4%	0	.0%	118	100.0%
BURGLARY 2ND	592	89.8%	29	4.4%	28	4.2%	10	1.5%	659	100.0%
ARSON 1ST,2ND	31	81.6%	1	2.6%	4	10.5%	2	5.3%	38	100.0%
SODOMY 1ST	117	84.8%	6	4.3%	14	10.1%	1	.7%	138	100.0%
SEX AB-1ST,AB-2	249	87.4%	6	2.1%	23	8.1%	7	2.5%	285	100.0%
WEAPONS OFFENSES	568	86.2%	53	8.0%	25	3.8%	13	2.0%	659	100.0%
KIDNAPPING 1ST,2ND	24	72.7%	5	15.2%	3	9.1%	1	3.0%	33	100.0%
OTHER VIOLENT FELONIES	9	100.0%	0	.0%	0	.0%	0	.0%	9	100.0%
TOTAL	4356	85.1%	337	6.6%	335	6.5%	89	1.7%	5117	100.0%
OTHER COERCIVE										
MANSLAUGHTER 2ND	39	78.0%	6	12.0%	3	6.0%	2	4.0%	50	100.0%
OTHER HOMICIDE	34	82.9%	1	2.9%	3	7.3%	3	7.3%	41	100.0%
ROBBERY 3RD	476	94.1%	6	1.2%	17	3.4%	7	1.4%	506	100.0%
ATT ASSAULT 2ND	201	93.5%	11	5.5%	7	3.3%	1	.5%	215	100.0%
CONSPIRACY 2,3,4	76	81.7%	11	11.8%	2	2.7%	4	4.3%	93	100.0%
OTHER WEAPONS	220	90.9%	11	4.5%	12	3.7%	2	.8%	243	100.0%
OTHER SEX OFFENSES	296	90.0%	17	5.2%	12	3.6%	4	1.2%	329	100.0%
OTHER COERCIVE	182	94.8%	1	.5%	6	3.1%	3	1.6%	192	100.0%
TOTAL	1524	91.4%	59	3.5%	59	3.5%	26	1.6%	1668	100.0%
DRUG OFFENSES										
DRUG SALE	3428	87.8%	381	9.8%	73	1.9%	23	.6%	3905	100.0%
DRUG POSSESSION	2129	81.0%	340	12.9%	135	5.1%	23	.9%	2627	100.0%
TOTAL	5557	85.1%	721	11.0%	208	3.2%	46	.7%	6532	100.0%
PROPERTY AND OTHER OFFENSES										
BURGLARY 3RD	847	96.7%	16	1.6%	8	.9%	7	.8%	876	100.0%
GRAND LARCENY	759	92.8%	28	3.5%	13	1.6%	16	2.0%	796	100.0%
FORGERY	503	88.1%	13	2.4%	15	2.8%	13	3.8%	544	100.0%
STOLEN PROPERTY	330	91.4%	18	5.0%	8	2.2%	5	1.4%	361	100.0%
DRIVE INTOXICATED	408	94.4%	2	.5%	12	2.8%	10	2.3%	432	100.0%
CONTEMPT 1ST	126	89.4%	4	2.8%	7	2.8%	7	5.0%	141	100.0%
ALL OTHER FELONIES	407	89.8%	22	4.9%	9	2.0%	15	3.3%	453	100.0%
TOTAL	3160	92.9%	101	3.0%	69	2.0%	73	2.1%	3403	100.0%
YOUTHFUL/JUVENILE										
YOUTHFUL OFFENDER	510	91.1%	21	3.7%	22	3.9%	7	1.2%	560	100.0%
JUVENILE OFFENDER	39	92.9%	1	2.4%	1	2.4%	1	2.4%	42	100.0%
TOTAL	549	91.2%	22	3.7%	23	3.8%	8	1.3%	602	100.0%
GRAND TOTAL	15146	87.4%	1240	7.2%	694	4.0%	242	1.4%	17322	100.0%

There were 21 cases missing place of birth information.

EDUCATION

Education level by gender for 2003 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. On average, inmates reported 10.6 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 if higher. In Table 13.2, which shows the distribution of combined reading vocabulary and reading comprehension scores for 2003 new commitments, the average reading level (6.9) was found to be about equal 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 grade levels below this. While only two percent of inmates claimed education year completed of 4th grade or below (see Table 13.1), slightly more than one-fourth (28%) 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 2003 new commitments, the average proficiency in mathematics based on these test scores (6.2) was at the 6th grade level.

Beginning with Calendar Year 2003, each type of test score (reading and mathematics) consists of combining English and Spanish, with the utilization of the higher numerical test score. If neither an English nor Spanish test score for 2003 is present, the most recent prior year in which there was a test score present is utilized.

Trends in Education Level

Reading proficiency based on tests administered at reception was at the 7th grade level (6.6) in 2000 (see Table 13.4). It remained at 7th grade level for 2001-2003. Average proficiency level in math remained stable at the 6th grade level for 2000-2003.

Figure 13
DEPARTMENT OF CORRECTIONAL SERVICES
NEW COMMITMENTS - 2003
COMBINED READING SCORE

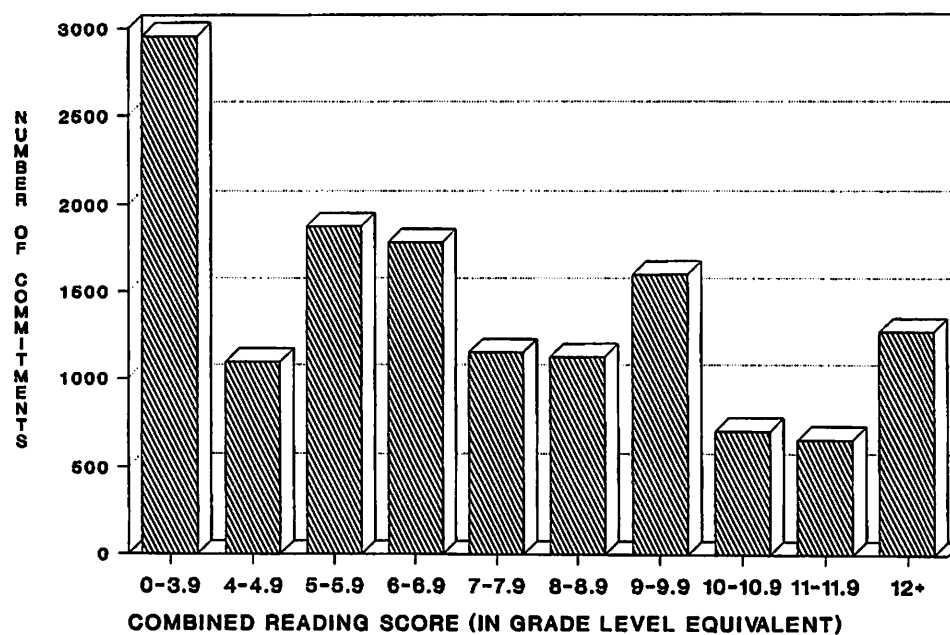


TABLE 13.1
EDUCATION BY SEX
2003 NEW COURT COMMITMENTS

EDUCATIONAL LEVEL	MALE	FEMALE	TOTAL
LESS THAN 5TH GRADE	123 1.5%	13 1.5%	136 1.5%
5TH THRU 7TH GRADE	319 3.8%	27 3.1%	346 3.7%
8TH THRU 11TH GRADE	4562 54.0%	426 49.3%	4988 53.6%
12TH GRADE OR MORE	3442 40.8%	398 46.1%	3840 41.2%
TOTAL	8446 100.0%	864 100.0%	9310* 100.0%
AVERAGE	10.6	11.0	10.6
MEDIAN	11.0	11.0	11.0

* There were 8,033 cases missing educational level information.

TABLE 13.2
COMBINED READING SCORE (IN GRADE LEVEL EQUIVALENT, RECEPTION CENTER TESTS) BY SEX
2003 NEW COURT COMMITMENTS

COMBINED READING SCORE	MALE	FEMALE	TOTAL
0.0-3.9	2794 20.8%	160 20.3%	2954 20.8%
4.0-4.9	1049 7.8%	46 5.8%	1095 7.7%
5.0-5.9	1813 13.5%	62 7.9%	1875 13.2%
6.0-6.9	1707 12.7%	76 9.6%	1783 12.6%
7.0-7.9	1076 8.0%	74 9.4%	1150 8.1%
8.0-8.9	1029 7.7%	95 12.0%	1124 7.9%
9.0-9.9	1551 11.6%	51 6.5%	1602 11.3%
10.0-10.9	627 4.7%	73 9.3%	700 4.9%
11.0-11.9	594 4.4%	59 7.5%	653 4.6%
12.0-12.9	1177 8.8%	93 11.8%	1270 8.9%
TOTAL	13417 100.0%	789 100.0%	14206* 100.0%
AVERAGE	6.9	7.4	6.9

* There were 3,137 cases missing combined reading score information.

TABLE 13.3
COMBINED MATH SCORE (IN GRADE LEVEL EQUIVALENT, RECEPTION CENTER TESTS) BY SEX
2003 NEW COURT COMMITMENTS

COMBINED MATH SCORE	MALE	FEMALE	TOTAL
0.0-3.9	2530 19.5%	179 23.2%	2709 19.7%
4.0-4.9	1846 14.2%	109 14.2%	1955 14.2%
5.0-5.9	2347 18.1%	117 15.2%	2464 17.9%
6.0-6.9	1951 15.0%	100 13.0%	2051 14.9%
7.0-7.9	1398 10.8%	87 11.3%	1485 10.8%
8.0-8.9	851 6.5%	50 6.5%	901 6.5%
9.0-9.9	831 6.4%	40 5.2%	871 6.3%
10-10.9	417 3.2%	29 3.8%	446 3.2%
11.0-11.9	296 2.3%	22 2.9%	318 2.3%
12.0-12.9	529 4.1%	37 4.8%	566 4.1%
TOTAL	12996 100.0%	770 100.0%	13766* 100.0%
AVERAGE	6.2	6.2	6.2

* There were 3,577 cases missing combined math score information.

TABLE 13.4
COMBINED READING SCORE BY YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

COMBINED READING SCORE (GRADE LEVEL ABILITY) (RECEPTION CENTER TESTS)	YEAR RECEIVED			
	2000	2001	2002	2003
0.0-3.9	3392 21.7%	2959 21.1%	2982 20.7%	2954 20.8%
4.0-4.9	1387 8.9%	1172 8.3%	1190 8.3%	1095 7.7%
5.0-5.9	2402 15.3%	1995 14.2%	1998 13.9%	1875 13.2%
6.0-6.9	1861 11.9%	1749 12.4%	1785 12.4%	1783 12.6%
7.0-7.9	1302 8.3%	1241 8.8%	1180 8.2%	1150 8.1%
8.0-8.9	1244 7.9%	1066 7.6%	1137 7.9%	1124 7.9%
9.0-9.9	1516 9.7%	1427 10.2%	1607 11.2%	1602 11.3%
10.0-10.9	706 4.5%	659 4.7%	674 4.7%	700 4.9%
11.0-11.9	660 4.2%	668 4.8%	674 4.7%	653 4.6%
12.0-12.9	1179 7.5%	1114 7.9%	1169 8.1%	1270 8.9%
TOTAL	15649 100.0%	14050 100.0%	14396 100.0%	14206 100.0%
AVERAGE	6.6	6.7	6.8	6.9

TABLE 13.5
COMBINED MATH SCORE BY YEAR RECEIVED
2000-2003 NEW COURT COMMITMENTS

MATH COMBINED SCORE (GRADE LEVEL ABILITY) (RECEPTION CENTER TESTS)	YEAR RECEIVED			
	2000	2001	2002	2003
0.0-3.9	3534 23.0%	2904 21.3%	2902 20.8%	2709 19.7%
4.0-4.9	2217 14.5%	1967 14.4%	1969 14.1%	1955 14.2%
5.0-5.9	2840 18.5%	2489 18.3%	2600 18.6%	2464 17.9%
6.0-6.9	2179 14.2%	1995 14.6%	2077 14.9%	2051 14.9%
7.0-7.9	1616 10.5%	1414 10.4%	1393 10.0%	1485 10.8%
8.0-8.9	931 6.1%	884 6.5%	926 6.6%	901 6.5%
9.0-9.9	821 5.4%	788 5.8%	894 6.4%	871 6.3%
10-10.9	349 2.3%	383 2.8%	362 2.6%	446 3.2%
11.0-11.9	276 1.8%	243 1.8%	277 2.0%	318 2.3%
12.0-12.9	572 3.7%	555 4.1%	571 4.1%	566 4.1%
TOTAL	15335 100.0%	13622 100.0%	13971 100.0%	13766 100.0%
AVERAGE	6.0	6.1	6.1	6.2

Section 14

MARITAL STATUS

Among 2003 new commitments, 70% were single, never married; 16% of commitments were legally married; a further 4% reported common law relationships; and 10% indicate that they were divorced, widowed or separated (see Table 14.1). Women (16%) were more likely than men (10%) to report they were divorced, separated or widowed. Men (4%) were more likely than women (0.8%) to report a common law relationship.

The proportion of legally married new commitments was largely unchanged between 2000 and 2003 at between 15% and 16%.

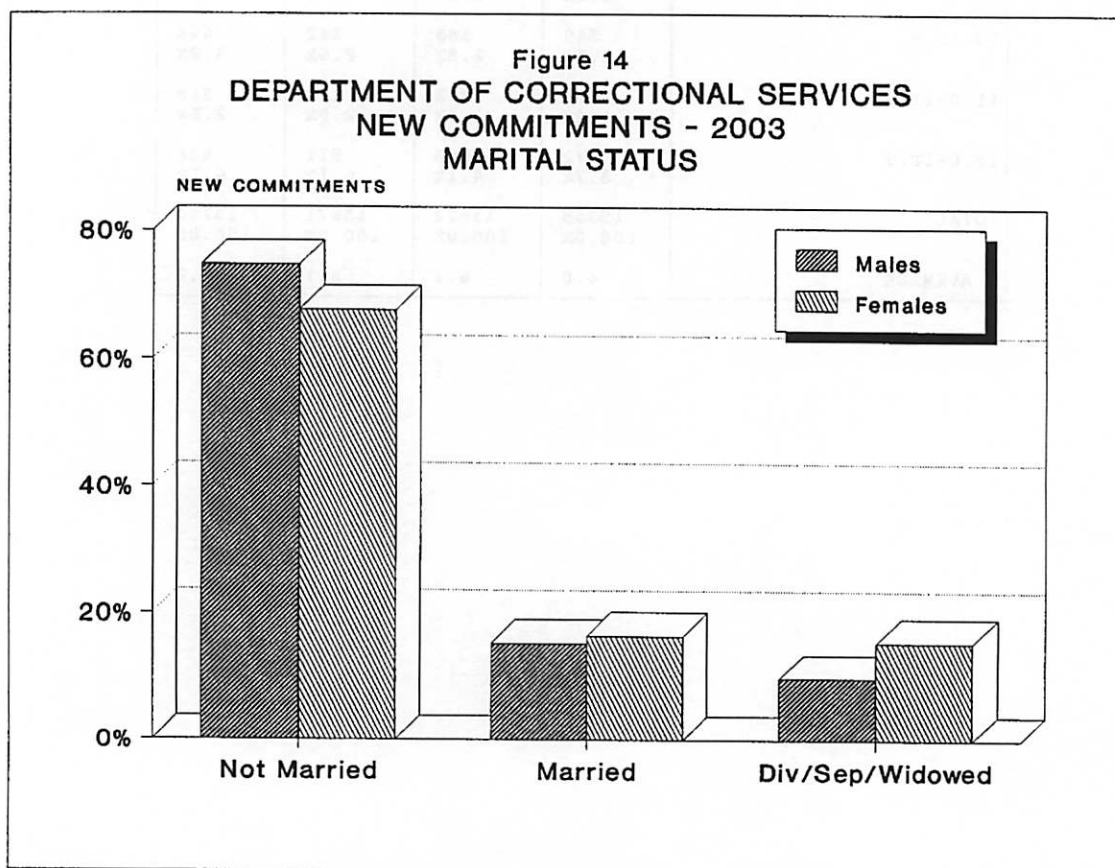


TABLE 14.1 MARITAL STATUS BY SEX; 2000-2003 NEW COURT COMMITMENTS

MARITAL STATUS	2000			2001			2002			2003		
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
NOT MARRIED												
SINGLE	11977 70.1%	998 74.8%	12975 70.5%	10852 71.5%	928 76.6%	11780 71.9%	11172 71.1%	841 69.4%	12013 71.0%	11331 70.4%	776 66.9%	12107 70.2%
COMMON LAW	777 4.6%	8 .6%	785 4.3%	524 3.5%	2 .2%	526 3.2%	673 4.3%	9 .7%	682 4.0%	683 4.2%	9 .8%	692 4.0%
TOTAL	12754 74.7%	1006 75.4%	13760 74.7%	11376 75.0%	930 76.7%	12306 75.1%	11845 75.4%	850 70.2%	12895 75.0%	12014 74.7%	785 67.7%	12799 74.2%
MARRIED												
MARRIED	2608 15.3%	242 18.1%	2850 15.5%	2271 15.0%	205 16.9%	2476 15.1%	2324 14.8%	190 15.7%	2514 14.9%	2479 15.4%	193 16.6%	2672 15.5%
TOTAL	2608 15.3%	242 18.1%	2850 15.5%	2271 15.0%	205 16.9%	2476 15.1%	2324 14.8%	190 15.7%	2514 14.9%	2479 15.4%	193 16.6%	2672 15.5%
DIV/WIDOWED/SEPARATED												
DIVORCED	865 5.1%	37 2.8%	902 4.9%	783 5.2%	41 3.4%	824 5.0%	801 5.1%	96 7.9%	897 5.3%	829 5.2%	98 8.4%	927 5.4%
WIDOWED	127 .7%	23 1.7%	150 .8%	100 .7%	20 1.7%	120 .7%	93 .6%	28 2.3%	121 .7%	115 .7%	31 2.7%	146 .8%
SEPARATED	722 4.2%	26 1.9%	748 4.1%	646 4.3%	16 1.3%	662 4.0%	647 4.1%	47 3.9%	694 4.1%	649 4.0%	53 4.6%	702 4.1%
TOTAL	1714 10.0%	86 6.4%	1800 9.8%	1529 10.1%	77 6.4%	1606 9.8%	1561 9.8%	171 14.1%	1712 10.1%	1593 9.9%	182 15.7%	1775 10.3%
GRAND TOTAL	17076 100.0%	1334 100.0%	18410 100.0%	15176 100.0%	1212 100.0%	16388 100.0%	15710 100.0%	1211 100.0%	16921 100.0%	16086 100.0%	1160 100.0%	17246 100.0%

There were 97 cases missing marital status information.

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. For those individuals facing the most serious charges or considered to be a risk to society, bail may be denied outright prior to conviction. Jail time may also 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.

The average length of time 2003 new court commitments served in jail (6.7 months) remained the same as the level of 2002 (6.7 months). (See Table 15.1, Median Time Served is presented in Table 15.2).

Jail Time by Crime and Crime Class

Violent felony offenders served more jail time than other offenders. In 2003, new commitments convicted of a violent felony had served 9.0 months on average compared to 6.3 months for other coercive offenders, 6.0 months for drug offenders and 5.2 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 2003 served 10.2 months of jail time on average compared with 9.2 months for first felony offenders convicted of Robbery 1st. The reason that the discrepancy between the average jail time for the total group of first felony offenders (6.6 months) and second felony offenders (6.8 months) is not wider is a high concentration of drug and property offenders in the second felony group (see Section 4, p. 18-28).

Average and median jail time by felony class category, 1st or 2nd 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.

TABLE 15.1 CRIME BY AVERAGE JAIL TIME (IN MONTHS)
BY FIRST OR SECOND FELONY OFFENDER STATUS AND BY YEAR RECEIVED; 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000			2001			2002			2003		
	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	17.6	16.2	17.6	17.5	15.1	17.5	15.8	13.0	15.8	16.6	11.8	16.6
ATTEMPTED MURDER	12.3	16.6	13.0	12.2	19.4	12.6	11.4	15.7	11.9	10.3	11.8	10.6
MANSLAUGHTER 1ST	16.6	20.0	17.5	16.6	7.3	17.3	15.9	15.7	15.9	16.3	16.7	16.4
RAPE 1ST	9.5	13.2	10.8	7.3	12.7	8.5	8.5	9.9	8.8	9.1	9.7	9.2
ROBBERY 1ST	9.0	11.5	10.0	9.0	11.7	9.9	6.7	10.5	10.0	10.2	10.2	9.5
ROBBERY 2ND	7.2	18.6	8.1	6.8	8.6	7.4	6.7	8.5	7.3	7.0	8.3	7.5
ASSAULT 1ST	9.3	10.9	9.8	9.7	11.5	10.2	9.0	10.5	9.5	9.9	11.3	10.3
ASSAULT 2ND	7.9	8.0	7.9	6.9	8.3	7.4	7.1	7.9	7.4	6.9	8.8	7.5
BURGLARY 1ST	11.5	12.1	11.8	7.8	10.5	8.9	9.6	11.3	10.3	9.8	10.6	9.6
BURGLARY 2ND	6.5	8.7	7.6	6.7	7.9	7.3	6.6	8.4	7.5	7.2	8.4	7.8
ARSON 1ST,2ND	13.1	11.2	12.3	9.1	15.1	10.6	8.0	12.0	9.2	10.5	8.9	10.2
SODOMY 1ST	6.5	9.9	7.3	7.4	8.7	7.7	7.7	10.9	8.4	7.1	12.1	8.2
SEX-AB-1ST,2ND	6.8	8.1	7.1	5.4	6.6	5.7	6.9	8.7	7.4	6.6	9.3	7.3
WEAPONS OFFENSES	6.8	8.3	7.5	6.9	8.3	7.6	6.9	7.0	7.0	7.5	8.0	7.7
KIDNAPPING 1ST,2ND	15.6	9.7	14.3	12.6	10.8	12.0	13.1	19.7	14.2	9.9	17.1	12.3
CONSPIRACY 1ST	27.0	.	27.0	44.0	.	44.0	27.0	.	27.0	.	.	.
OTHER VIOLENT FELONIES	.	11.0	11.0	4.5	.	4.5	3.0	8.0	4.7	5.4	2.5	4.8
TOTAL	9.4	10.0	9.6	9.0	9.6	9.2	8.9	9.1	9.0	8.8	9.2	9.0
OTHER COERCIVE												
MANSLAUGHTER 2ND	9.1	15.2	10.3	9.2	11.9	9.7	9.4	16.4	10.9	8.2	13.2	9.1
OTHER HOMICIDE	5.0	9.9	6.0	3.8	7.7	3.5	4.6	7.9	5.7	4.5	3.3	4.4
ROBBERY 3RD	5.6	6.9	6.5	4.9	6.5	6.0	4.8	6.3	5.7	5.6	6.3	6.0
ATT ASSAULT 2ND	6.0	5.5	5.7	4.3	5.8	5.4	5.8	6.9	6.6	5.0	6.6	6.1
CONSPIRACY 2,3,4	12.9	11.5	12.2	8.4	9.0	8.6	15.9	14.2	15.5	11.3	13.7	11.9
OTHER WEAPONS	6.4	6.8	6.7	5.6	6.2	6.0	5.4	5.9	5.7	5.3	6.5	6.3
OTHER SEX OFFENSES	5.5	6.4	5.8	4.0	5.8	4.7	4.7	6.4	5.3	4.5	5.6	4.9
OTHER COERCIVE	5.9	6.7	6.3	4.8	6.8	5.8	6.1	6.8	6.4	6.2	6.1	6.2
TOTAL	6.4	7.0	6.7	5.2	6.4	5.8	6.3	6.8	6.6	5.9	6.5	6.3
DRUG OFFENSES												
DRUG SALE	5.3	6.5	6.1	4.8	5.8	5.5	5.1	6.4	6.0	5.7	6.5	6.2
DRUG POSSESSION	5.7	5.9	5.8	5.3	5.5	5.4	5.4	5.8	5.6	5.6	5.9	5.7
TOTAL	5.4	6.4	6.0	5.0	5.8	5.5	5.3	6.2	5.8	5.7	6.3	6.0
PROPERTY AND OTHER OFFENSES												
BURGLARY 3RD	5.2	5.8	5.6	4.5	5.6	5.2	4.9	6.1	5.7	5.0	6.0	5.7
GRAND LARCENY	4.2	5.8	5.2	4.0	5.0	4.7	4.1	5.4	5.0	4.5	5.6	5.2
FORGERY	4.5	5.2	4.9	3.7	4.8	4.5	4.5	5.6	5.1	4.7	5.0	4.9
STOLEN PROPERTY	4.8	6.2	5.8	4.6	5.6	5.4	4.9	5.9	5.6	5.0	5.8	5.6
DRIVE INTOXICATED	3.7	5.5	3.7	3.0	4.3	3.0	3.5	4.0	3.5	3.3	5.0	3.3
CONTEMPT 1ST	7.1	6.3	6.6	5.5	5.9	5.7	6.6	6.7	6.7	6.1	6.3	6.2
ALL OTHER FELONIES	4.7	7.3	5.8	4.8	6.0	5.3	4.2	6.2	5.1	4.5	7.0	5.6
TOTAL	4.4	5.9	5.2	3.9	5.4	4.7	4.3	5.8	5.1	4.4	5.9	5.2
YOUTHFUL/JUVENILE												
YOUTHFUL OFFENDER	4.9	.	4.9	5.3	.	5.3	5.2	.	5.2	5.0	.	5.0
JUVENILE OFFENDER	11.8	.	11.8	11.7	.	11.7	10.9	.	10.9	9.3	.	9.3
TOTAL	5.4	.	5.4	5.6	.	5.6	5.5	.	5.5	5.3	.	5.3
GRAND TOTAL	6.7	7.0	6.9	6.4	6.5	6.5	6.6	6.8	6.7	6.6	6.8	6.7

TABLE 15.2 CRIME BY JAIL TIME (IN MONTHS)
BY FIRST OR SECOND FELONY OFFENDER STATUS AND BY YEAR RECEIVED 2000-2003 NEW COURT COMMITMENTS

COMMITMENT CRIME	2000				2001				2002				2003				
	FIRST FELONY	SECOND FELONY	TOTAL	MEDIAN	FIRST FELONY	SECOND FELONY	TOTAL	MEDIAN	FIRST FELONY	SECOND FELONY	TOTAL	MEDIAN	FIRST FELONY	SECOND FELONY	TOTAL	MEDIAN	
MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	MEDIAN	
VIOLENT FELONY																	
MURDER	15.0		15.0		15.0		15.0		14.0		14.0		14.0		14.0		14.0
ATTEMPTED MURDER	10.0	15.0	11.0		11.0	16.0	11.0		11.0	12.0	11.0		9.5	11.0	10.0	14.0	
MANSLAUGHTER 1ST	14.0	18.5	15.0		13.5	12.0	14.0		14.0	15.0	14.0		13.0	16.5	14.0		
RAPE 1ST	9.0	12.0	10.0		6.0	12.5	7.0		7.5	9.0	8.0		9.0	10.0	9.0		
ROBBERY 1ST	8.0	10.0	9.0		8.0	10.0	9.0		9.0	9.0	9.0		8.0	9.0	8.0		
ROBBERY 2ND	6.0	8.0	7.0		6.0	8.0	7.0		6.0	7.0	6.0		6.0	7.0	7.0		
ASSAULT 1ST	8.0	10.0	8.0		8.0	10.0	9.0		9.0	9.0	9.0		9.0	10.0	10.0		
ASSAULT 2ND	7.0	7.0	7.0		7.0	7.0	6.0		6.0	7.0	6.0		6.0	7.0	6.0		
BURGLARY 1ST	9.0	11.0	10.0		7.0	8.5	7.0		8.0	9.0	8.0		9.0	10.0	9.0		
BURGLARY 2ND	6.0	8.0	7.0		5.0	7.0	6.0		6.0	7.0	6.0		6.0	7.0	7.0		
ARSON 1ST,2ND	10.0	9.0	9.0		7.0	14.0	9.0		8.0	8.0	8.0		8.0	9.0	8.0		
SODOMY 1ST	6.0	7.0	6.0		5.0	8.0	6.0		6.0	9.5	7.0		6.0	10.5	7.0		
SEX AB-1st,Ag.2	6.5	7.0	7.0		5.0	5.0	5.0		6.0	8.0	7.0		6.0	9.0	7.0		
WEAPONS OFFENSES	6.0	7.0	6.0		6.0	6.0	6.0		5.0	6.0	6.0		6.0	7.0	7.0		
KIDNAPPING 1ST,2ND	15.0	9.5	14.0		11.0	10.0	11.0		12.0	20.5	12.0		11.5	14.0	14.0		
OTHER VIOLENT FELONY	27.0	11.0	19.0		5.0		5.0		4.0	8.0	6.0		7.0	2.5	4.0		
TOTAL	8.0	9.0	8.0		7.0	8.0	8.0		8.0	8.0	8.0		7.0	8.0	8.0		
OTHER COERCIVE																	
MANSLAUGHTER 2ND	7.0		9.0		9.5		10.0		9.0		10.0		7.0		8.0		
OTHER HOMICIDE	4.0	12.0	5.0		2.0	11.5	2.0		4.0	15.5	5.0		2.0	11.0	2.0		
ROBBERY 3RD	5.0	6.0	5.0		4.0	5.0	5.0		4.0	5.0	5.0		4.0	5.0	5.0		
ATT ASSAULT 2ND	5.0	5.0	5.0		4.0	4.0	4.0		5.0	7.0	6.0		4.0	5.0	5.0		
CONSPIRACY 2,3,4	6.0	10.0	8.0		6.0	6.0	6.0		12.0	9.0	11.5		11.0	11.5	11.0		
OTHER WEAPONS	5.0	6.0	6.0		5.0	5.0	5.0		5.0	5.0	5.0		5.0	5.0	5.0		
OTHER SEX OFFENSES	5.0	6.0	5.0		4.0	5.0	4.0		4.0	5.0	5.0		4.0	5.0	4.0		
OTHER COERCIVE	5.0	6.0	5.0		4.0	6.0	5.0		5.0	6.0	5.0		5.0	5.0	5.0		
TOTAL	5.0	6.0	5.0		4.0	5.0	5.0		5.0	6.0	5.0		4.5	5.0	5.0		
DRUG OFFENSES																	
DRUG OFFENSES	4.0	5.0	5.0		4.0	5.0	4.0		4.0	5.0	5.0		4.0	5.0	5.0		
TOTAL	4.0	5.0	5.0		4.0	5.0	4.0		4.0	5.0	5.0		4.0	5.0	5.0		
PROPERTY AND OTHER OFFENSES																	
BURGLARY 3RD	5.0		5.0		4.0		4.0		5.0		5.0		4.0		5.0		
GRAND LARCENY	3.0	5.0	4.0		4.0	4.0	4.0		3.0	5.0	4.0		3.0	5.0	4.0		
FORGERY	4.0	4.0	4.0		4.0	4.0	4.0		4.0	4.0	4.0		5.0	4.0	4.0		
STOLEN PROPERTY	5.0	5.0	5.0		4.0	5.0	5.0		4.0	5.0	5.0		5.0	5.0	5.0		
DRIVE INTOXICATED	3.0	5.5	3.0		2.0	4.0	2.0		3.0	4.0	3.0		3.0	3.5	3.0		
CONTEMPT 1ST	7.0	6.0	6.0		4.5	5.0	5.0		5.0	6.0	6.0		5.0	5.0	5.0		
ALL OTHER FELONIES	4.0	6.0	4.0		4.0	5.0	4.0		3.0	6.0	4.0		4.0	5.0	4.0		
TOTAL	4.0	5.0	4.0		3.0	4.0	4.0		4.0	5.0	4.0		4.0	5.0	4.0		
YOUTHFUL/JUVENILE																	
YOUTHFUL OFFENDER	4.0		4.0		5.0		5.0		5.0		5.0		4.0		4.0		
JUVENILE OFFENDER	10.0		10.0		11.0		11.0		9.0		9.0		7.5		7.5		
TOTAL	4.5		4.5		5.0		5.0		5.0		5.0		5.0		5.0		
GRAND TOTAL	5.0	6.0	6.0		5.0	5.0	5.0		5.0	6.0	5.0		5.0	6.0	5.0		

TABLE 15.3 AVERAGE JAIL TIME (IN MONTHS) BY FELONY CLASS, VIOLENT FELONY STATUS, AND BY FIRST OR SECOND FELONY OFFENDER STATUS ;2000-2003 NEW COURT COMMITMENTS

	2000			2001			2002			2003		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
FIRST FELONY												
VIOLENT FELONY												
A-I FELONY	312	17.6	15.0	286	17.7	15.0	297	15.6	14.0	270	16.4	14.0
CLASS B FELONY	949	10.9	9.0	1008	10.6	9.0	1012	10.9	10.0	927	10.4	9.0
CLASS C FELONY	833	8.1	7.0	785	7.7	6.0	897	7.7	7.0	933	8.0	7.0
CLASS D FELONY	1090	6.8	6.0	1053	6.3	5.0	1056	6.4	5.0	1172	6.7	6.0
CLASS E FELONY	35	4.3	4.0	35	5.0	4.0	35	4.5	3.0	47	5.7	5.0
TOTAL	3219	9.4	8.0	3167	9.0	7.0	3297	8.9	8.0	3349	8.8	7.0
NON-VIOLENT FELONY												
A-I FELONY	49	14.2	12.0	33	13.5	12.0	32	14.6	12.0	46	13.7	10.5
A-II FELONY	501	8.3	7.0	417	8.1	7.0	501	8.2	7.0	533	8.2	7.0
CLASS B FELONY	1564	5.0	4.0	1368	4.6	4.0	1372	5.1	4.0	1328	5.3	4.0
CLASS C FELONY	738	5.0	4.0	602	4.9	4.0	656	5.0	4.0	690	5.5	4.5
CLASS D FELONY	1276	5.0	4.0	1237	4.2	4.0	1288	4.6	4.0	1421	4.7	4.0
CLASS E FELONY	1068	4.7	4.0	984	3.9	3.0	995	4.4	4.0	1075	4.4	4.0
YOUTHFUL OFFENDER	522	4.9	4.0	544	5.3	5.0	513	5.2	5.0	560	5.0	4.0
TOTAL	5718	5.3	4.0	5185	4.8	4.0	5357	5.2	4.0	5653	5.3	4.0
SECOND FELONY												
VIOLENT FELONY												
CLASS B FELONY	458	13.2	12.0	370	13.2	11.0	399	12.1	11.0	338	12.1	11.0
CLASS C FELONY	590	10.6	9.0	521	10.0	8.0	591	9.6	8.0	578	9.6	8.0
CLASS D FELONY	713	7.9	7.0	645	7.6	6.0	691	7.6	7.0	731	8.1	7.0
CLASS E FELONY	97	6.4	6.0	110	6.5	5.0	130	5.8	4.0	129	5.6	4.0
TOTAL	1858	10.0	9.0	1646	9.6	8.0	1811	9.1	8.0	1776	9.2	8.0
NON-VIOLENT FELONY												
A-II FELONY	57	10.7	9.0	60	8.8	8.5	82	11.1	9.5	95	9.2	8.0
CLASS B FELONY	876	8.1	7.0	663	7.9	7.0	740	8.3	7.0	662	8.6	7.0
CLASS C FELONY	1630	6.5	6.0	1208	6.1	5.0	1197	6.6	5.0	1136	6.7	6.0
CLASS D FELONY	3149	6.1	5.0	2619	5.5	5.0	1910	5.9	5.0	2677	6.0	5.0
CLASS E FELONY	2056	5.6	4.0	1951	5.0	4.0	1910	5.5	4.0	1995	5.3	4.0
TOTAL	7768	6.3	5.0	6501	5.7	5.0	6543	6.2	5.0	6565	6.2	5.0
GRAND TOTAL	18563	6.9	6.0	16499	6.5	5.0	17008	6.7	5.0	17343	6.7	5.0

Jail Time by Region

In 2000, the average jail time for commitments from New York City was 7.6 months and in 2003 it was 7.5 months (see Table 15.4). For Suburban New York counties, the average jail time in 2003 (7.9 months) was about 0.5 months greater than it was in 2000 (7.4 months). For Upstate Urban counties, the average jail time was 5.3 months in 2000, and was 5.1 months in 2003. For Upstate Other counties, the average jail time was 6.9 months in 2000, and dropped to 6.7 months in 2003.

TABLE 15.4 AVERAGE JAIL TIME (IN MONTHS) BY REGION AND COUNTY; 2000-2003 NEW COURT COMMITMENTS

	2000			2001			2002			2003		
	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN	NUMBER	AVERAGE	MEDIAN
NEW YORK CITY												
KINGS	1891	7.4	7.0	1715	7.5	7.0	1877	8.1	7.0	1897	8.2	7.0
NEW YORK	4766	7.0	6.0	4069	6.4	5.0	4090	6.9	5.0	4073	6.9	6.0
QUEENS	1543	9.1	6.0	1571	9.2	6.0	1420	8.6	6.0	1291	8.6	6.0
RICHMOND	196	4.7	4.0	144	5.7	4.0	170	5.3	4.0	185	4.6	4.0
BRONX	2524	8.1	6.0	2056	7.6	5.0	2111	7.4	5.0	1928	7.7	6.0
TOTAL	10920	7.6	6.0	9555	7.3	6.0	9668	7.5	6.0	9374	7.5	6.0
SUBURBAN NEWYORK												
NASSAU	586	9.2	9.0	551	8.5	7.0	588	9.0	8.0	662	9.6	8.0
ROCKLAND	161	4.9	5.0	128	4.7	4.0	138	5.3	5.0	186	5.0	4.0
SUFFOLK	720	6.4	5.0	559	5.8	5.0	647	5.6	5.0	676	5.9	5.0
WESTCHESTER	494	7.4	7.0	413	7.3	7.0	455	8.5	8.0	461	9.5	9.0
TOTAL	1961	7.4	6.0	1651	7.0	6.0	1828	7.4	7.0	1985	7.9	7.0
UPSTATE URBAN												
ALBANY	380	6.1	5.0	509	4.3	4.0	543	4.7	4.0	641	4.8	4.0
BROOME	202	6.1	5.0	171	5.5	5.0	174	6.9	6.0	225	6.5	6.0
ERIE	532	6.3	6.0	502	5.9	6.0	531	6.6	6.0	628	6.3	6.0
MONROE	580	4.1	3.0	505	3.8	3.0	552	4.4	3.0	577	4.1	3.0
ONEIDA	299	5.1	4.0	261	4.2	4.0	277	4.4	4.0	259	4.1	4.0
ONONDAGA	321	4.0	3.0	259	4.7	3.0	311	4.6	4.0	389	4.2	4.0
RENSSELAER	220	5.3	4.0	175	4.8	4.0	174	5.7	5.0	164	5.8	4.0
SCHENECTADY	225	6.4	6.0	271	5.3	5.0	260	5.2	4.0	288	6.2	5.0
TOTAL	2759	5.3	4.0	2653	4.8	4.0	2822	5.2	4.0	3171	5.1	4.0
UPSTATE OTHER												
ALLEGANY	17	5.8	6.0	16	4.2	4.0	9	7.7	8.0	18	5.7	5.0
CATTARAUGUS	80	4.6	4.0	58	3.6	3.0	59	5.2	5.0	82	4.1	3.5
CAYUGA	61	4.2	4.0	70	4.3	4.0	67	4.2	4.0	86	4.7	5.0
CHAUTAUQUA	74	7.4	7.0	61	5.6	5.0	83	7.0	6.0	88	5.7	5.0
CHEMUNG	146	5.8	5.0	81	4.6	4.0	67	5.2	5.0	67	6.0	6.0
CHEMANGO	28	3.8	3.0	25	3.5	1.0	23	3.3	2.0	34	4.5	3.5
CLINTON	59	7.1	7.0	48	4.7	4.5	31	5.5	5.0	26	5.8	6.0
COLUMBIA	76	4.1	4.0	66	3.2	3.0	73	3.8	4.0	42	5.2	5.0
CORTLAND	65	4.7	4.0	32	5.2	5.0	27	5.6	5.0	27	5.9	6.0
DELAWARE	33	5.2	4.0	25	3.9	4.0	19	3.9	4.0	26	4.8	5.0
DUTCHESS	189	6.2	5.0	152	6.6	6.0	153	6.8	6.0	152	6.2	6.0
ESSEX	19	8.8	5.0	23	2.6	3.0	9	3.9	3.0	11	3.8	3.0
FRANKLIN	17	7.1	5.0	21	6.2	5.0	29	4.9	5.0	38	6.9	6.0
FULTON	65	6.0	6.0	52	4.6	5.0	45	6.2	6.0	41	5.5	6.0
GENESEE	69	4.1	3.0	83	3.6	3.0	84	4.5	4.0	78	4.0	3.0
GREENE	43	5.0	4.0	40	4.7	4.0	32	4.8	4.0	41	4.6	4.0
HAMILTON	4	7.3	6.5	3	9.3	4.0	1	3.0	3.0	3	6.3	6.0
HERKIMER	40	4.4	4.0	44	6.0	5.5	41	4.3	5.0	43	5.3	5.0
JEFFERSON	44	6.9	6.5	41	5.9	6.0	44	7.3	7.0	56	6.2	6.0
LEWIS	6	6.0	5.5	6	3.7	3.0	5	6.6	6.0	1	13.0	13.0
LIVINGSTON	45	5.3	6.0	50	4.1	4.0	47	3.4	3.0	31	3.8	4.0
MADISON	18	7.4	6.5	16	4.5	4.5	12	6.1	5.0	20	6.1	5.0
MONTGOMERY	53	7.2	7.0	48	6.5	7.0	51	7.3	7.0	59	6.5	6.0
NIAGARA	124	6.0	6.0	120	6.2	6.0	112	6.2	6.0	162	5.8	5.0
ONTARIO	144	4.6	4.0	128	3.6	3.0	137	3.7	4.0	143	4.1	3.0
ORANGE	414	5.4	5.0	358	4.6	4.0	444	4.7	4.0	405	4.6	4.0
ORLEANS	50	5.4	5.0	27	5.4	5.0	36	6.1	6.0	34	5.3	5.0
OSWEGO	65	5.7	5.0	85	4.8	4.0	99	4.7	5.0	86	4.9	5.0
OTSEGO	13	7.3	7.0	25	7.2	6.0	18	7.2	6.5	39	6.2	5.0
PUTNAM	23	4.3	4.0	12	3.8	4.0	14	4.8	4.0	16	6.7	5.5
ST LAWRENCE	68	5.0	3.5	52	4.4	3.5	40	4.8	4.0	61	4.7	4.0
SARATOGA	67	4.6	4.0	86	4.9	4.0	82	4.7	5.0	111	4.3	4.0
SCHOHARIE	18	6.9	7.0	9	4.2	5.0	16	7.4	7.5	17	9.9	9.0
SCHUYLER	6	5.7	6.0	10	2.6	1.5	8	3.9	3.5	8	5.1	6.0
SENECA	26	3.4	2.0	31	4.6	4.0	28	5.0	4.0	26	4.6	3.5
STEUBEN	99	4.2	4.0	78	4.3	4.0	96	4.5	4.5	82	5.1	5.0
SULLIVAN	105	5.4	5.0	108	4.4	4.0	126	4.5	4.0	108	4.3	4.0
TIOGA	32	4.7	3.0	32	4.4	5.0	46	4.8	4.0	27	4.6	4.0
TOMPKINS	43	4.6	5.0	46	3.0	2.0	31	4.9	5.0	44	4.4	4.5
ULSTER	152	6.7	5.0	173	5.5	5.0	138	5.8	5.0	141	5.2	4.0
WARREN	48	4.9	5.0	49	3.9	4.0	73	4.2	4.0	83	4.5	4.0
WASHINGTON	42	4.2	4.0	32	3.1	2.5	29	4.8	5.0	36	2.8	3.0
WAYNE	84	5.2	5.0	71	3.9	4.0	67	4.8	4.0	71	4.7	4.0
WYOMING	22	7.4	7.0	32	7.4	8.0	18	6.2	6.0	19	5.7	5.0
YATES	27	6.2	6.0	15	3.2	4.0	21	4.1	4.0	24	4.5	4.0
TOTAL	2923	5.5	5.0	2640	4.7	4.0	2690	5.1	5.0	2813	5.0	5.0
GRAND TOTAL	18563	6.9	6.0	16499	6.5	5.0	17008	6.7	5.0	17343	6.7	5.0

Section 16

LIFE WITHOUT PAROLE

In 2003, there were 15 new commitments to the Department with sentences of Life Without Parole. The highest total for a year was 25 in 1999. There were no women sentenced to Life Without Parole in 2003. These 15 Lifers committed in 2003 ranged in age from 22 years to 46 years old at commitment. Six were committed from New York City, two from Suburban New York, and seven came from Upstate New York (see Table 16.1).

TABLE 16.1 CHARACTERISTICS OF LIFE WITHOUT PAROLE CASES;
NEW COURT COMMITMENTS 2000-2003

CHARACTERISTICS	YEAR RECEIVED				TOTAL	
	2000	2001	2002	2003	NUMBER	PERCENT
	NUMBER	NUMBER	NUMBER	NUMBER		
COMMITMENT OFFENSE						
MURDER	11	14	19	15	59	100.0%
TOTAL	11	14	19	15	59	100.0%
INMATE GENDER						
MALE	11	14	19	15	59	100.0%
TOTAL	11	14	19	15	59	100.0%
ETHNIC STATUS ADJUSTED BY BIRTHPLACE						
WHITE	3	2	1	3	9	15.3%
AFRICAN AMERICAN	5	8	14	9	36	61.0%
HISPANIC	3	4	4	3	14	23.7%
TOTAL	11	14	19	15	59	100.0%
AGE AT ADMISSION						
19 YR	0	1	1	0	2	3.4%
20 YR	2	0	1	0	3	5.1%
21 YR	1	0	3	0	4	6.8%
22-24	1	0	4	5	10	16.9%
25-29	2	3	3	3	11	18.6%
30-34	3	2	3	3	11	18.6%
35-39	0	4	1	1	6	10.2%
40-49	2	3	2	3	10	16.9%
50-59	0	1	1	0	2	3.4%
TOTAL	11	14	19	15	59	100.0%
REGION OF COMMITMENT						
NEW YORK CITY	2	8	11	6	27	45.8%
SUBURBAN NEWYORK	2	1	4	2	9	15.3%
UPSTATE URBAN	4	4	3	7	18	30.5%
UPSTATE OTHER	3	1	1	0	5	8.5%
TOTAL	11	14	19	15	59	100.0%

Table 16.2
New Commitments with
Sentences of Life Without Parole,
1996-2003

Commitment Year	Number of Cases
1996	4
1997	14
1998	16
1999	25
2000	11
2001	14
2002	19
2003	15
Total	118

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

Sentences to State Prison for First Felony Offense ¹

FELONY CLASS	VIOLENT FELONY OFFENSE (1978-1995)	VIOLENT FELONY OFFENSE (OCT. 1995 – AUG. 1998) ²	VIOLENT FELONY OFFENSE AFTER SEPT. 1998 ³	ALL OTHER FELONY OFFENSES
A-I Felony				
Maximum	N/A (Not Applicable)	N/A	N/A	Life, Death or Life Without Parole ⁴
Minimum				15-25 years
A-II Felony				
Maximum	N/A	N/A	N/A	Life
Minimum				3-8 1/3 Years
Class B Felony				
Maximum	6-25	6-25	5-25 (determinate)	3-25 ⁵
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)
Class C Felony				
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)
Class D Felony				
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)
Class E Felony				
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)

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

²Sentences Pursuant to Sentencing Reform Act of 1995.

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

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

⁵For 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

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

¹ For offenders in this category, both the instant offense and the prior offense are violent felony crimes. Where the instant offense is a violent felony crime and the prior offense is not a violent crime, the sentence ranges used by the court (for class B through E) would be those listed under "All Other Felony Offenses."

² Since the sentence is determinate (i.e. fixed at a specified length), 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 prior law (Correction Law Section 803), the inmate was entitled to earn good time credits up to 1/3 of the maximum sentence.

³ Under Penal Law 70.07 ("Sentence of Imprisonment for Second Child Sexual Assault Felony Offender"), there are various enhanced sentences for such child sexual assault felonies, where the victim is a child less than fifteen years old. Certain sentences must be indeterminate, whereas certain other sentences must be determinate (see chart below for specification of such enhanced sentences).

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

Sentences to State Prison for Persistent Felony Offense

FELONY CLASS	VIOLENT FELONY OFFENSE ¹ (1978-1995)	VIOLENT FELONY OFFENSE AFTER OCT. 1995 ¹	ALL OTHER FELONY OFFENSES ²
Class B Felony			
Maximum	Life	Life	9-25, Life Optional
Minimum	10-25	20-25	4 ½ - 12 ½ (Minimum = ½ of maximum sentence)
Class C Felony			
Maximum	Life	Life	6-15, Life Optional
Minimum	8-25	16-25	3-7 ½ (Minimum = ½ of maximum sentence)
Class D Felony			
Maximum	Life	Life	4-7, Life Optional
Minimum	6-25	12-25	2-3 ½ (Minimum = ½ of maximum sentence)
Class E Felony			
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)

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

² A person convicted of a third felony could be sentenced as a second felony offender.

**APPENDIX A: Range of Sentences Under Second Child Sexual Assault
Felony Offender Law (Penal Law 70.07) ¹**

Current Conviction - Sexual Assault Against a Child	If Prior Felony Conviction was for Sexual Assault Against a Child	Then Sentence Must Be:
Class B Felony	Class B or C Felony	Indeterminate: 15-25 to Life
Class B Felony	Class D or E Felony	Determinate: 12 to 30 years
Class C Felony	Class B or C Felony	Determinate: 12 to 30 years or Indeterminate: 15-25 years to Life
Class C Felony	Class D or E Felony	Determinate: 10 to 25 years
Class D Felony	Any Felony	Determinate: 5 to 15 years
Class E Felony	Any Felony	Determinate: 4 to 12 years

¹ Penal Law 70.07 became effective February 1, 2001.

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

APPENDIX B

CRIME CODE TABLE

The Crime Code Table presents various criminal offenses specified in the New York State Penal Law as well as other State statutes. The Penal Law section is indicated along with the effective dates for this section. For felony offenses the felony class is also indicated. The offenses are arranged by order of the unique crime code used by the Department of Correctional Services. In addition, a crime type designation is provided. These types include: VFO – violent felony offenses as designated in the Penal Law; CVO – other crimes of a coercive/violent nature not designated as a VFO; PDO – property, drug and other felonies; MIS – misdemeanors; VIO – violations.

NYS Department of Correctional Services
Crime Codes
(Sorted by: Crime Code)

Prepared on 27-JAN-04 by EMS
Page 1

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	VFD
101	MURDER 1ST	19740901	.	PL	125.27	A	VFD
102	MURDER 2ND	19740901	.	PL	125.25	A	VFD
201	MANSLAUGHTER 1ST	19670901	.	PL	125.20	B	VFD
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	19851101	.	PL	125.13	C	CVO
401	RAPE 1ST	19670901	.	PL	130.35	B	VFD
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	VFD
502	ROBBERY 2ND	19670901	.	PL	160.10	C	VFD
503	ROBBERY 3RD	19670901	.	PL	160.05	D	CVO
600	ASSAULT 1ST DEGREE	19961101	.	PL	120.10	B	VFD
601	ASSAULT 1ST	19670901	19961031	PL	120.10	C	VFD
602	ASSAULT 2ND	19670901	.	PL	120.05	D	VFD
604	RECKLESS ENDANGERMENT 1ST	19670901	.	PL	120.25	D	CVO
607	PROM A SUICIDE ATTEMPT	19670901	.	PL	120.30	E	CVO
608	AGGR ASSAULT/PEACE OFF.	19810702	.	PL	120.11	E	VFD
610	VEHICULAR ASSAULT 2ND	19851101	.	PL	120.05	C	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	HEMENACING 1ST	19921101	.	PL	120.13	E	CVO
614	GANG ASSAULT 1ST DEGREE	19961101	.	PL	120.07	B	VFD
615	GANG ASSAULT 2ND DEGREE	19961101	.	PL	120.06	C	VFD
616	ASLT:POLICE OFF/FIREMAN/ENT	19961101	.	PL	120.08	C	VFD
617	ASLT BY OPER OF A VESSEL	19860805	.	NAV	49	E	CVO
618	STALKING 1ST	19991201	.	PL	120.60	D	VFD
619	STALKING 2ND DEGREE	19991201	.	PL	120.55	E	CVO
701	BURGLARY 1ST	19670901	.	PL	140.30	B	VFD
702	BURGLARY 2ND	19670901	.	PL	140.25	C	VFD
703	BURGLARY 3RD	19670901	.	PL	140.20	D	PDO
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	E	PDO
1010	COMPUTER TRESPASS	19861101	.	PL	154.10	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
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
1023	CRIM POSS BENEFIT CARD-3RD	19951101	.	PL	158.40	E	PDO
1032	COMP TAMP-2ND:DEST DATA >\$5000	19931101	.	PL	156.26	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
1411	TRADEMARK COUNTERFEITING 1ST	19921101	.	PL	165.73	C	PDO
1412	TRADEMARK COUNTERFEITING 2ND	19921101	.	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	C	PDO
1521	SCHEME TO DEFRAUD 1ST	19770101	.	PL	190.65	E	PDO
1525	FAIL TO REG AS BROKER/ADVISOR	19591001	.	GB	359-E	E	PDO
1526	CRIM USE ACCESS DEVICE-1ST	19961101	.	PL	190.76	E	PDO
1527	IDENTIFY THEFT 1ST	20021101	.	PL	190.80	D	PDO
1528	IDENTITY THEFT 2ND DEGREE	20021101	.	PL	190.79	E	PDO
1531	MONEY LAUNDERING-1ST	20001101	.	PL	470.20	B	PDO
1532	MONEY LAUNDERING-2ND	20001101	.	PL	470.15	C	PDO
1533	MONEY LAUNDERING-3RD	20001101	.	PL	470.10	D	PDO
1534	MONEY LAUNDERING-4TH	20001101	.	PL	470.05	E	PDO
1539	OBSTRUCT GOVT ADMIN:SPRAY DEV	19961101	.	PL	195.08	D	PDO

NYS Department of Correctional Services
Crime Codes
(Sorted by: Crime Code)

Prepared on 27-JAN-84 by EMS
Page 3

Crime Code	Crime Description	Effective Date	Repeal Date	Legal	Authority	Crime Class	Crime Type
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	F	PDO
1550	ENTERPRISE CORRUPTION	19861101	.	PL	460.20	B	PDO
1551	FALSE RETURN - CORPORATE TAXES	19851101	.	TAX	1805	E	PDO
1552	FRAUD 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
1555	REPEAT FAILURE:FILE PERSONL TAX	19851101	.	TAX	1802	E	PDO
1556	MONEY LAUNDERING 1ST	19881101	20001031	PL	470.15	D	PDO
1557	MONEY LAUNDERING 2ND	19881101	20001031	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
1570	AGGRAVATED INSURANCE FRAUD 4TH	19961009	.	PL	176.35	D	PDO
1580	FALSE RETURNS/REPORTS NYC	19850101	.	AC	11-4004	E	PDO
1590	FRAUDULENT PRACTICES	19670901	.	WC	0114	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	D	PDO
1603	CRIM POSS FORGED INST 2ND	19670901	.	PL	170.25	D	PDO
1604	CRIM POSS FORGERY DEVICES	19670901	.	PL	170.40	D	PDO
1608	UNLAW USING SLUGS 1ST	19670901	.	PL	170.60	E	PDO
1609	FORGERY OF VEHICLE ID. NUMBER	19710401	.	PL	170.65	E	PDO
1610	ILLEGAL POSS VEH ID NO PLATE	19710401	.	PL	170.70	E	PDO
1700	ARSON 1ST	19710901	.	PL	150.20	A	VFO
1701	ARSON 2ND	19710901	.	PL	150.15	B	VFO
1702	ARSON 3RD	19710901	.	PL	150.10	C	VFO
1703	ARSON 4TH	19710901	.	PL	150.05	E	VFO
1801	PROM PROSTITUTION 1ST	19780901	.	PL	230.32	B	PDO
1802	PROM PROSTITUTION 2ND	19780901	.	PL	230.30	C	PDO
1803	PROM PROSTITUTION 3RD	19780901	.	PL	230.25	D	PDO
1807	PATRONIZING A PROSTITUTE 1ST	19780901	.	PL	230.06	D	CVO
1808	PATRONIZING A PROSTITUTE 2ND	19780901	.	PL	230.05	D	PDO
1901	SODOMY 1ST	19670901	.	PL	130.50	B	VFO
1902	SODOMY 2ND	19670901	.	PL	130.45	D	CVO
1903	SODOMY 3RD	19670901	.	PL	130.40	E	CVO
1905	SEXUAL ABUSE 1ST	19670901	.	PL	130.65	D	VFO
1907	INCEST	19670901	.	PL	255.25	E	CVO
1910	AGGR SEXUAL ABUSE	19780901	19881031	PL	130.70	B	VFO
1911	AGGR SEXUAL ABUSE 1ST	19881101	.	PL	130.70	B	VFO
1912	AGGR SEXUAL ABUSE 2ND	19881101	.	PL	130.67	C	VFO
1913	AGGRAVATED SEXUAL ABUSE 3RD	19961101	.	PL	130.66	D	VFO
1914	COURSE SEX CONDUCT-CHILD 1ST	19960801	.	PL	130.75	B	VFO
1915	COURSE SEX CONDUCT-CHILD 2ND	19960801	.	PL	130.80	D	VFO
1916	FEMALE GENITAL MUTILATION	19971101	.	PL	130.85	E	CVO
1917	PERSISTENT SEXUAL ABUSE	20010201	.	PL	130.53	E	VFO
1918	FACILIT SEX OFF/CONTROL SUB	20010201	.	PL	130.90	D	PDO
1919	AGGRAVATED SEXUAL ABUSE 4TH	20010201	.	PL	130.65-A	E	PDO
2000	CRIM SALE DANGEROUS DRUG 1ST	19690901	19730831	PL	220.44	A	PDO
2001	CRIM SALE DANGEROUS DRUG 3RD	19670901	19690901	PL	220.30	D	PDO
2003	CRIM POSS DANGEROUS DRUG 5TH	19690901	19830831	PL	220.10	E	PDO
2004	CRIM POSS DANGEROUS DRUG 2ND	19690901	19730831	PL	220.22	B	PDO
2005	CRIM POSS DANGEROUS DRUG 3RD	19670901	19690831	PL	220.20	D	PDO
2006	CRIM POSS DANGEROUS DRUG 3RD	19690901	19730831	PL	220.20	C	PDO
2007	CRIM POSS DANGEROUS DRUG 1ST	19700424	19730831	PL	220.23	A	PDO
2008	USE OF DRUG PARAPHERNALIA 1ST	19670901	.	PL	220.55	D	PDO
2010	CRIM INJECT OF A NARC DRUG	19710901	.	PL	220.46	E	PDO
2011	IMIT CONTROL SUBS-2ND VIOL	19820901	.	PHL	3383	E	PDO
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	220.21	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	D	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	D	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	19730901	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

NYS Department of Correctional Services
Crime Codes
(Sorted by: Crime Code)

Prepared on 27-JAN-04 by EMS
Page 5

Crime Code	Crime Description	Effective Date	Repeal Date	Legal	Authority	Crime Class	Crime Type
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	D	VFO
2101	CRIM POSS WEAP 3RD SUB 4-8 VFO	19740901	.	PL	265.02	D	VFO
2102	NFB/TRANS/ETC DANGEROUS WEAPON	19670901	.	PL	265.10	D	CVO
2103	PROHIBITED USE OF WEAPONS	19670901	.	PL	265.35	D	CVO
2104	PROHIBITED USE OF WEAPONS	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
2111	CRIM POSS WEAP 3RD SUB 1,2,3	19740901	.	PL	265.02	D	CVO
2117	CRIM SALE OF FIREARM 1ST-DEG	19991101	.	PL	265.13	D	VFO
2118	CRIM SALE OF FIREARM 2ND-DEG	19991101	.	PL	265.12	C	VFO
2119	CRIM SALE OF FIREARM 3RD-DEG	19991101	.	PL	265.11	D	CVO
2120	CRIM SALE FIREARM/AID MINOR	19991101	.	PL	265.14	C	VFO
2121	CRIM USE OF FIREARMS 1ST	19800812	.	PL	265.09	B	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
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	19991031	PL	265.13	C	VFO
2128	CRIM SALE FIREARM 2ND DEG	19911101	19991031	PL	265.12	D	VFO
2129	CRIM SALE FIREARM 3RD DEG	19911101	19991031	PL	265.11	E	CVO
2130	CRIM SALE FIREARM/AID OF MINOR	19911101	19991031	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 3RD OFF	19961101	.	VTL	1192	D	PDO
2300	OBSCENITY 2ND	19820901	.	PL	235.06	D	PDO
2301	OBSCENITY 1ST	19820901	.	PL	235.07	D	PDO
2302	DISSEM INDECENT MAT. TO MINORS	19690901	.	PL	235.21	D	PDO
2306	DISSEM INDECENT MAT MINOR 1ST	19961101	.	PL	235.22	D	PDO
2400	ABANDONMENT OF CHILD	19670901	.	PL	260.00	C	CVO
2501	USE OF CHILD IN A SEXUAL PERF	19771109	.	PL	263.05	D	CVO
2502	FROM OBSCENE SEX PERF BY CHILD	19771109	.	PL	263.10	D	CVO
2503	FROM SEXUAL PERF BY A CHILD	19771109	.	PL	263.15	D	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	NFB/SALE ILLICIT ALC BEV SUBSQ	19670901	.	ABC	155	E	PDO
2705	ANIMAL FIGHTING-FELONY	19841101	.	AM	351	E	PDO
2706	THEFT OF SERVICES	19921101	.	PL	165.15	E	PDO
2802	DRIV IMP/DRUGS-SUBSQ OFFENSE	19881101	.	VTL	1192	D	PDO
2803	DRIV IMP/DRUGS 3RD OFF	19961101	.	VTL	1192	D	PDO
2903	LV SCENE OF ACC W/O REPORTING	19800901	.	VTL	0600	E	PDO
2904	AGGR UNLIC OPER VTL511.3 1ST	19851101	.	VTL	0511	E	PDO
2905	UNLICENSED VEHICLE DISMANTLING	19841101	19961031	PL	165.10	E	PDO
2906	SELL MV/TRLR/PART W/CHANG NUMB	19830727	.	VTL	0421	E	PDO
2907	MAKE FALSE REPORT RE STOLEN HV	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	20010916	PL	240.00	E	PDO
3010	PLACING A FALSE BOMB-1ST	19991201	20010916	PL	240.62	D	VFO
3011	FALSELY REPORTING INCIDENT-1ST	20010917	.	PL	240.60	D	VFO
3012	FALSELY REPORTING INCIDENT-2ND	20010917	.	PL	240.55	D	VFO
3013	AGGR HARASSMENT 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
3016	PLACING FALSE BOMB	20010917	.	PL	240.65	D	VFO
3017	PLACE FALSE BOMB-1ST	20010917	.	PL	240.62	D	VFO
3018	PLACE FALSE BOMB-2ND	20010917	.	PL	240.61	E	VFO
3021	HINDER PROSECUTION TERRORISM 1	20010917	.	PL	490.35	B	VFO
3022	HINDER PROSECUTION TERRORISM 2	20010917	.	PL	490.30	C	VFO
3023	SUPPORT ACT OF TERRORISM 1ST	20010917	.	PL	490.15	C	VFO
3024	SUPPORT ACT OF TERRORISM 2ND	20010917	.	PL	490.10	D	VFO
3025	MAKE TERRORISTIC THREAT	20010917	.	PL	490.20	D	VFO
3301	FROM GAMB LOTT/POLICY 1ST	19670901	.	PL	225.10	E	PDO
3302	FROM GAMB BOOKMAKING 1ST	19670901	.	PL	225.10	E	PDO
3303	POSS GAMB RCDS LOTT/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	D	PDO
3402	CRIM MISCHIEF 3RD	19710901	.	PL	145.05	E	PDO
3404	CRIM TAMPERING 1ST	19670901	.	PL	145.20	D	PDO
3406	CRIM MISCHIEF 1ST	19710901	.	PL	145.12	B	PDO
3409	TAMPER W/ CONSUMER PROD 1ST	19861101	.	PL	145.45	E	PDO
3410	CENETERY DESECRATION 1ST	19971101	.	PL	145.23	E	PDO
3501	CRIM TRESPASS 1ST	19690901	.	PL	140.17	D	PDO
3601	UNLAW POSS MEDICAL WASTE 1ST	19890707	.	ECL	71-4404	E	PDO
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 3RD	19861101	.	ECL	71-2712	E	PDO
3605	UNLAW RELEASE MED WASTE 2ND	19890722	.	ECL	71-4407	E	PDO
3606	RELEASE OF SOLID WASTE 2ND OFF	19960101	.	ECL	71-2703	E	PDO
3607	ENDNGR PUB HLTH/SFTY/ENVRT 1ST	19861101	.	ECL	71-2714	C	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	FROM PRISON CONTRABAND 1ST	19670901	.	PL	205.25	D	PDO
3909	HINDERING PROSECUTION 1ST	19670901	.	PL	205.65	D	PDO
3910	HINDERING PROSECUTION 2ND	19670901	.	PL	205.60	E	PDO
3912	ABSCOND COMMUNITY TREAT FAC	19860724	.	PL	205.19	E	PDO
4001	KIDNAPPING 1ST	19670901	.	PL	135.25	A	VFO

NYS Department of Correctional Services
Crime Codes
(Sorted by: Crime Code)

Prepared on 27-JAN-04 by EMS
Page 7

Crime Code	Crime Description	Effective Date	Repeal Date	Legal	Authority	Crime Class	Crime Type
4002	KIDNAPPING 2ND	19670901	.	PL	135.20	B	VFO
4003	UNLAW IMPRISONMENT 1ST	19670901	.	PL	135.10	B	CVO
4004	CUSTODIAL INTERFERENCE 1ST	19670901	.	PL	135.50	B	CVO
4005	SUBSTITUTION OF CHILDREN	19670901	.	PL	135.55	B	CVO
4006	COERCION 1ST	19670901	.	PL	135.65	B	CVO
4010	BODY STEALING	19670901	.	PHL	4216	D	PDO
4200	AGG. CRIMINAL CONTEMPT	19960901	.	PL	215.52	D	PDO
4201	BAIL JUMPING 2ND	19830908	.	PL	215.56	D	PDO
4202	TAMPER W/ PHYS EVIDENCE	19670901	.	PL	215.40	D	PDO
4203	CRIM CONTEMPT 1ST	19720901	.	PL	215.51	D	PDO
4204	UNLAW GRAND JURY DISCLOSURE	19770719	.	PL	215.70	D	PDO
4215	TAMPER W/ A WITNESS 3RD	19820901	.	PL	215.11	D	PDO
4216	TAMPER W/ A WITNESS 1ST	19820901	.	PL	215.13	B	PDO
4217	TAMPER W/ A WITNESS 2ND	19820901	.	PL	215.12	D	PDO
4218	BAIL JUMPING 1ST	19830908	.	PL	215.57	D	PDO
4300	BIGAMY	19670901	.	PL	255.15	D	PDO
4601	PERJURY 1ST	19670901	.	PL	210.15	D	PDO
4602	PERJURY 2ND	19670901	.	PL	210.10	D	PDO
4603	MAKE APP SWORN FALSE STATE 1ST	19670901	.	PL	210.40	D	PDO
4900	BRIBERY 2ND	19730901	19861031	PL	200.00	D	PDO
4901	BRIBERY 1ST	19730901	.	PL	200.04	B	PDO
4902	BRIBE REC 1ST	19730901	.	PL	200.12	B	PDO
4903	REWARDING OFF. MISCONDUCT 1ST	19730901	.	PL	200.22	C	PDO
4904	BRIBE REC 2ND	19730901	19861031	PL	200.10	D	PDO
4905	REC. REW., OFF. MISCONDUCT 1ST	19730901	.	PL	200.27	C	PDO
4906	REWARDING OFF. MISCONDUCT 2ND	19730901	.	PL	200.20	D	PDO
4907	REC. REW., OFF. MISCONDUCT 2ND	19730901	.	PL	200.25	D	PDO
4908	BRIBE REC BY A JUROR	19670901	.	PL	215.20	D	PDO
4909	BRIBE REC BY A WITNESS	19670901	.	PL	215.05	D	PDO
4910	BRIBING A JUROR	19851101	.	PL	215.19	D	PDO
4911	BRIBING A WITNESS	19670901	.	PL	215.00	D	PDO
4912	SPORTS BRIBING	19670901	.	PL	180.40	D	PDO
4913	SPORTS BRIBE RECEIVING	19670901	.	PL	180.45	E	PDO
4914	COMMERCIAL BRIBING 1ST	19830901	.	PL	180.03	E	PDO
4915	COMMERCIAL BRIBE REC 1ST	19830901	.	PL	180.08	E	PDO
4918	BRIBING A LABOR OFFICIAL	19670901	.	PL	180.15	D	PDO
4919	BRIBE REC BY A LABOR OFFICIAL	19670901	.	PL	180.25	D	PDO
4920	BRIBE GIVING FOR PUBLIC OFFICE	19670901	.	PL	200.45	D	PDO
4921	BRIBE REC FOR PUBLIC OFFICE	19670901	.	PL	200.50	D	PDO
4926	TAMPER W/ SPORTS CONTEST 1ST	19820926	.	PL	180.51	D	PDO
4927	IMP INTEGRY PARIMUTUEL BET 2ND	19820926	.	PL	180.52	E	PDO
4928	IMP INTEGRY PARIMUTUEL BET 1ST	19820926	.	PL	180.53	E	PDO
4929	INTIMIDATN, VICTIM/WITNESS 2ND	19851101	.	PL	215.16	D	VFO
4930	INTIMIDATN, VICTIM/WITNESS 3RD	19851101	.	PL	215.15	D	PDO
4931	BRIBERY 2ND	19861101	.	PL	200.03	C	PDO
4932	BRIBERY 3RD	19861101	.	PL	200.00	D	PDO
4933	BRIBE REC 2ND	19861101	.	PL	200.11	D	PDO
4934	BRIBE REC 3RD	19861101	.	PL	200.10	D	PDO
4935	INTIMIDATN, VICTIM/WITNESS 1ST	19851101	.	PL	215.17	D	VFO
5301	CRIM DIVERSION PRESCRIP-1ST	19951101	.	PL	178.25	C	PDO
5302	CRIM DIVERSION PRESCRIP-2ND	19951101	.	PL	178.20	C	PDO
5303	CRIM DIVERSION PRESCRIP-3RD	19951101	.	PL	178.15	E	PDO
5400	EAVESDROPPING	19670901	.	PL	250.05	E	PDO
5407	UNLAWFUL SURVEILLANCE 1ST	20030811	.	PL	250.50	D	PDO
5408	UNLAW SURVEILLANCE 2ND(SUB 1)	20030811	.	PL	250.45	E	PDO
5409	UNLAW SURVEILLANCE 2ND(2,3,4)	20030811	.	PL	250.45	E	PDO
5410	DISSEN UNLAW SURV IMAGE 1ST	20030811	.	PL	250.60	E	PDO
6001	RIOT 1ST	19670901	.	PL	240.06	E	PDO
6002	CRIM ANARCHY	19670901	.	PL	240.15	A	VFO
6401	CONSPIRACY 1ST	19780901	.	PL	105.17	B	PDO
6402	CONSPIRACY 2ND	19780901	.	PL	105.15	D	PDO
6403	CONSPIRACY 3RD	19780901	.	PL	105.13	E	PDO
6404	CONSPIRACY 4TH	19780901	.	PL	105.10	C	PDO
6500	CRIM SOLICITATION 1ST	19780901	.	PL	100.13	D	PDO
6501	CRIM SOLICITATION 2ND	19780901	.	PL	100.10	E	PDO
6502	CRIM SOLICITATION 3RD	19780901	.	PL	100.08	B	PDO
6600	CRIM FACILITATION 1ST	19780901	.	PL	115.08	C	PDO
6601	CRIM FACILITATION 2ND	19780901	.	PL	115.05	E	PDO
6602	CRIM FACILITATION 3RD	19780901	.	PL	115.01	C	PDO
6700	UNAUTH TRANSFER OF RECD SOUND	19901101	.	PL	275.10	E	PDO
6704	FAIL DISCLOSE ORIGIN REC-1ST	19901101	.	PL	275.40	E	PDO
7001	JO - AGG SEXUAL ABUSE 1ST	19881101	.	PL	130.70	B	VFO
7002	JO - ARSON 1ST	19710901	.	PL	150.20	A	VFO
7003	JO - ARSON 2ND	19710901	.	PL	150.15	B	VFO
7004	JO - ASSAULT 1ST	19670901	19961031	PL	120.10	C	VFO
7005	JO - BURGLARY 1ST	19670901	.	PL	140.30	B	VFO
7006	JO - BURGLARY 2ND	19670901	.	PL	140.25	C	VFO
7007	JO - KIDNAPPING 1ST	19670901	.	PL	135.25	A	VFO
7008	JO - MANSLAUGHTER 1ST	19670901	.	PL	125.20	B	VFO
7009	JO - MURDER 2ND	19740901	.	PL	125.25	A	VFO
7010	JO - RAPE 1ST	19670901	.	PL	130.35	B	VFO
7011	JO - ROBBERY 1ST	19670901	.	PL	160.15	B	VFO
7012	JO - ROBBERY 2ND	19670901	.	PL	160.10	C	VFO
7013	JO - SODOMY 1ST	19670901	.	PL	130.50	B	VFO
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 NEGLIGENCE HOMICIDE	19841128	.	.	.	.	CVO
8004	YO - RAPE	19841128	.	.	.	.	VFO
8005	YO - ROBBERY	19841128	.	.	.	.	VFO

NYS Department of Correctional Services
Crime Codes
(Sorted by: Crime Code)

Prepared on 27-JAN-04 by EMS
Page 9

Crime Code	Crime Description	Effective Date	Repeal Date	Legal	Authority	Crime Class	Crime Type
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	.				CVO
8017	YO - ARSON	19841128	.				PDO
8018	YO - PROMOTING PROSTITUTION	19841128	.				VFO
8019	YO - SODOMY / SEXUAL ABUSE	19841128	.				PDO
8020	YO - DRUG OFFENSE	19841128	.				VFO
8021	YO - DANGEROUS WEAPONS	19841128	.				PDO
8022	YO - DRIVING WHILE INTOXICATED	19841128	.				CVO
8024	YO - ABANDONT/ONSUPPORT CHILD	19841128	.				PDO
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	.				VFO
8040	YO - KIDNAPPING	19841128	.				PDO
8042	YO - TAMPERING WITH A WITNESS	19980110	.				VFO
9501	ROBBERY 1ST (PRIOR 9/1/78)	19670901	.				VFO
391	391	391	50	391	391	391	391

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PROGRAM PLANNING, RESEARCH & EVALUATION

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