

Justice Brief

Jail: City Sentences 2017



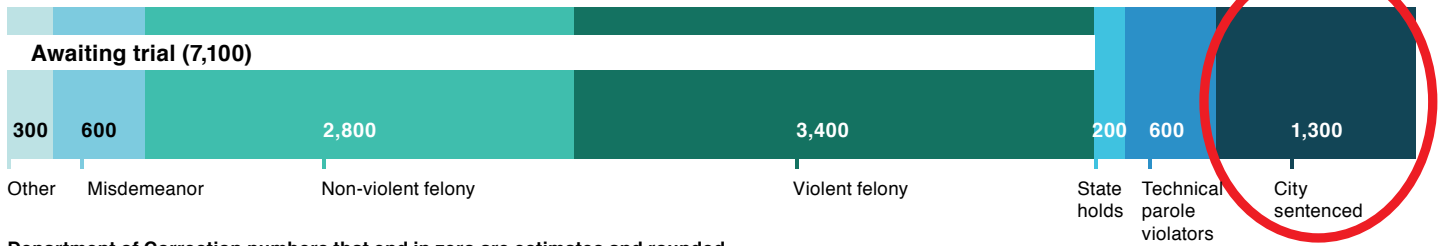
The City of New York
Mayor Bill de Blasio

NYC

Criminal Justice
Elizabeth Glazer
Director

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JAIL POPULATION (2017) = 9,200



Department of Correction numbers that end in zero are estimates and rounded.
 DOC data 2017, average daily jail population

14% of people in jail are serving a “city sentence”: one year or less

A person who pleads guilty or is convicted of a crime and receives a sentence of 1 year or less serves time in a local jail (a “city sentence”). Sentences of more than 365 days are served in state prison.

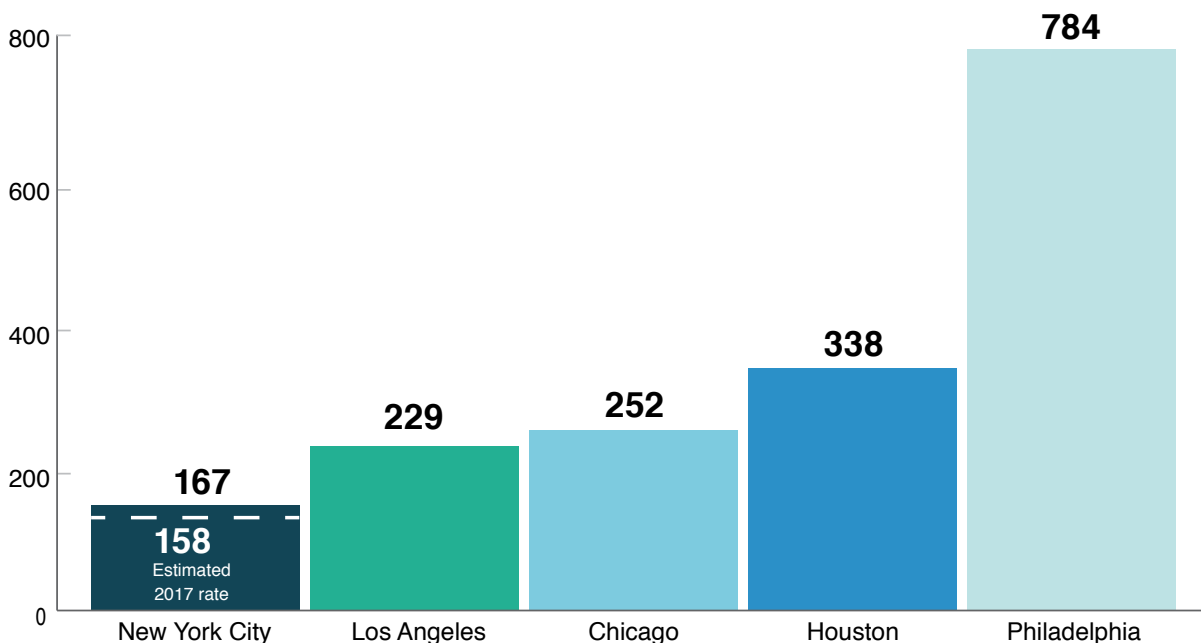
On any given day, 14% of individuals detained in New York City jails – around 1,300 people – are serving a city sentence.

The declining city sentenced population — like the declining overall jail population — has led to New York City having the **lowest incarceration rate of any major U.S. city.**

The average daily number of people serving a city sentence has decreased by 28% since 2013.



New York City has the lowest rate of incarceration of any large US city



Source: Local Sheriffs’ Offices, 2016

*Rates per 100,000 people; rates reflect total jailed population, including city sentenced
 Source: Mayor’s Office of Criminal Justice analysis of New York City Department of Correction data, 2017.

10% of all criminal convictions result in a city sentence of one day or more

In 2017, approximately 115,000 cases led to a conviction in New York City’s criminal courts. The majority of these convictions resulted in a sentence without jail time, ranging from paying a fine to community service or some other alternative to incarceration program. Approximately 10% resulted in a conviction with a sentence of more than one day but less than one year—a city sentence. The remainder are sentenced to time in state prison.

Sentence types for convicted cases in New York City

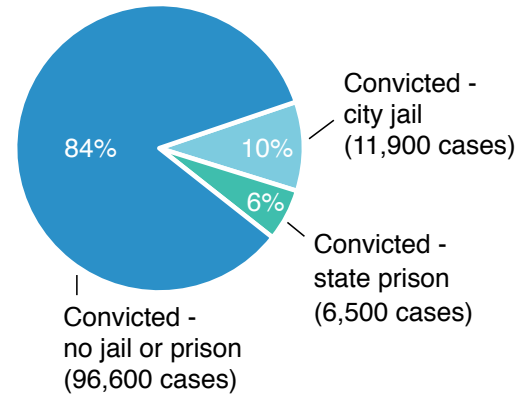
Convicted without jail or prison time: 96,600 cases (84%)

This could include an alternative-to-incarceration program, probation, a fine, conditional discharge, or the time spent while waiting for arraignment.

Convicted with city jail time: 11,900 cases (10%)

Approximately 9,700 people spent at least one day in jail serving a city sentence. Some served more than one city sentence, resulting in a total of 11,900 city sentences. On an average day, approximately 1,300 people are serving a city sentence in New York City’s jails.

- Of the 11,900 sentences:
 - 35% left jail as soon as they were sentenced, having been credited with the time they spent in jail pre-trial.
 - 65% served additional time in jail and were released at the end of their imposed sentence.



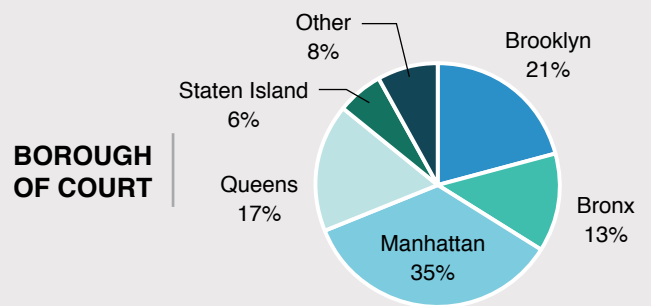
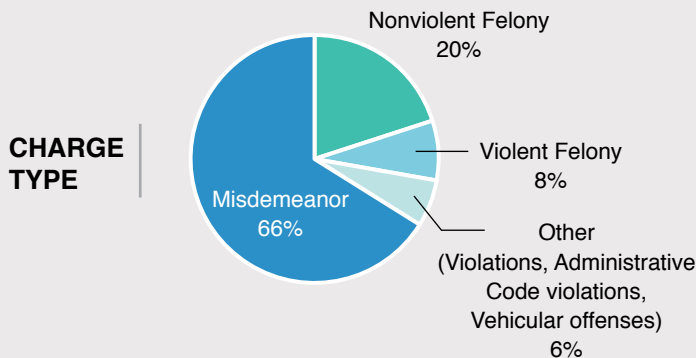
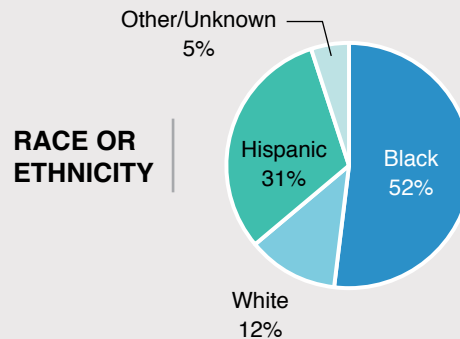
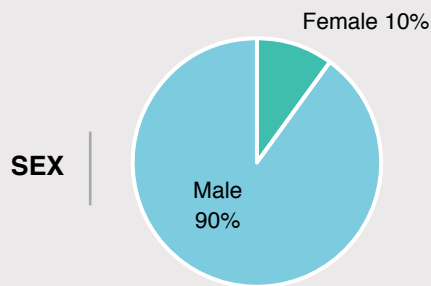
Convicted with state prison time: 6,500 cases (6%)

These cases resulted in a sentence of longer than one year and are served in a New York State prison.

Source: Mayor’s Office of Criminal Justice analysis of Division of Criminal Justice Services data, 2017

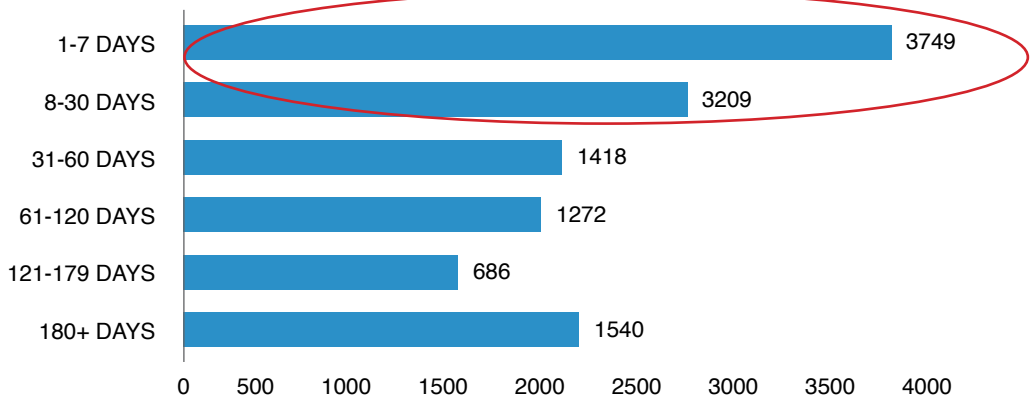
Who serves city sentences?

Most are male, Black and/or Hispanic, and enter jail on a misdemeanor charge. More than one-third have cases in Manhattan courts.

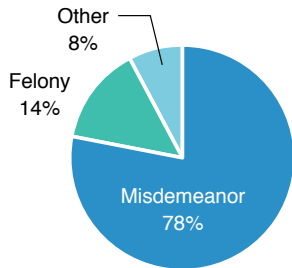


The majority of the city sentenced population serves less than one month (30 days) in jail

NUMBER OF PEOPLE LEAVING CITY SENTENCED BY LENGTH OF STAY (2017)



Note: this represents a person's total length of stay in jail, including time spent in jail as pretrial detainees as well as time spent serving a city sentence



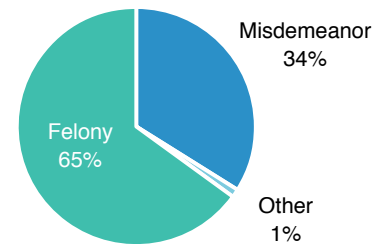
2017 cases sentenced to 30 days or less

Those serving 30 days or fewer:

- Most enter jail on misdemeanor offenses.
- Five charges account for most of these cases: petit larceny (theft), misdemeanor drug possession, misdemeanor assault, disorderly conduct, and theft of services (including turnstile jumping).
- Close to half of this group enters jail to serve a city sentence, while the other half are sentenced following a stay in jail pretrial.
- This population tends to cycle in and out of jail multiple times over the course of their lives, often for low-level non-violent offenses. This population is more likely to be homeless than the general population (17% vs. 10%).

Those serving more than 30 days:

- Most enter jail on felony offenses.
- This group also has a wider variety of charges. Petit larceny (theft) is the most common. Other common charges include felony and misdemeanor drug charges and misdemeanor weapon charges.
- The vast majority of this group enter jail as pretrial detainees.
- They are less likely to be homeless than those serving 30 days or fewer.



2017 cases sentenced to more than 30 days

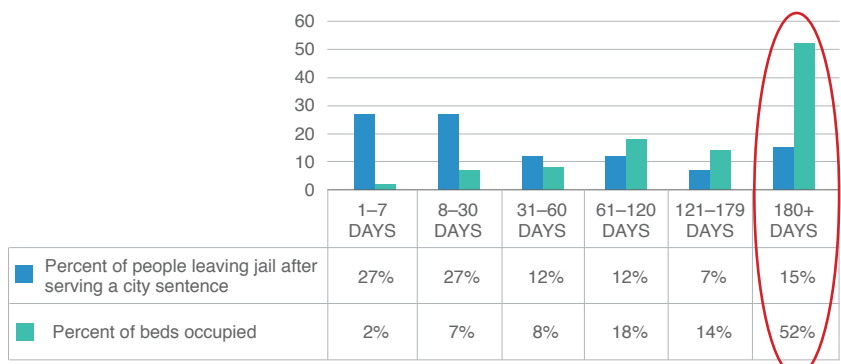
People serving city sentences of six months or longer occupy more than half of the city sentenced beds

30 days or less:

54% of city sentences are for 30 days or less, yet because these individuals spend relatively short times in jail, they occupy only 9% of city jail beds on an average day.

180 days or more:

15% of city sentences are for 180 days or more, and because individuals serving these sentences remain in jail for relatively long periods, they occupy 52% of city sentenced jail beds on an average day.



Strategies to reduce the number of people serving city sentences

1 Programs designed to reduce stays of 30 days or less

- In October 2017, the City launched a new strategy to replace city jail sentences of less than a month with community-based programs in Manhattan, Brooklyn and the Bronx run by CASES and CCI..
- Information collected from program participants suggests that these individuals have high needs. Approximately 40% are homeless and approximately 90% are unemployed. These individuals also often have numerous low-level convictions.
- These programs include short mandates and are designed to connect participants with housing, employment, mental health and substance use services that can reduce future returns to jail.
- To date, the programs have **diverted over 1,000 people** from jail in the three boroughs that account for the majority of city sentences of 30 days or less (Manhattan, Brooklyn and the Bronx).

The population serving sentences of less than one month **has declined by 53%** in the last four years and by 20% in the last year.

2 Programs designed to reduce stays longer than one month

- New York City currently has in place programs that offer community-based alternatives to jail and prison sentences targeted to those who would otherwise spend more than one month incarcerated.
- These programs include diverse mandates to meet the range of risk and need profiles of those sentenced in New York City. For example, some programs are targeted to young adults and include connection to job training and employment; some programs offer transitional supportive housing; some offer intensive engagement for individuals with serious mental health needs.

New York City's alternative-to-incarceration programs **diverted over 3,000 people** from jail and prison in 2017.

3 Next Step: Ensuring all programs are designed to meet the risk and need profiles of those serving city sentences

- New York City is currently conducting a comprehensive study to map the current risk and needs of the justice population in New York City. The City plans to issue a Request for Proposals in summer 2018 to reconfigure the alternative-to-incarceration programs to maximize diversion while maintaining safety.

Public data sources and additional resources

Open Data

<https://data.cityofnewyork.us/Public-Safety/Daily-Inmates-In-Custody/7479-ugqb>

<https://data.cityofnewyork.us/Public-Safety/Inmate-Admissions/6teu-xtgp>

<https://data.cityofnewyork.us/Public-Safety/Inmate-Discharges/94ri-3ium>

Mayor's Office of Criminal Justice Resources

<https://www1.nyc.gov/site/criminaljustice/index.page>

http://www1.nyc.gov/assets/criminaljustice/downloads/pdfs/justice_brief_jailpopulation.pdf