

# NEW YORK CITY SYSTEM MAP + USER GUIDE 2015

... in a broadly inclusive + representative process with unprecedented participation and cooperation, New York City has engaged in a deeply descriptive qualitative and quantitative analysis of the criminal justice system.



Supported by the John D. and Catherine T. MacArthur Foundation

**PRINTER  
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# INTRODUCTION

## THE PROCESS

The New York City's Planning Team, consisting of three committees with intertwined membership and priorities engaged in a comprehensive, representative and inclusive process to develop a map that charts the course of justice system operations. The MacArthur Steering Committee served as the core team and ensuring an accountable process and acting as interlocutors of the program within their agencies and citywide. The Borough Teams, comprised of approximately 15-20 borough-based local justice system actors, met in each of NYC's five borough providing borough specific data to ensure that the map accurately reflects the highly diverse nature of NYC's criminal justice system. And lastly the Citywide Executive Planning Committee included 30 high-level decision-makers who assisted in guiding the process. This map demanded, and successfully achieved, citywide collaboration. Information on summonses (2014) was provide by New York Police Department. Data on arrest to pretrial release determination (2014) was provided by NYC Criminal Justice Agency. NY State Division of Criminal Justice Services (DCJS) provided data on disposition and sentencing including adult arrests for finger-printable offenses. Qualitative and quantitative data was gathered from the Office of Court Administration, the Mayor's Office on Criminal Justice, the District Attorneys of New York, Queens, Bronx, Kings, and Richmond Counties, the Department of Probation, the NYS Division of Parole, the Legal Aid Society, the Bronx Defenders, the Neighborhood Defender Service of Harlem, Brooklyn Defenders, Queens Law Associates, the New York City Department of Corrections, the New York City Department of Health and Mental Health, and the New York City Police Department.

## USING THE MAP

This map is an interactive document diagramming the flow of individuals and cases across seven criminal justice decision points: (1) Arrest; (2) Charge; (3) Assignment of counsel; (4) Pre-trial release; (5) Case processing; (6) Disposition/sentencing; and (7) Post-conviction process/supervision. It allows you to dive into the data by clicking through at key decision points. The map uses different shapes to distinguish between universal and discretionary practices. Universal processes, such as arrest and arraignment are distinguished with a circular shapes, whereas discretionary processes, such as prosecutorial charging and case processing are distinguished with the use of a diamond. The map also includes a color-coded legend used to identify the nature of the outcomes at each key decision point. Through the use of arrows the map travels sequentially through the each key criminal justice decision points giving a full picture of our criminal justice system and providing statistics and in depth analysis at both the city and borough level. This map was completed with the common goal of better equipping decision-makers to identify opportunities for significant jail reduction at each decision point.

# USER GUIDE

## Slide 1: KEY POINTS

**Charts** (click on each chart to move on to the next)

- New York City Redux: 5 Cities in 1
- Drivers of Jail v. Non-Custodial Sentence
- Criminogenic Effects in NYC
- Release Decision
- Drivers of Pretrial Length of Stay
- Disposition for Cases Detained at Arraignment: 2013

## Slide 2: NEW YORK CITY SYSTEM MAP

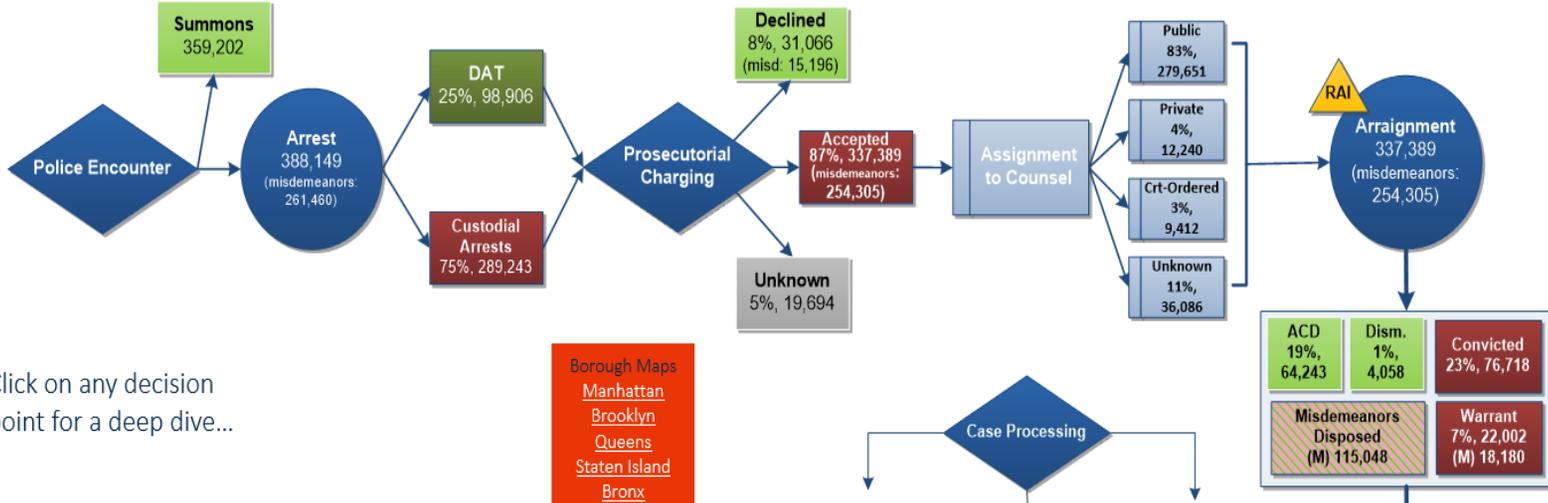
1. **Decision Points** (click on each subpoint in the PowerPoint for more information)

- ARREST
  - Narrative
  - Projects
  - Data Analysis
  - Detailed Borough Data (click each borough)
- PROSECUTORIAL CHARGING
  - Additional Citywide Information
  - Detailed Borough Data (click each borough)
- ASSIGNMENT OF COUNSEL
  - Additional Citywide Information
  - Detailed Borough Data (click each borough)
- ARRAIGNMENT/PRETRIAL RELEASE DETERMINATION
  - Additional Citywide Information
  - Detailed Borough Data (click each borough)
- CASE PROCESSING
  - Mayor's Case Processing Project Interim Outcomes
  - Case Processing for Felony Cases
  - Case Processing Analytics
- DISPOSITION AND SENTENCING
  - Additional Citywide Information
  - Detailed Borough Data (click each borough)
- POST-CONVICTION/RE-ENTRY
  - Additional Citywide Information
  - Detailed Borough Data (click each borough)

2. **Borough Maps** (click on each individual borough map for additional information)

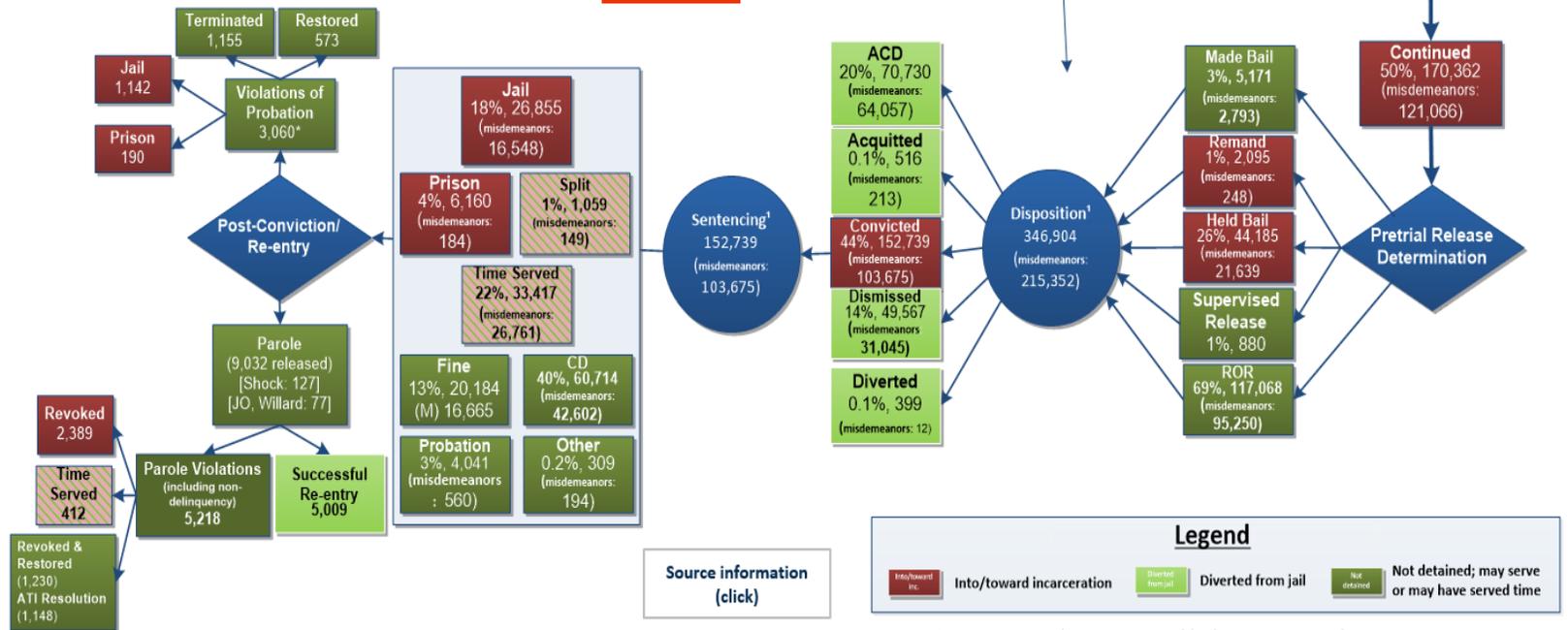
3. **Data Sources** (click "source information")

# New York City System Map (2014)



Click on any decision point for a deep dive...

Borough Maps  
[Manhattan](#)  
[Brooklyn](#)  
[Queens](#)  
[Staten Island](#)  
[Bronx](#)



ACD 19%, 64,243	Dism. 1%, 4,058	Convicted 23%, 76,718
Misdemeanors Disposed (M) 115,048	Warrant 7%, 22,002 (M) 18,180	

Source information  
(click)

**Legend**

<span style="background-color: #d9534f; color: white; padding: 2px;">Info/ward etc.</span> Into/toward incarceration	<span style="background-color: #92d050; padding: 2px;">Diverted from jail</span> Diverted from jail	<span style="background-color: #92d050; padding: 2px;">Not detained</span> Not detained; may serve or may have served time
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**Note:** Some variations due to incompatible data sources or other inaccuracies may exist.

# KEY POINTS

click ↓

## New York City Redux: 5 Cities in 1

New York City is actually 5 cities in one: each borough (Manhattan, Brooklyn, Queens, Staten Island, and the Bronx) is a separate county. Each borough has distinct local practices, although all five counties share the local jail, principally housed on Rikers Island. Although many of the same challenges exist citywide, local practice suggests different underlying factors drive the use of local jail.

Assessing efforts to improve case processing, enhance justice, and promote fairness relies on a deep understanding of local variances in practice and the MacArthur Safety + Justice Challenge system mapping exercise was instrumental in enhancing our understanding of the “culture” of each borough and the reform opportunities available... and will inform our development of thoughtful, viable reform mechanisms.

Local variances including a no-plea post-indictment policy in Queens, no dedicated court part and attorney interview space in Staten Island arraignments, policies to reduce low-level cases through marijuana reform and cancellation of warrants in Brooklyn, pilots in pre-arraignment diversion in Manhattan, and special challenges producing inmates in the Bronx - just a few examples - require New York to situate citywide initiatives within a recognition and respect for effective local practices while identifying solutions to local issues that drive inefficiency or a lack of fairness. Other practices, like non-use of unsecured bond, appear more standardized citywide.



The steering committee followed the “Path of an Inmate” in a trip to Rikers Island via corrections bus + processing via intake, classification, housing in women’s and adolescent facilities.

*Above:* Tina Luongo, criminal practice director for the Legal Aid Society, Matt Knecht, criminal practice director at Neighborhood Defender Service, Freda Solomon, senior research fellow at NYC Criminal Justice Agency, Julian Adler, CCI technical assistance provider, Angela La Scala-Gruenewald, MOCI researcher.

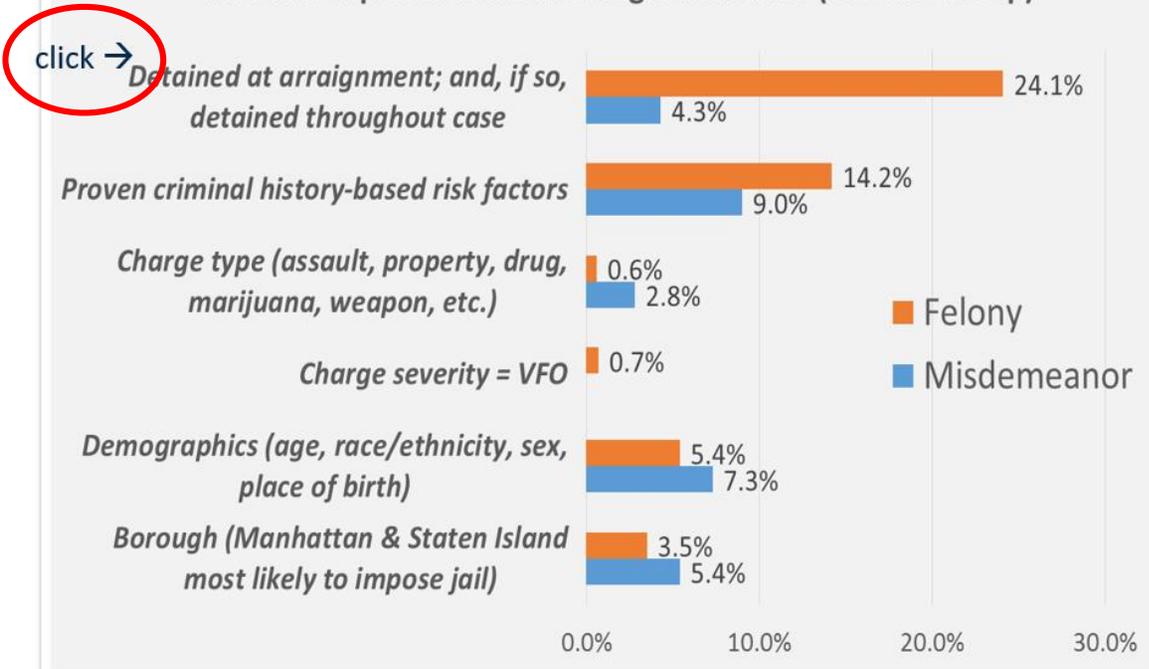
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*Also Present:* Eric Gonzalez, Chief Executive Assistant District Attorney, James Walsh, Deputy Commissioner for Adult Programming, Tim O’Brien, Director of Internal Operations for Community Supervision, Aisha Greene, CCI technical assistance provider, Dominique Day, MOCI Executive Director of Justice Initiatives



# KEY POINTS

In New York City, 59.8% of defendants with bail set or remand (**over 22,000 people** in 2012) have minimal, low, or moderate risk scores – a real opportunity for ROR, supervised release, and alternatives to pretrial detention (ATD) models which also may favorably impact case outcomes (highly determined by pretrial detention as demonstrated below).

## Drivers of Jail v. Non-Custodial Sentence: Variance Explained After Adding Each Factor (Bottom to Top)



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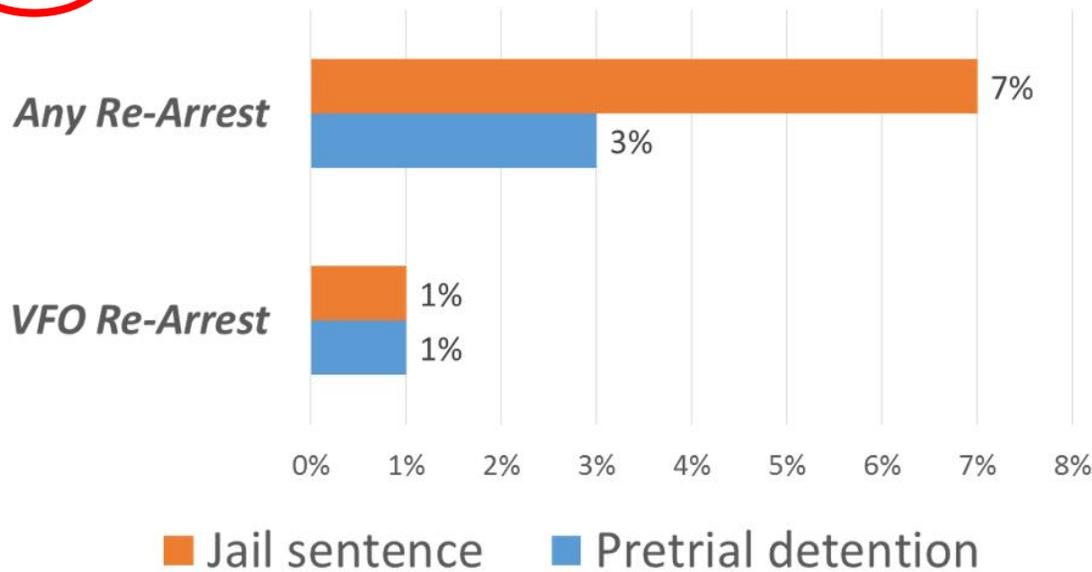
# KEY POINTS

Jail begets jail... within 2-3 days, incarceration contributes to recidivism. Controlling for all other factors, data indicates jail has a 7% criminogenic effect in New York City.

## Criminogenic Effects in NYC

Increase in Two-Year Post-Disposition Re-Arrest from Use of Jail (2012 Defendant Sample)

click →



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# KEY POINTS

The decision to detain at arraignment impacts the life of a case and drives length of stay. Nearly half of those detained at arraignment remain in pretrial detention.

click →

Release Decision (If Continued at Arraignment)	Misde-meanor	Nonviolent Felony	VFO	All Felony
Bail Set or Remand	21%	50%	62%	55%
Detained (bail not posted)	18%	44%	56%	49%
Detained throughout case	10%	24%	24%	24%
Estimated length of stay (average stay if initially detained at arraignment)	48 days	61 days	111 days	80 days



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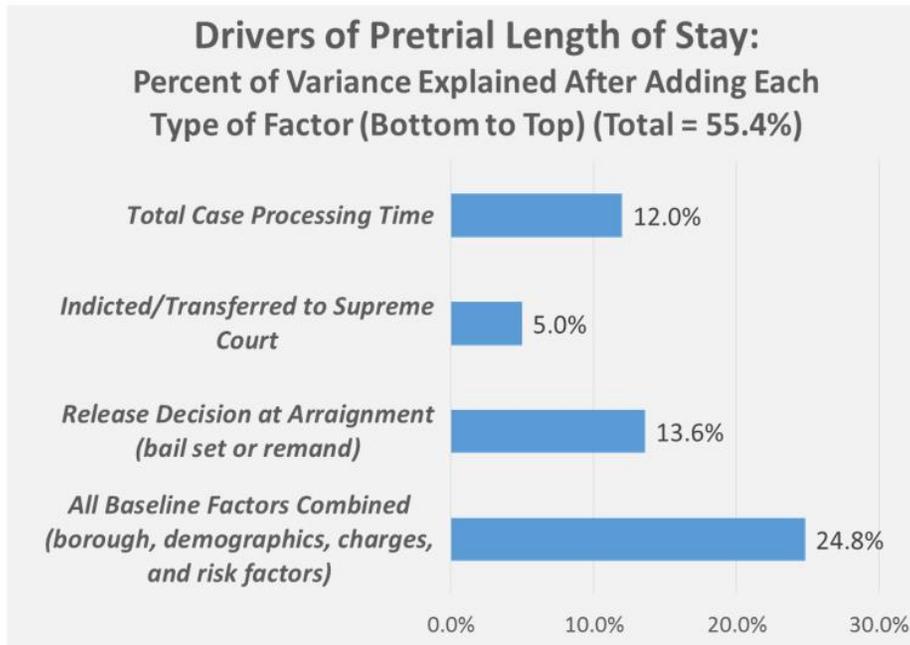
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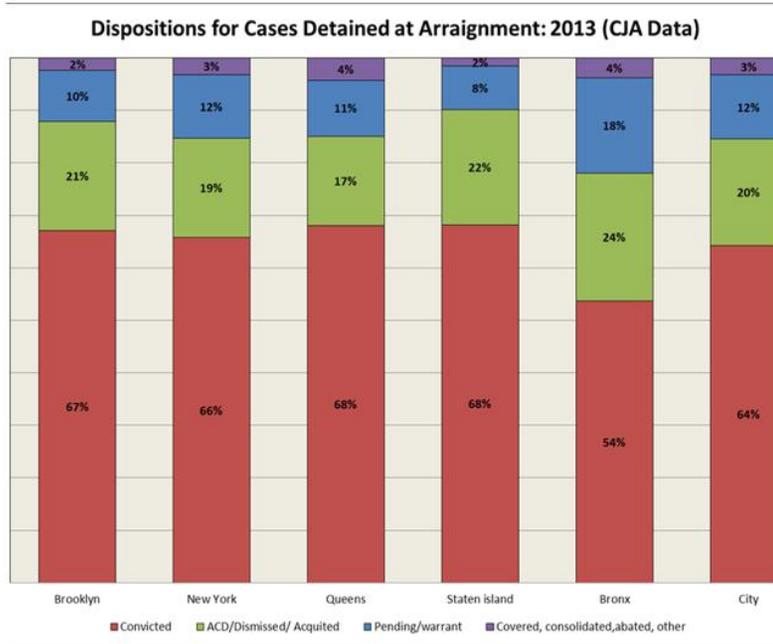
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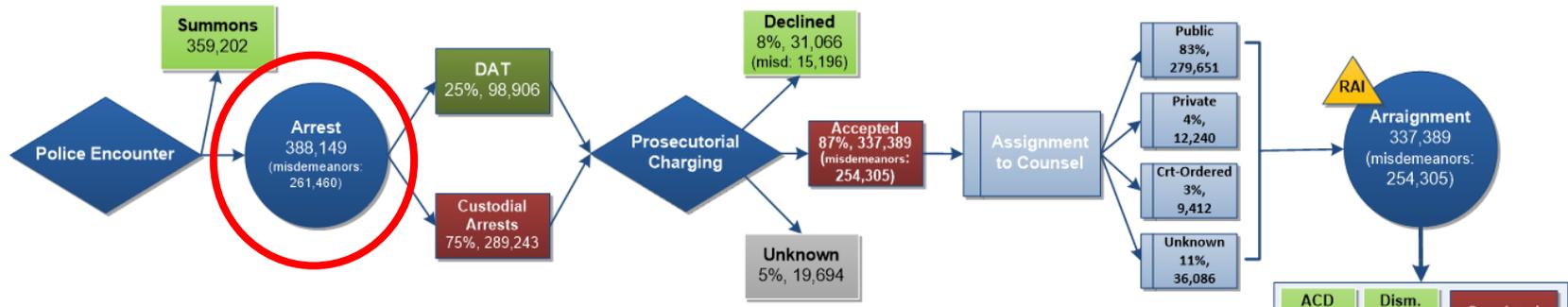
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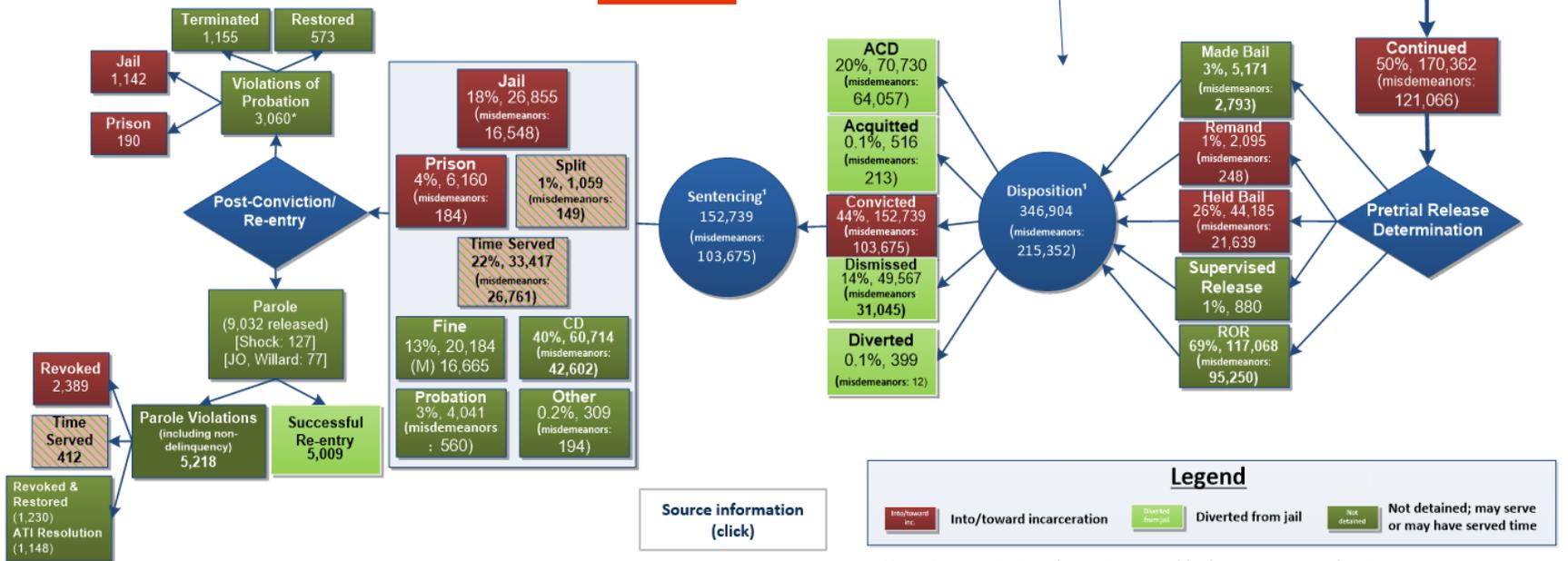


# New York City System Map (2014)



Click on any decision point for a deep dive...

**Borough Maps**  
[Manhattan](#)  
[Brooklyn](#)  
[Queens](#)  
[Staten Island](#)  
[Bronx](#)



Source information (click)

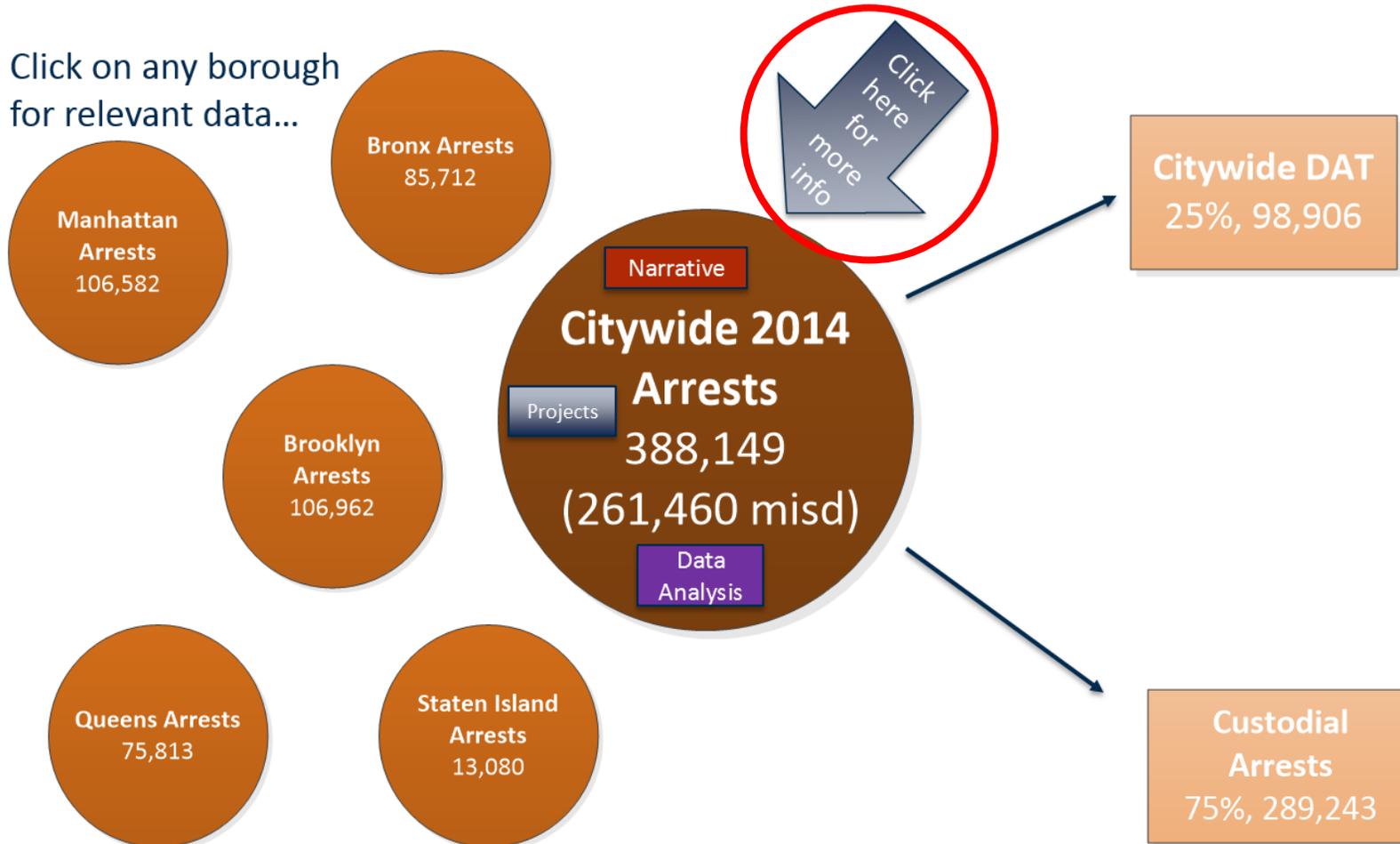
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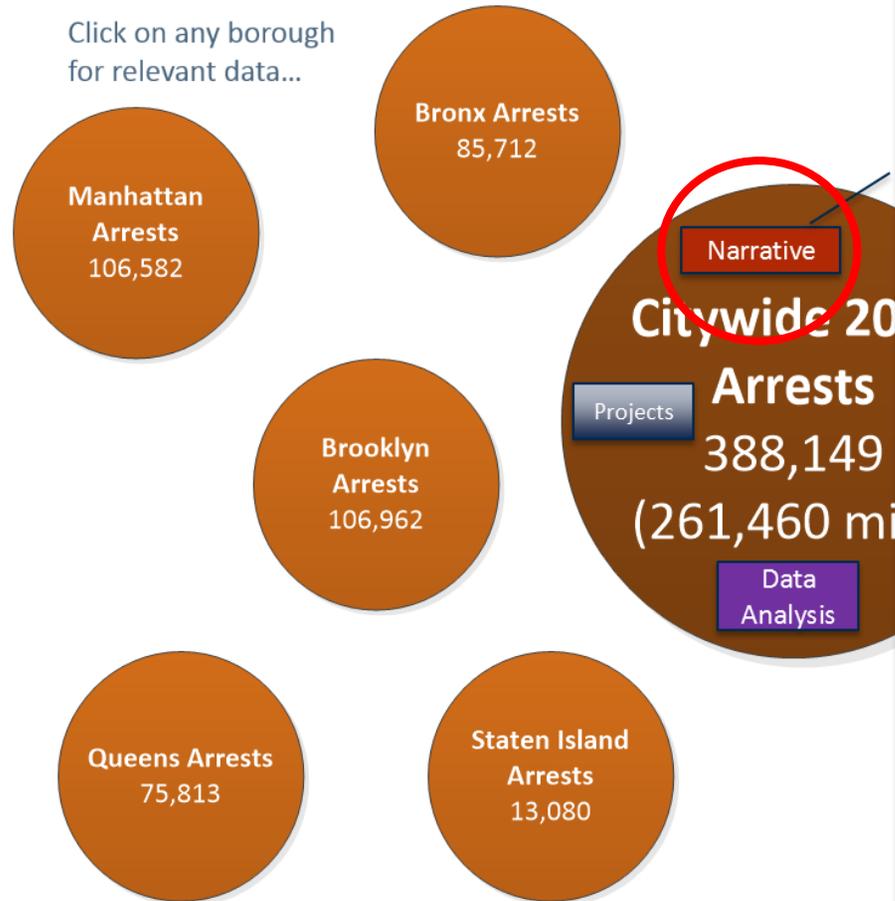
# Decision Point: ARREST (click here to return to system map)

Click on any borough for relevant data...



# Decision Point: ARREST [\(click here to return to system map\)](#)

Click on any borough  
for relevant data...



Arrest are complaint driven, officer-observed, or the result of investigations. An arresting officer has some discretion to arrest and whether an arrest could be custodial or desk appearance tickets (DAT), but a supervising sergeant or lieutenant verifies the decisions. Some discretion exists in certain circumstances as to whether to issue a criminal court summons, a civil or administrative ticket, or a DAT/custodial arrest (e.g., jumping the subway turnstile).

**DATs:** DAT eligibility is determined based on NYPD guidance and policy. In addition to charge ineligibility, suspects are ineligible for DATs if the case involves domestic violence, or if the detained individual was under the influence of alcohol/drugs, lacked identification (12% of detainees), had prior arrests, violated parole, had 3-5 summonses within short period of time, failed to cooperate with the police officer, had warrants in the system, owed DNA to the database, etc. Some factors, like cooperativeness, may be subjective. Other factors, like health complications, may support an otherwise ineligible DAT. At the precinct level, DAT determinations are aided by a database search, which a supervisor can overrule or reconsider.

# Decision Point: ARREST [\(click here to return to system map\)](#)



## Interesting Pilots + Projects

- Project Reset: very small pilot in Manhattan and Brooklyn (~20 participants in Manhattan) DAT fast track to divert adolescents with low-level offenses pre-arraignment. Eligible candidates are referred to defense attorneys and attend programs assigned by the court. Adolescents are released from a precinct with a brochure and DAT. If complete program, the judge dismisses case without any appearance in court.
- Summons Reform: several initiatives in place to address police encounters that result in summonses for non-criminal violations. Among other things, a working group is looking at redesigning the summons appearance ticket to enhance readability and comprehension, and implementing reminders via text to improve the failure to appear rate.
- Technological Improvements: a new initiative seeks to allow warrant checks in the field. Officers will have tablets or laptops that allow real-time analytics through the central data hub and possibly allow for increased DATs and DATs to be issued in the field.
- ID Initiative: NYC also expects the DAT rate to rise through "ID Reform," i.e., expanding acceptable forms of ID and opportunities to offer ID as well as making sure that young people between school and work with no "official" ID can get one or have a meaningful alternative.

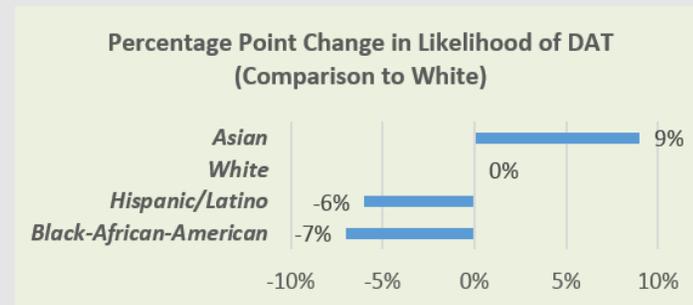
# Decision Point: ARREST (click here to return to system map)

Click  
for more

- High-frequency DAT charges: Petit larceny (155.25), theft (165.15), drug possession (220.03), and marijuana possession (221.10).
- DAT detainees rarely pose a high risk of re-arrest and pose minimal risk of violent felony offending
- Persons arraigned on DATs are very rarely detained ***unless*** they fail to appear on their scheduled arraignment date (22% detained citywide after FTA). Notably, only 15% of these DATs “returned on a warrant” appear before the court as a result of a new case.
- Racial + Ethnic Disparities: compared with custodial arrest, Asians are more likely to receive DATs than whites, while African- Americans and Latinos are less likely to get DATs than white suspects.
- Looking at ACD outcomes to reveal opportunities for greater use of DATs, one interesting idea, would most successfully target cases in Brooklyn and Queens, without prior arrest/convictions, marijuana or property charges, females, and 16-24 year olds.

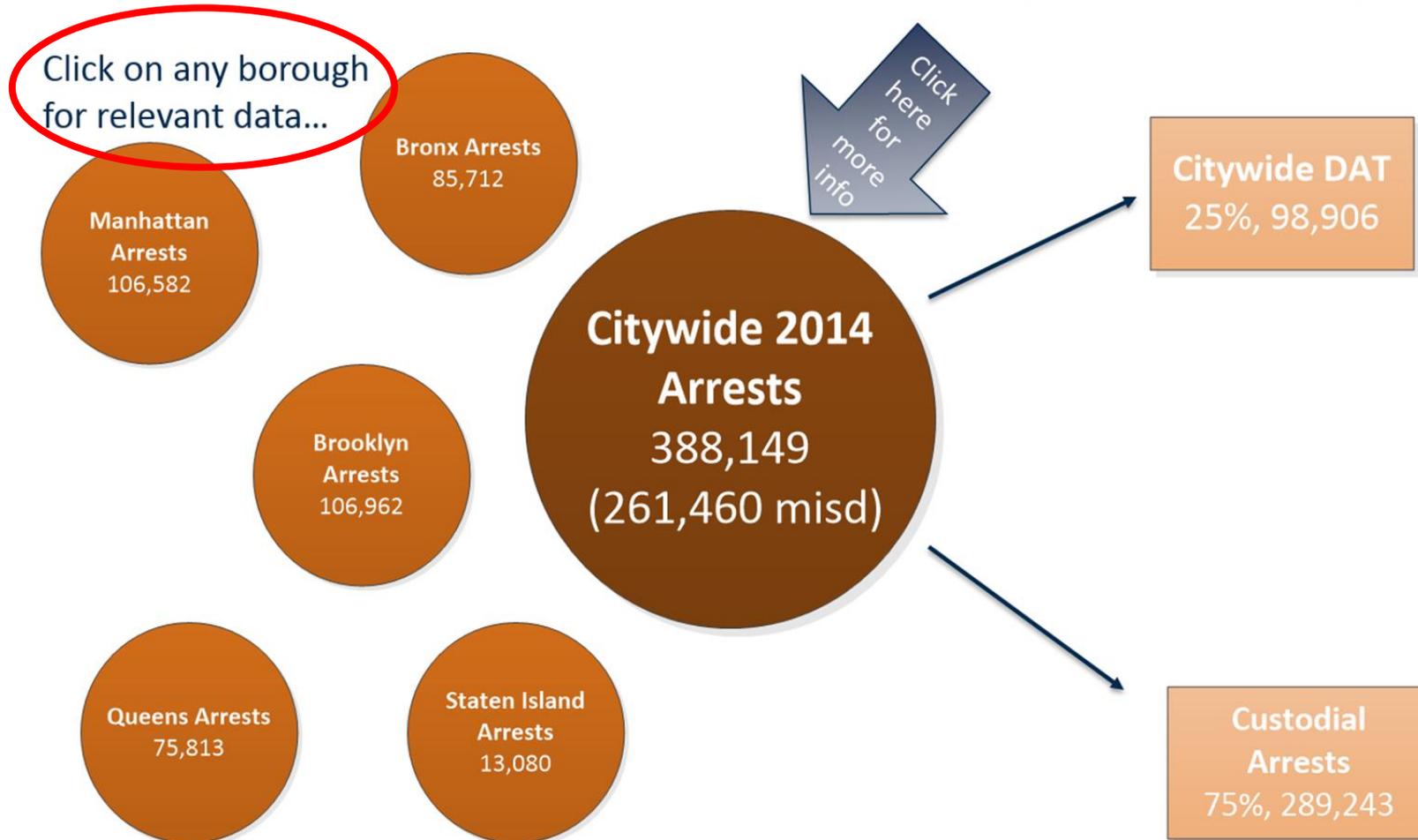
Risk Level	Risk of Re-Arrest		Risk of VFO Re-Arrest	
	Detained	Not Detained	Detained	Not Detained
Minimal Risk	14%	17%	47%	55%
Low Risk	35%	42%	28%	29%
Moderate Risk	25%	24%	19%	15%
Moderate-High Risk	13%	15%	3%	1%
High Risk	14%	1%	4%	0%
Total	100%	100%	100%	100%

Measure (DATs + Jail)	Bronx	Brooklyn	Manhattan	Queens	Staten Island	Total
Days to DAT Arraignment	96	49	50	56	43	61
Days to DAT Disposition	198	126	150	113	83	147
FTA at DAT Arraignment	29%	23%	19%	15%	13%	22%
Disposed at Arraignment	74%	76%	72%	78%	70%	74%
<b>Of those <u>not</u> disposed at arraignment: Detained (remand or did not make bail) if:</b>						
Appeared on DAT Date	1.1%	2.3%	1.5%	1.2%	1.5%	1.6%
FTA on DAT Date	23%	20%	36%	46%	24%	29%
Total 2013 DATs Detained	307	255	504	217	31	1,314
Est. Length of Stay (days)	53	37	47	45	67	46



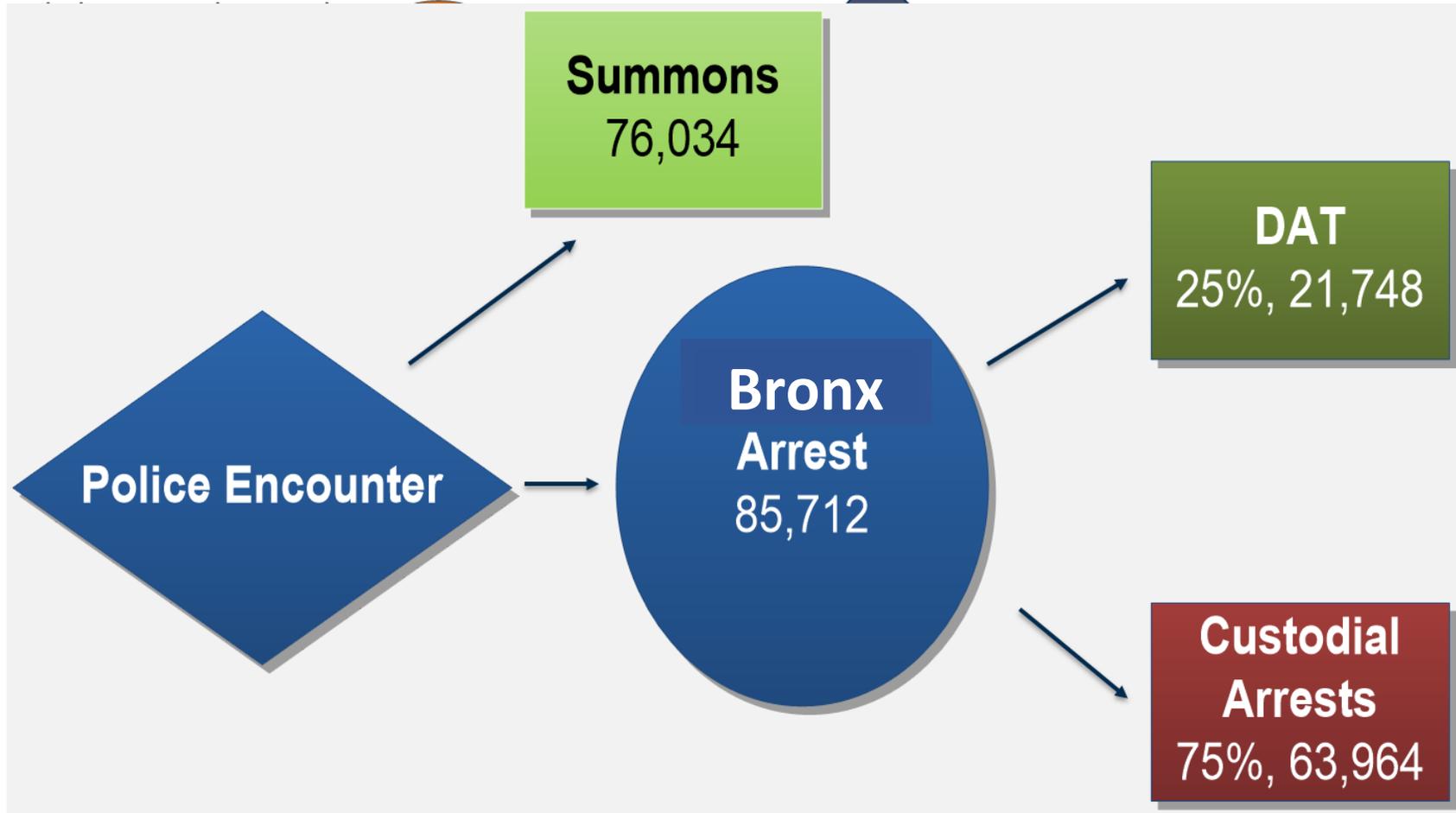
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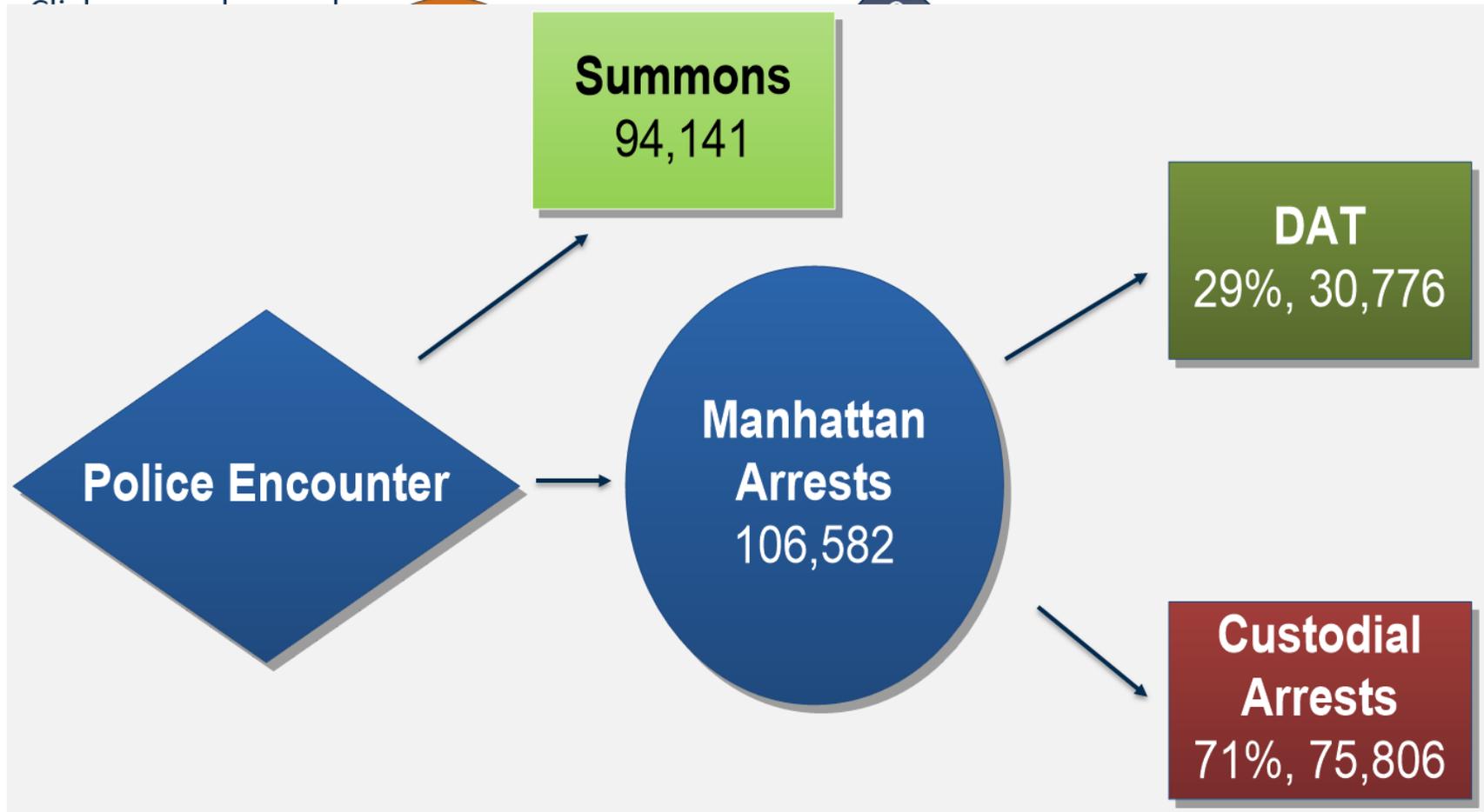
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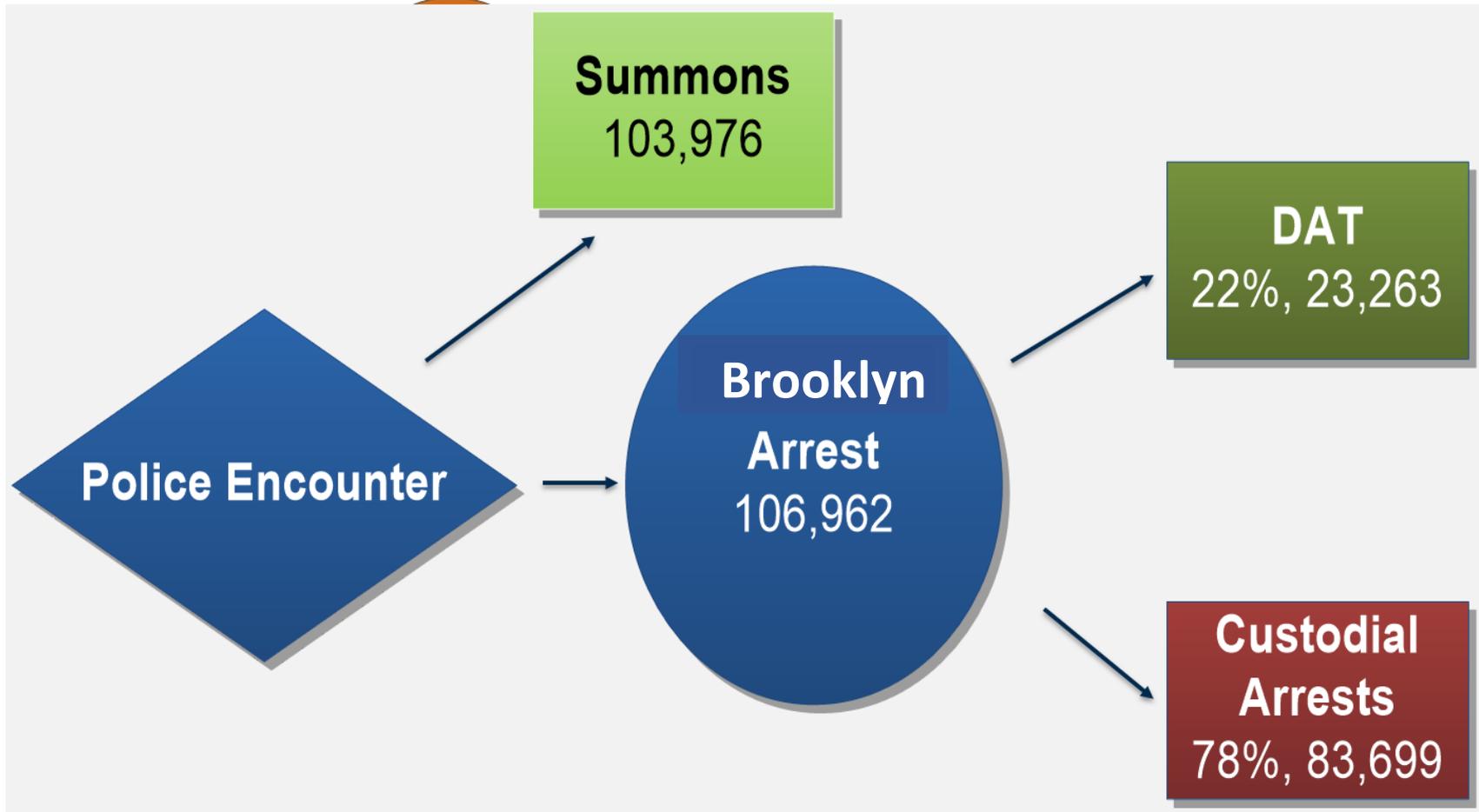


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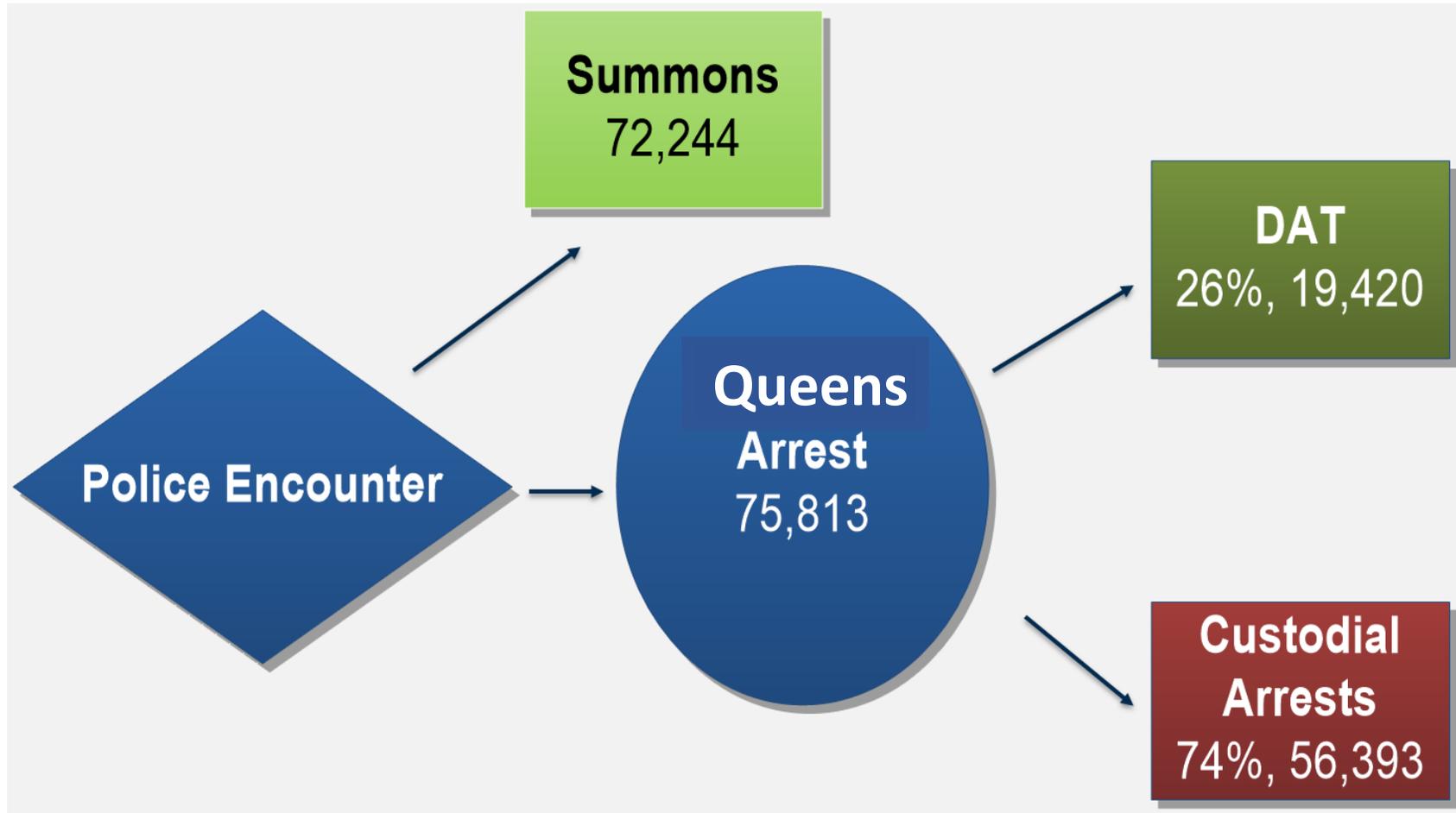
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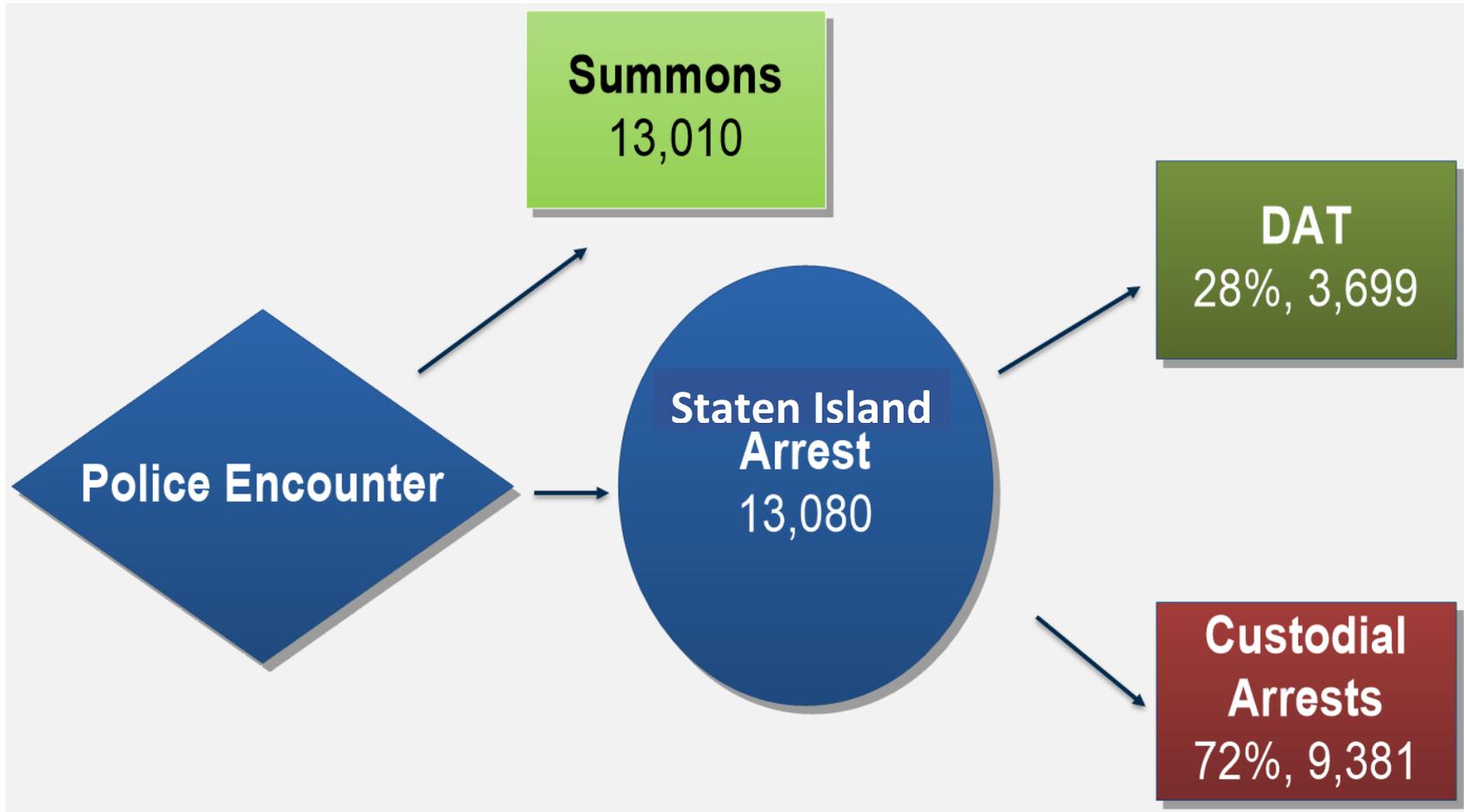
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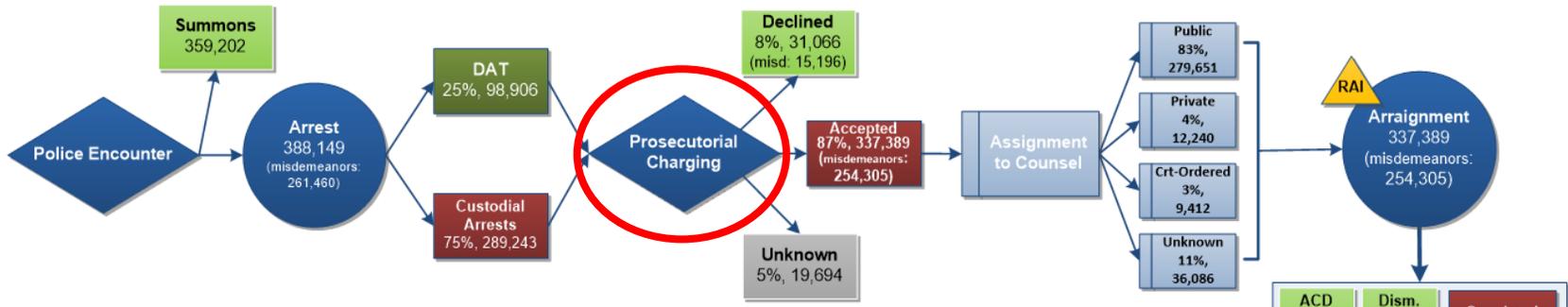
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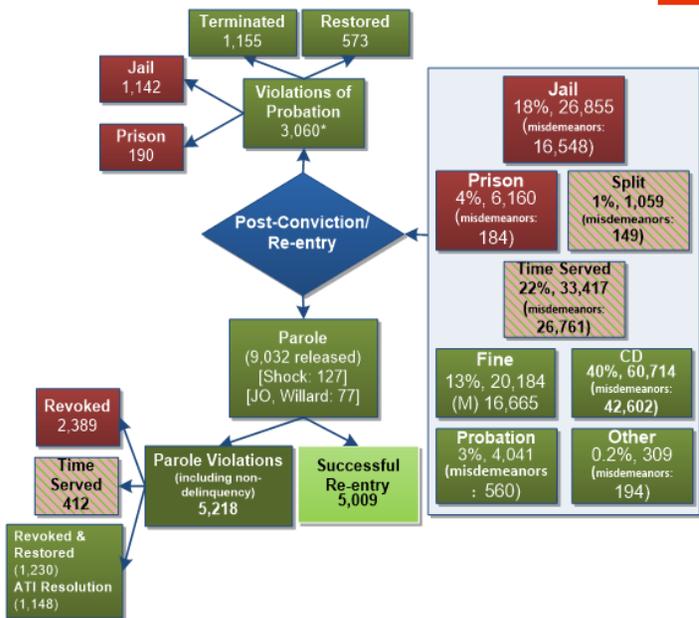


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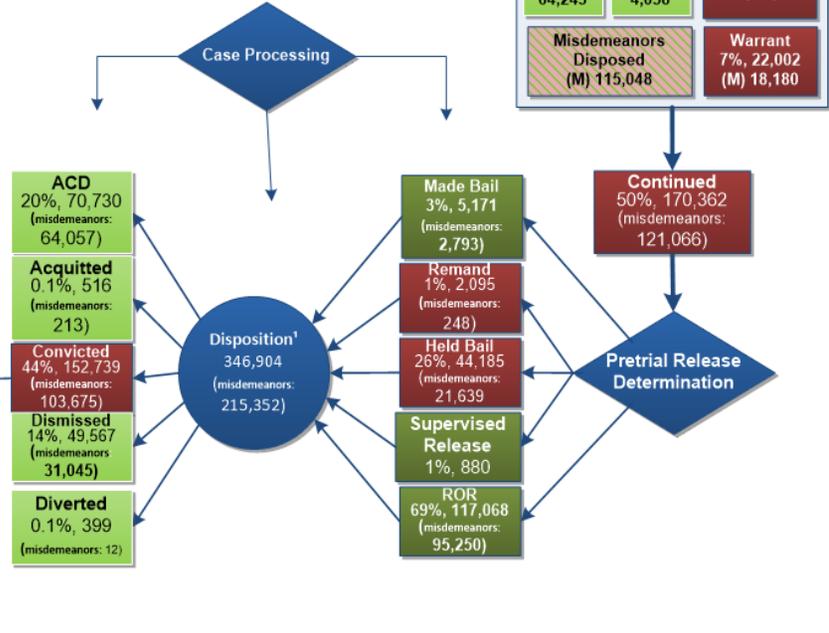


Click on any decision point for a deep dive...

- Borough Maps**
- Manhattan
  - Brooklyn
  - Queens
  - Staten Island
  - Bronx



Source information (click)



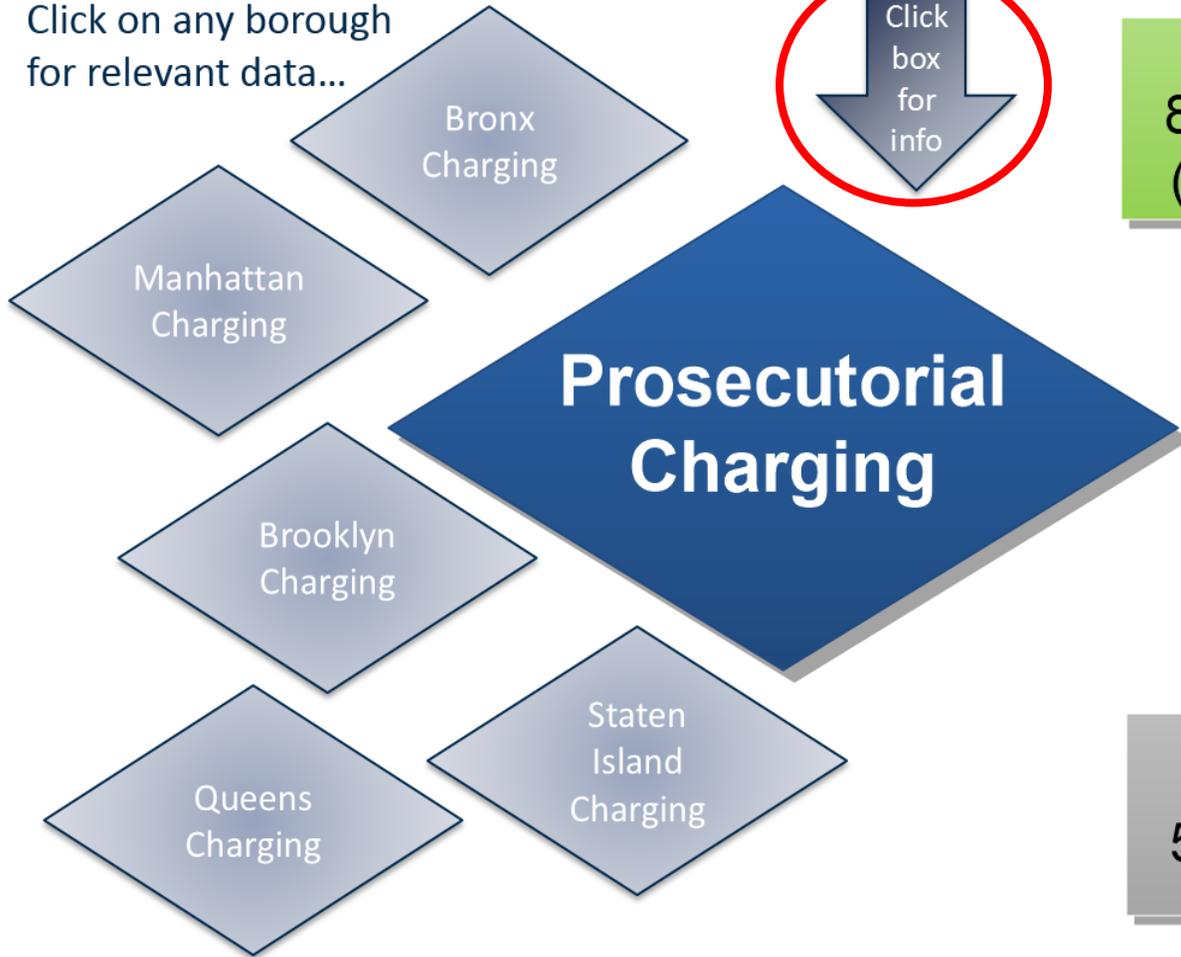
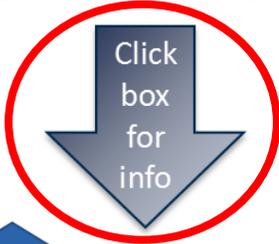
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# Decision Point: CHARGE (click here to return to system map)

Click on any borough for relevant data...



**Declined**  
8%, 31,066  
(M) 15,196

**Accepted**  
87%, 337,389  
(M) 254,305

**Unknown**  
5%, 19,694

# Decision Point: CHARGE [\(click here to return to system map\)](#)

Click

Every borough in the city has a process that involves writing up a criminal court accusatory instrument from reports, and sometimes interviews with complainants. This typically involves review of the available evidence and its legality, as well as a request on bail. In all boroughs, junior ADAs draft cases with onsite supervision. Paralegals may draft shoplifting and low level cases, which are reviewed by an ADA. In Queens, many cases declined by the federal government fall into the local prosecutor’s hands.

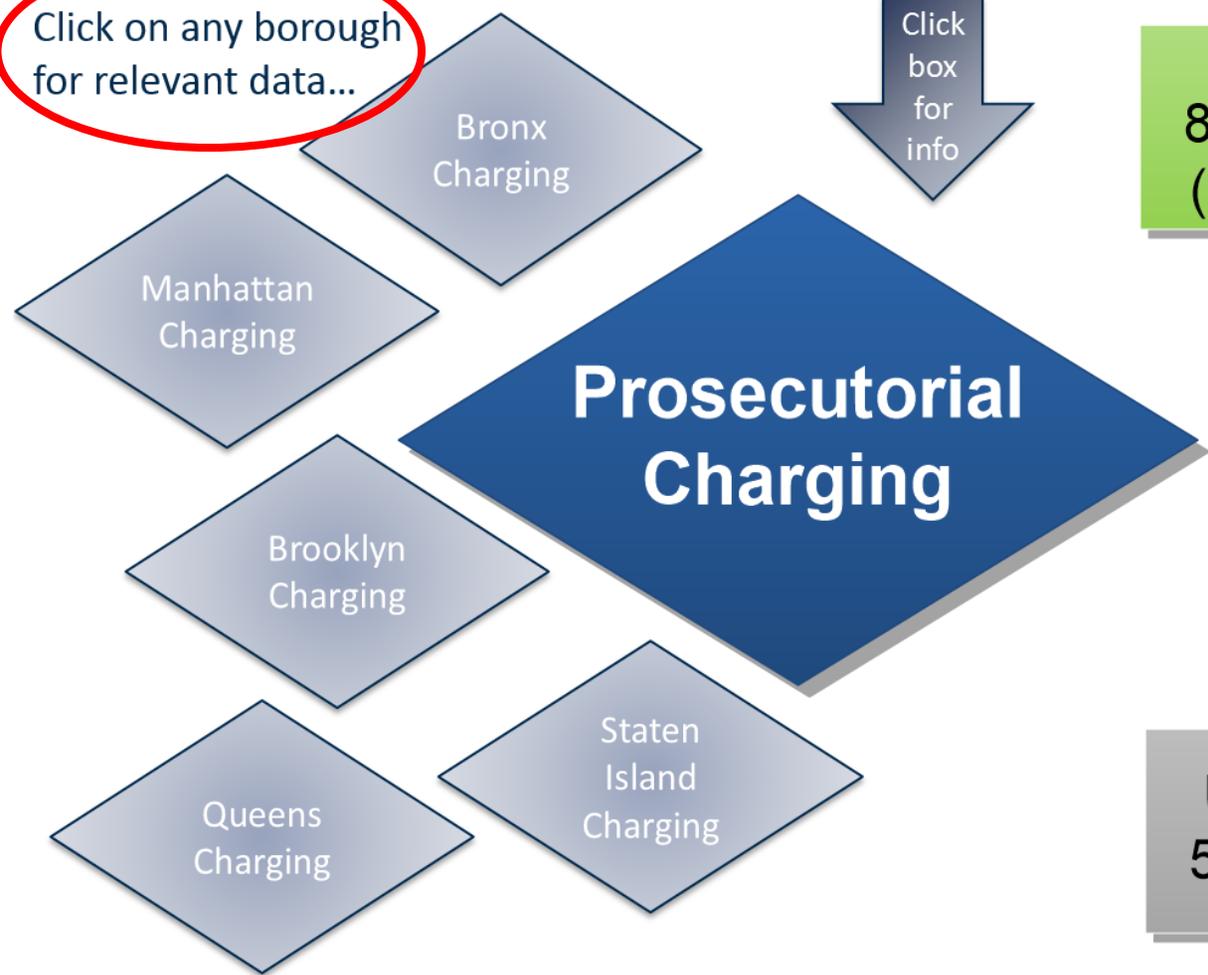
- **Vertical Prosecution:** Some boroughs use vertical prosecution (i.e., a single prosecutor handles the case, as opposed to the assembly-line “horizontal prosecution”) in specialized cases. Prosecutors cite vertical prosecution as most effective but least efficient. In the Bronx, homicides, sex crimes and some others are vertical. Brooklyn leans toward more vertical prosecution, where possible.
- **Upstream/Downstream Time Savings:** In some boroughs, like Manhattan, Queens, and Brooklyn, most pre-arraignment communication with the police officer who prepared the case is done via phone or fax due to high volume and the time pressure of arraignment cases within 24 hours of arrest. Officers appear prior to arraignment principally on sensitive cases. This may occasion delays in receipt and production of discovery later on.
- **Adjustment of Charges:** On a regular basis, charges are adjusted in the preparation of the criminal court accusatory instrument. The arrest charges are determined based on the highest charge the police officers believe can be sustained and the prosecutorial review often results in a modification or reduction of charges.
- **Declination:** Some charges may be declined for lack of evidence or on policy grounds. In the Bronx, the ADA speaks to a complainant to sustain a charge, including domestic violence. In Brooklyn, the ADA will not proceed without speaking to a complainant *unless* it is a domestic violence case. Trespass cases and some marijuana cases may also be reduced or declined in some boroughs, like Brooklyn and the Bronx, on policy grounds.

Measure	Bronx	Other Four Boroughs	Citywide
All Arrests	12.0%	5.4%	6.9%
Felony Arrests	12.4%	7.0%	8.1%
Misdemeanor Arrests	11.8%	4.6%	6.3%
Domestic Violence <sup>2</sup>	26.7%	11.4%	14.4%
Marijuana Possession in 5 <sup>th</sup> degree (221.10)	12.1%	6.6%	8.3%

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Click box for info

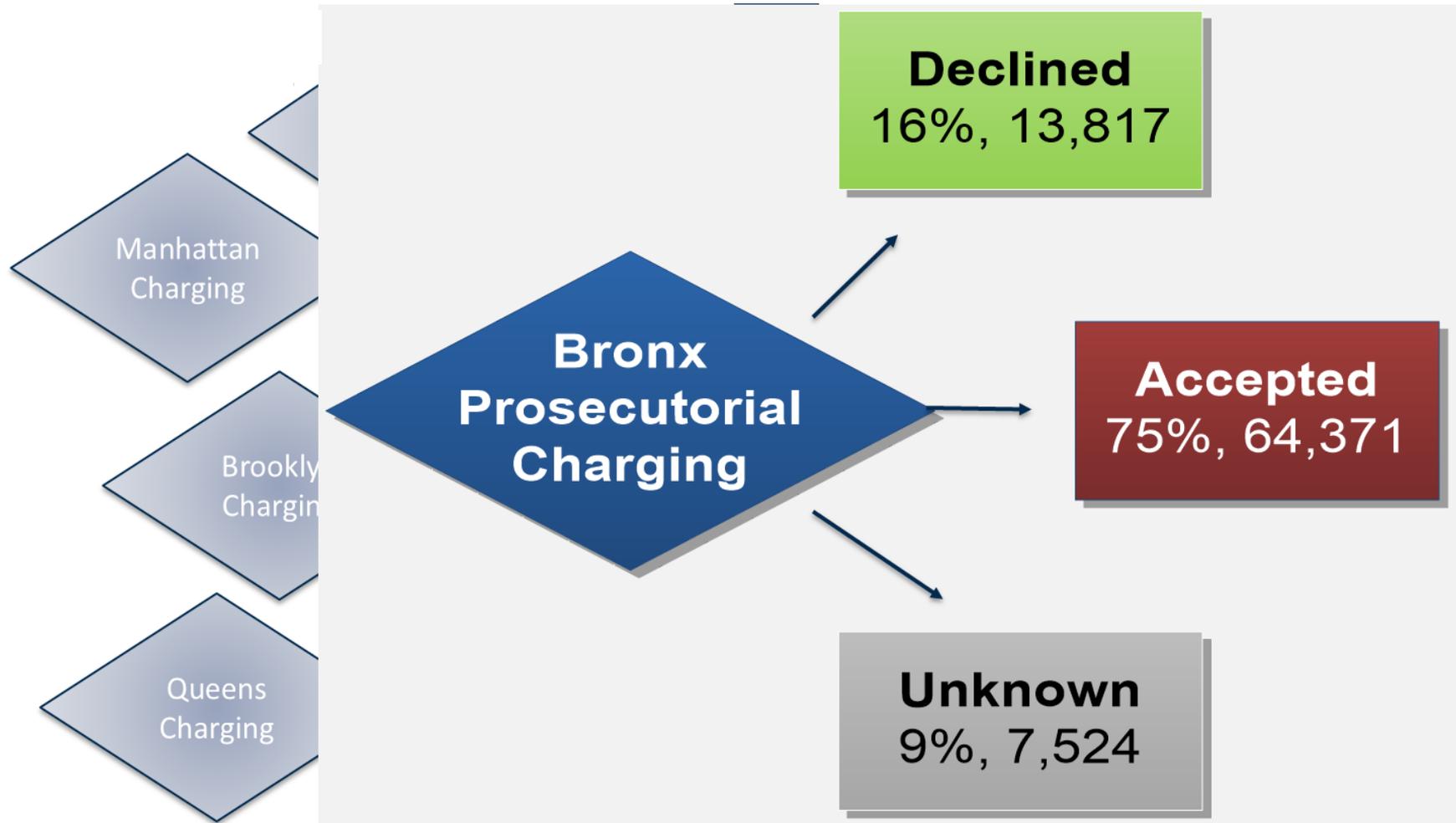


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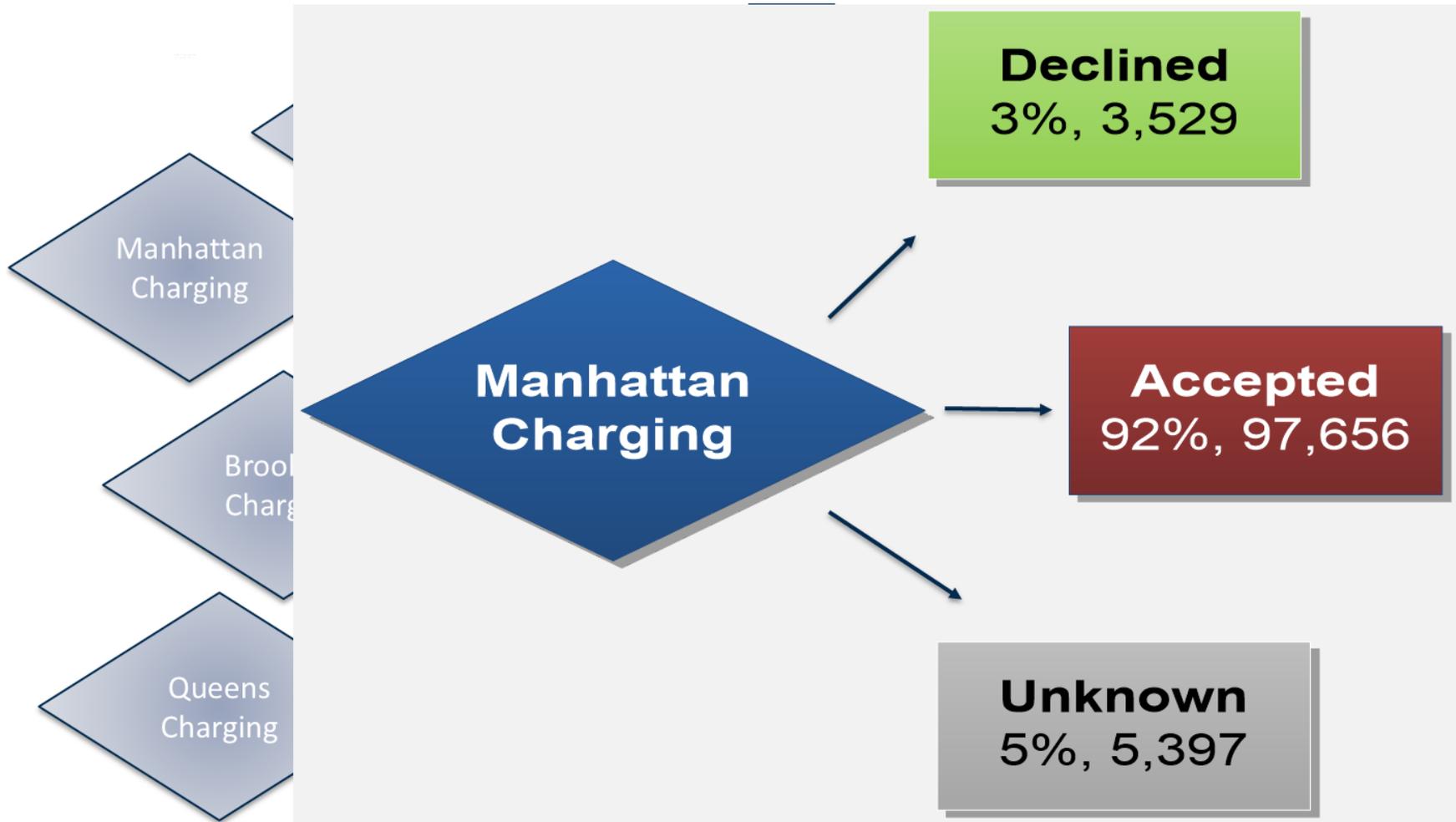
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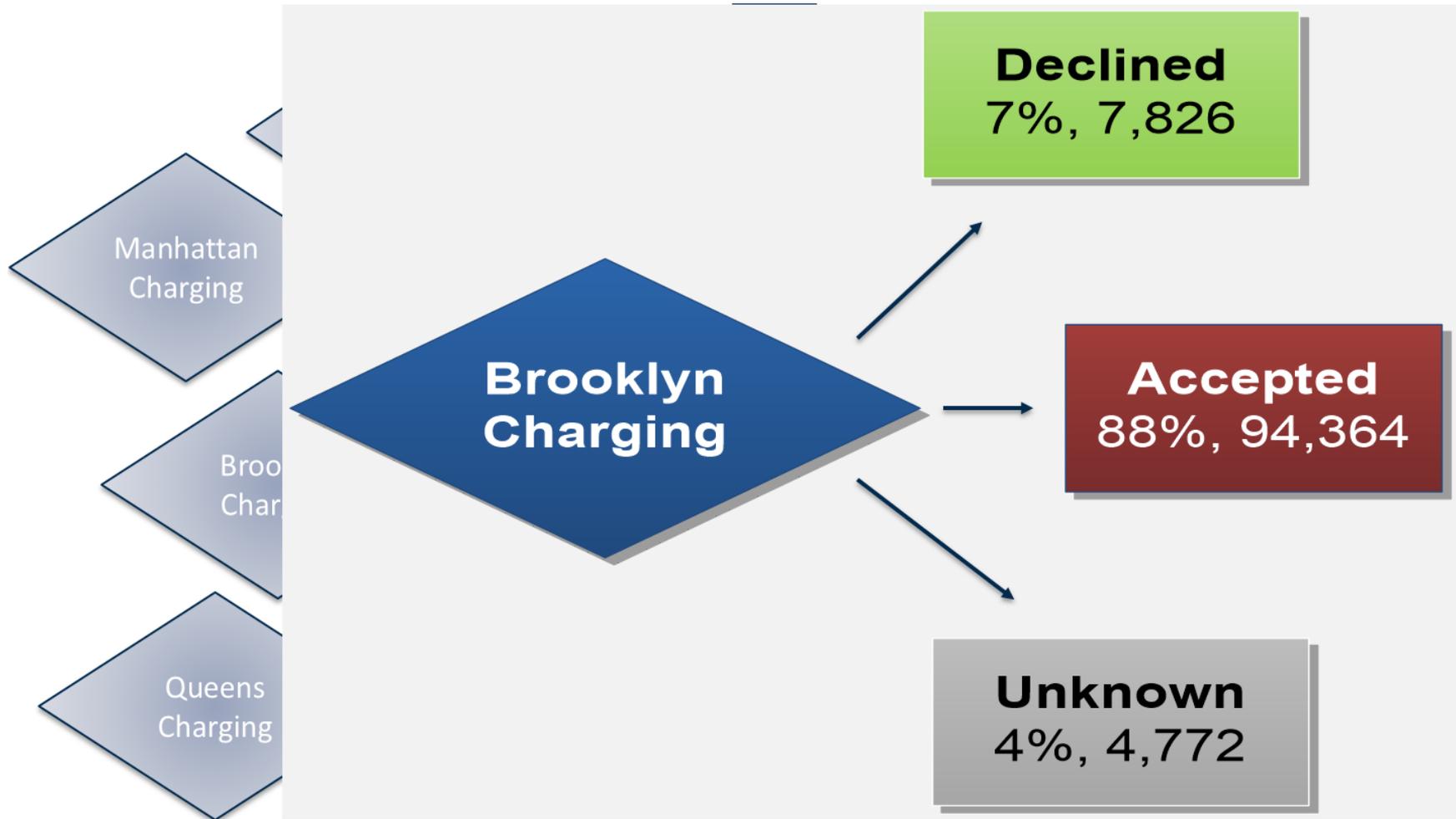
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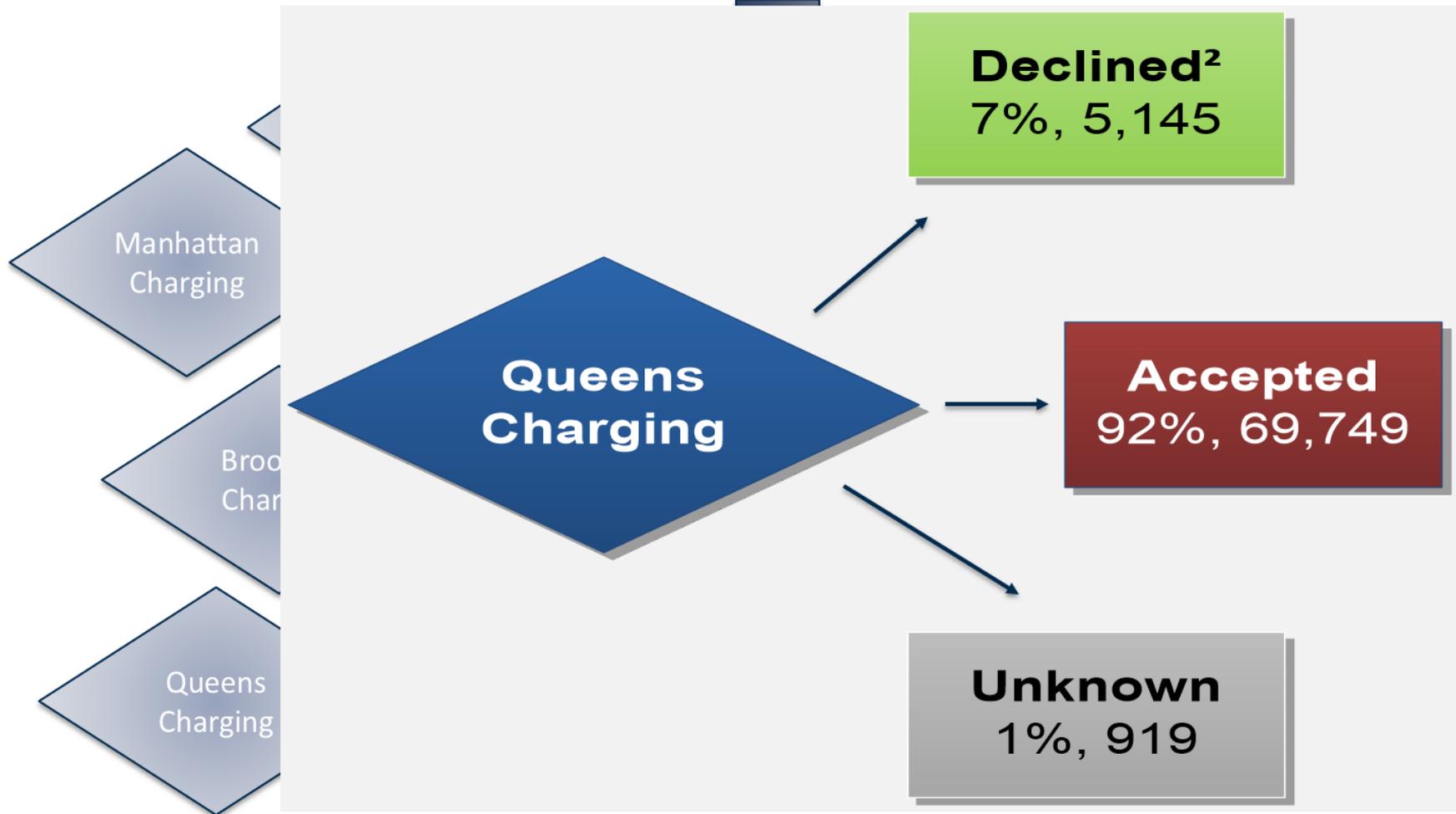
# Decision Point: CHARGE (click here to return to system map)



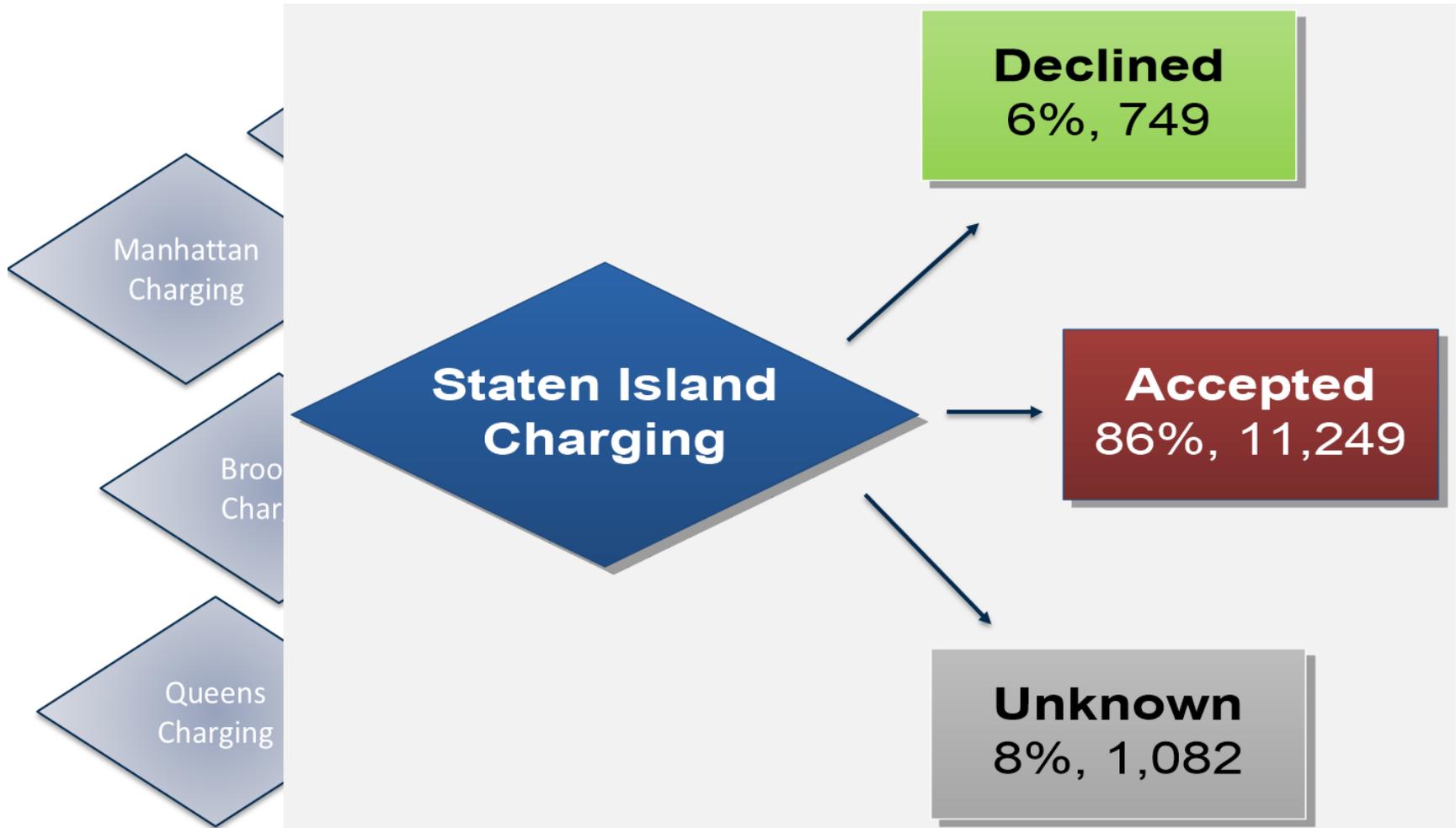
# Decision Point: CHARGE (click here to return to system map)



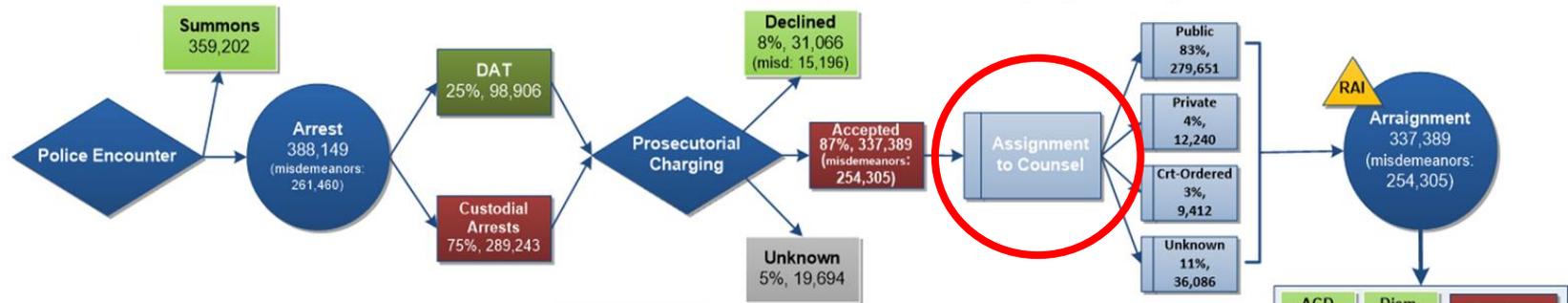
# Decision Point: CHARGE (click here to return to system map)



# Decision Point: CHARGE (click here to return to system map)

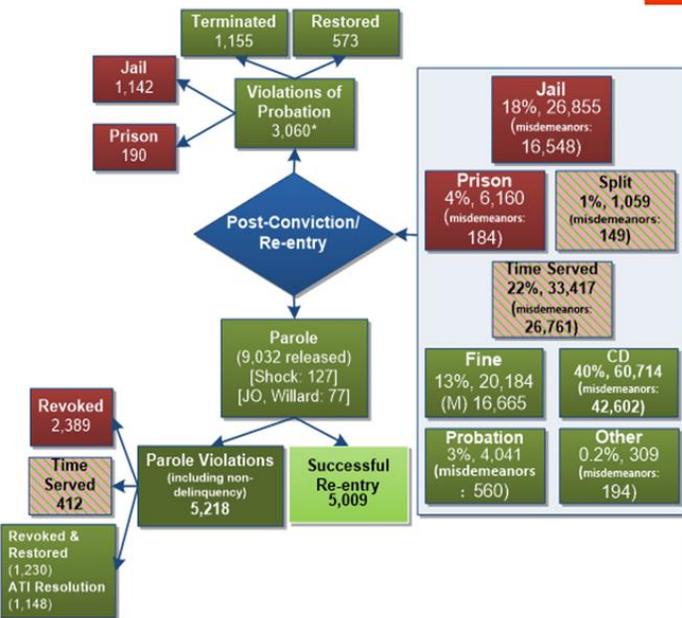


# New York City System Map (2014)

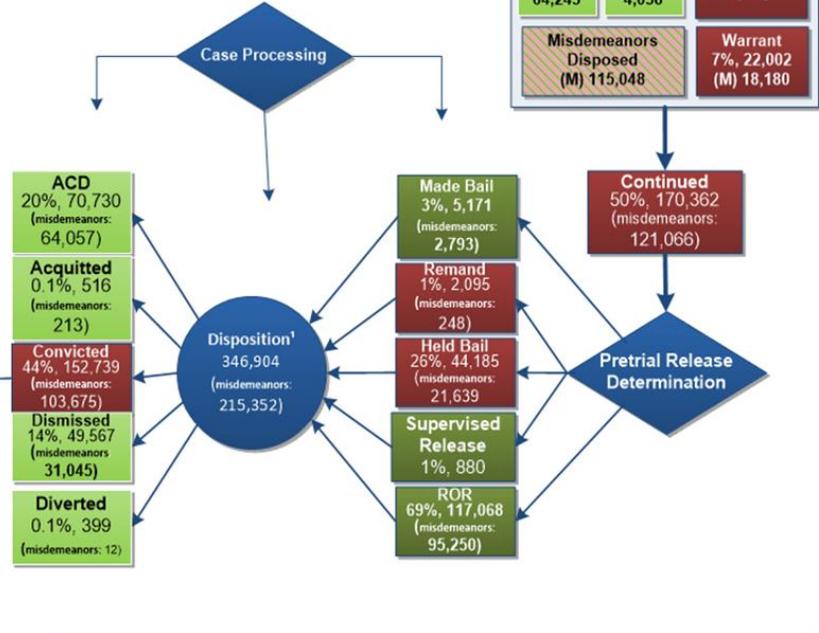


Click on any decision point for a deep dive...

**Borough Maps**  
[Manhattan](#)  
[Brooklyn](#)  
[Queens](#)  
[Staten Island](#)  
[Bronx](#)



Source information (click)



**Legend**

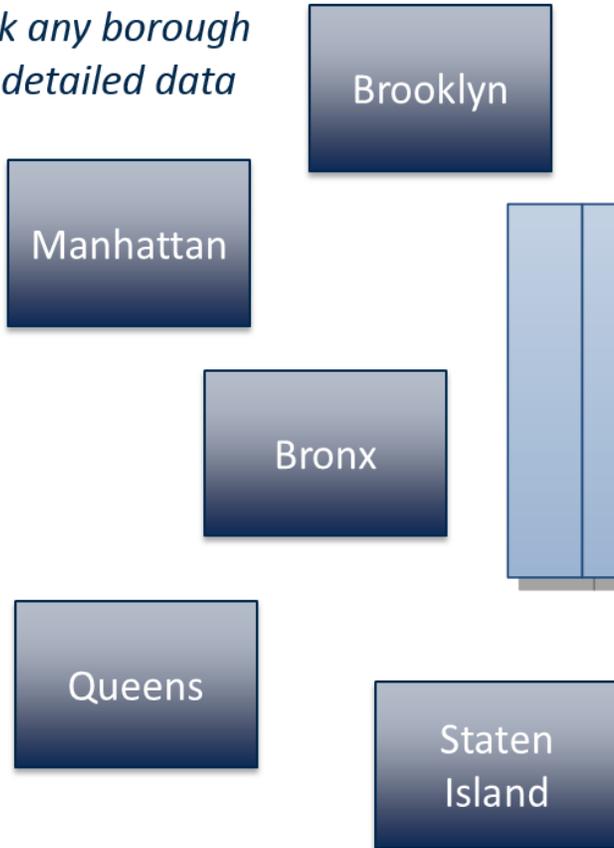
- Info/Source Inc. Info/Source Inc.
- Diverted from jail Diverted from jail
- Not detained Not detained; may serve or may have served time

Note: Some variations due to incompatible data sources or other inaccuracies may exist.

# Decision Point: RIGHT TO COUNSEL

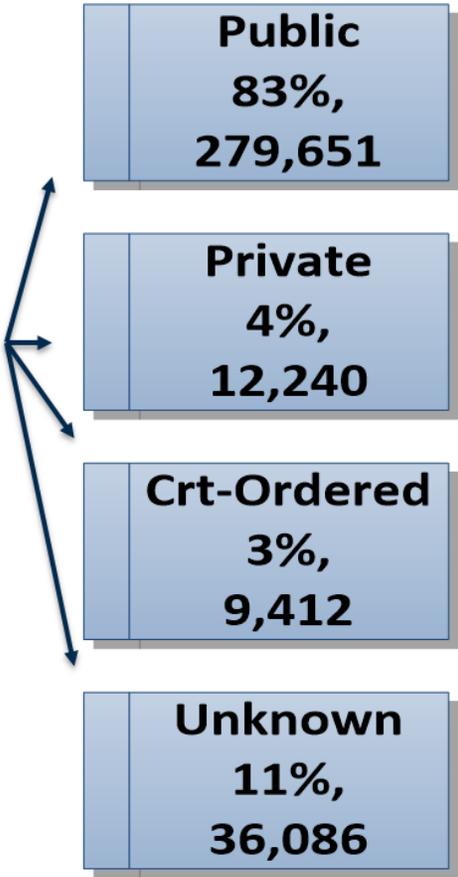
(click here to return to system map)

*click any borough  
for detailed data*



*click here for  
more info*

**Assignment  
of Counsel  
(citywide)**



# Decision Point: RIGHT TO COUNSEL

(click here to return to system map)

In New York City, all defendants who cannot afford a lawyer are assigned counsel prior to arraignment, which occurs within 24 hours of arrest by statute. In practice, institutional indigent defense providers and members of the private bar available for court appointments (“18b counsel”) conduct a conflict check and a financial eligibility check upon meeting their clients in advance of the case arraignment.

Institutional Indigent Defense Providers in New York City:

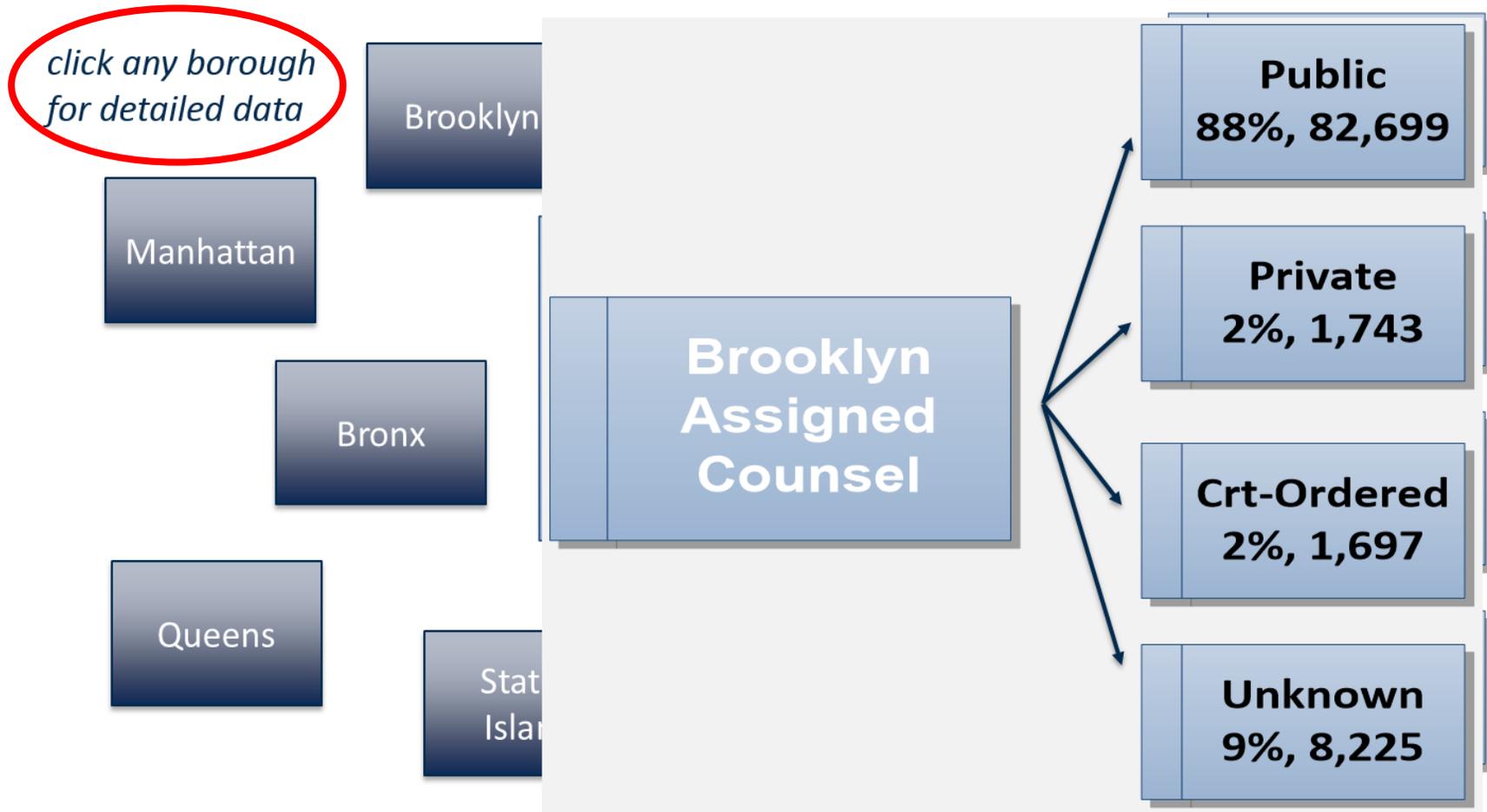
- Neighborhood Defender Service of Harlem
- Legal Aid Society
- New York County Defenders
- Bronx Defenders
- Queens Law Associates
- Brooklyn Defenders

In addition, each borough has a panel of Appointed (“18b”) Counsel. There is also an 18b Homicide Panel charged with handling indigent defendants charged with homicides.

In Staten Island, which awaits the imminent opening of a new courthouse, facilities complicate both assignment of counsel and confidentiality. Without a dedicated arraignment courtroom, or “part,” and without private areas for confidential communications with counsel, attorneys must interview clients sometimes shoulder-to-shoulder with co-defendants and in the presence of up to half a dozen additional defendants. In addition, there is a high rate of conflicts of interest which complicates representation.

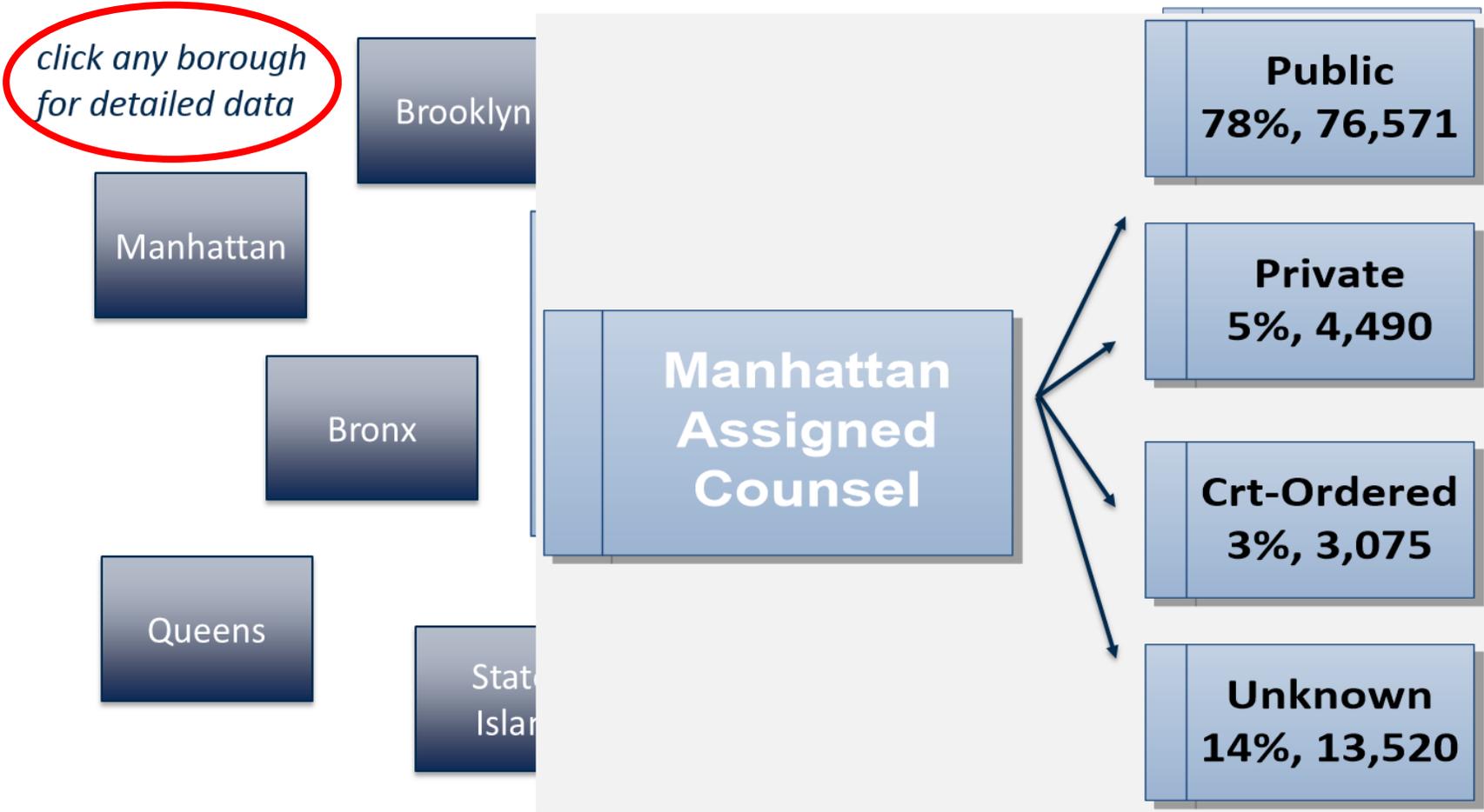
# Decision Point: RIGHT TO COUNSEL

(click here to return to system map)



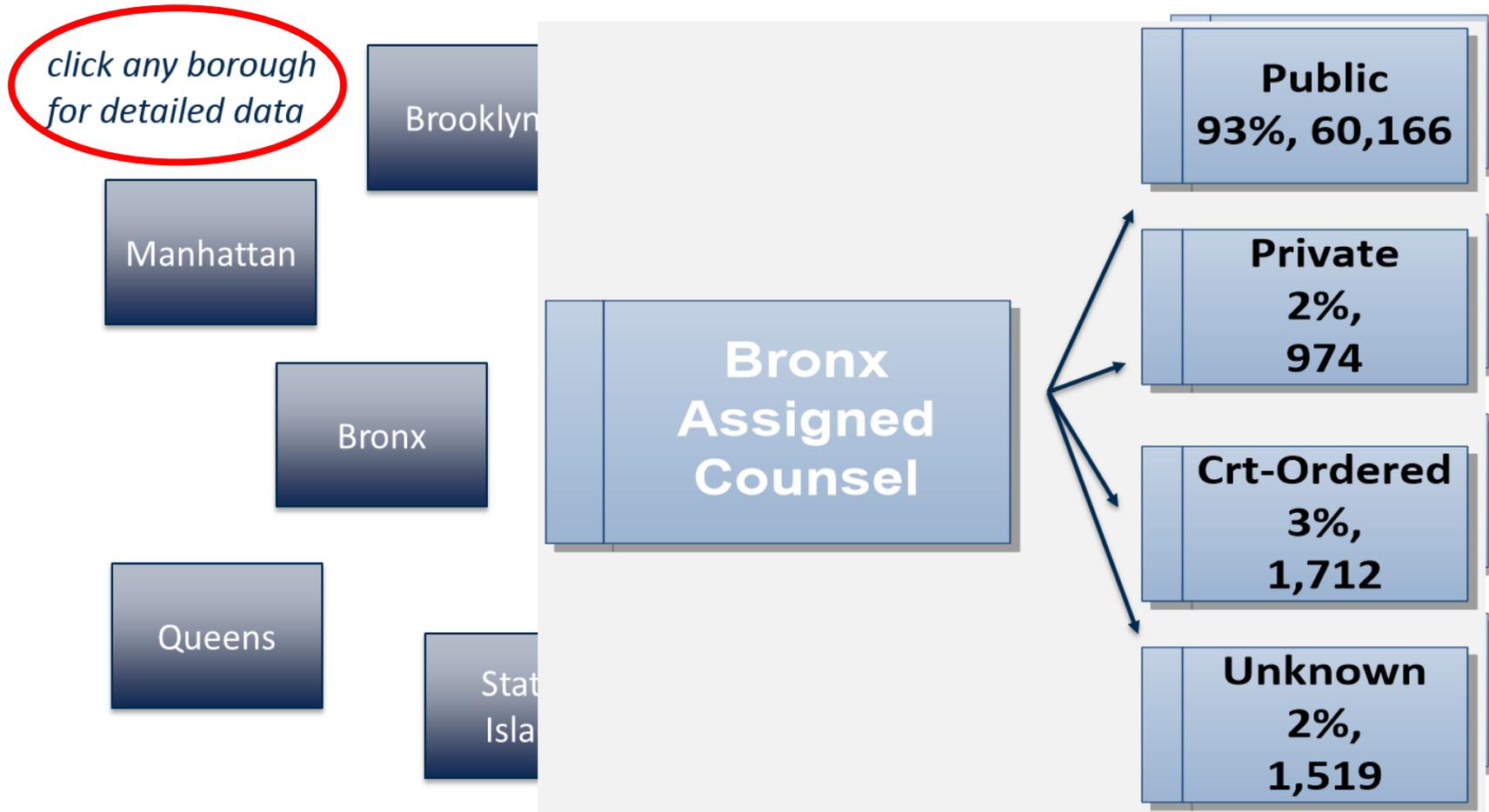
# Decision Point: RIGHT TO COUNSEL

(click here to return to system map)



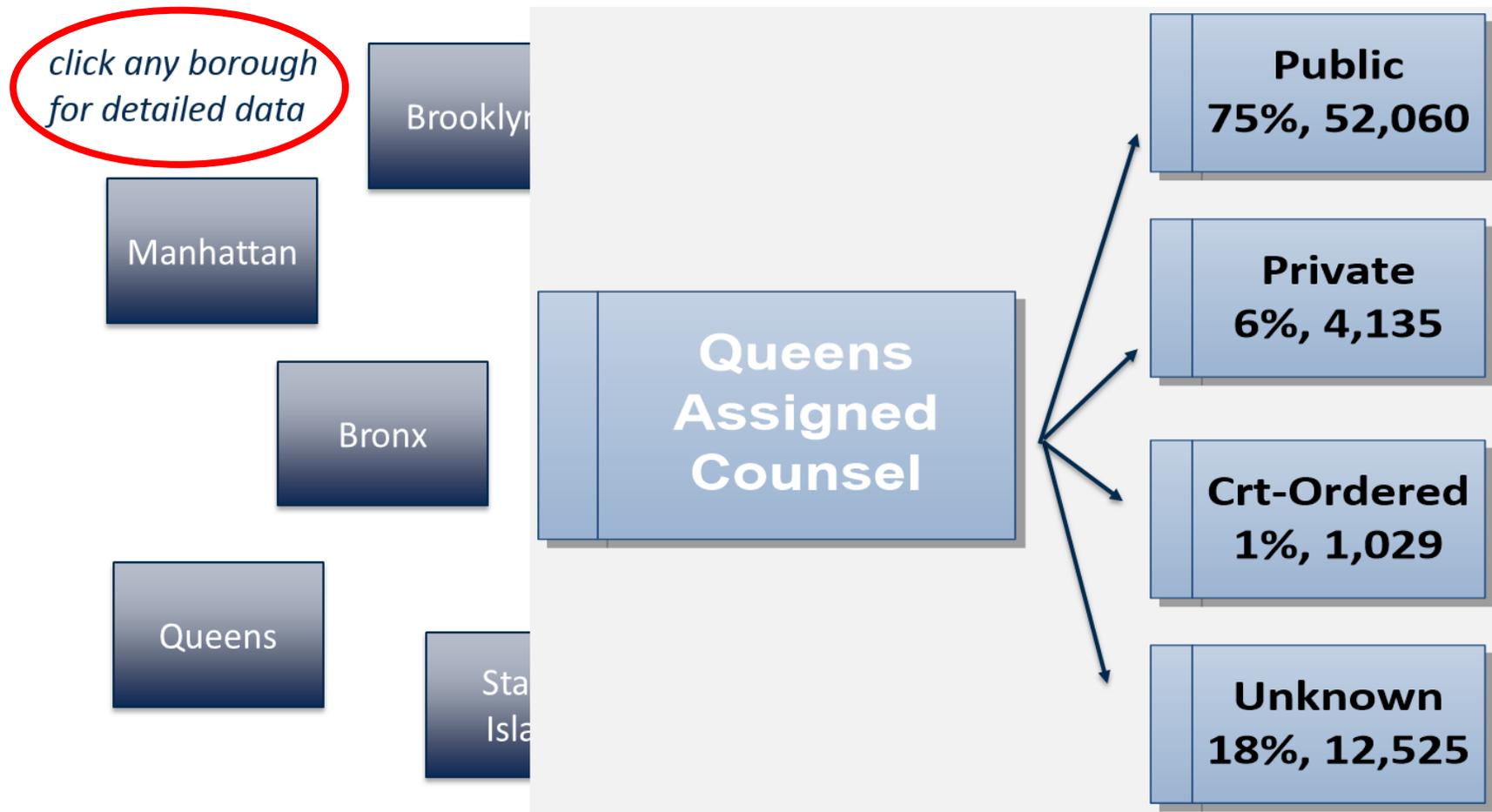
# Decision Point: RIGHT TO COUNSEL

(click here to return to system map)



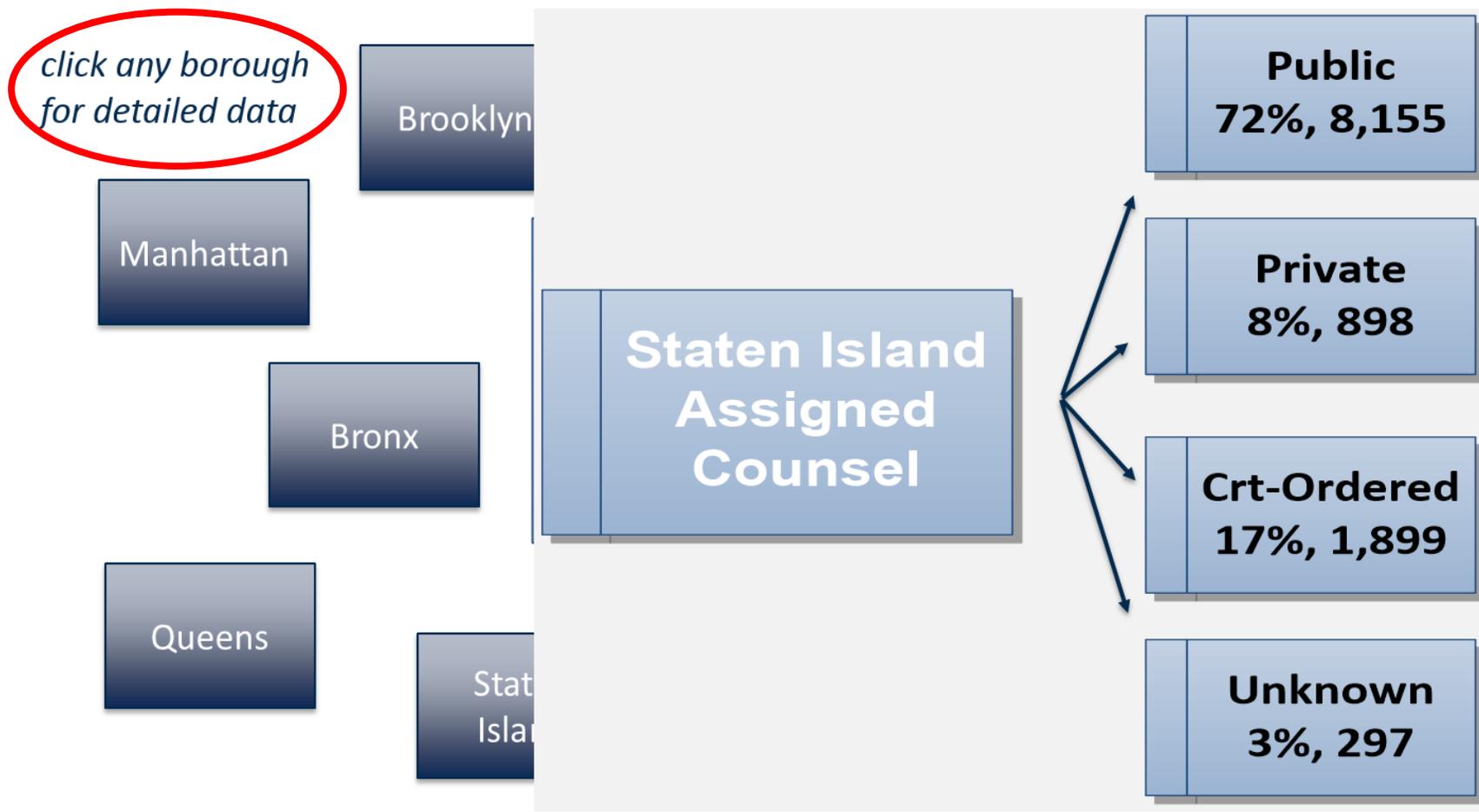
# Decision Point: RIGHT TO COUNSEL

(click here to return to system map)

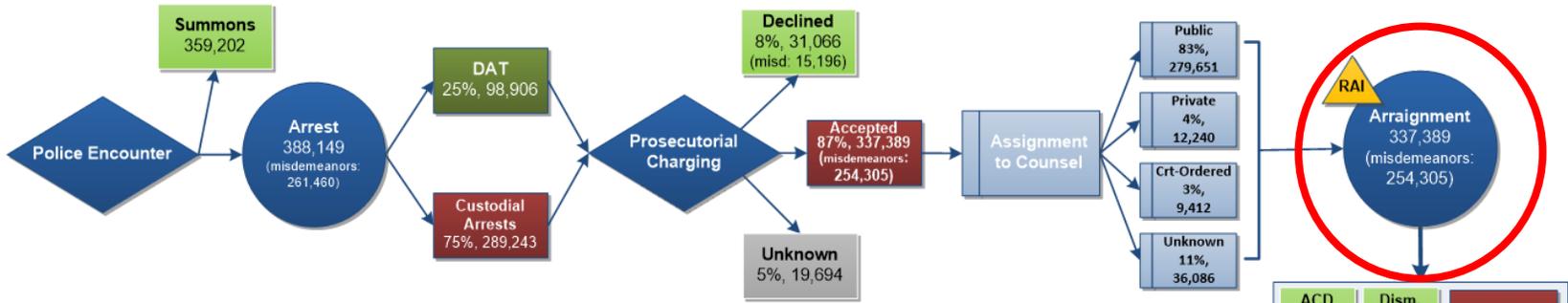


# Decision Point: RIGHT TO COUNSEL

(click here to return to system map)

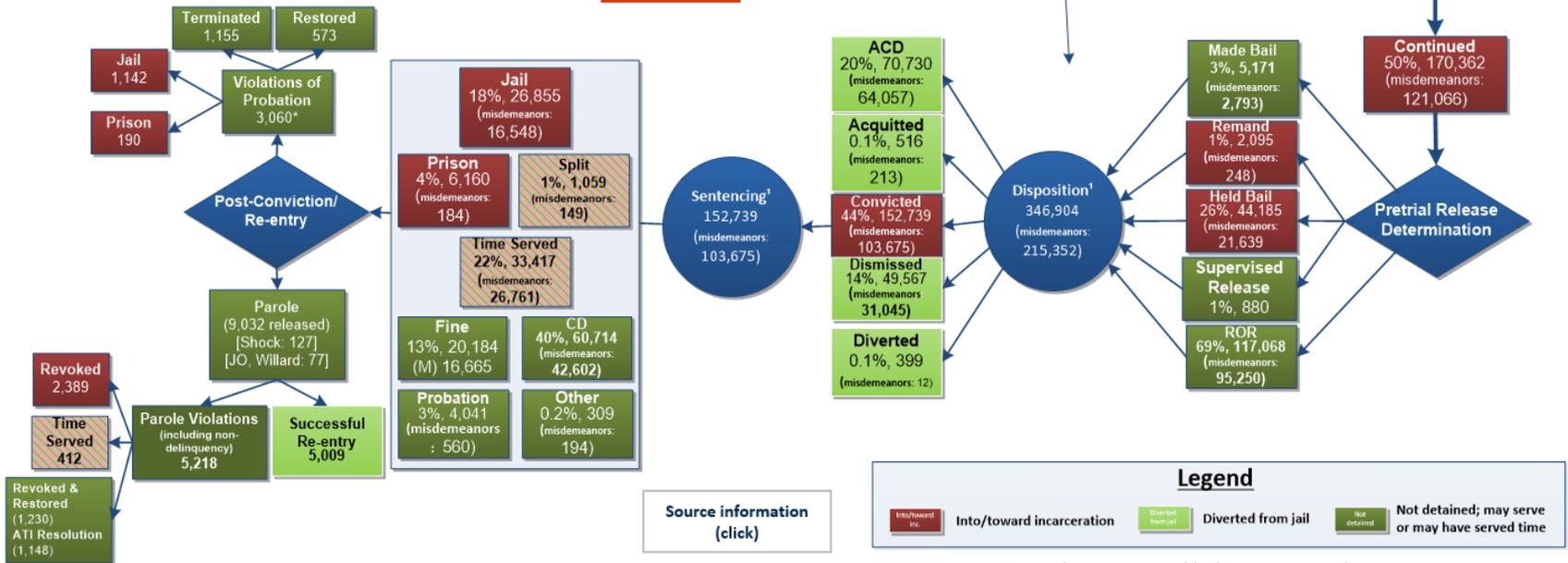
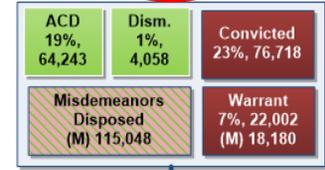


# New York City System Map (2014)



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[Queens](#)  
[Staten Island](#)  
[Bronx](#)



Source information (click)

**Legend**

Into/toward incarceration	Diverted from jail	Not detained	Not detained; may serve or may have served time
---------------------------	--------------------	--------------	---

Note: Some variations due to incompatible data sources or other inaccuracies may exist.

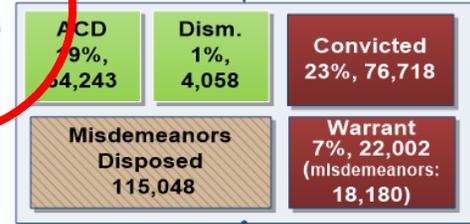
# Decision Point: ARRAIGNMENT

(click here to return to system map)

click any borough  
for detailed data



click here for  
more info



A significant number of misdemeanor cases are disposed of at arraignment; some judges noted that it is clear that certain cases are headed for dismissal. The use of release on recognizance (ROR) is a New York City hallmark: 93% of ROR defendants appear voluntarily within 30 days and 17% warrant rate.

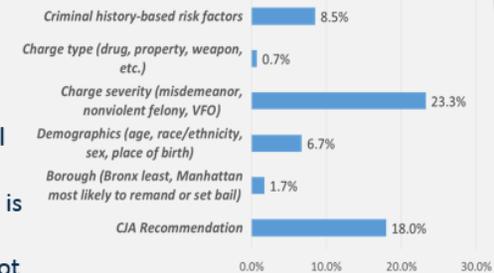
Bail: the DA's bail request is reported to be the single greatest driver of bail set in New York City. The arraignment process, which typically commences with determination of possible disposition followed by a prosecutor's bail application, may enhance this. Citywide, substantial numbers of people do not make bail and remain detained after arraignment (either until an early release governed by New York Criminal Procedure Law §§ 170.70 or 180.80 (legal insufficiency) or until disposition).

The New York bail statute allows for cash and insurance company bond, as well as unsecured and partially secured personal or third-party surety, and credit card bail in some cases. These are rarely used by judges. In the Bronx, defense attorneys report training on alternative bail for courts and counsel in the last five years without discernible impact. Citywide, moving away from monetary bail has commenced with increased use of risk assessment and supervised release, which is rolling out citywide in 2016 after successful pilots in Manhattan and Queens.

Timing: In New York City, arraignment must occur within 24 hours of arrest according to law. In some boroughs, this occurs despite significant challenges: despite lower volume in Staten Island, the lack of a dedicated arraignment part, night shifts, a high conflict-of-interest rate, + housing challenges pre-arraignment is addressed by sector-wide "morning meetings."

✓ **Current Decision-Making:** Release decisions are most of all driven by charge severity, not risk level as determined through empirical analysis. The CJA recommendation is associated with decisions but is not the main driver.

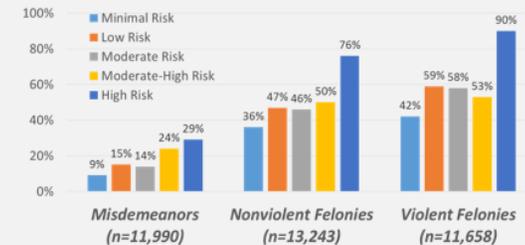
**Drivers of Setting Bail or Remand:**  
Additional Variance Explained After Adding Each Type of Factor (Bottom to Top) (Total = 44.9%)



### Additional Data Analytics

Public Safety Risk of Defendants with Bail Set or Remand	Misdemeanors (n=11,990)		Felonies (n=24,901)	
	Risk of Re-Arrest	Risk of VFO Re-Arrest	Risk of Re-Arrest	Risk of VFO Re-Arrest
Minimal	11%	40%	9%	20%
Low	28%	36%	23%	31%
Moderate	27%	15%	26%	27%
Moderate-High	19%	7%	30%	13%
High	16%	3%	13%	10%
	100%	100%	100%	100%

**Percent with Bail Set or Remand by Arraignment Charge and Risk of VFO Re-Arrest**



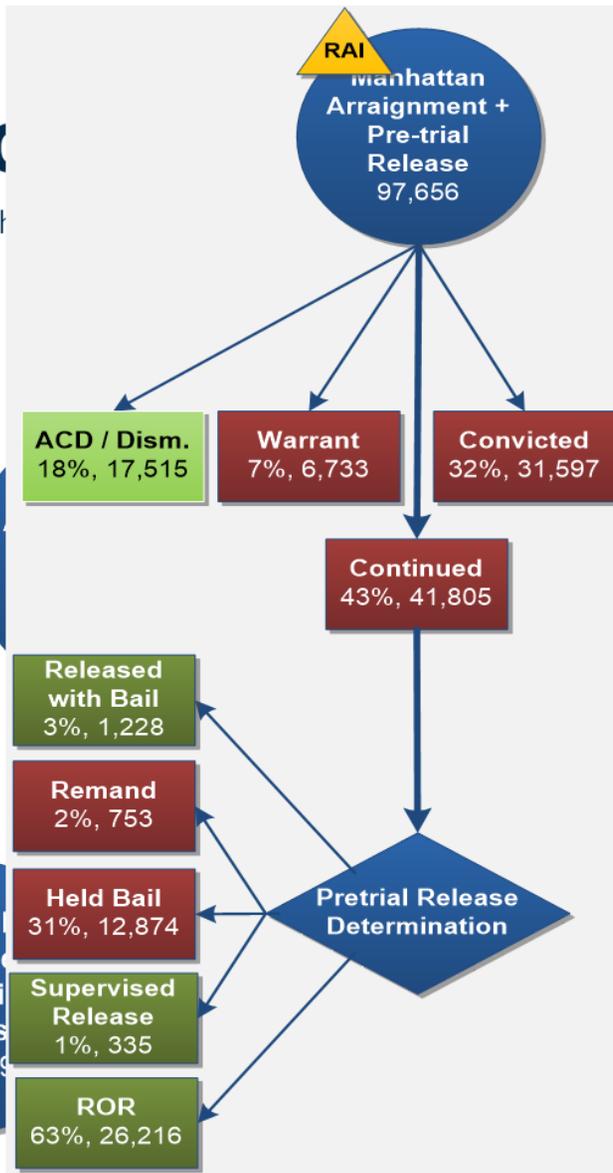
# Decision Point

(click to expand)

*click any borough for detailed data*

**Queens Arraignment + Pre-Trial Release**  
69,749

**Staten Island Arraignment + Pre-Trial Release**  
11,249

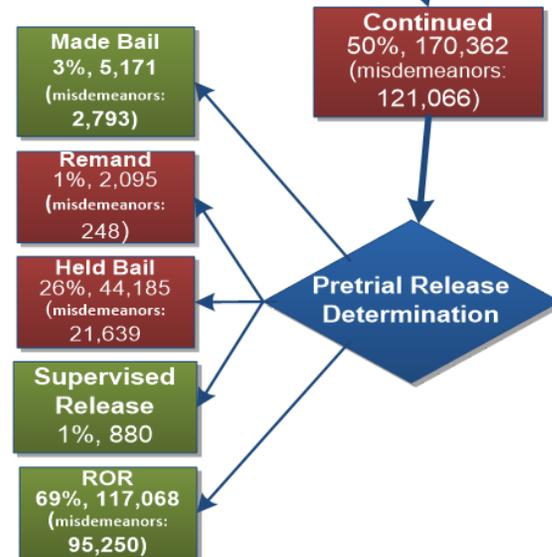


# MENT

*click here for more info*

**Arraignment**  
337,389  
(misdemeanors: 254,305)

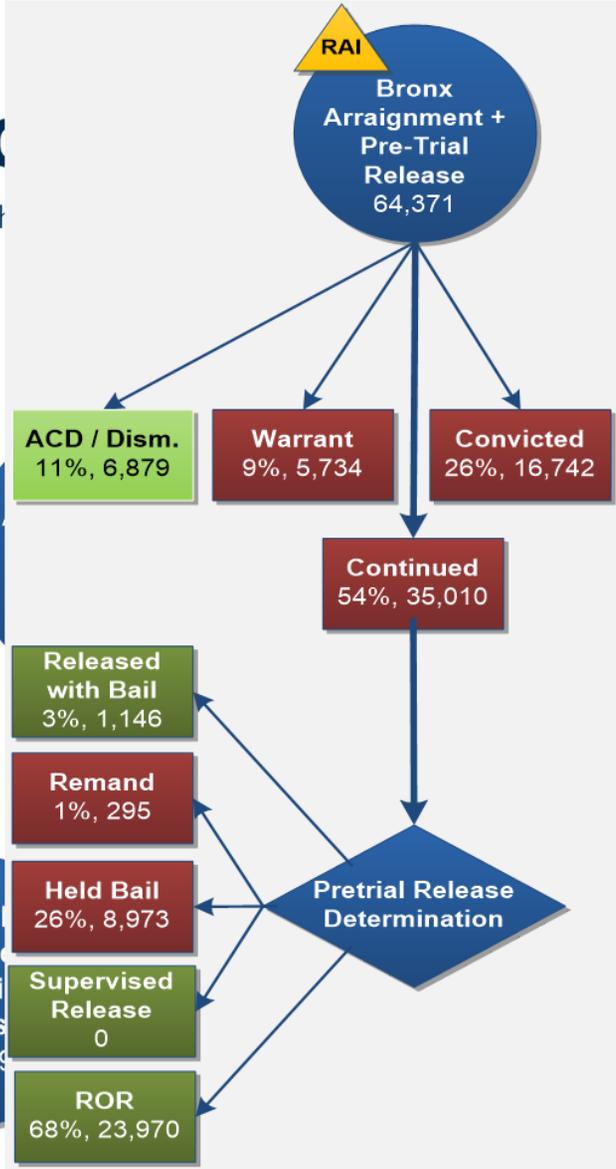
<b>ACD</b> 19%, 64,243	<b>Dism.</b> 1%, 4,058	<b>Convicted</b> 23%, 76,718
<b>Misdemeanors Disposed</b> 115,048		<b>Warrant</b> 7%, 22,002 (misdemeanors: 18,180)



# Decision Point

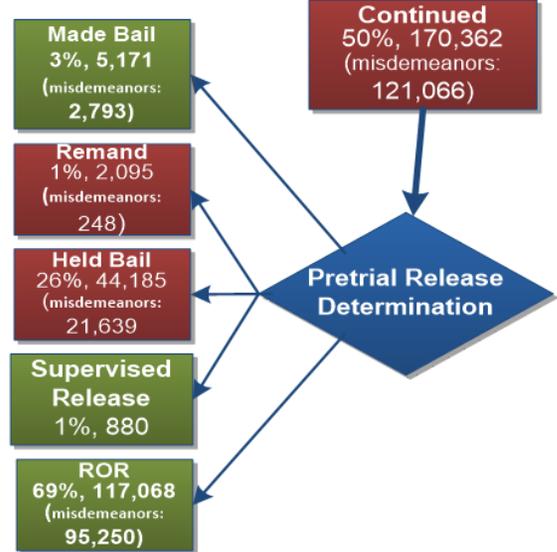
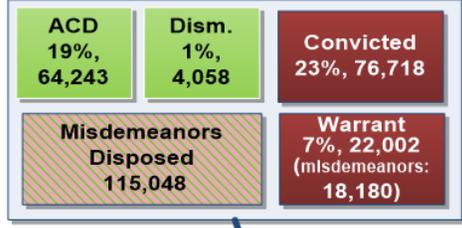
(click here)

*click any borough for detailed data*



# MENT

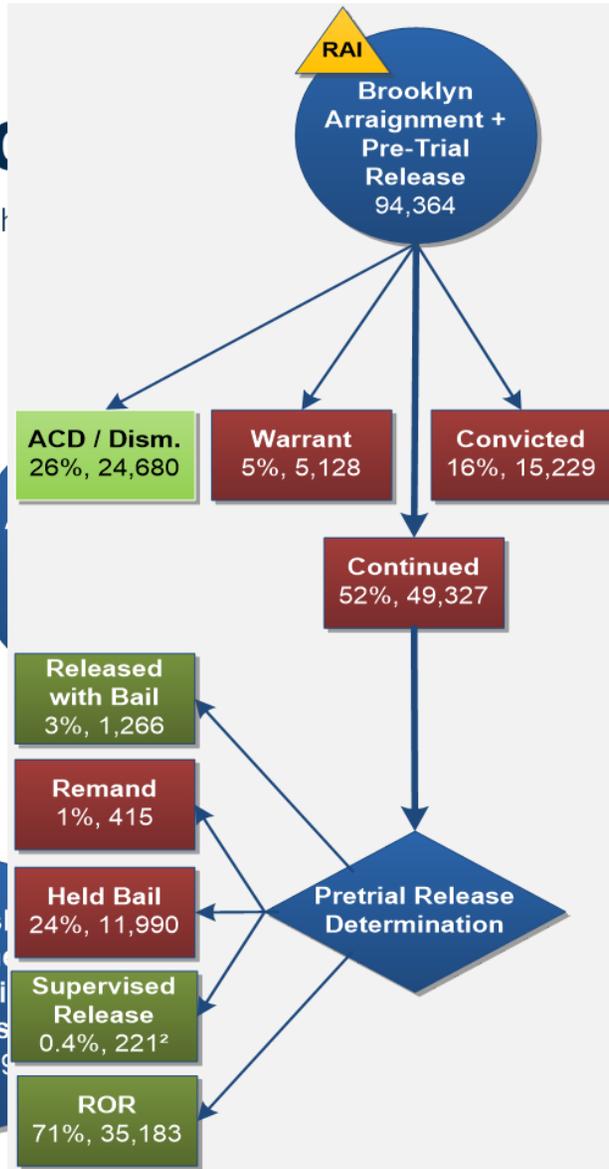
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# Decision Point

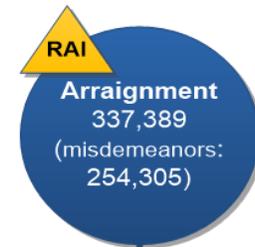
(click here for more info)

*click any borough for detailed data*

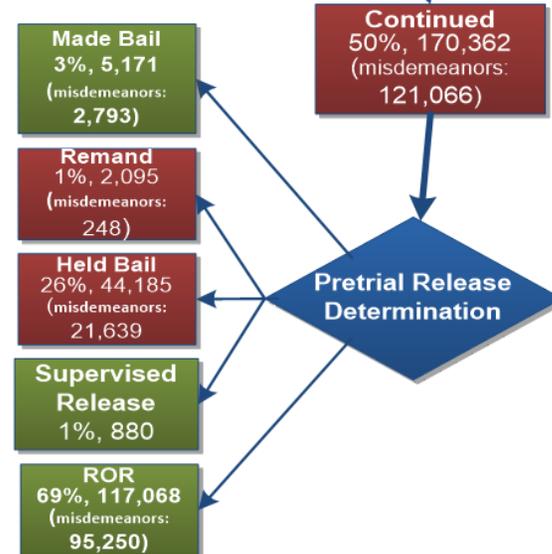


# MENT

*click here for more info*



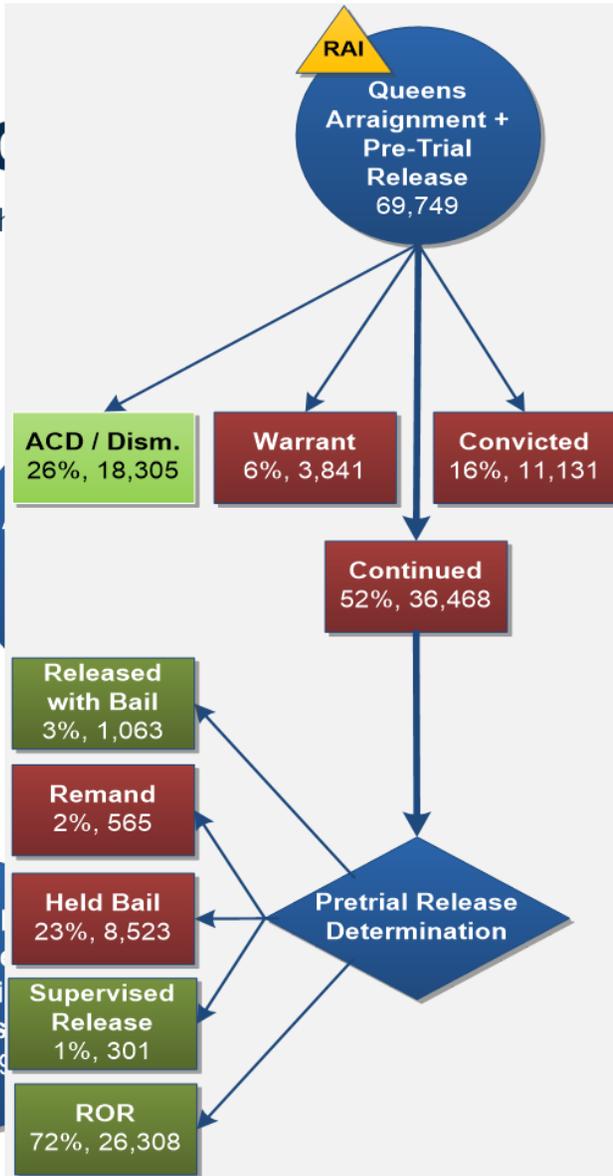
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# Decision Point

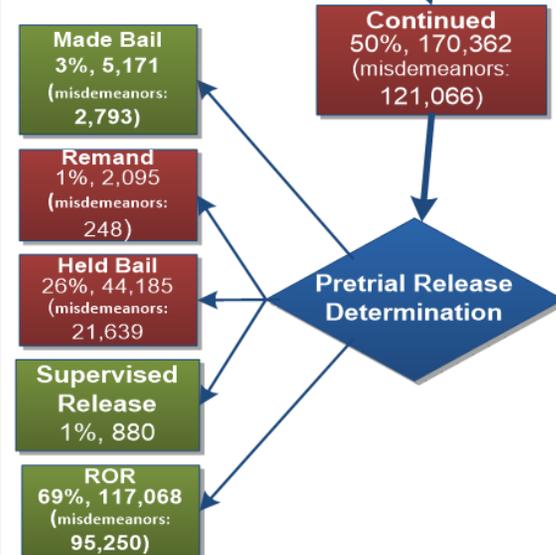
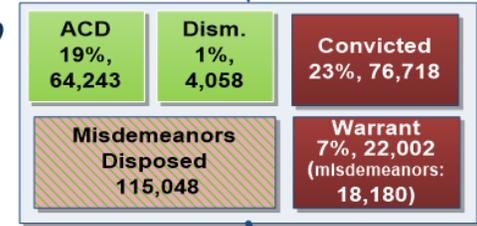
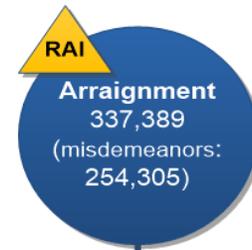
(click here for more info)

*click any borough for detailed data*



# MENT

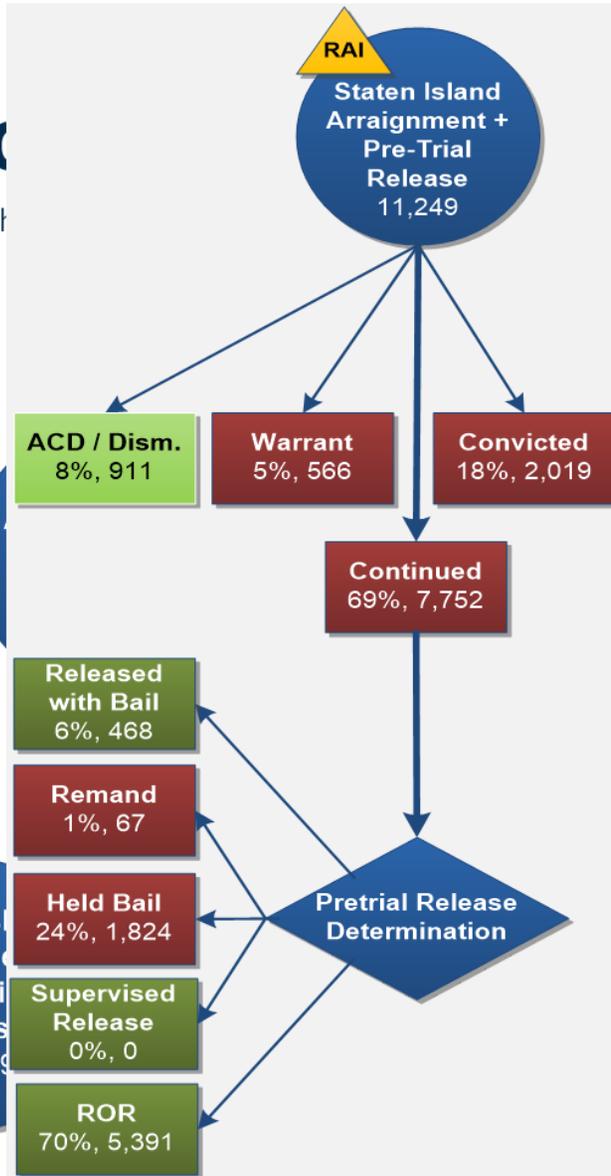
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# Decision Point

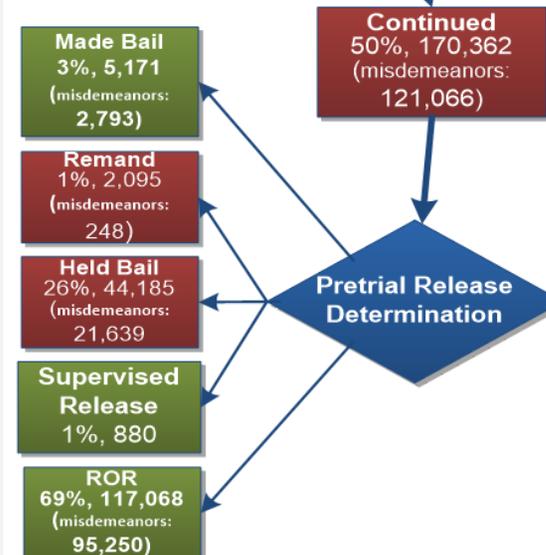
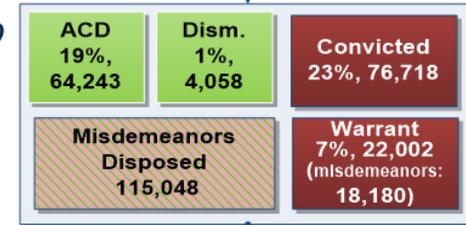
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*click any borough for detailed data*

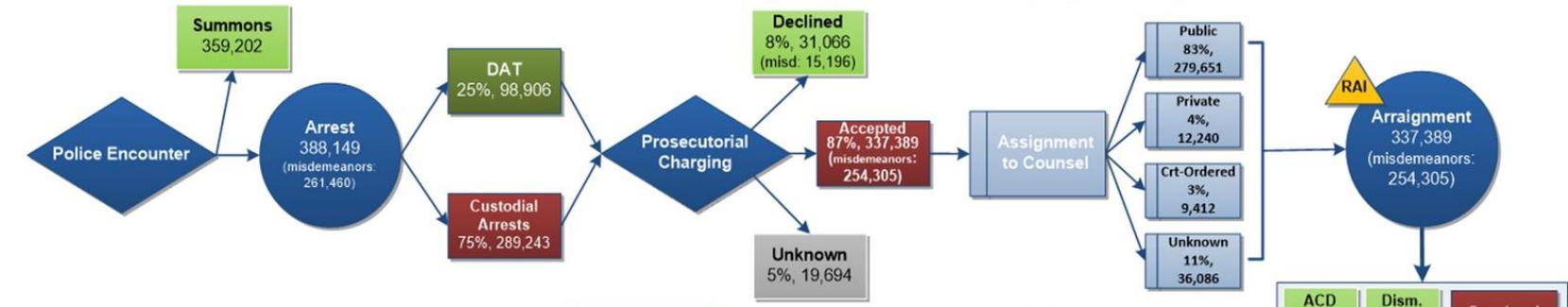


# MENT

*click here for more info*

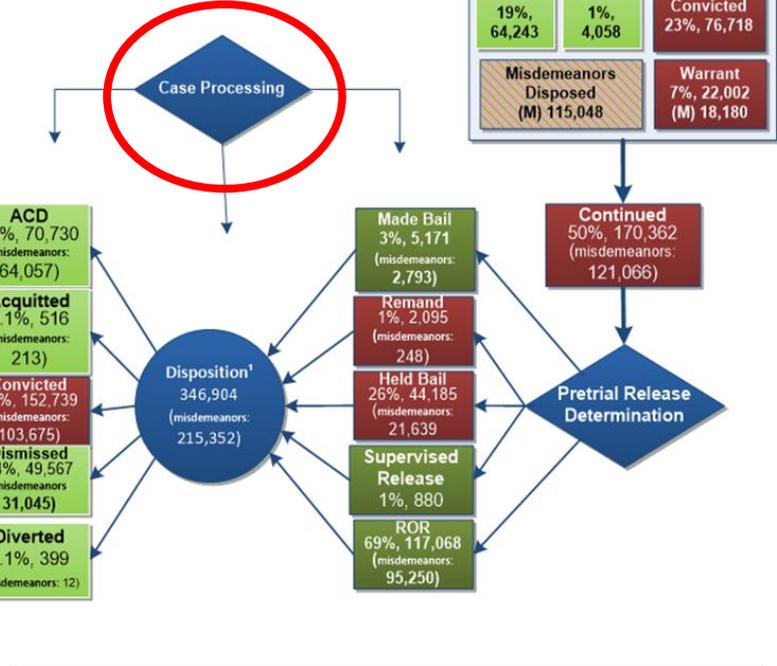
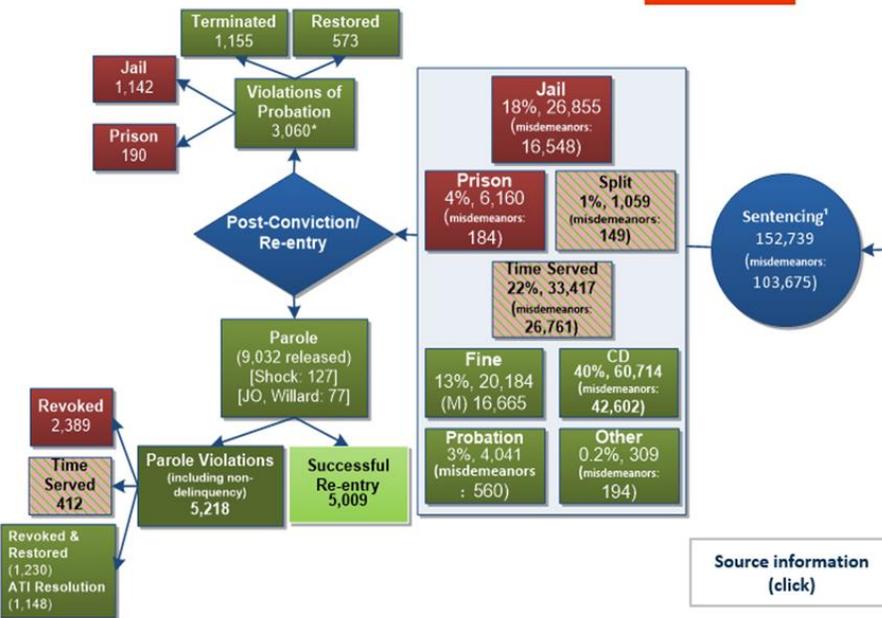


# New York City System Map (2014)



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[Brooklyn](#)  
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Source information (click)

**Legend**

- Info/Arrest Inc. Info/Arrest Inc.
- Diverted from jail Diverted from jail
- Not detained Not detained; may serve or may have served time

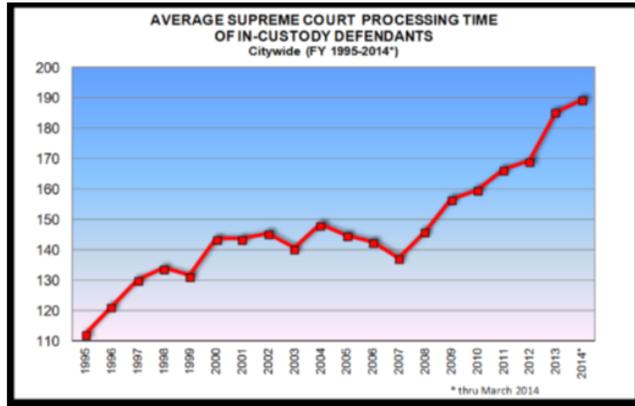
Note: Some variations due to incompatible data sources or other inaccuracies may exist.

← Previous Slide

Next Slide →

# Decision Point: CASE PROCESSING

(click here to return to system map)



- Case processing delays contribute to a backlog in court, prolonged incarceration, and an increase in the jail population. New York law recommends that cases become trial-ready within six months (roughly 180 days); currently, the average case processing time in New York City is 320 days.
- The frequency and length of time between adjournments also increases case processing times. From 2000 - 2014, NYC saw a 61% increase in cases pending beyond 180 days (from 4246 to 6828). In 2014, Manhattan and the Bronx accounted for 65% of cases delayed beyond six months.
- The increase in length of stay for detainees since 1995 was sharpest in the Bronx (up 108%) and smallest in Staten Island (down 10%). There has been a 31% increase in the Rikers population due to increased case processing time in Supreme Court Since 1995.

Mayor's Case Processing Project Interim Outcomes

Case Processing for Felony Cases

Case Processing Analytics

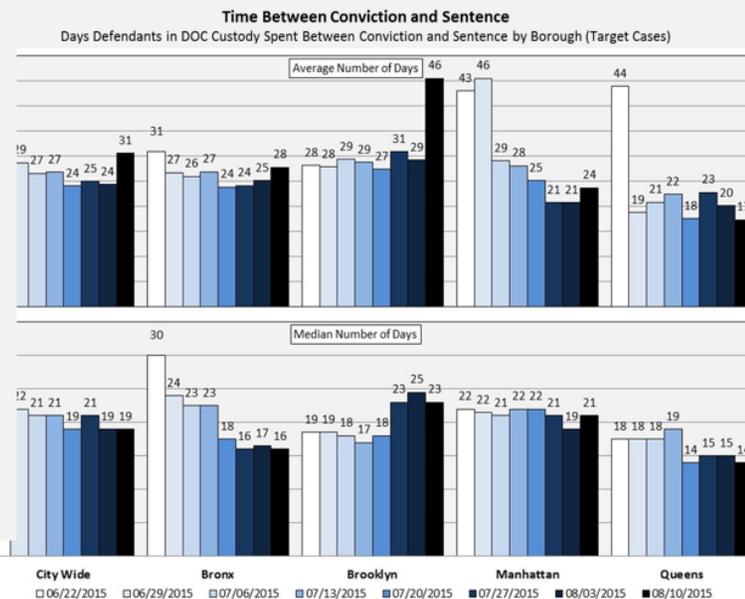
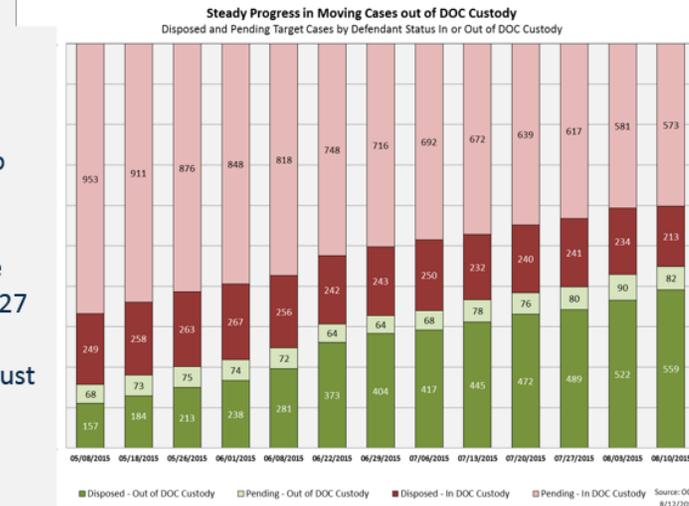
## Mayor's Case Processing Project Interim Outcomes

**Problem-Solving Courts:** Special court parts seek to be responsive to particular needs of the individual, including Drug Treatment Court, Veterans Court, Youth Court, Mental Health Court

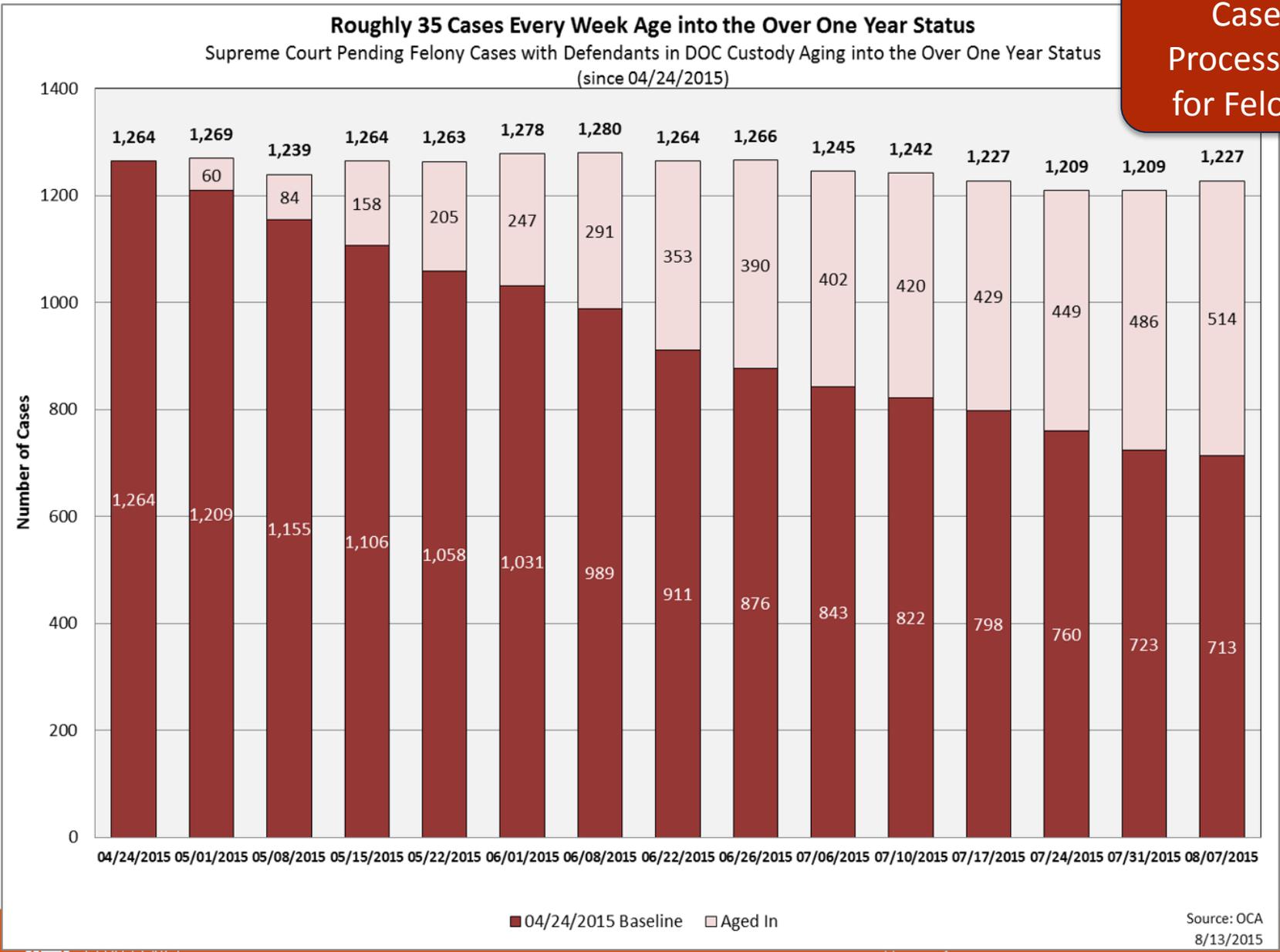
**Case Processing Project:** New York City is 4 months into an intensive case processing review involving enhanced focus on a backlog of 1427 cases as well as investigation of systemic issues driving inefficiency, delay, or other factors contrary to the interests of justice. As of August 2014, NYC successfully reduced 50% of the backlogged cases with a concomitant reduction in local jail population.

**Open File Discovery** remains controversial in New York City. Brooklyn is the only borough that has open file discovery as a standard practice. Brooklyn prosecutors report some discovery delays due to discovery not yet produced by the police officers and withhold some sensitive discovery until late in the case on policy grounds. All other boroughs lack OFD. Defense attorneys report it would show great compliance with the interests of justice, aid in speeding case processing, and promote faster dispositions where appropriate. Prosecutors have responded that pilot OFD projects don't demonstrate faster processing times or reduced motion practice.

**Expert + Forensic Discovery** is also a significant driver of case processing delay, particularly cases involving the use of DNA.

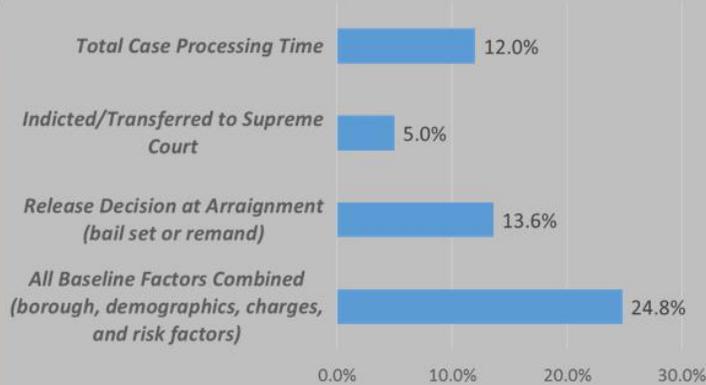


Case Processing for Felony



# Case Processing Analytics

## Drivers of Pretrial Length of Stay: Percent of Variance Explained After Adding Each Type of Factor (Bottom to Top) (Total = 55.4%)



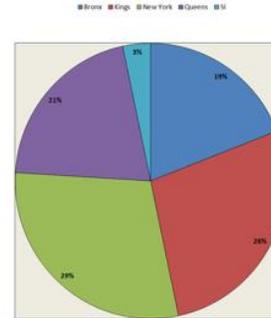
## How Many Court Appearances Do Indicted Felonies Require?

Felony Category	Bronx	Brooklyn	Manhattan	Queens	Staten Island	Total
Total Appearances	10.9	11.7	10.8	16.9	10.7	12.3
Days between Appearances	44.4	31.3	26.3	26.1	18.5	31.7
Days between Appearances in Supreme Court	48.1	32.5	32.6	27.4	22.0	35.3

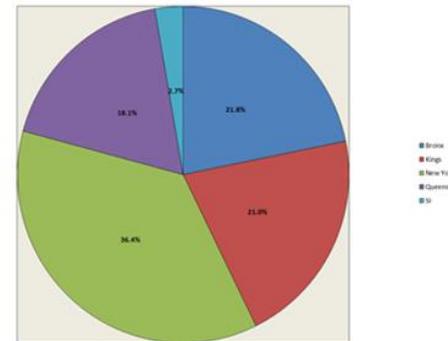
## Does Indictment Status Influence Months to Disposition for Felonies?

	Citywide	Bronx	Queens	Manh
Unindicted or SCI	4.3	4.7	4.1	4.2
Indicted Nonviolent Felony	8.1	11.5	8.9	6.7
Indicted Violent Felony (not homicide)	11.1	14.9	13.8	9.6
Homicide	20.0	23.2	25.1	17.3
All Felony	5.8	7.3	5.8	5.4

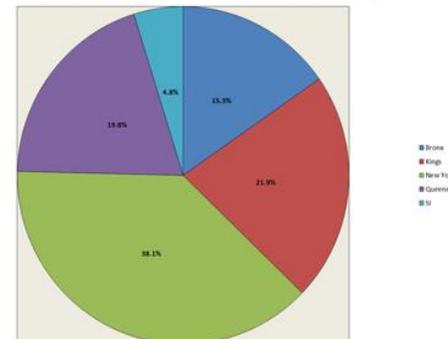
Arraignments by Borough, 2014



Borough of Case for DOC Detainees: December 2014 Snapshot

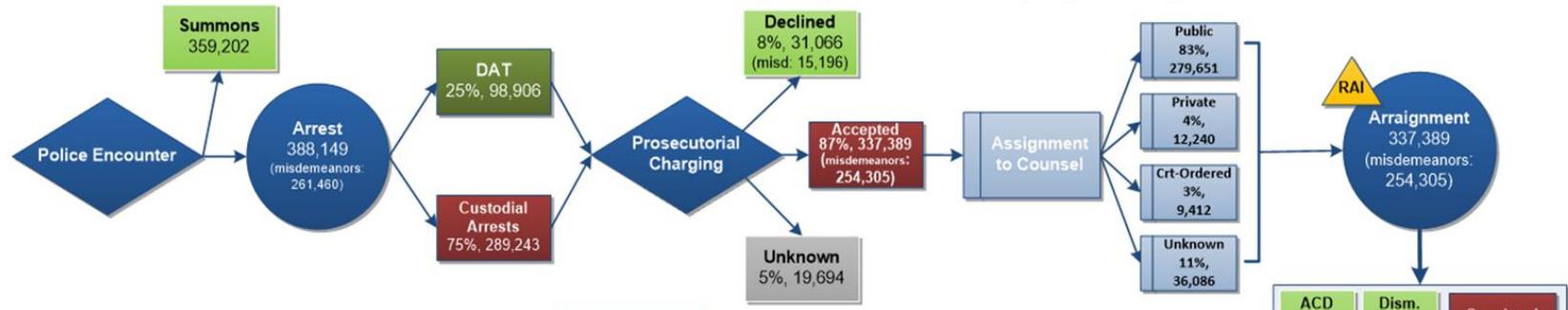


Borough of Case for City Sentenced Inmates: December 2014 Snapshot



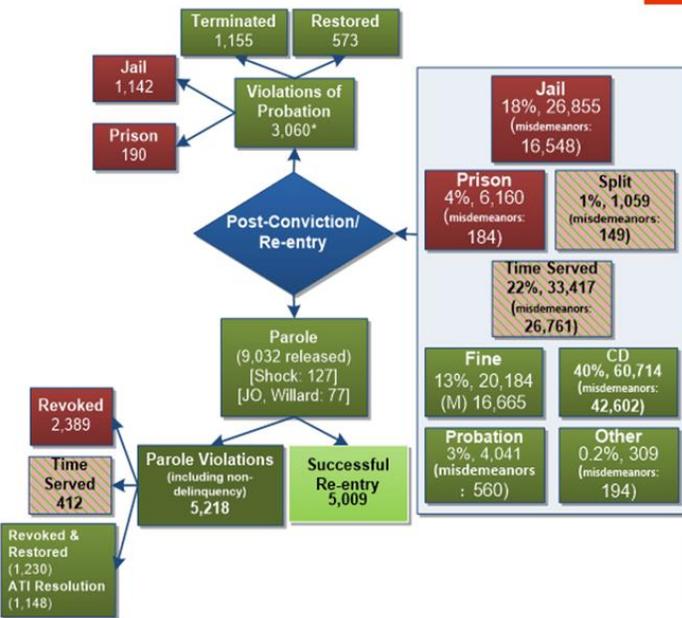
← Borough affects the likelihood of detention + jail sentence.

# New York City System Map (2014)

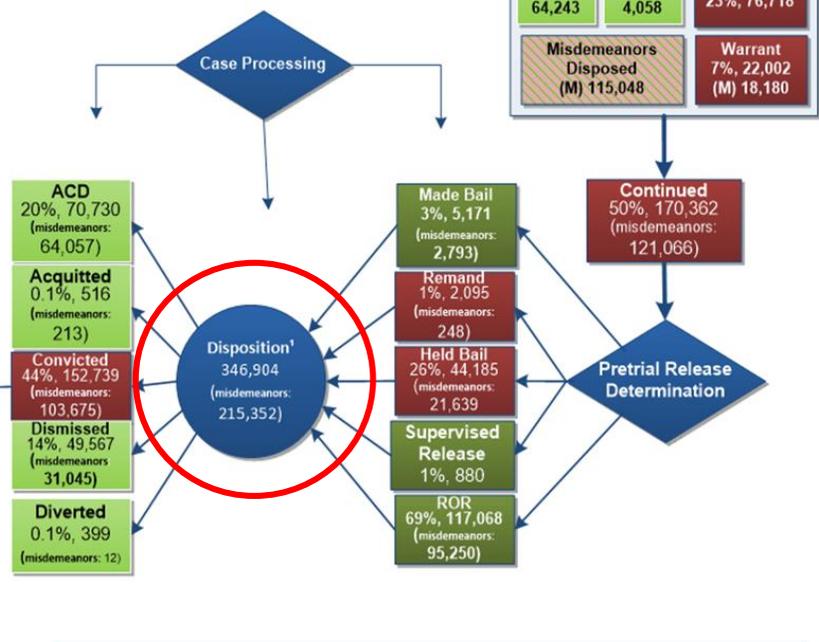


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Source information (click)



**Legend**

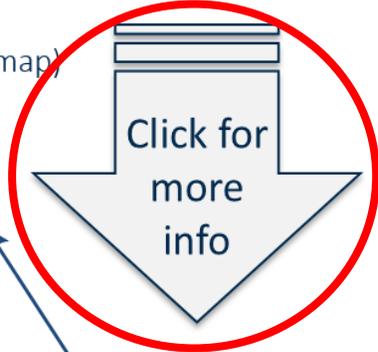
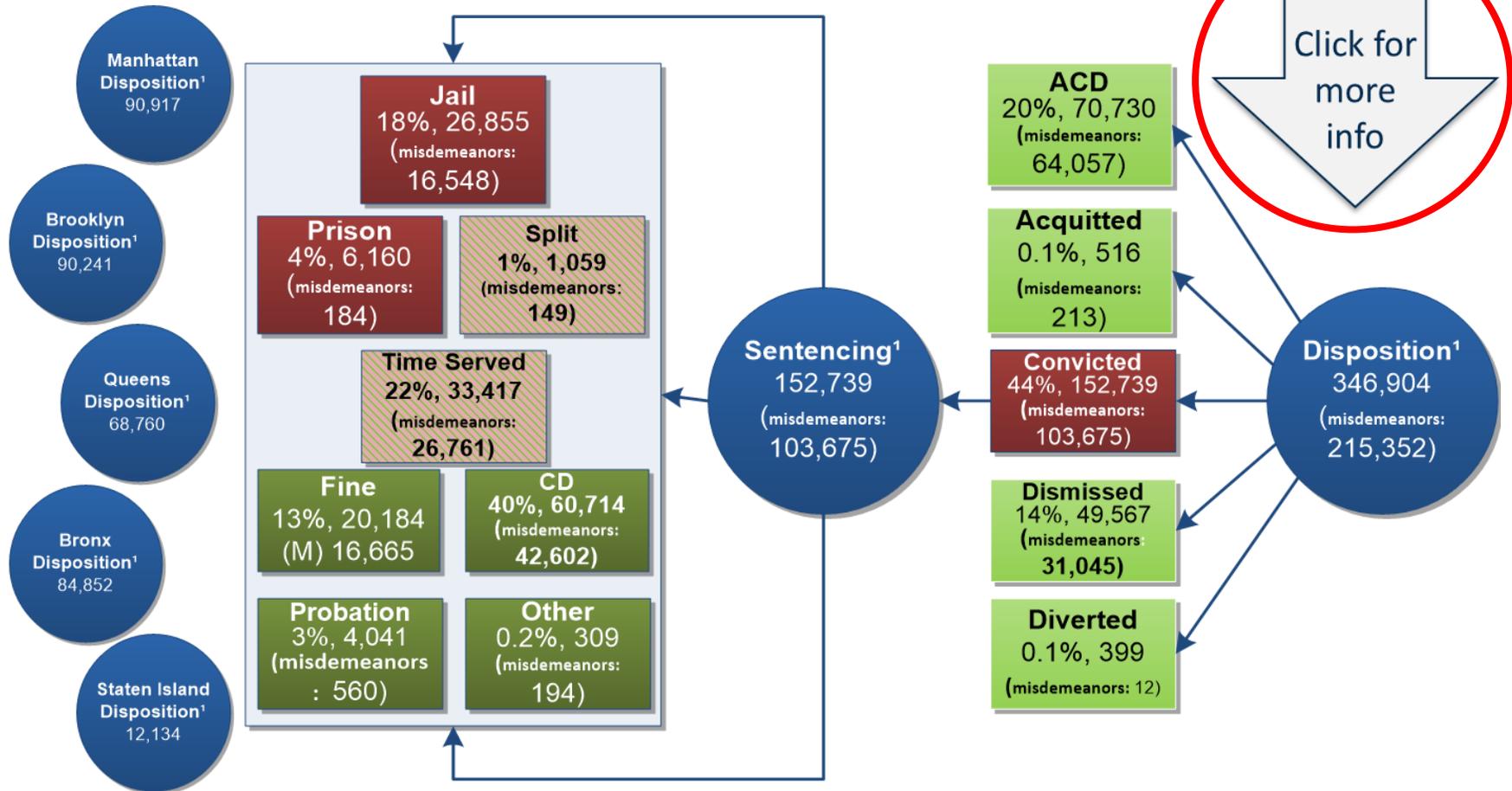
- Info/toward inc. Info/toward incarceration
- Diverted from jail Diverted from jail
- Not detained Not detained; may serve or may have served time

Note: Some variations due to incompatible data sources or other inaccuracies may exist.

# Decision Point: DISPOSITION + SENTENCE

Click on any borough for detailed data...

(click here to return to system map)



# Decision Point: DISPOSITION +

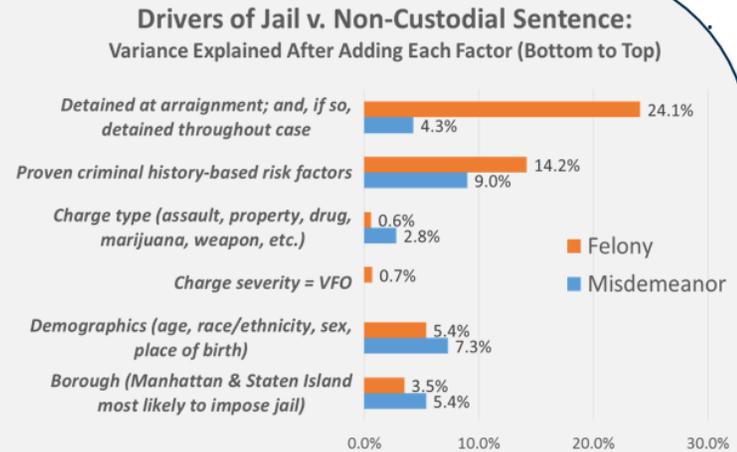
For cases that survive arraignment, many dispositions occur on the first court date after initial arraignment (the 180.80 or 170.70 day) or, with respect to felonies, prior to supreme court arraignment using a plea instrument called a Supreme Court Information (SCI) in criminal court before a judge with supreme court jurisdiction. Some boroughs, like Queens, have a heavy SCI practice as their best pleas come at the start of the case and there is a no-plea policy after indictment. Citywide, after indictment, delays in discovery can extend case processing times even for cases resulting in a plea. Pleas in New York typically involve a negotiated sentence.

**Plea Offers** are formulated by the assigned assistant district attorney, with review by a supervisor or bureau chief. In some boroughs, an ADA with authority to modify the offer is stationed in the part to promote efficiency. In Queens, cases proceed post-indictment until they are trial ready due to a no-plea policy.

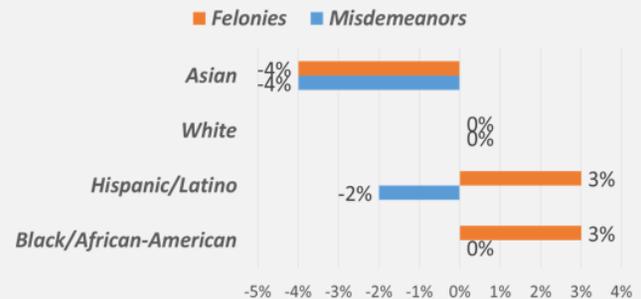
**Diversion** was adopted early in NYC and refining and enhancing appropriate diversion options remains a strong priority. In addition to privately funded programming, New York City spends \$14 million comprehensively funding 15 different programs involving approximately 11,000 intakes in 2014.

Citywide Dispo. & Sentences	Misdemeanors	Felonies
Criminal Conviction	26%	54%
YO Designation	0.2%	3%
Violation Conviction	27%	16%
ACD	32%	4%
Dismissal	16%	24%
Jail Sentence (if convicted)	15% (n = 19,474)	28% (9,142)
Ave. Jail Length (if jailed)	73.8 Days	
30 days or less	65% (n = 18,421)	
31-90 days	15% (n = 4,150)	
91-364 days	12% (n = 3,557)	
One (1) year	9% (n = 2,488)	

83% of 1-year sentence cases detained at arraignment; 44% detained through disposition.



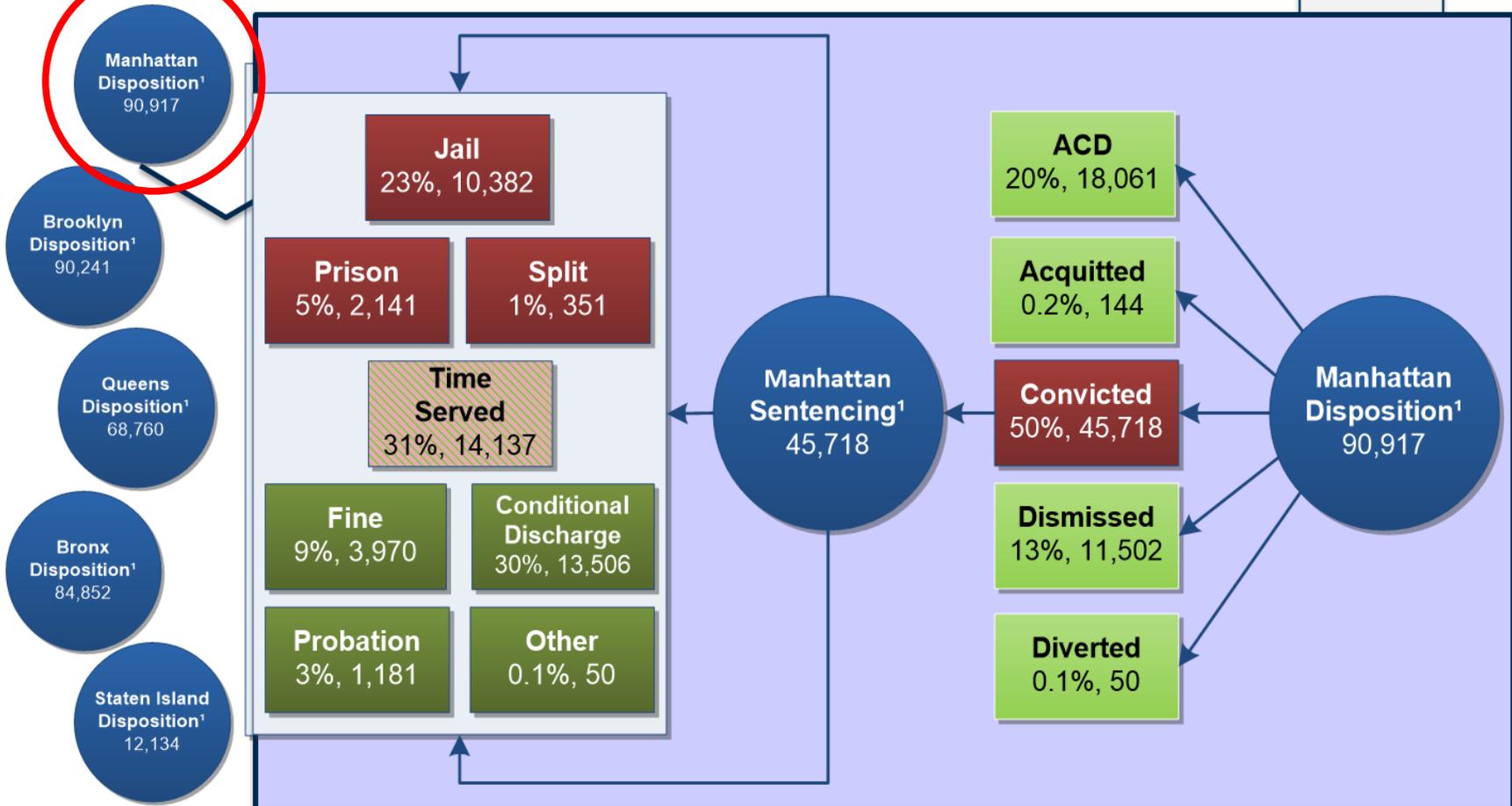
**Percentage Point Change in Likelihood of Jail v. Non-Custodial Sentence (Compared to White)**



# Decision Point: DISPOSITION + SENTENCE

Click on any borough for detailed data...

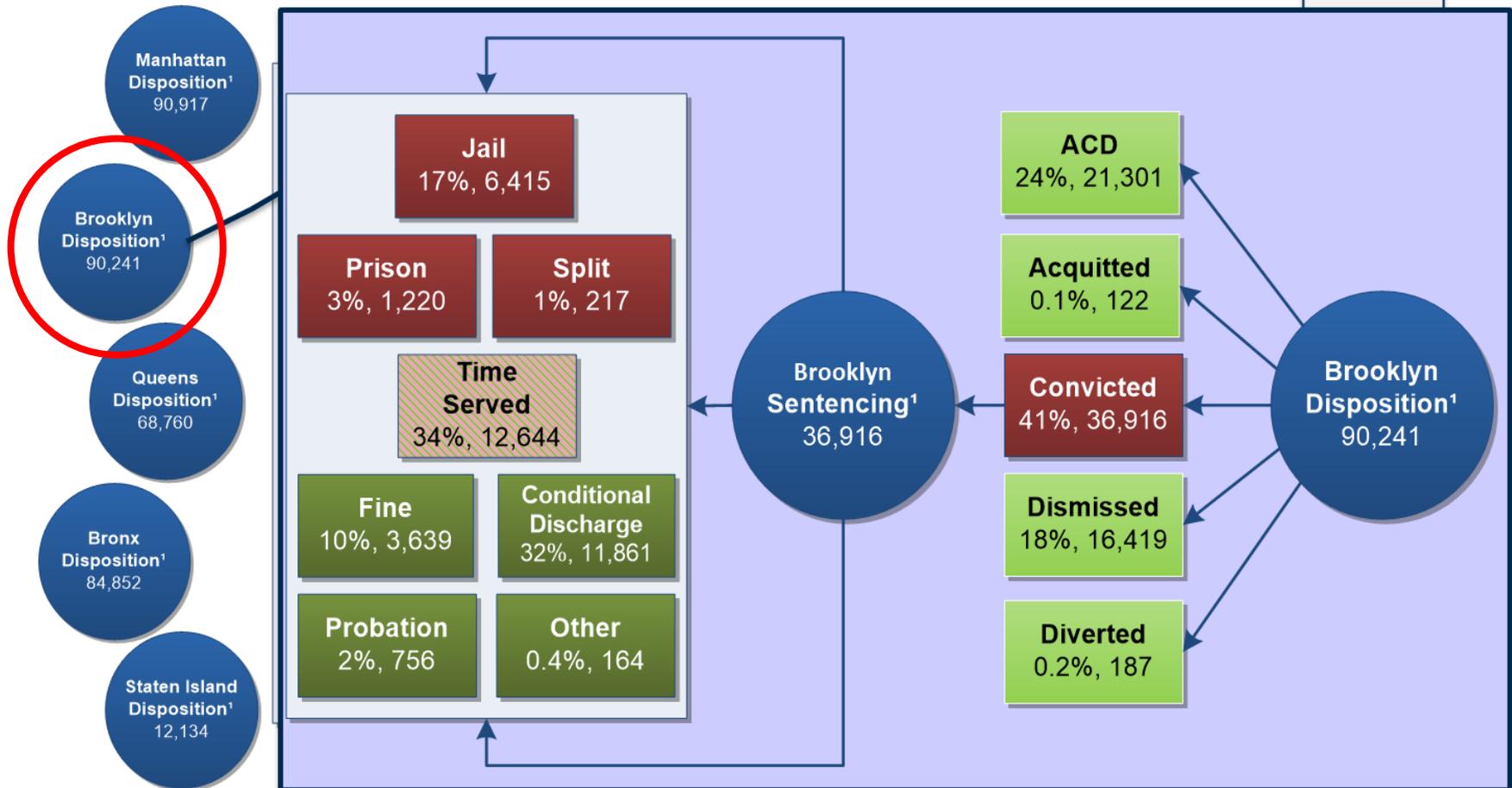
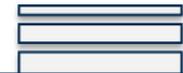
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# Decision Point: DISPOSITION + SENTENCE

Click on any borough for detailed data...

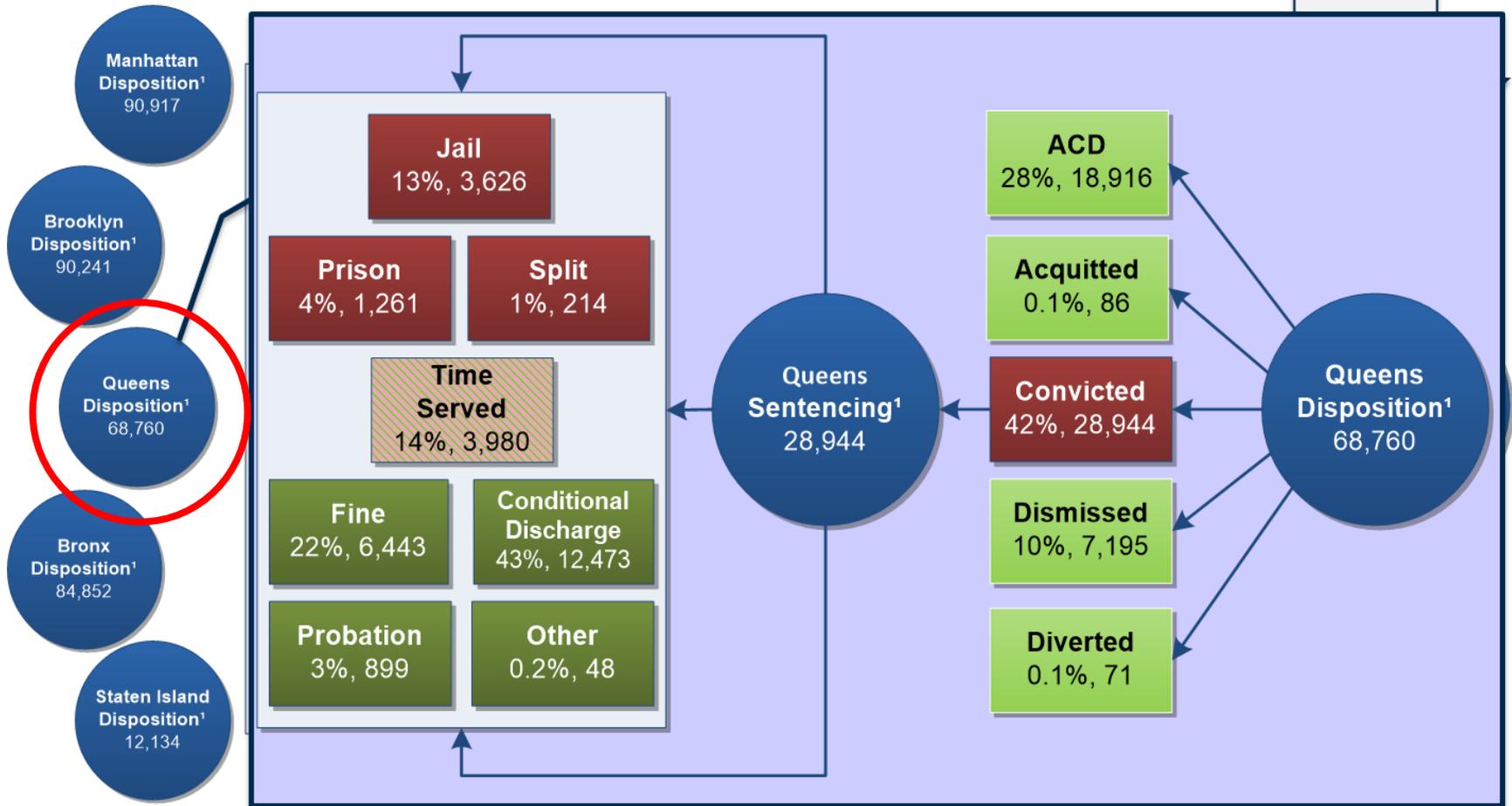
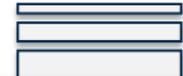
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# Decision Point: DISPOSITION + SENTENCE

Click on any borough for detailed data...

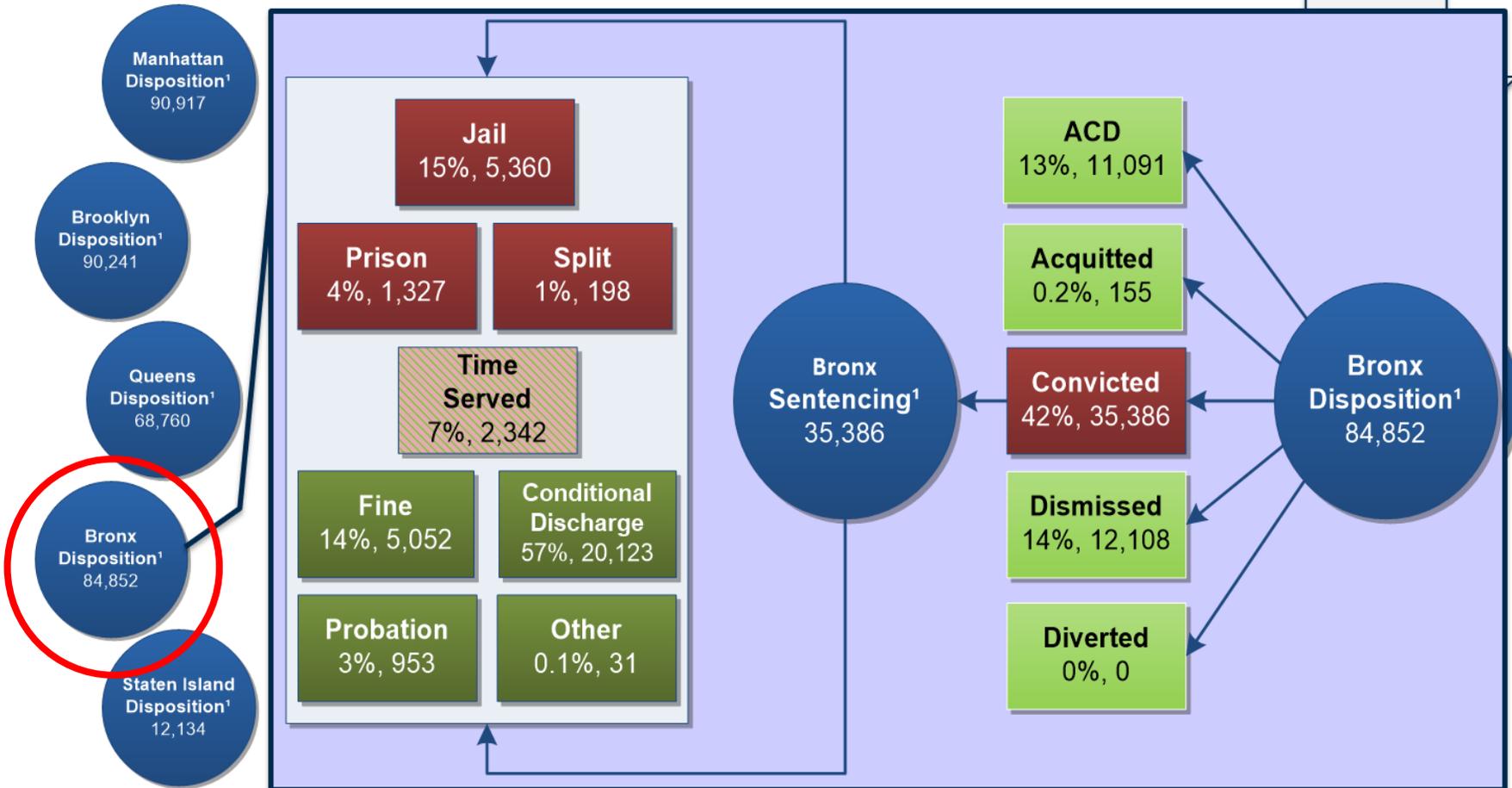
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# Decision Point: DISPOSITION + SENTENCE

Click on any borough for detailed data...

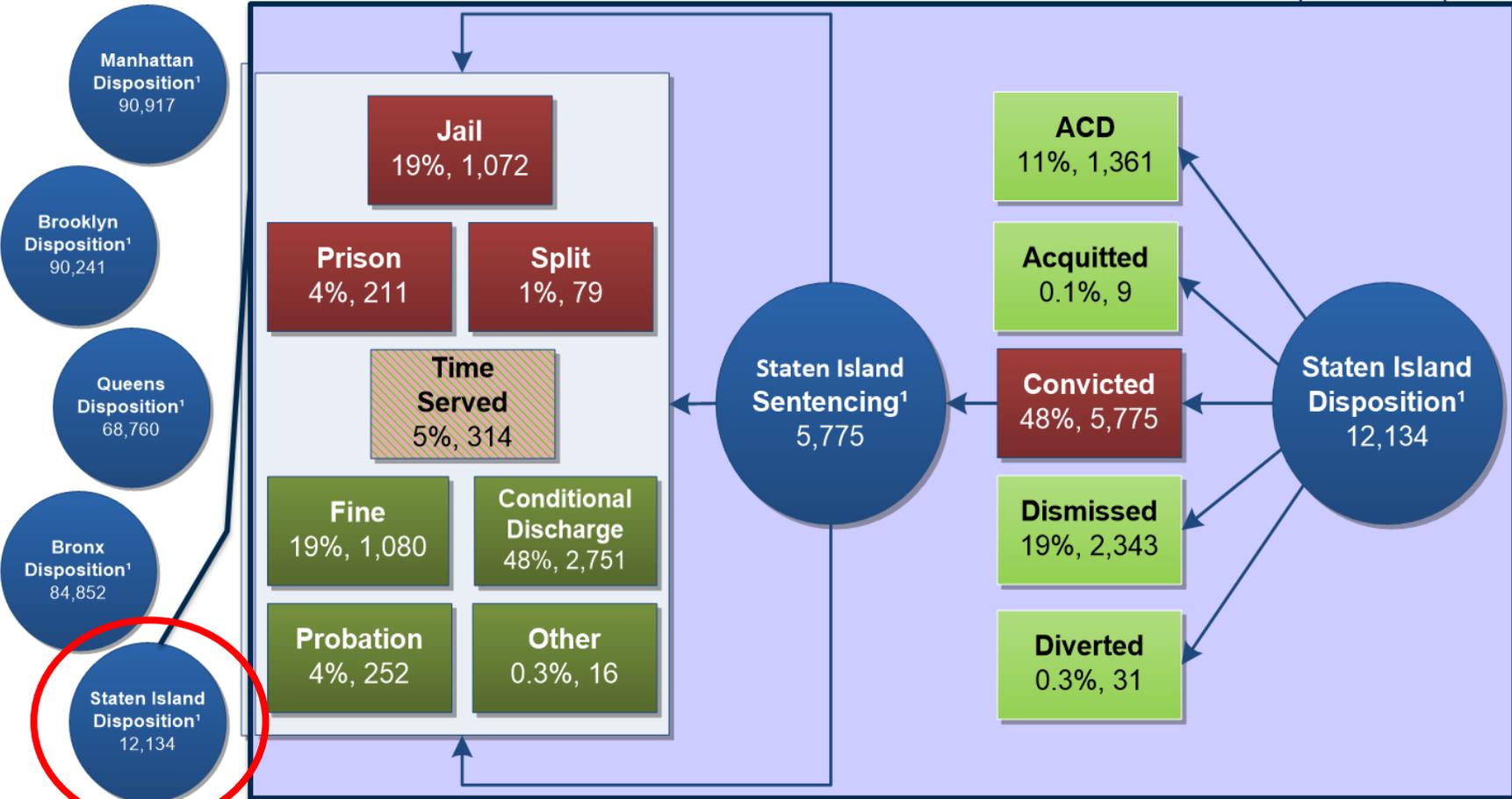
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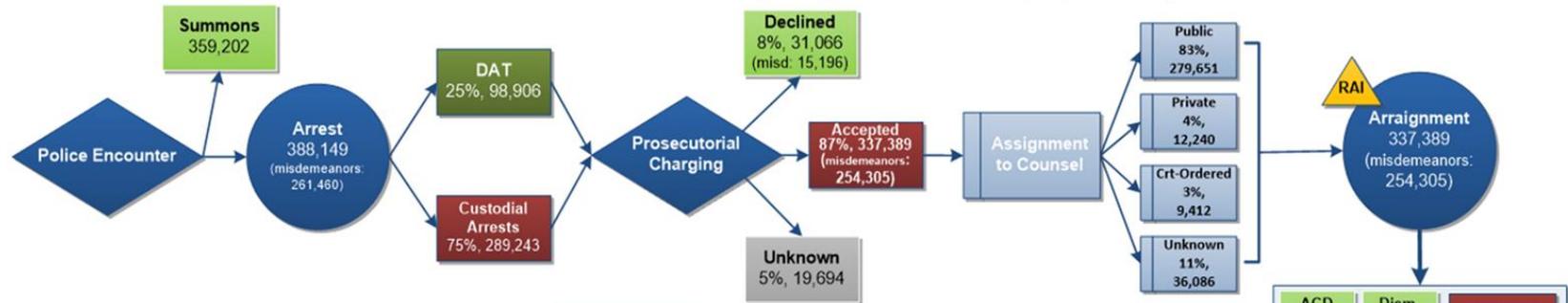
# Decision Point: DISPOSITION + SENTENCE

Click on any borough for detailed data...

(click here to return to system map)

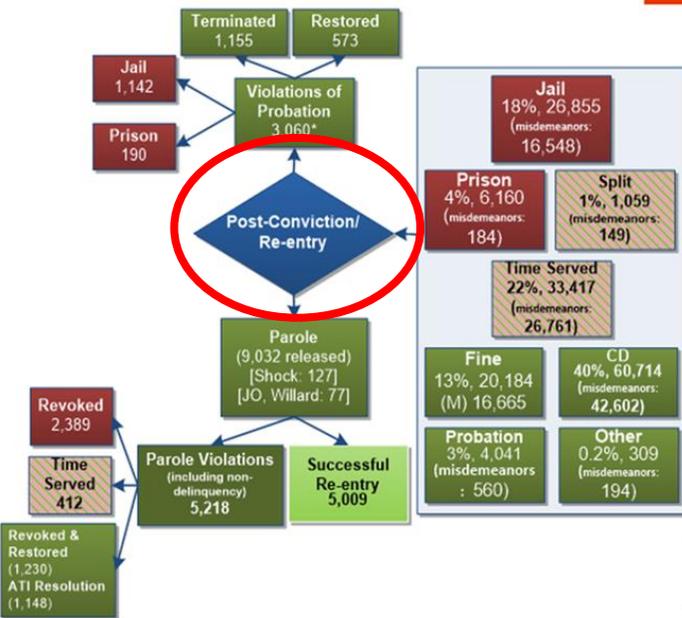


# New York City System Map (2014)

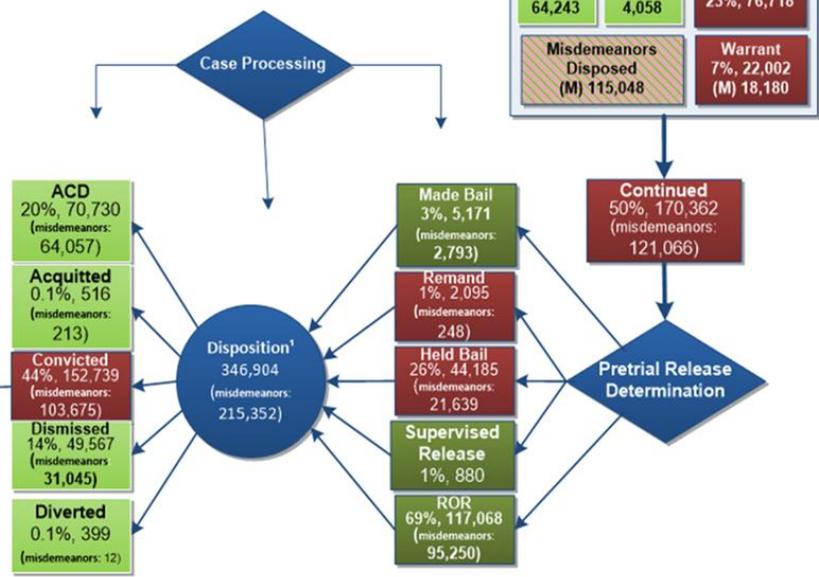


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[Bronx](#)



Source information (click)



**Legend**

- Info/forward inc. Info/toward incarceration
- Diverted from jail Diverted from jail
- Not detained Not detained; may serve or may have served time

Note: Some variations due to incompatible data sources or other inaccuracies may exist.

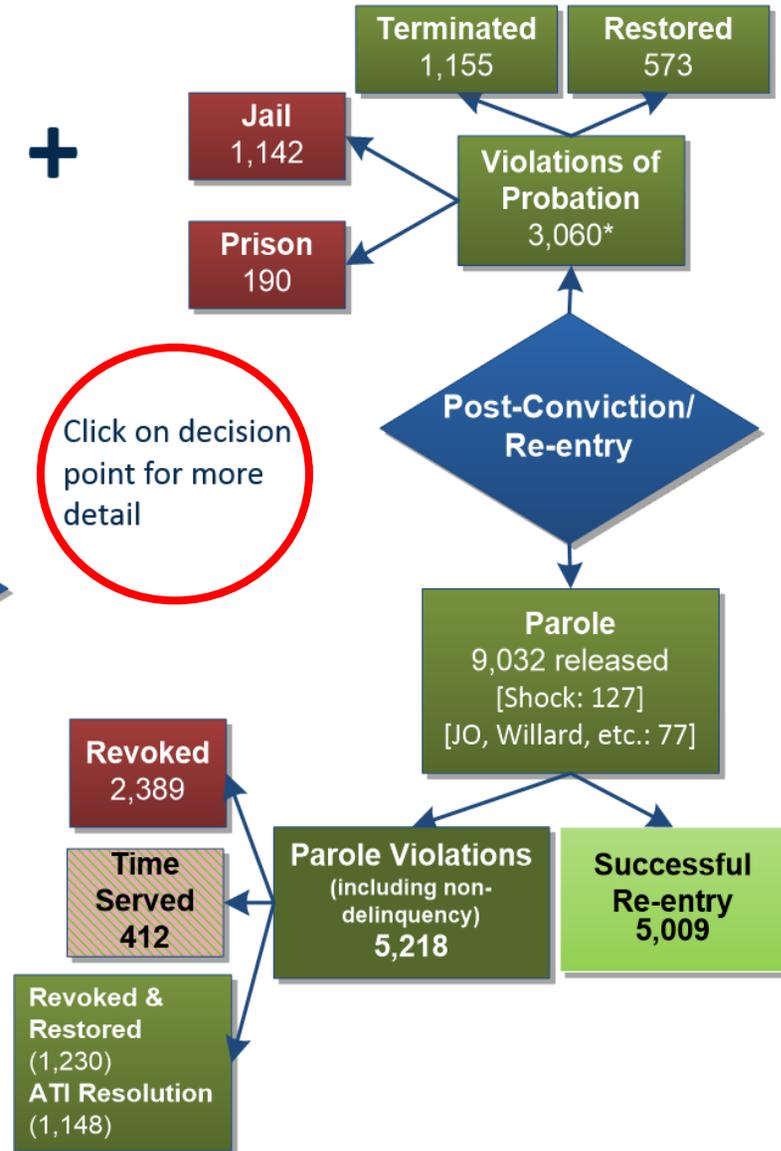
# Decision Point: POST-CONVICTION + RE-ENTRY

Click on any borough  
for detail

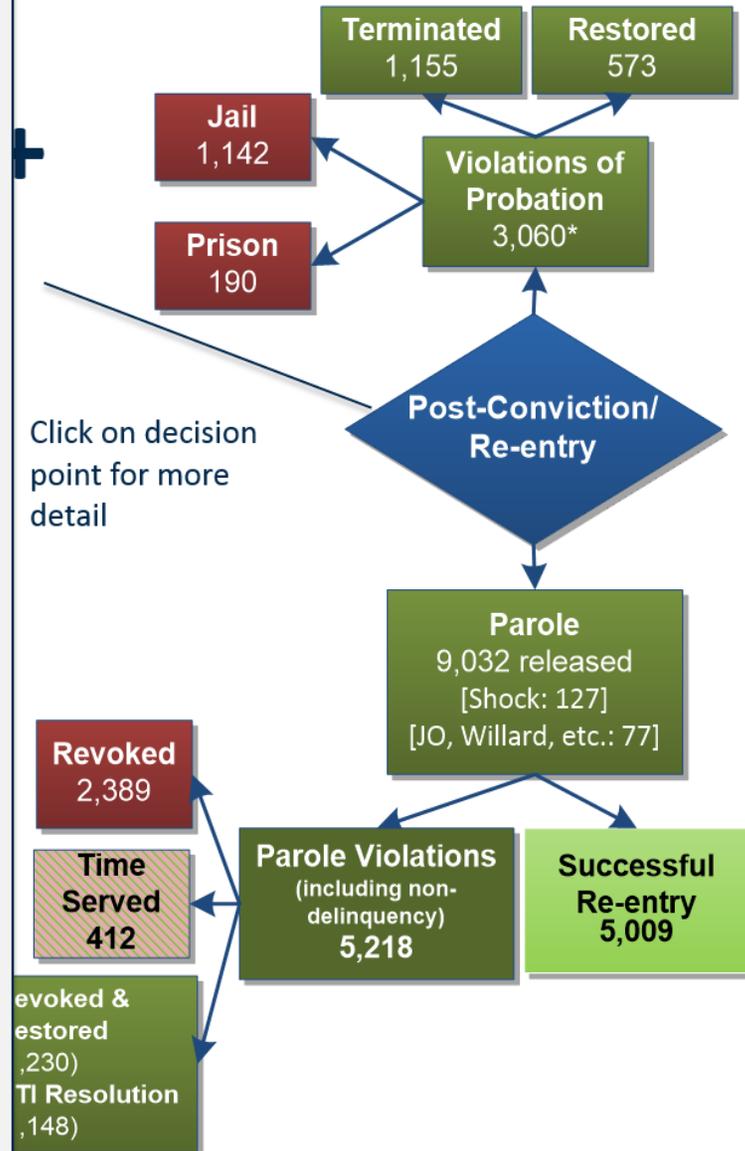


(click here to return to system map)

Click on decision  
point for more  
detail



- Diversion was adopted early in NYC and refining and enhancing appropriate diversion options remains a strong priority. In addition to privately funded programming, New York City spends \$14 million comprehensively funding 15 different ATI programs involving approximately 11,000 intakes in 2014.
- Probation, Parole, and many directed dispositions in New York City rely on alternatives to incarceration to address addiction, mental health, and other needs.
- Discharge planning is also mandated for all persons departing jail with mental health needs under a consent decree entered in the *Brad H.* litigation over a decade ago.
- Currently, NYC is undergoing a citywide project to map alternative to incarceration programming to better match people to appropriate programs, to identify gaps in services, and to better ensure fidelity to evidence-based models, an initiative called “Map the World.”



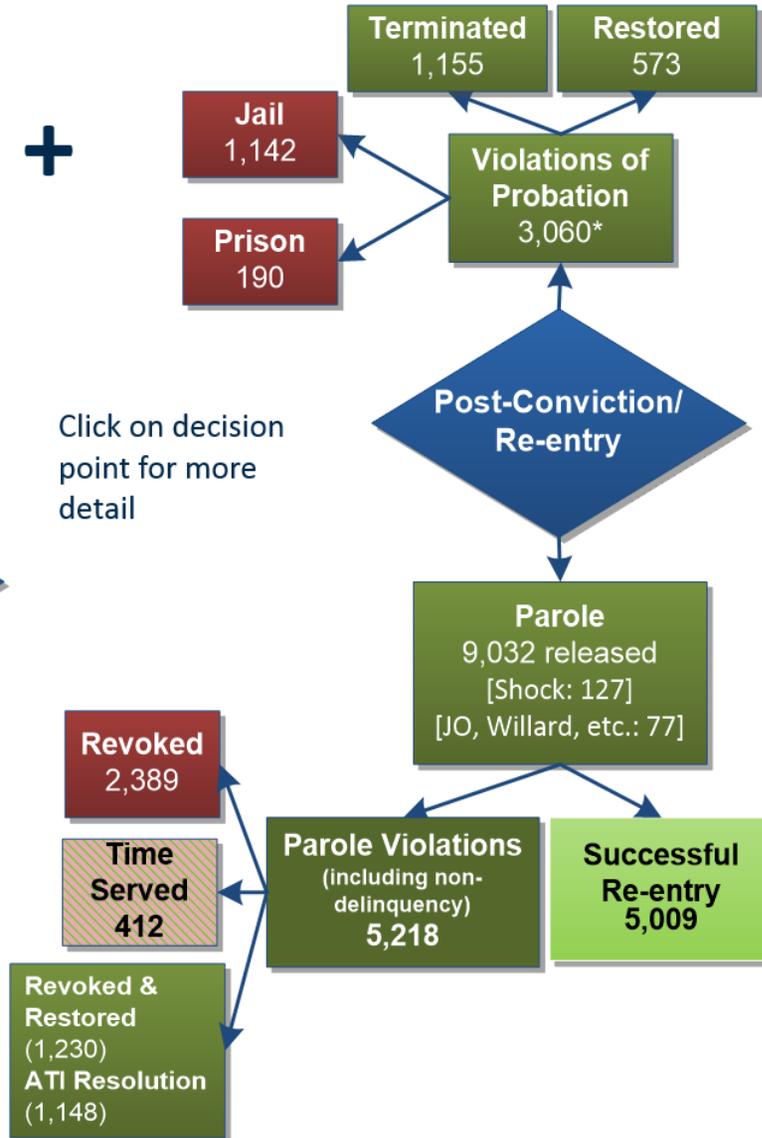
# Decision Point: POST-CONVICTION + RE-ENTRY

Click on any borough for detail

(click here to return to system map)

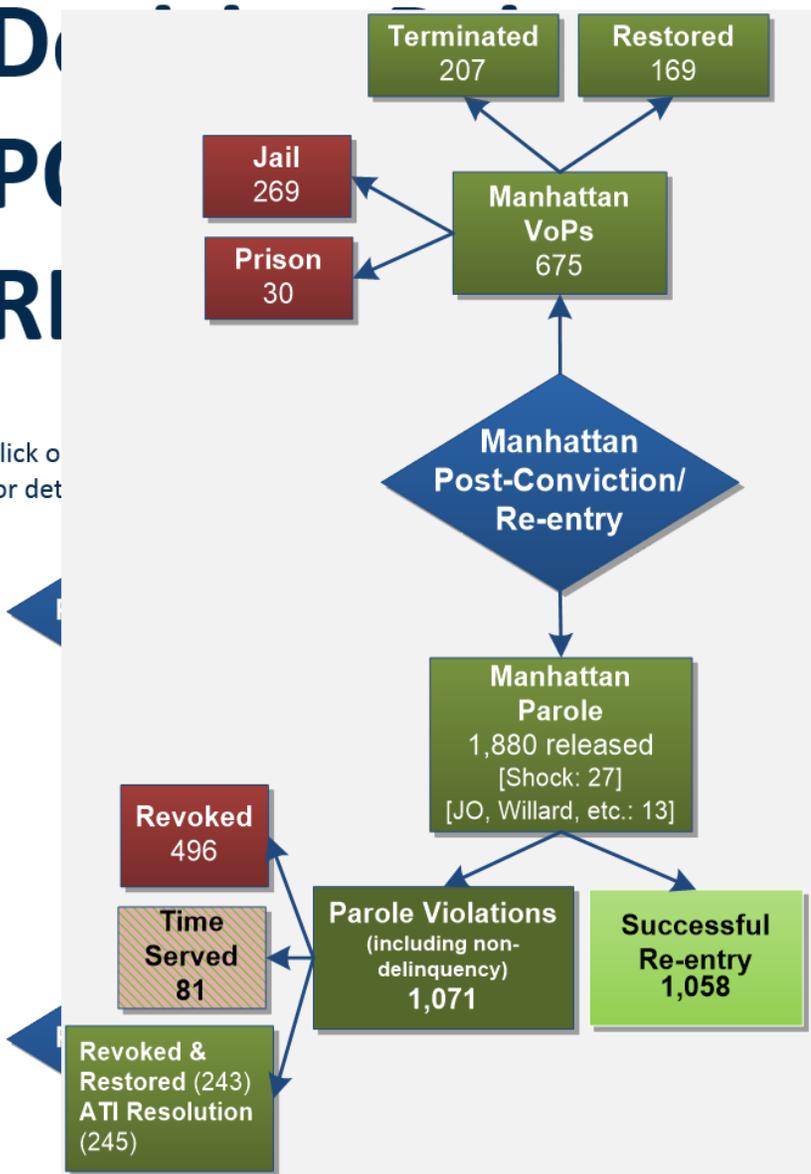


Click on decision point for more detail



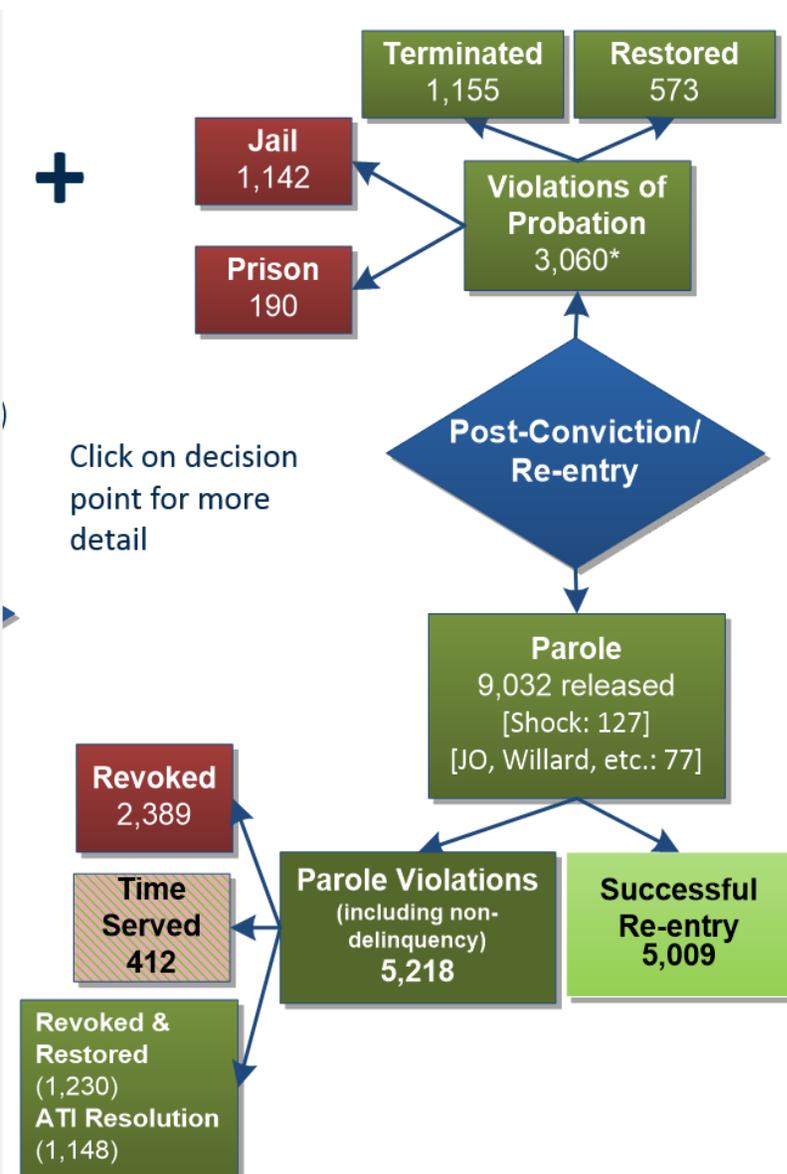
DO  
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Click on  
for det



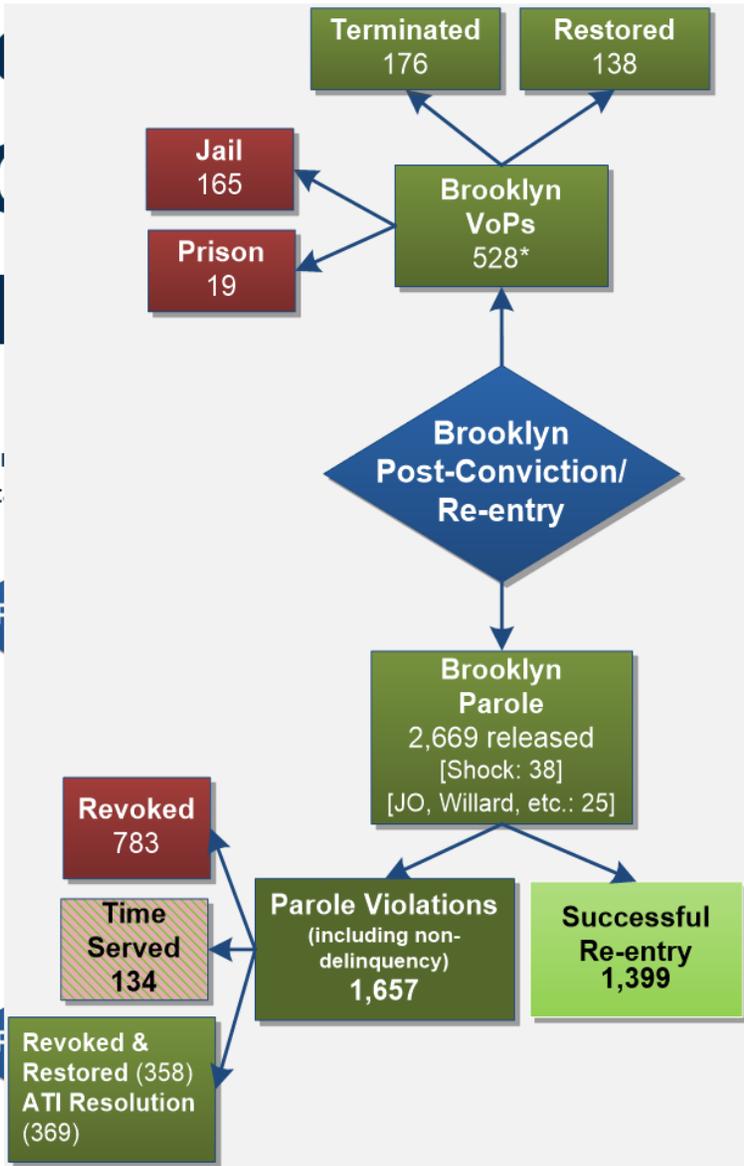
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Click on decision  
point for more  
detail



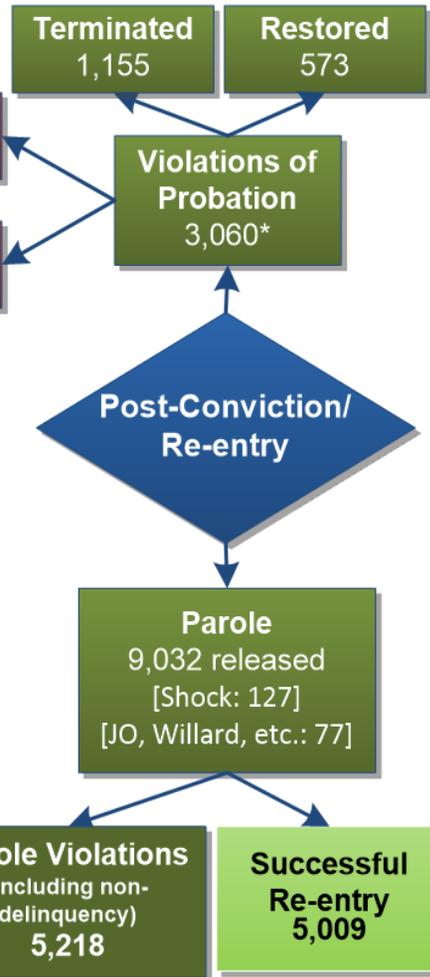
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Click on  
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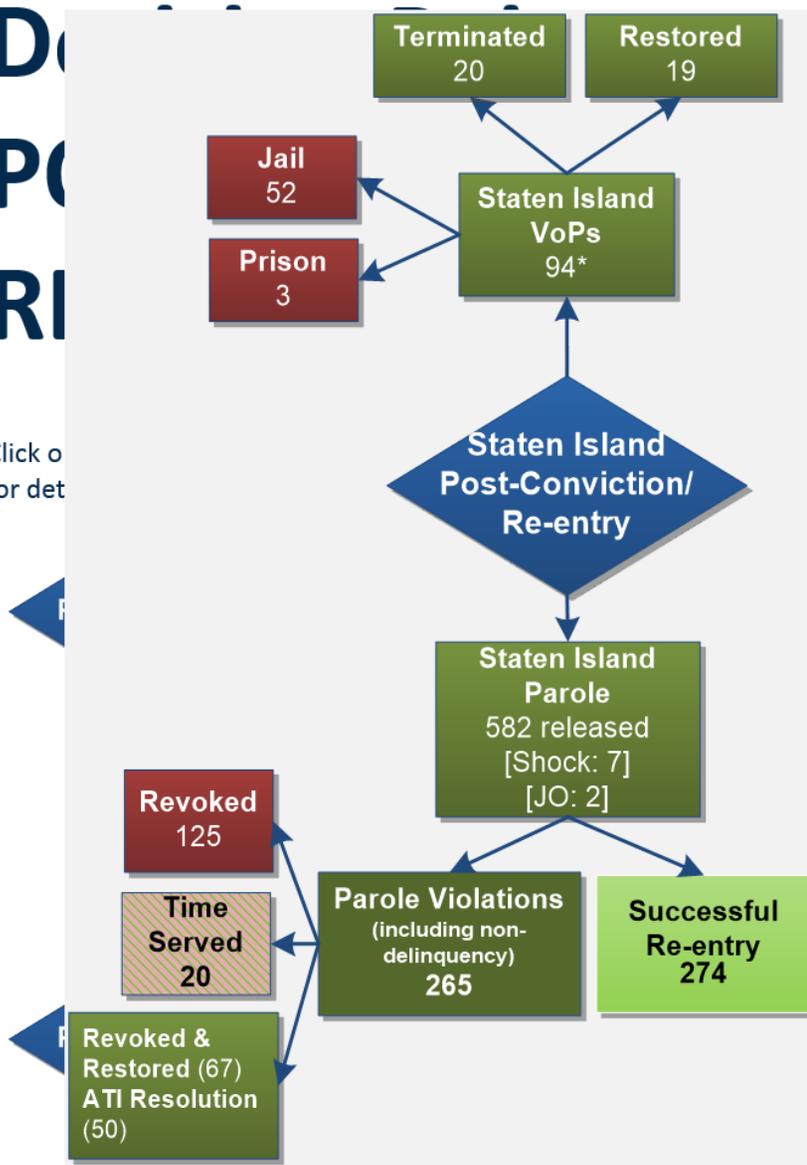
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Click on decision  
point for more  
detail



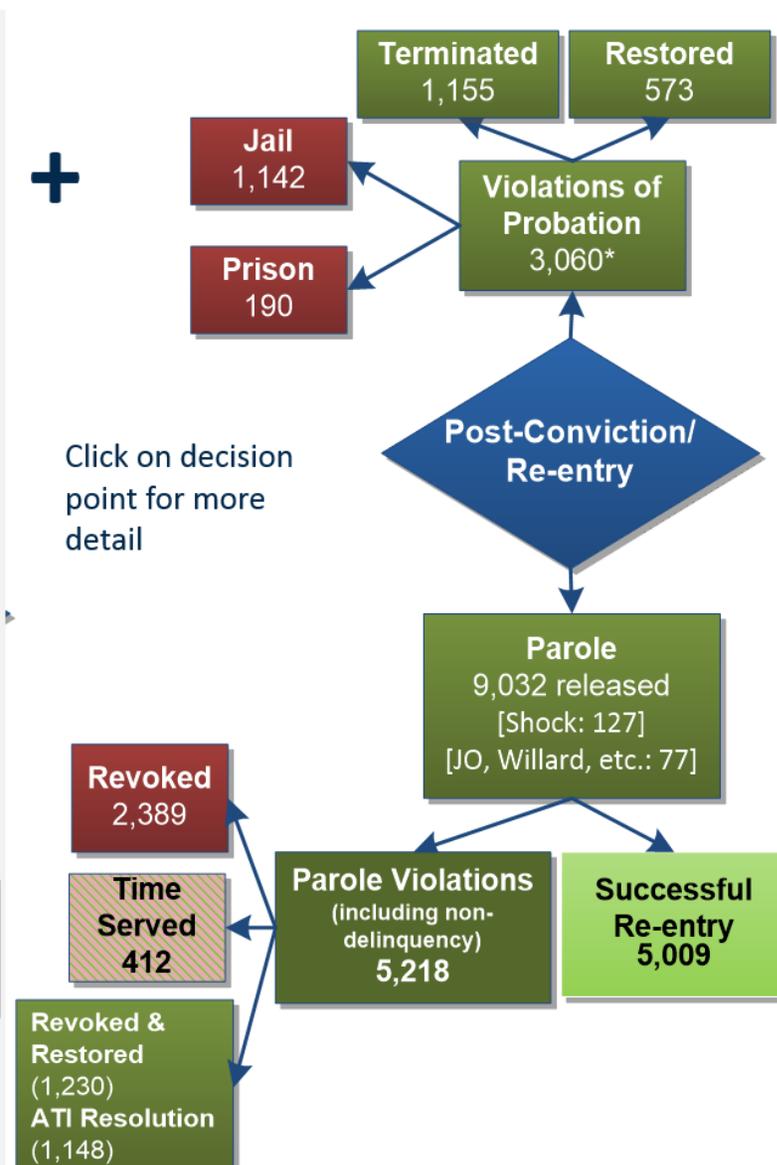
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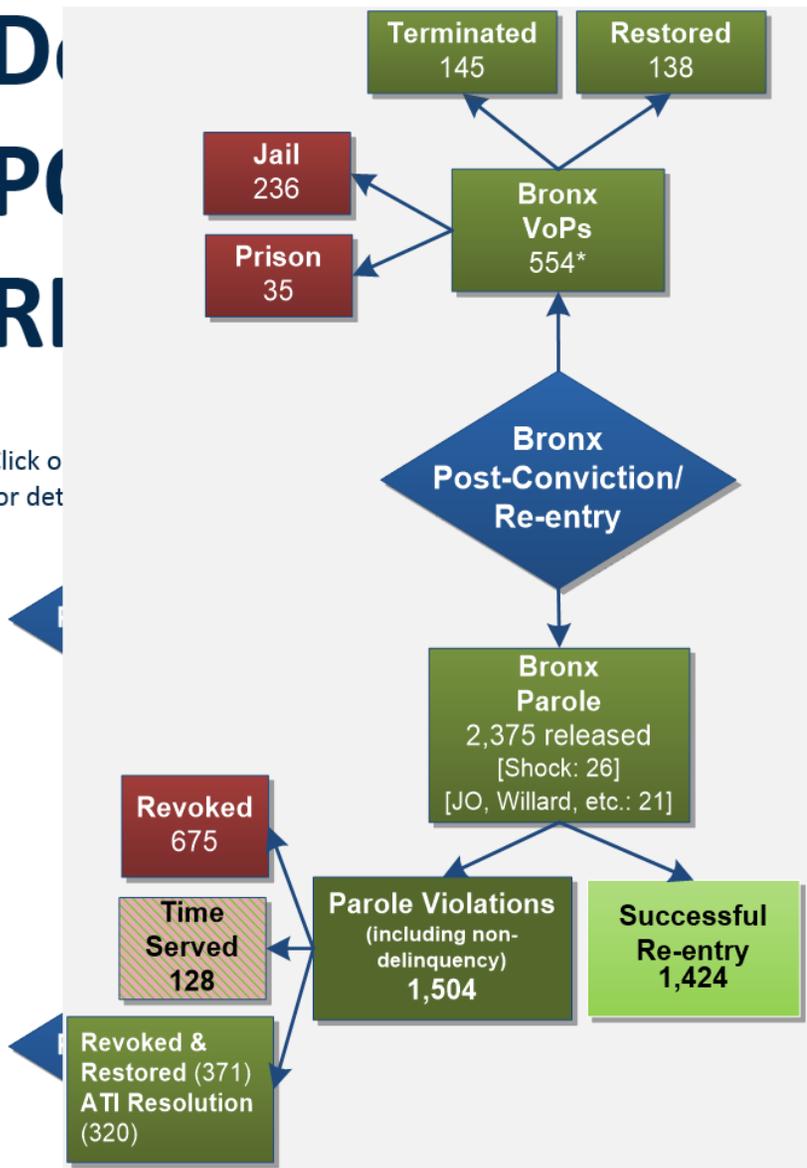
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Click on decision  
point for more  
detail



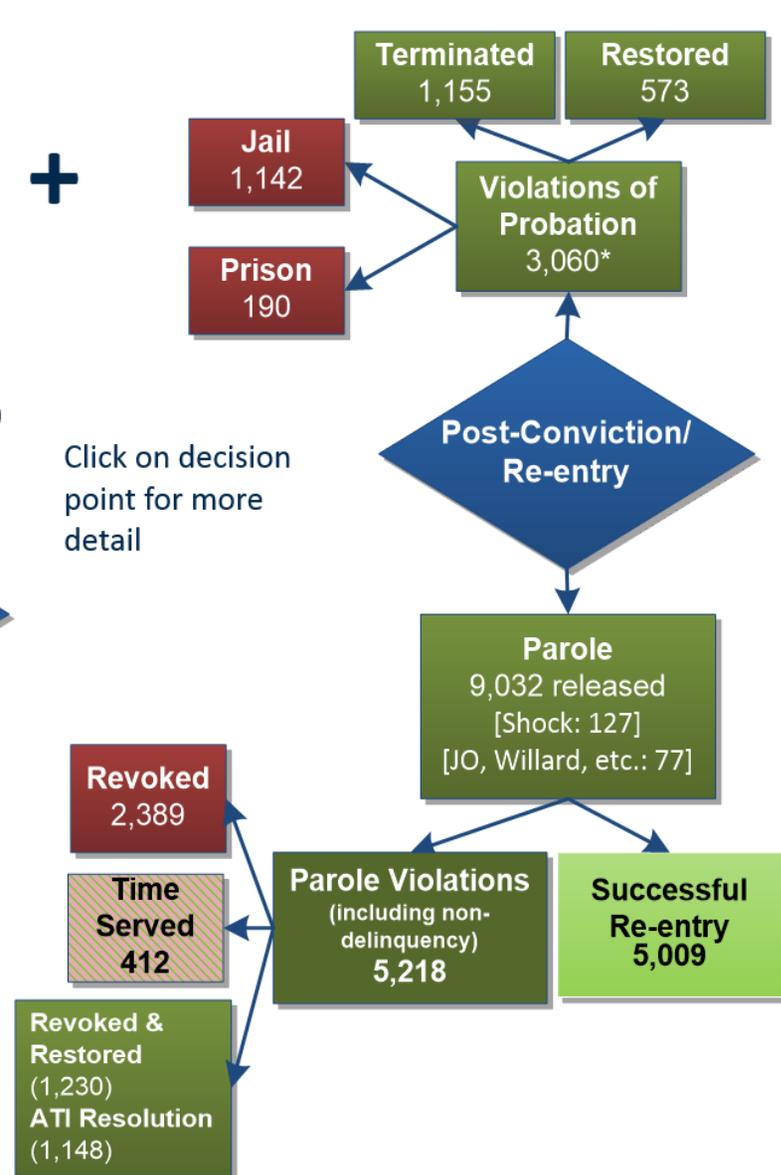
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for det

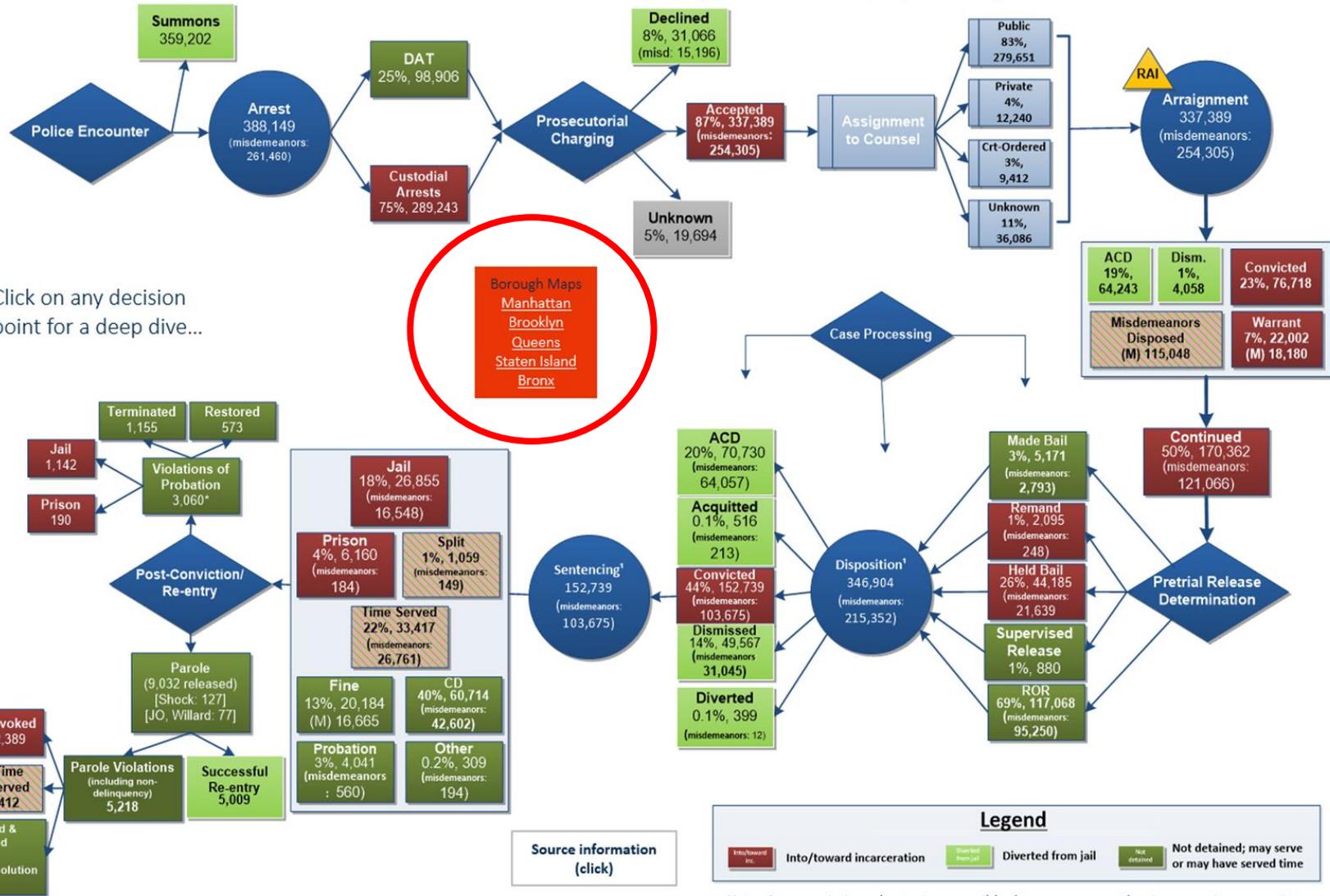


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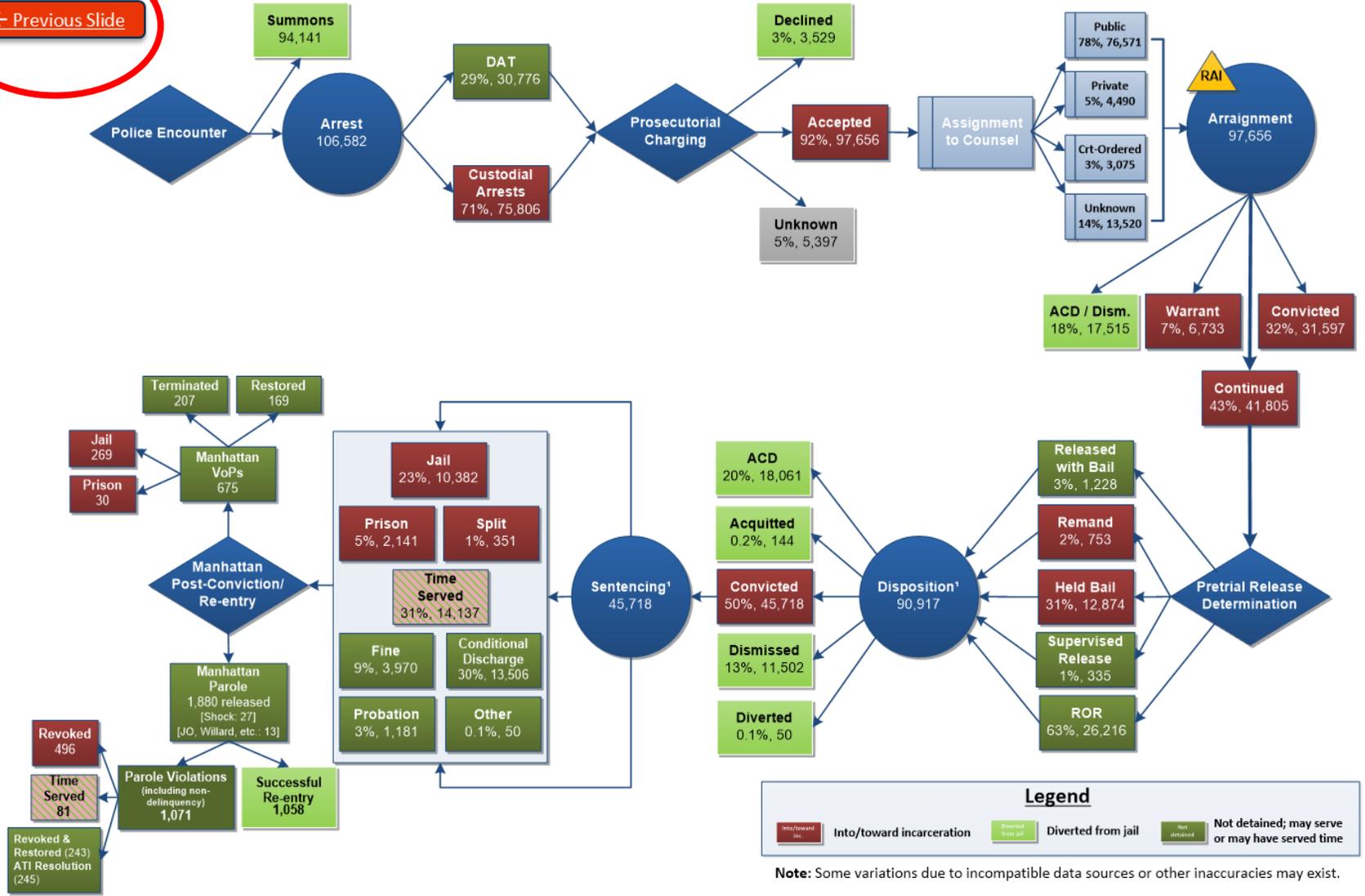
Click on decision  
point for more  
detail



# New York City System Map (2014)

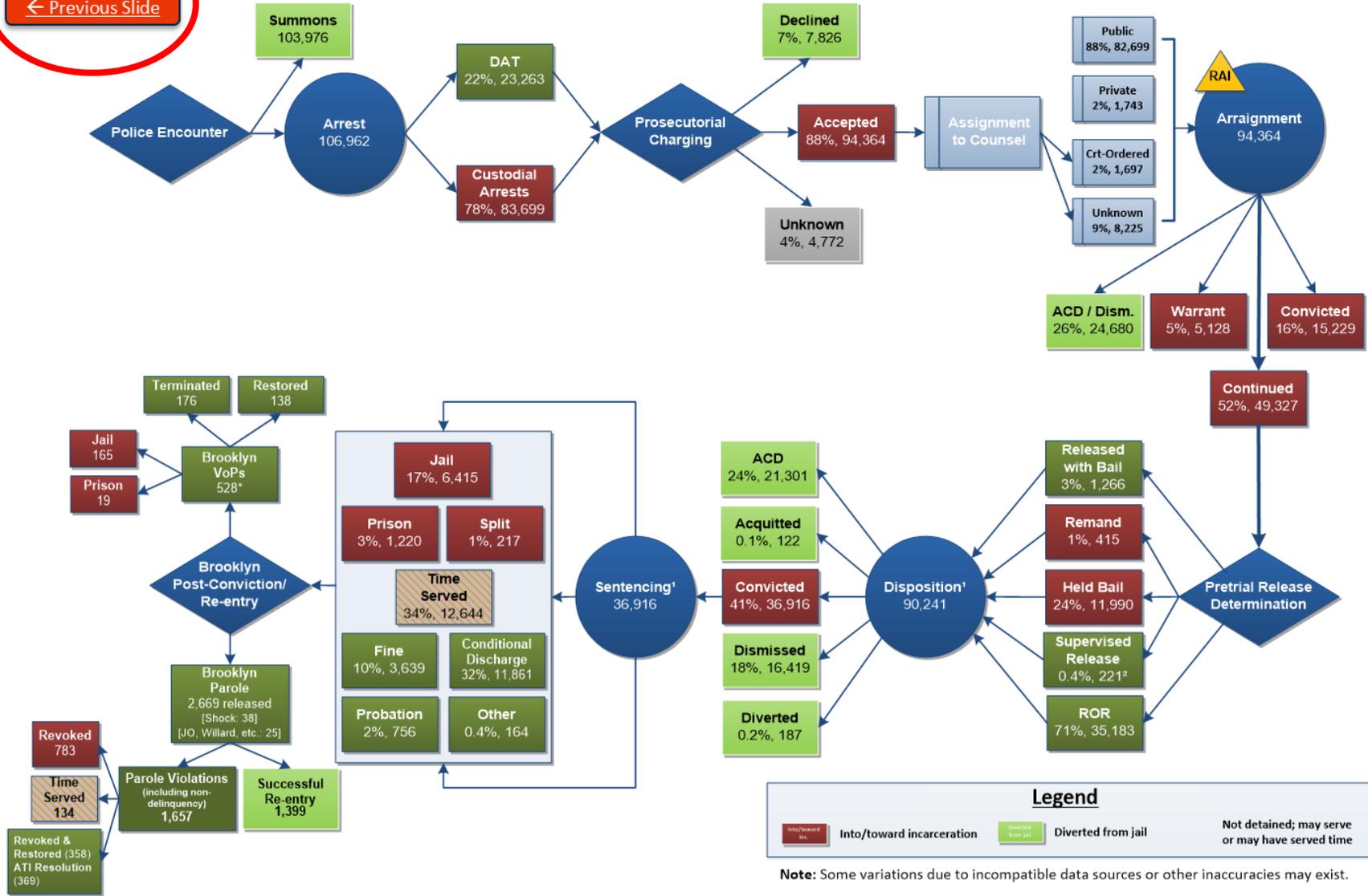


# Manhattan System Map (2014)

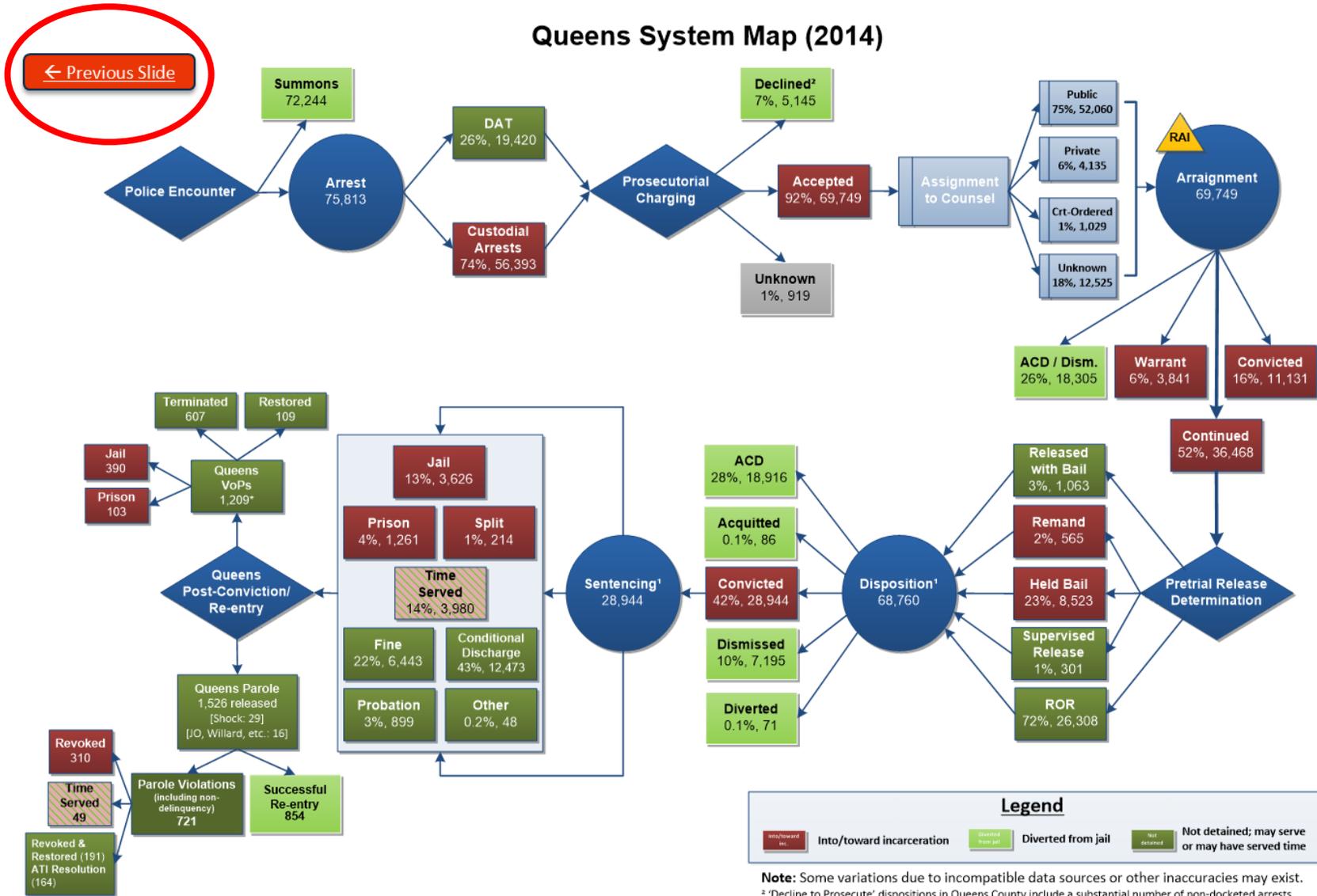


# Brooklyn System Map (2014)

← Previous Slide

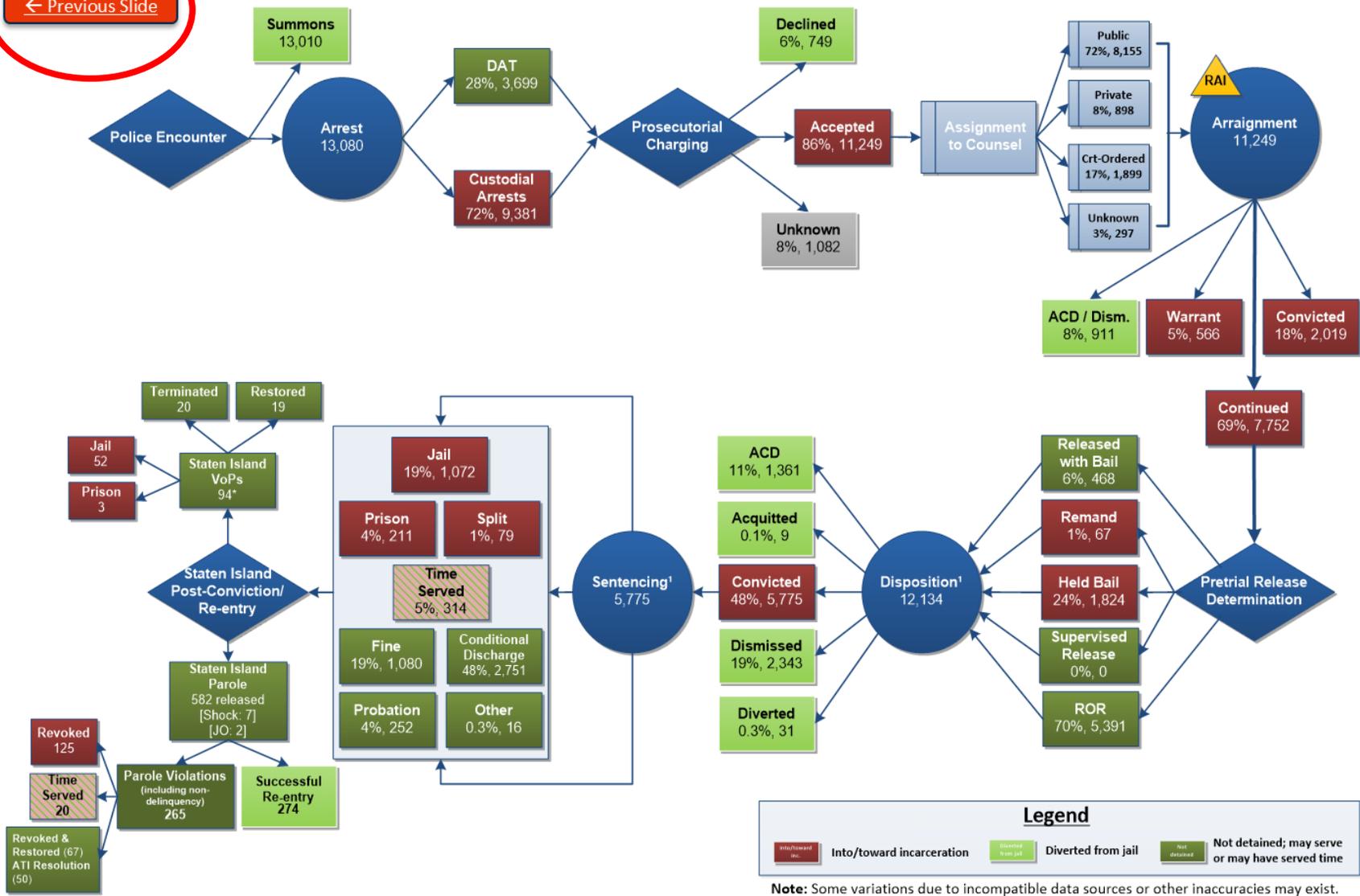


# Queens System Map (2014)

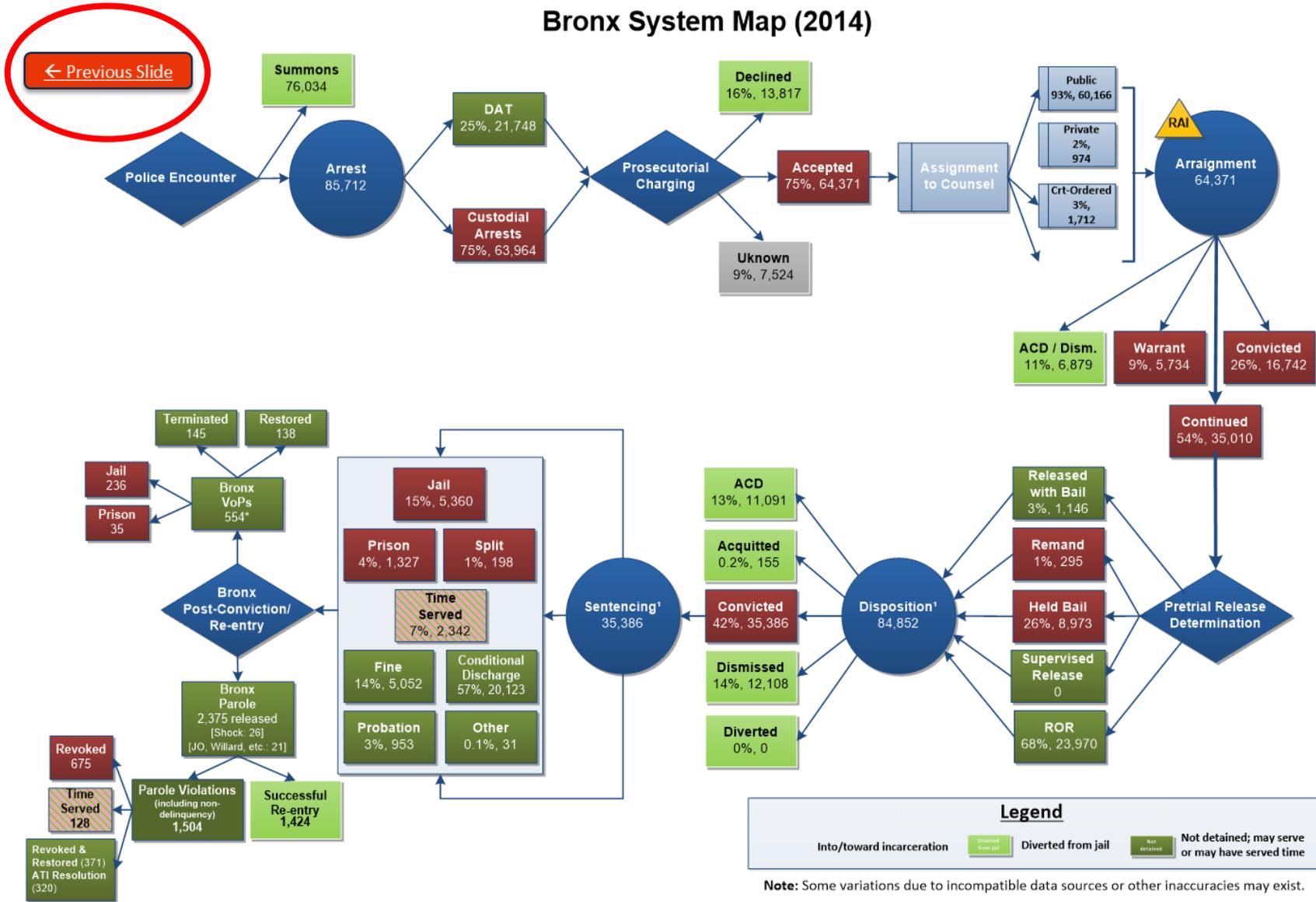


# Staten Island System Map (2014)

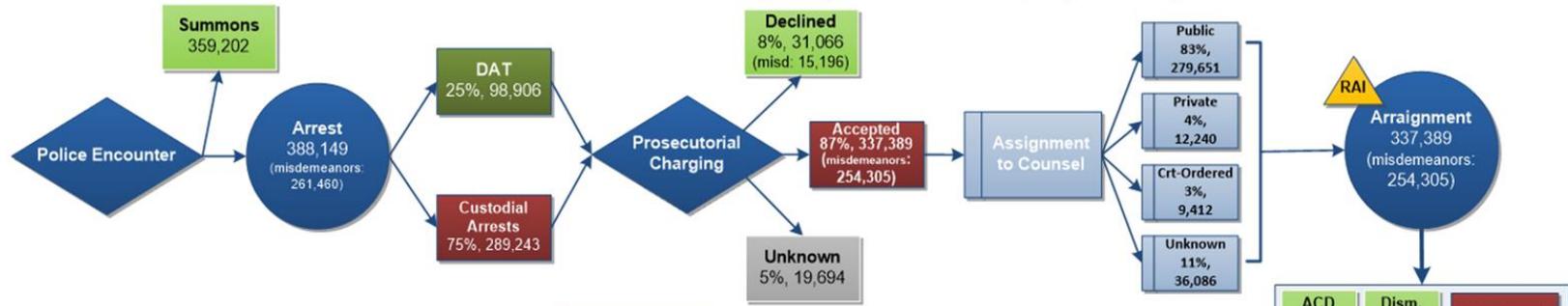
← Previous Slide



# Bronx System Map (2014)

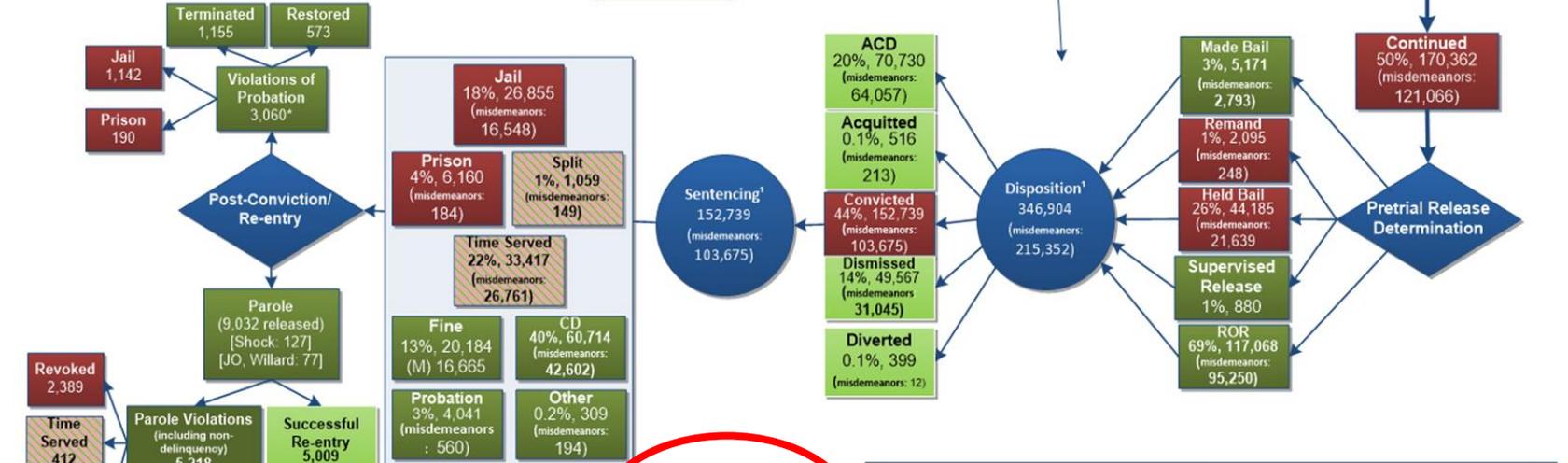


# New York City System Map (2014)



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[Bronx](#)



Source information (click)

**Legend**

- Info/ward inc. Into/toward incarceration
- Diverted from jail Diverted from jail
- Not detained Not detained; may serve or may have served time

Note: Some variations due to incompatible data sources or other inaccuracies may exist.

# DATA SOURCES

1. Summonses (2014) provided by New York Police Department
2. Arrest to pretrial release determination (2014) provided by NYC Criminal Justice Agency (CJA); misdemeanor data are 2013 with the exception of "Arrest" (2014 – NYPD) and "Declined" (2014 – DCJS)
3. Disposition and sentencing data (2014) provided by NY State Division of Criminal Justice Services (DCJS)
4. <sup>1</sup>DCJS data include adult arrests for finger-printable offenses (ages 16 and older)
5. Additional System Mapping Data Sources:
  - Citywide Executive Committee (2 sessions)
  - MacArthur Steering Committee (4 sessions)
  - Borough Justice Sector Meetings (7 sessions)
  - "Path Analysis" Presentation + Data Maps
  - Rikers Island "Path of the Accused" Experience
  - Qualitative and quantitative data from the Office of Court Administration, the Mayor's Office on Criminal Justice, the District Attorneys of New York, Queens, Bronx, Kings, and Richmond Counties, the Department of Probation, the NYS Division of Parole, the Legal Aid Society, the Bronx Defenders, the Neighborhood Defender Service of Harlem, Brooklyn Defenders, Queens Law Associates, the New York City Department of Corrections, the New York City Department of Health and Mental Health, and the New York City Police Department.