

NEW YORK CITY  
CRIMINAL JUSTICE AGENCY  
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# TRANSIT CRIME STUDY

## VOLUME II: FINAL REPORT

101953

JANUARY 1986

NEW YORK CITY  
CRIMINAL JUSTICE AGENCY

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VOLUME II: FINAL REPORT  
2

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Martha J. Smith  
Project Director

## INTRODUCTION

There is much concern over issues related to mass transportation in New York City. A reliable, clean, safe system is seen by most as a key to improving the economic climate of the City and helping to relieve the environmental problems caused by the tremendous increase in vehicular traffic that has occurred in recent years. Indeed, it was the concern of City policymakers, in particular the Mayor's Coordinator for Criminal Justice, his Transit Office, and the Transit Police Department (TPD), which led to the study of transit crime that follows.

In 1981, the Mayor set up the Transit Office and Interagency Committee as a means of coordinating efforts to improve various aspects of the public transportation system in New York City. Some of these efforts, as evidenced by the issues discussed at the press conferences held regularly by the Mayor in 1982 and 1983, related to ways of improving the flow of subways and buses, improving the physical environment within the system, reducing the numbers of transit farebeats and scofflaws (those who enter the system without paying the fare and those issued summonses who fail to show up for court appearances), and reducing other types of transit crime. In particular, it was felt that the fear of crime was one factor that was operating to reduce subway ridership. However, little was known about the patterns or processing of subway crime incidents.

There have been relatively few studies of transit crime in New York City. One study, conducted by the Rand Institute<sup>1</sup> in 1974, looked at the incidence of robberies within the system before and after a major manpower allocation change was made in 1965.

---

<sup>1</sup>Chaiken, J.M., Lawless, M.W., Stevenson, K.A., The Impact of Police Activity on Crime: Robberies on the New York City Subway, The New York City Rand Institute, January 1974.

Another study, carried out by Ocko Associates in 1977,<sup>2</sup> looked at the distribution by time of day of reported subway felonies for an eleven-month period in 1975 and at victimization rates for this period. The Rand researchers found that, during the time period when the number of police on patrol was higher, the incidence of subway robberies decreased. They also noted a temporary "phantom effect," lower crime rates found during hours when no change had been made in police deployment. The Ocko Associates study attempted to compare the risk of victimization in the subways to that "on the street." While they concluded that many subway riders (for example, those who work the night shift) "are exposed at certain hours to equal and sometimes higher risk rates than in the street,"<sup>3</sup> they were not able to adjust their street risk rates to take into account the same sorts of time of day differences which they found for subway rates. For example, the risk rates for workers entering the subway system at different times of day varied by as much as a factor of 35, by their estimates.

In late 1981, the New York City Criminal Justice Agency (CJA), a private not-for-profit corporation which contracts with the City to provide research and pretrial services, was asked by the Coordinator's Office, the Mayor's Transit Office, and the TPD to study crime on the subways. One of the major concerns of policymakers at that time centered around the court processing of cases involving transit robberies. This concern focused on

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<sup>2</sup>Ocko Associates, Surveillance of Rail Rapid Transit Facilities, January 1977, pp.2-11,2-16,2-24 in Sandler, R., Schoenbrod,D., Goldstein, E.A., Juraw, S., Harris, F., Reducing Crime in The New York City Subway System, Nine Recommendations, Project on Urban Transportation, The Natural Resources Defense Council, Inc., December 1979, Attachment.

<sup>3</sup>Id., p.2-16.

evidentiary or victim and witness problems related to the influx of huge numbers of persons from many different areas onto the system each day. These sorts of problems, which would not appear as frequently among above-ground (or non-transit system) robberies, resulted, under this theory, in differences between the ways transit and non-transit robberies were processed in court. Neither the Rand nor the Ocko study addressed this particular question. In addition, there was interest in generating better information about the patterns of felony crime on the subways.

The transit study was originally designed by CJA to deal with two major sets of data. One set was gathered to address some of the case processing concerns related to possible differential court outcomes for transit and non-transit cases. Robbery arrests were chosen as the unit of analysis for that portion of the study. Another set of data was gathered so that subway incidents could be analyzed. Robbery and felony larceny incidents, which comprise the bulk of felony crimes on the subways, were chosen as the primary units of analysis for this component. The scope of each analysis was expanded somewhat as additional data were made available. For instance, as a correlate of the robbery and larceny incident portion of the study, information on ridership (passenger registration volume) was examined, allowing some estimates of victimization rates to be made. In addition, the availability of TPD robbery arrest reports (TP4s) permitted some incident factors and their relationship to court outcome to be analyzed.

The study addresses several different issues related to subway crime. For the robbery and larceny incident analysis, the focus is on where and when these crimes occurred on the system, crime type and victim age and sex, factors related to whether a crime was cleared by an arrest, and the characteristics of incidents where an arrest was made. The transit robbery arrest portion

of the study also deals, in part, with characteristics of the incident, but focuses on factors such as number of participants, seriousness of victim injury, and amounts of force and types of weapons used. Finally, for transit and non-transit robbery arrests, court outcomes were examined and comparisons were made to determine whether certain arrest characteristics were related to these outcomes.

The report is divided into three parts. Part I is an extensive analysis of the characteristics of a sample of robbery and larceny subway incidents which occurred in 1982 and of arrests made for these incidents. Part II describes incident factors and their relationship to case processing variables for a sample of transit robbery arrests made in 1981 and 1982. In Part III, comparison samples of below and above-ground (transit and non-transit) robbery arrests are described. Defendant characteristics, such as age, arrest charge, and prior criminal history, are analyzed for both groups as are Criminal and Supreme Court disposition and sentence.

PART I:

ROBBERY AND LARCENY INCIDENTS

## I. INTRODUCTION

This component of the study was designed to gain an understanding of some of the characteristics of transit crime complaints and the factors associated with incidents which resulted in arrests. The analysis focuses on robbery and grand larceny incidents because these two categories comprise the vast majority of reported felony incidents occurring in the subway system.<sup>1</sup> Larceny and robbery are both crimes involving the theft (or, in some cases, the attempted theft) of property. In New York State, a larceny is considered a felony if, for example, it involves the theft of property valued at over \$250.00 or property taken from the person of another.<sup>2</sup> A robbery, on the other hand, is a forcible taking of property involving the use or the threat of immediate use of physical force upon another person.<sup>3</sup> It is possible for a crime to be classified as a larceny even if it involves force, if the force is not used against a person. For instance, a chain snatching could be either a larceny or a robbery depending on whether the perpetrator used the force primarily against the chain or against the person.

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<sup>1</sup>According to Transit Police Department (TPD) figures produced on January 25, 1984, there were 6,779 robberies and 6,279 felony larcenies occurring in the transit system which were reported in 1982, the time period of the study. Together these two crime categories represent 85.0% of the 15,364 subway felonies reported in that year. The TPD classifies crime incidents according to the most severe crime reported using the FBI's Uniform Crime Reports (UCR) hierarchy. In addition, TPD figures are based on an "account month" system where incidents are recorded under the period in which they were reported to the TPD. For the present study, different criteria were devised to select crime incidents and match them with any subsequent arrests for these crimes. These criteria will be discussed below.

<sup>2</sup>See, N.Y. Penal Law, Article 155. In this report, for ease of expression, the term "larceny" is used to mean "grand larceny."

<sup>3</sup>See, N.Y. Penal Law, Article 160.

For this study, the Transit Police Department (TPD) made available robbery and larceny incident and arrest information from its computer system. This system contains information entered from the complaint and arrest form (the TP4) completed after an incident, arrest, or clearance.<sup>4</sup> Four three-week periods were chosen as representative periods for analysis, including slightly under one fourth of all robbery and larceny incidents reported in 1982: February 1-21; May 1-21; August 1-21; and October 2-22. These four periods (a total of 84 days) were chosen so that each season would be represented and major holidays and transit sweeps, possibly affecting subway ridership or crime patterns, would not be included.

Cases were selected from the TPD database if the incident occurred in any of these three-week periods, regardless of when it was reported, or when a subsequent arrest or clearance, if any, was made or recorded. These procedures differ from those used by the TPD to report crime statistics.<sup>5</sup> CJA researchers coded the information from the TPD system and incidents were matched with arrests and "exceptional clearances,"<sup>6</sup> if any. The analyses include: (1) characteristics of robberies and larcenies occurring on the subways during the four selected periods in 1982; (2) incident rates per million passengers by various descriptors; (3) factors which appear to affect clearance rates among these incidents; and (4) characteristics of incidents for which an arrest was made.

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<sup>4</sup>A crime incident is usually "cleared" when an arrest is made. When more than one person is arrested for a single crime incident, only one clearance is counted for that incident. In exceptional cases, however, an incident may be cleared when someone, arrested for another unrelated crime, is linked to the original incident but not formally prosecuted for it. (This is known as an "exceptional clearance.")

<sup>5</sup>See, fn. 1 re: "account month."

<sup>6</sup>See, fn. 4 re: "exceptional clearance."



## II. DESCRIPTION OF INCIDENTS

There were 1523 robbery and 1480 larceny incidents reported to the TPD as occurring in the four selected three-week periods. Although there was some variability in the number of incidents reported in each period, the differences among larcenies were not statistically significant.<sup>7</sup> Almost all of the analyses of robbery and larceny incidents which follow include information aggregated from the four periods. New York County had the largest percentage of both robbery and larceny incidents (43.5% and 56.6%, respectively). (See, Table 1.) Not surprisingly, New York County (Manhattan) also had the highest total passenger registration volume.<sup>8</sup> Kings County (Brooklyn) had the next highest percentage of both types of crime for the sample period (33.4% of the robberies and 28.2% of the larcenies). Queens and the Bronx had roughly equivalent robbery and larceny percentages. Of the total robberies and larcenies, 10.9% and 8.0%, respectively, occurred in Queens while 12.2% and 7.2%, respectively, occurred in the Bronx in the 84 days of the sample period.<sup>9</sup> Two hundred sixty of the robbery (17.1%) and 312 of the larceny (21.1%) incidents were cleared. Among these cleared incidents, 9 robbery and 1 larceny were "exceptional clearances."<sup>10</sup>

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<sup>7</sup> Incidents reported for the four periods occurred as follows: 423 robbery and 317 larceny incidents from February 1-21; 359 robbery and 377 larceny incidents from May 1-21; 404 robbery and 429 larceny incidents from August 1-21; and 337 robbery and 357 larceny incidents from October 2-22. (See, Table 1.) A chi-square statistic was calculated separately for robberies and larcenies to determine the association between county and time period of incident. Only the robbery crime group was significant at the 0.05 level of significance with 9 degrees of freedom - chi-square equaled 16.9 for the robbery incidents and 9.5 for the larceny incidents.

<sup>8</sup> See, Table 16.

<sup>9</sup> Richmond County (Staten Island) is not included because its rapid transit system is not patrolled by the Transit Police Department.

<sup>10</sup> See, fn. 4.

TABLE 1

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO  
THE TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982;  
MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

COUNTY BY TIME PERIOD OF INCIDENT<sup>1</sup>

TIME PERIOD OF INCIDENT	COUNTY									
	Kings		New York		Queens		Bronx		TOTAL	
	N	%	N	%	N	%	N	%	N	%
<u>ROBBERY</u>										
February 1-21	135	26.5%	183	27.6%	45	27.1%	60	32.3%	423	27.8%
May 1-21	139	27.3	139	21.0	35	21.1	46	24.7	359	23.6
August 1-21	132	25.9	172	26.0	56	33.7	44	23.7	404	26.5
October 2-22	<u>103</u>	<u>20.3</u>	<u>168</u>	<u>25.4</u>	<u>30</u>	<u>18.1</u>	<u>36</u>	<u>19.3</u>	<u>337</u>	<u>22.1</u>
TOTAL ROBBERY	509	100.0%	662	100.0%	166	100.0%	186	100.0%	1523	100.0%
	(33.4%)		(43.5%)		(10.9%)		(12.2%)		(100.0%)	
	[6.0]		[7.9]		[2.0]		[2.2]		[18.1]	
<u>LARCENY</u>										
February 1-21	80	19.2%	176	21.0%	33	28.0%	28	26.2%	317	21.4%
May 1-21	116	27.8	213	25.4	21	17.8	27	25.2	377	25.5
August 1-21	125	30.0	243	29.0	32	27.1	29	27.1	429	29.0
October 2-22	<u>96</u>	<u>23.0</u>	<u>206</u>	<u>24.6</u>	<u>32</u>	<u>27.1</u>	<u>23</u>	<u>21.5</u>	<u>357</u>	<u>24.1</u>
TOTAL LARCENY	417	100.0%	838	100.0%	118	100.0%	107	100.0%	1480	100.0%
	(28.2%)		(56.6%)		(8.0%)		(7.2%)		(100.0%)	
	[4.9]		[10.0]		[1.4]		[1.3]		[17.6]	
<u>ROBBERY AND LARCENY</u>										
February 1-21	215	23.2%	359	23.9%	78	27.5%	88	30.0%	740	24.7%
May 1-21	255	27.5	352	23.5	56	19.7	73	24.9	736	24.5
August 1-21	257	27.8	415	27.7	88	31.0	73	24.9	833	27.7
October 2-22	<u>199</u>	<u>21.5</u>	<u>374</u>	<u>24.9</u>	<u>62</u>	<u>21.8</u>	<u>59</u>	<u>20.2</u>	<u>694</u>	<u>23.1</u>
TOTAL ROBBERY AND LARCENY	926	100.0%	1500	100.0%	284	100.0%	293	100.0%	3003	100.0%
	(30.8%)		(49.9%)		(9.5%)		(9.8%)		(100.0%)	
	[19.9]		[17.9]		[3.4]		[3.5]		[35.7]	

<sup>1</sup> Numbers in parentheses refer to the percentage of incidents by county of occurrence; numbers in brackets refer to the average number of incidents per day by county of occurrence.

In addition, the TPD provided CJA with figures showing the distribution of the 6,781 subway robbery incidents reported in 1982 for each of the four counties within its jurisdiction.<sup>11</sup> These county totals were used, in conjunction with 1982 robbery figures published by the New York City Police Department (NYPD),<sup>12</sup> to determine the distribution of all reported robbery incidents in each county according to whether the crime occurred in the subway system (transit incidents) or not (non-transit incidents). Citywide (excluding Richmond County), transit robberies represented 7.2% of all 94,604 reported robberies (or 18.6 incidents per day compared to 240.6 non-transit robberies per day). (See, Table 2.) When examined across all counties, the variation in the distribution of transit robberies within each county was not large, ranging from 4.3% in Queens to 9.0% in New York County.

The distributions of robbery incidents per county were calculated separately for transit and non-transit robbery incidents. New York County had a higher proportion of incidents among the transit robberies (42.2%) than among the non-transit robberies (32.9%). (See, Table 2.) Among the transit robberies, 9.5% of the incidents occurred in Queens and 12.4% occurred in Bronx County. Both of these percentages were lower than those found for these counties among the non-transit incidents, 16.2% of which occurred in Queens and 18.0% occurred in the Bronx. For

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<sup>11</sup> These robbery figures were compiled by the TPD using the reported monthly figures for each county in 1982. The total reported transit robbery figure for 1982 shown in Table 2 differs slightly from that cited in footnote 1. (Slight discrepancies in the figures reported at different times may occur if any of the data have been adjusted between reporting periods to reflect new information obtained by the TPD about previously reported incidents.) Separate larceny figures for transit incidents in each county were not available from the TPD for 1982.

<sup>12</sup> Statistical Report, Complaints and Arrests, New York City Police Department, Office of Management Analysis, Crime Analysis Section, 1982, December, n.d., pp. 31, 34, 35, and 38.

TABLE 2

ROBBERY INCIDENTS REPORTED TO THE  
NEW YORK CITY POLICE DEPARTMENT IN 1982:

COUNTY OF OCCURRENCE BY LOCATION OF INCIDENT

<u>1982 ROBBERY</u> <u>COMPLAINTS</u>	<u>COUNTY</u>								Citywide (Excluding Richmond)	
	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>			
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Transit Only <sup>1</sup>	2,438	7.8%	2,859	9.0%	642	4.3%	842	5.0%	6,781	7.2%
	(35.9%)		(42.2%)		( 9.5%)		(12.4%)		(100.0%)	[18.6 incidents per day]
Non-Transit <sup>2</sup>	28,838	92.2	28,895	91.0	14,246	95.7	15,844	95.0	87,823	92.8
	(32.9%)		(32.9%)		(16.2%)		(18.0%)		(100.0%)	[240.6 incidents per day]
TOTAL COMPLAINTS <sup>3</sup>	31,276	100.0%	31,754	100.0%	14,888	100.0%	16,686	100.0%	94,604	100.0%
	(33.1%)		(33.6%)		(15.7%)		(17.6%)		(100.0%)	[259.2 incidents per day]

<sup>1</sup> These figures were compiled by the Transit Police Department (TPD) using the reported monthly figures for each county for 1982.

<sup>2</sup> These figures were calculated by subtracting the transit figures provided by the TPD (See, fn.1) from the total complaint figures published by the NYPD (See, fn.3).

<sup>3</sup> Statistical Report, Complaints and Arrests, New York City Police Department, Office of Management Analysis, Crime Analysis Section, 1982, December, n.d., pp. 31, 34, 35, and 38.

Kings County, the percentages of both types of crime differed by only three percentage points (35.9% of the transit versus 32.9% of the non-transit robberies).<sup>13</sup>

A. Average Number of Incidents Per Day

There was a combined average of 35.7 reported robbery and larceny incidents per day during the 84 days of this study, including 18.1 robbery and 17.6 larceny incidents.<sup>14</sup> New York County had the highest average number of both robbery (7.9) and larceny (10.0) incidents per day - a combined daily average total of 17.9 incidents. (See, Table 1.) It was also the only county in which there were more larcenies than robberies. Kings County had the next highest number of robbery and larceny incidents - 10.9 per day (6.0 robbery and 4.9 larceny incidents). The average combined number of robbery and larceny incidents per day in Queens and the Bronx was about equal - 3.4 and 3.5 incidents, respectively. An average of 2.0 robberies and 1.4 larcenies occurred daily in Queens. In the Bronx, the number of robbery and larceny incidents each day averaged 2.2 and 1.3, respectively.

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<sup>13</sup>Note that the distribution of transit robbery incidents among the four counties for all of 1982 differed slightly from that found for the sample period. (Compare, Tables 1 and 2.)

<sup>14</sup>Using the figures cited in footnote 1, the combined daily average of transit robbery and larceny incidents reported in 1982 was also 35.7, including 18.6 robbery and 17.2 larceny incidents per day, slightly different from the robbery and larceny averages found for the 84 days in the sample period. This difference may be accounted for by the different criteria used to select each group of cases.

B. Day of Occurrence

Reported crime incidents were not evenly distributed throughout the week. Figure 1 shows the percentage of robbery and larceny incidents occurring on each day of the week, as well as the average number of incidents. Among larcenies, the lowest average numbers of incidents were on Saturday and Sunday (13.4 and 9.9 incidents per day, representing 10.9% and 8.0% of all larceny incidents, respectively). In contrast, the average number of larceny incidents ranged from 16.8 to 21.8 between Monday and Friday.

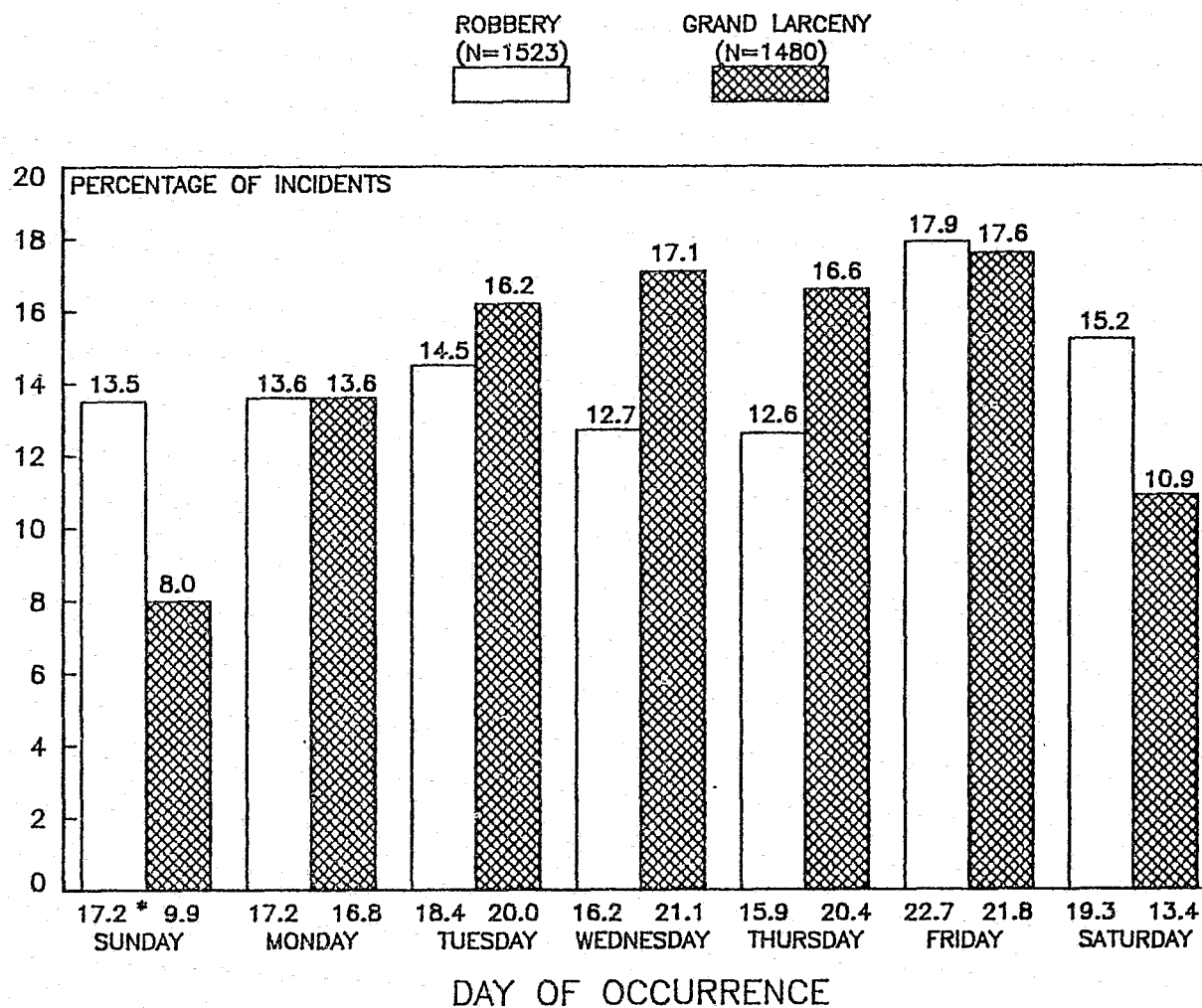
Transit robberies showed a very different pattern: a substantially higher number of incidents occurred on Fridays (an average of 22.7, 17.9% of all robbery incidents), with the next highest average number occurring on Saturdays (19.3). For the other days, the average ranged from 15.9 to 18.4.

Table 3 presents the distribution of robbery and larceny incidents for 1982 transit and non-transit incidents reported for all of New York City<sup>15</sup> and for the 84 days included in the transit sample by day of occurrence. As with the sample of transit robbery incidents, the percentage of robberies citywide, where day of occurrence was known, was highest on Friday (17.8%). The lowest percentage of these incidents occurred on Sunday (10.9%), with percentages for other days ranging from 13.9% to 14.9%. The distribution of citywide larcenies where day of occurrence was known was also similar to that found for the sample of transit larcenies. Saturday and Sunday showed the lowest percentages of incidents (12.6% and 9.9%, respectively) while those for the other days ranged from 14.5% (on Tuesday) to 16.9% (on Friday).

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<sup>15</sup>See, fn. 12, p. 15 of that report.

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21,1982;  
MAY 1-21,1982; AUGUST 1-21,1982; OR OCTOBER 2-22,1982:  
DAY OF OCCURRENCE



\* AVERAGE NUMBER OF INCIDENTS BY DAY

Figure 1

TABLE 3

ROBBERY AND GRAND LARCENY INCIDENTS REPORTED  
TO THE NEW YORK CITY POLICE DEPARTMENT IN 1982:<sup>1</sup>

DAY OF OCCURRENCE

<u>DAY OF OCCURRENCE</u>	<u>Citywide Robbery</u>		<u>(Transit Robbery Sample)</u>		<u>Citywide Larceny</u>		<u>(Transit Larceny Sample)</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Sunday	9,681	10.9%	206	13.5%	11,435	9.9%	119	8.0%
Monday	12,653	14.2	207	13.6	17,039	14.7	201	13.6
Tuesday	12,499	14.1	221	14.5	16,784	14.5	240	16.2
Wednesday	12,660	14.2	194	12.7	17,672	15.3	253	17.1
Thursday	13,253	14.9	191	12.6	18,582	16.1	245	16.6
Friday	15,869	17.8	272	17.9	19,552	16.9	261	17.6
Saturday	12,333	13.9	232	15.2	14,504	12.6	161	10.9
SUBTOTAL	88,948	100.0%	1,523	100.0%	115,567	100.0%	1,480	100.0%
Not Available	6,996				51,141			
TOTAL	95,944				166,708			

<sup>1</sup> Statistical Report, Complaints and Arrests, New York City Police Department, Office of Management Analysis, Crime Analysis Section, 1982, December, n.d., pp. 31, 34, 35, and 38. Incident data for Richmond County were not excluded from the Citywide figures.



C. Time of Incident

Figures 2 and 3 show the distribution of crime incidents by time of occurrence in two-hour intervals.<sup>16</sup> Transit robbery incidents were more evenly distributed throughout the day than larcenies. For robberies, the percentage of incidents was lowest in the morning rush-hour period: 3.3% of all incidents occurred during the period from 6:01 A.M. to 8:00 A.M. (See, Figure 2.) The intervals between 12:01 P.M. and 2:00 A.M. showed little variation, with the highest percentage of robberies occurring in the evening, between 8:01 P.M. and 10:00 P.M. (11.5% of all incidents), and mid-afternoon, between 2:01 P.M. and 4:00 P.M. (11.4%).<sup>17</sup>

Overall, almost one half of the 1480 larcenies (45.8%) occurred during the afternoon, 12:01 P.M. to 6:00 P.M., with nearly a quarter (23.5%) occurring during the evening rush hour (between 4:01 P.M. and 6:00 P.M.). (See, Figure 3.)<sup>18</sup> Relatively few larceny incidents occurred late at night or early in the morning (the periods between 8:01 P.M. and 8:00 A.M.). The percentages of larcenies occurring during these periods ranged from 2.7% (between 10:01 P.M. and 12:00 midnight) to 5.2% (between 4:01 A.M. and 6:00 A.M.).

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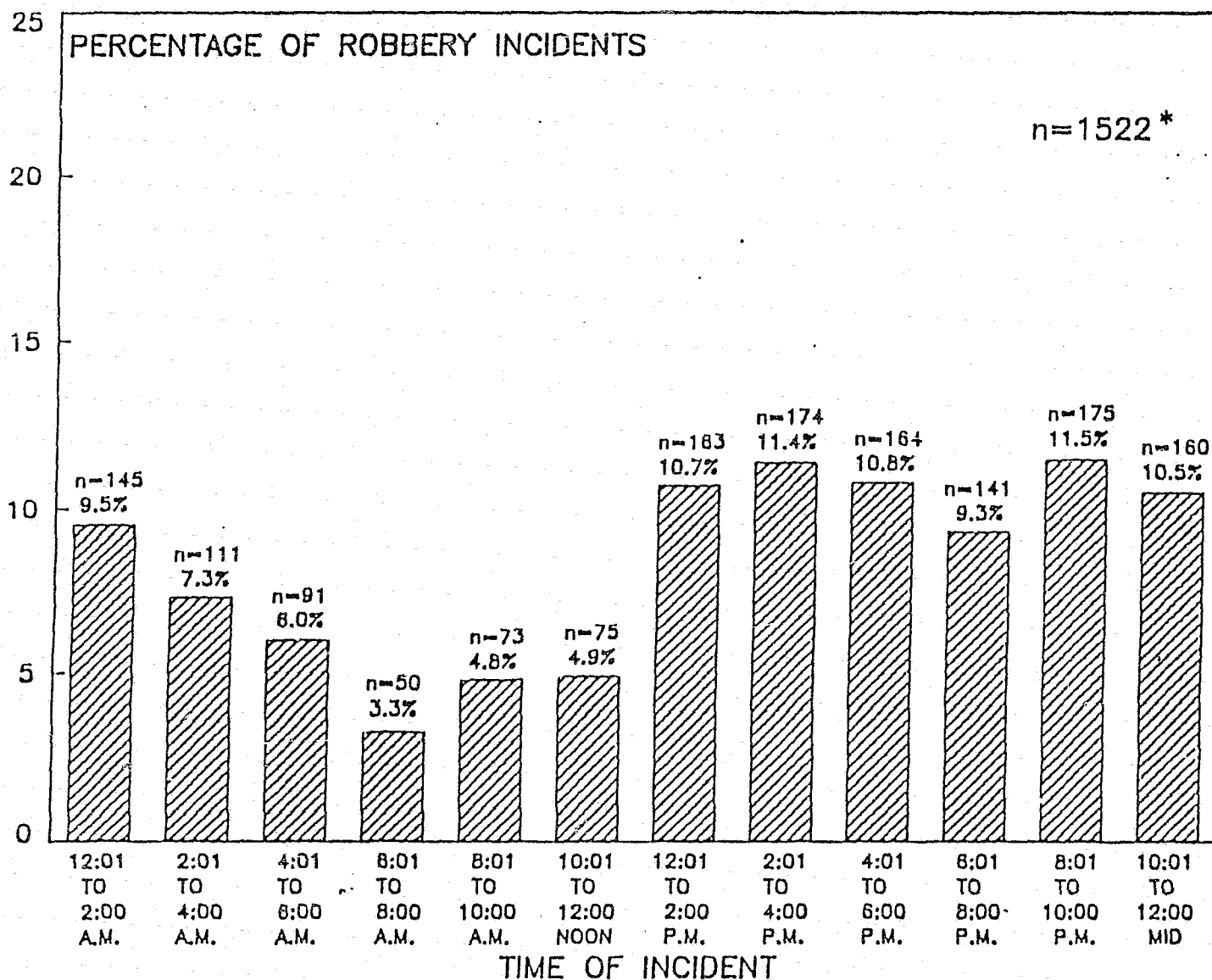
<sup>16</sup> See, p. 42, infra, for a discussion of robbery and larceny incident rates for two-hour periods based upon subway ridership figures for a Wednesday in October 1982.

<sup>17</sup> A similar pattern was also observed when only the incidents occurring Monday through Friday were examined. (See, Appendix I, Figure 1.)

<sup>18</sup> As with robberies, this pattern remained constant when larceny incidents which occurred on Saturday and Sunday were excluded. (See, Appendix I, Figure 2.)

TRANSIT ROBBERY INCIDENTS REPORTED TO THE TRANSIT POLICE  
DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

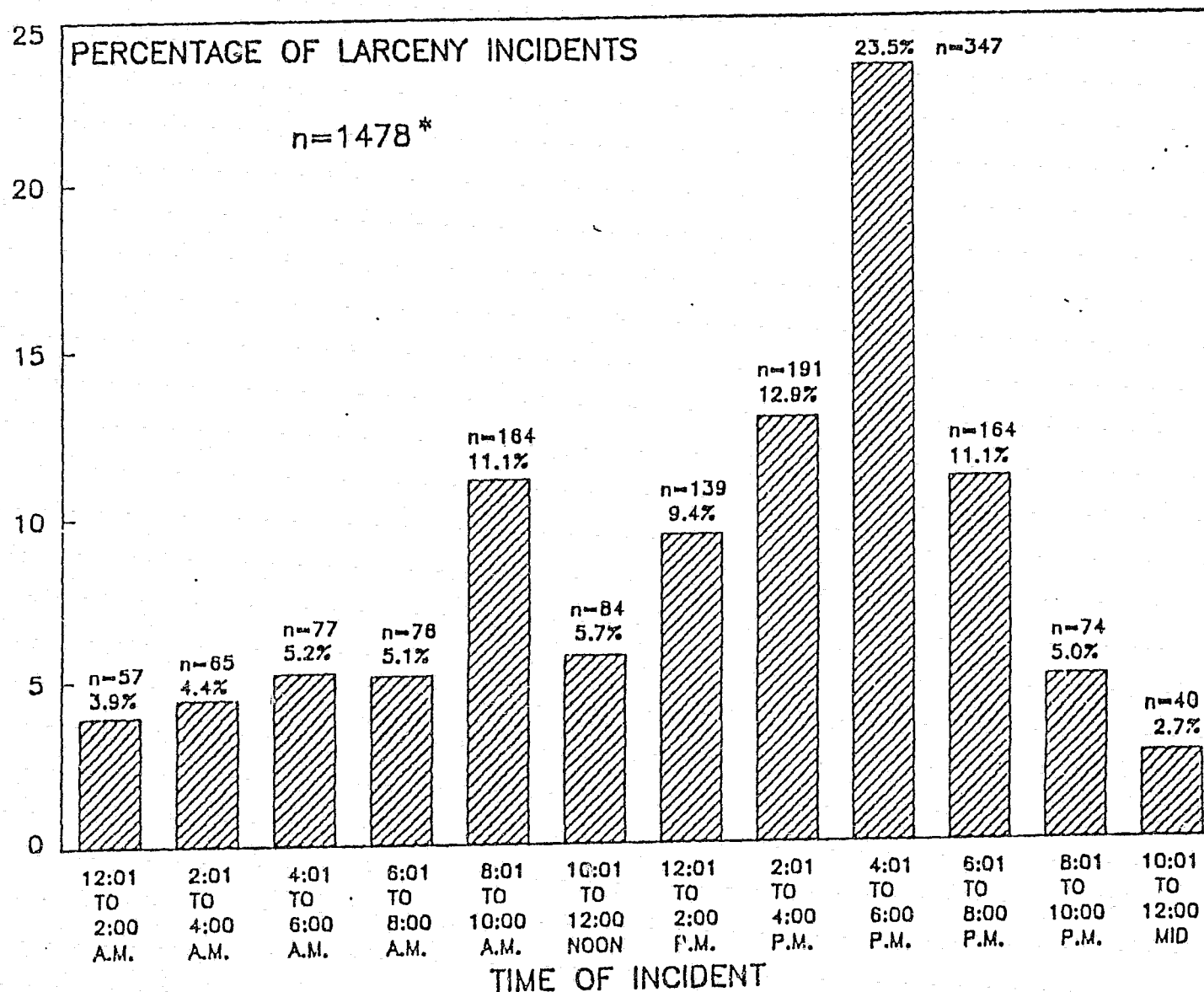
TIME OF INCIDENT



\* TIME OF INCIDENT NOT AVAILABLE FOR ONE CASE.

Figure 2

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE  
DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:  
TIME OF INCIDENT



\* TIME OF INCIDENT NOT AVAILABLE FOR TWO CASES.

Figure 3

D. TPD Crime Classification

In addition to categorizing complaints and arrests according to a general crime category, such as robbery or larceny, the TPD divides these crime categories into subgroups according to other salient features of the crime incident, such as victim type or type of property stolen. These crime classes, which appear in monthly and yearly crime reports, are used in New York City exclusively by the TPD to describe the types of crime incidents occurring within the system.

Table 4 summarizes the TPD crime classifications for the incidents in the sample, by county of occurrence. Most of the transit robbery incidents (82.8%) were classified by the TPD as robberies of passengers,<sup>19</sup> with no other single category accounting for more than 3.7% of the incidents. The transit larceny incidents, however, were more evenly distributed among the crime classes used by the TPD. Eighty percent of the larcenies (79.9%) fell into four categories: jewelry snatch (23.4%); purse snatch (21.6%);<sup>20</sup> bag opener (21.0%); and pickpocket (13.9%).<sup>21</sup>

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<sup>19</sup> This category is the general passenger robbery category used by the TPD for passenger robberies which do not involve or are not recorded as a jewelry snatch, the robbery of a student, the taking of a school pass, or a bag snatch where injury or a mugging occurs.

<sup>20</sup> In general, purse and jewelry snatches are classified by the TPD as larcenies (rather than robberies) when the force used is directed at the property (rather than against the person) of the victim.

<sup>21</sup> Bag opener and pickpocket larcenies differ from purse and jewelry snatches because they involve stealth, not force. According to the TPD, a bag opener larceny usually occurs when a bag is hanging off the arm or shoulder of the victim (and is already open or is opened by the perpetrator) and property is removed from it. A pickpocket larceny usually occurs when the victim is bumped and property is removed from that person's pocket.

TABLE 4

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

COUNTY BY TPD CRIME CLASSIFICATION

COUNTY

<u>TPD CRIME CLASSIFICATION</u>	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
<u>ROBBERY</u>										
Passenger <sup>1</sup>	408	80.2%	560	84.6%	138	83.2%	155	83.3%	1261	82.8%
Jewelry Snatch	26	5.1	24	3.6	3	1.8	3	1.6	56	3.7
Student	22	4.3	14	2.1	13	7.8	6	3.2	55	3.6
TA Property	24	4.7	19	2.9	2	1.2	5	2.7	50	3.3
Other Type <sup>2</sup>	9	1.8	17	2.6	6	3.6	14	7.5	46	3.0
Bag Snatch W/Injury	4	0.8	20	3.0	3	1.8	2	1.1	29	1.9
Bag Snatch Mugging	16	3.1	8	1.2	1	0.6	1	0.5	26	1.7
 TOTAL ROBBERY	 509	 100.0%	 662	 100.0%	 166	 100.0%	 186	 100.0%	 1523	 100.0%
 <u>LARCENY</u>										
Jewelry Snatch	163	39.1%	140	16.7%	23	19.5%	21	19.6%	347	23.4%
Purse Snatch	116	27.8	157	18.8	23	19.5	24	22.4	320	21.6
Bag Opener	25	6.0	260	31.0	17	14.4	9	8.4	311	21.0
Pickpocket	33	7.9	140	16.7	17	14.4	15	14.0	205	13.9
Lush Worker	46	11.0	59	7.0	31	26.3	19	17.8	155	10.5
Other Type <sup>3</sup>	34	8.2	82	9.8	7	5.9	19	17.8	142	9.6
 TOTAL LARCENY	 417	 100.0%	 838	 100.0%	 118	 100.0%	 107	 100.0%	 1480	 100.0%

<sup>1</sup>This category is the general passenger robbery category used by the TPD for passenger robberies which do not involve a jewelry snatch, the robbery of a student, the taking of a school pass, or a bag snatch where injury or a mugging occurs.

<sup>2</sup>Includes robberies classified by the TPD as the taking of a school pass, the robbery of a concession stand, or a robbery not falling into one of the designated classes.

<sup>3</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

When incidents were analyzed by the county of occurrence of the incident, some differences among the larceny crime categories appeared. For instance, Kings County had disproportionately higher percentages of both jewelry and purse snatches (39.1% and 27.8% of the incidents in that county, respectively) while the percentage of incidents classified as bag opener larcenies was low in both Kings and Bronx Counties (6.0% and 8.4%, respectively) and high in New York County (31.0%). The percentage of larcenies classified as lush worker<sup>22</sup> incidents was high in Queens County (26.3%) both in comparison to other types of crime classifications in that county and to the percentage of lush worker incidents found within the other counties.<sup>23</sup>

As Table 5 shows, when larceny incident crime categories were separated into four six-hour periods according to the time of occurrence of the incident, the distribution of incident types differed by time of day. While 45.8% of all larcenies occurred between 12:01 P.M. and 6:00 P.M., there were even higher percentages of jewelry snatch and bag opener larceny incidents in this period (56.8% and 58.7%, respectively). Purse snatches occurred disproportionately between 6:01 P.M. and 12:00 midnight (28.4% of these incidents compared to 18.8% for all larcenies). Two thirds of the lush worker larcenies (67.5%) occurred between 12:01 A.M. and 6:00 A.M., although this time period accounted for only 13.5% of all larcenies.

In addition, as Table 6 illustrates, when larceny crime classifications were analyzed by day of the week, the weekend days showed different distributions of crime classes than week-

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<sup>22</sup>A "lush worker" larceny usually refers to the taking of property from the person of an intoxicated or sleeping person. It does not necessarily involve a vagrant. See, Table 11, where the value of the property taken during these larcenies is presented.

<sup>23</sup>See, p. 69, infra, for a discussion of the effect of this high percentage of lush worker larcenies in Queens on the clearance rate found for incidents occurring on trains there.

TABLE 5

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING  
FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## TPD CRIME CLASSIFICATION BY TIME OF INCIDENT

TPD CRIME CLASSIFICATION

	<u>Jewelry Snatch</u>		<u>Purse Snatch</u>		<u>Bag Opener</u>		<u>Pickpocket</u>		<u>Lush Worker</u>		<u>Other Type<sup>1</sup></u>		<u>TOTAL</u>	
<u>TIME OF INCIDENT</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
12:01 - 6:00 A.M.	15	4.3%	25	7.8%	3	1.0%	25	12.2%	104	67.5%	27	19.0%	199	13.5%
6:01 - 12:00 Noon	82	23.6	65	20.3	68	21.9	54	26.3	23	14.9	32	22.5	324	21.9
12:01 - 6:00 P.M.	197	56.8	139	43.4	182	58.7	94	45.9	9	5.9	56	39.5	677	45.8
6:01 - 12:00 Midnight	53	15.3	91	28.4	57	18.4	32	15.6	18	11.7	27	19.0	278	18.8
SUBTOTAL	347	100.0%	320	100.0%	310	100.0%	205	100.0%	154	100.0%	142	100.0%	1478	100.0%
Not Available	-		-		1		-		1		-		2	
TOTAL	347		320		311		205		155		142		1480	
	(23.4%)		(21.6%)		(21.0%)		(13.9%)		(10.5%)		(9.6%)		(100.0%)	

<sup>1</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

TABLE 6

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT  
POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982;  
MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## DAY OF OCCURRENCE BY TPD CRIME CLASSIFICATION

DAY OF OCCURRENCE

TPD CRIME CLASSIFICATION	Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Jewelry Snatch	19	16.0%	50	24.9%	66	27.5%	57	22.5%	62	25.3%	64	24.5%	29	18.0%	347	23.4%
Purse Snatch	31	26.1	45	22.4	47	19.6	56	22.2	41	16.7	54	20.7	46	28.6	320	21.6
Bag Opener	6	5.0	39	19.4	46	19.2	60	23.7	70	28.6	70	26.8	20	12.4	311	21.0
Pickpocket	11	9.2	27	13.4	48	20.0	44	17.4	35	14.3	30	11.5	10	6.2	205	13.9
Lush Worker	41	34.5	14	7.0	14	5.8	14	5.5	16	6.5	17	6.5	39	24.2	155	10.5
Other Type <sup>1</sup>	11	9.2	26	12.9	19	7.9	22	8.7	21	8.6	26	10.0	17	10.6	142	9.6
TOTAL	119	100.0%	201	100.0%	240	100.0%	253	100.0%	245	100.0%	261	100.0%	161	100.0%	1480	100.0%

<sup>1</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.



days. For instance, weekend days had lower percentages of jewelry snatch and bag opener larcenies than weekdays. The opposite was true for lush worker and purse snatch larcenies. Jewelry snatches accounted for less than one fifth of the larceny incidents on Saturday (18.0%) and Sunday (16.0%). The percentages of bag opener larcenies on these days were even lower (12.4% on Saturday and 5.0% on Sunday). During the week, the percentages of these larcenies were relatively high, ranging from 22.5% on Wednesday to 27.5% on Tuesday for jewelry snatches and from 19.2% on Tuesday to 28.6% on Thursday for bag opener larcenies.

Lush worker larcenies accounted for 34.5% of the larcenies on Sunday and 24.2% of those on Saturday, but only 5.5% to 7.0% of those occurring during the week. The weekday-weekend differences were less striking for purse snatch larcenies. This classification accounted for 26.1% of the larcenies which occurred on Sunday and 28.6% of those on Saturday, while the weekday percentages ranged from 16.7% on Thursday to 22.4% on Monday.<sup>24</sup> The preponderance of lush worker incidents occurring in the early morning and the high proportion of these incidents on the weekend is possibly a result of the greater numbers of intoxicated and sleeping persons on trains or within the subway system at these times. The relatively high percentage of bag opener larcenies which occurred during the week, and from 12:01 P.M. to 6:00 P.M., may reflect the difficulty of performing this stealthful larceny when the system is less crowded.

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<sup>24</sup>See, p.56, infra, for a discussion of the effect this pattern of occurrence of certain crime classes on certain days of the week appears to have had on the daily clearance rates for larcenies.

E. Crime Location

Over one half (54.7%) of the transit larceny incidents reported to the TPD during the sample periods occurred on a train, and one fifth (19.6%) occurred on the platform. (See, Table 7.) Few larceny incidents occurred on a passageway or ramp or "other" location. Of the transit robbery incidents from the same periods, however, less than one third (30.9%) occurred on the train, while stairways and platforms together accounted for almost half of the reported transit robbery locations (24.4% and 24.2%, respectively). There were few differences among the counties in the distribution of incidents according to crime location. Compared to the other counties, New York County robberies had the lowest percentage occurring on a train (24.9%) and the highest percentage on a stairway (29.9% of the county's robbery incidents). A similar pattern was observed for larcenies. For both robberies and larcenies, Queens incidents most often occurred on a train (41.0% and 65.3%, respectively).

With the exception of lush worker and "other" incidents, the distribution of locations across all of the larceny crime types paralleled the distribution noted above for all larceny incidents. (See, Table 8.) Almost all of the 155 lush worker incidents (97.4%) occurred on a train or platform (77.4% and 20.0%, respectively).<sup>25</sup> "Other" larcenies were most likely to occur on a mezzanine (24.6% compared with 11.0% of all larcenies).<sup>26</sup> Among all 1480 reported transit larcenies for this period, almost one fourth (22.6%) involved jewelry or purse snatches on a train.

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<sup>25</sup>For Queens County, 35.1% of all train incidents were lush worker larcenies compared to between 9.1% (New York) and 27.7% (Bronx) for the other three counties. (These data do not appear in any of the tables presented in this report.) See, p. 69, infra, for a discussion of the effect this high percentage of lush worker larcenies appears to have had on the train clearance rate in Queens.

<sup>26</sup>Of the 35 "other" larcenies which occurred on a mezzanine, 8 were larcenies involving TA property and 27 were larcenies not falling into one of the designated classes. (These data do not appear in any of the tables presented in this report.)

TABLE 7

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

COUNTY BY CRIME LOCATION

COUNTY

CRIME LOCATION	Kings		New York		Queens		Bronx		TOTAL	
	N	%	N	%	N	%	N	%	N	%
<u>ROBBERY</u>										
Train	174	34.2%	165	24.9%	68	41.0%	63	33.9%	470	30.9%
Stairway	107	21.0	198	29.9	32	19.3	35	18.8	372	24.4
Platform	133	26.1	147	22.2	38	22.9	51	27.4	369	24.2
Mezzanine	65	12.8	76	11.5	19	11.4	26	14.0	186	12.2
Token Booth	23	4.5	19	2.9	1	0.6	5	2.7	48	3.2
Passageway/Ramp	2	0.4	38	5.7	3	1.8	3	1.6	46	3.0
Other Location <sup>1</sup>	5	1.0	19	2.9	5	3.0	3	1.6	32	2.1
TOTAL ROBBERY	509	100.0%	662	100.0%	166	100.0%	186	100.0%	1523	100.0%
<u>LARCENY</u>										
Train	239	57.3%	429	51.2%	77	65.3%	65	60.7%	810	54.7%
Stairway	40	9.6	119	14.2	8	6.8	13	12.1	180	12.2
Platform	85	20.4	169	20.2	20	16.9	16	15.0	290	19.6
Mezzanine	40	9.6	104	12.4	8	6.8	11	10.3	163	11.0
Passageway/Ramp	7	1.7	11	1.3	2	1.7	2	1.9	22	1.5
Other Location <sup>1</sup>	6	1.4	6	0.7	3	2.5	-	-	15	1.0
TOTAL LARCENY	417	100.0%	838	100.0%	118	100.0%	107	100.0%	1480	100.0%
<u>ROBBERY AND LARCENY</u>										
Train	413	44.6%	594	39.6%	145	51.0%	128	43.7%	1280	42.6%
Stairway	147	15.9	317	21.1	40	14.1	48	16.4	552	18.4
Platform	218	23.5	316	21.1	58	20.4	67	22.9	659	21.9
Mezzanine	105	11.3	180	12.0	27	9.5	37	12.6	349	11.6
Token Booth	23	2.5	19	1.3	1	0.4	5	1.7	48	1.6
Passageway/Ramp	9	1.0	49	3.2	5	1.8	5	.7	68	2.3
Other Location <sup>1</sup>	11	1.2	25	1.7	8	2.8	3	1.0	47	1.6
TOTAL ROBBERY AND LARCENY	926	100.0%	1500	100.0%	284	100.0%	293	100.0%	3003	100.0%

<sup>1</sup>Includes locations classified by the TPD as a toilet or a location not falling into one of the designated classes.

TABLE 8

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING  
FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## TPD CRIME CLASSIFICATION BY CRIME LOCATION

CRIME LOCATION	TPD CRIME CLASSIFICATION													
	Jewelry Snatch		Purse Snatch		Bag Opener		Pickpocket		Lush Worker		Other Type <sup>1</sup>		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Train	189	54.5%	145	45.3%	182	58.5%	125	61.0%	120	77.4%	49	34.5%	810	54.7%
Platform	71	20.4	63	19.7	51	16.4	38	18.5	31	20.0	36	25.4	290	19.6
Stairway	41	11.8	49	15.3	50	16.1	21	10.2	1	0.6	18	12.7	180	12.2
Mezzanine	35	10.1	51	16.0	25	8.0	16	7.8	1	0.6	35	24.6	163	11.0
Passageway/Ramp	8	2.3	10	3.1	2	0.7	2	1.0	-	-	-	-	22	1.5
Other Location <sup>2</sup>	3	0.9	2	0.6	1	0.3	3	1.5	2	1.3	4	2.8	15	1.0
TOTAL	347	100.0%	320	100.0%	311	100.0%	205	100.0%	155	100.0%	142	100.0%	1480	100.0%

<sup>1</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

<sup>2</sup>Includes locations classified by the TPD as a toilet or a location not falling into one of the designated classes.

Table 9 shows the distribution of crime incident locations by the time of the incident. With the exception of robberies at token booths and passageways or ramps, the time of occurrence of the incident did not vary greatly for either robberies or larcenies when crime locations were examined separately. Token booth robberies occurred most frequently between 12:01 A.M. and 6:00 A.M. (43.7%) and least frequently between 6:01 A.M. and 12:00 noon (12.5%) and between 12:01 P.M. and 6:00 P.M. (18.7%). At all other locations, the highest percentages of robbery incidents occurred either between 12:01 P.M. and 6:00 P.M. or between 6:01 P.M. and 12:00 midnight. Robbery incidents which occurred on a passageway or ramp had the lowest percentage of incidents (8.7%) between 12:01 A.M. and 6:00 A.M. The highest percentage of larcenies at all locations occurred between 12:01 P.M. and 6:00 P.M., ranging from 44.1% (platform larcenies) to 53.3% (larcenies at other locations). Larcenies which occurred in a passageway or ramp, stairway, or mezzanine were least likely to occur between 12:01 A.M. and 6:00 A.M. (4.6%, 8.3%, and 8.6%, respectively).

F. Weapon Type

"Weapon," as defined by the TPD, included those instruments commonly considered as weapons (such as guns and knives) and also bodily force. A weapon may have been reported in connection with a crime incident if it was used in the crime or recovered from the person arrested (if there was an arrest). As noted above,<sup>27</sup> a robbery involves the theft (or attempted theft) of property where some kind of force (including a weapon) was used or threatened against someone. A larceny is also a theft of property and may involve a weapon if it was directed against the property and not against a person.

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<sup>27</sup> See p. 5, supra.

TABLE 9

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## CRIME LOCATION BY TIME OF INCIDENT

CRIME LOCATION																
TIME OF INCIDENT	Train		Stairway		Platform		Mezzanine		Token Booth		Passageway/ Ramp		Other Location <sup>2</sup>		TOTAL	
ROBBERY	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
12:01- 6:00 A.M.	124	26.4%	62	16.7%	91	24.7%	41	22.2%	21	43.7%	4	8.7%	4	12.5%	347	22.8%
6:01-12:00 Noon	65	13.8	49	13.2	41	11.1	22	11.9	6	12.5	8	17.4	7	21.9	198	13.0
12:01- 6:00 P.M.	137	29.2	133	35.7	124	33.6	69	37.3	9	18.7	18	39.1	11	34.4	501	32.9
6:01-12:00 Midnight	144	30.6	128	34.4	113	30.6	53	28.6	12	25.0	16	34.8	10	31.2	476	31.3
SUBTOTAL	470	100.0%	372	100.0%	369	100.0%	185	100.0%	48	100.0%	46	100.0%	32	100.0%	1522	100.0%
Not Available	-		-		-		1		-		-		-		1	
TOTAL ROBBERY	470		372		369		186		48		46		32		1523	
LARCENY																
12:01- 6:00 A.M.	121	14.9%	15	8.3%	46	16.0%	14	8.6%	-	-	1	4.6%	2	13.3%	199	13.5%
6:01-12:00 Noon	188	23.2	32	17.8	55	19.1	41	25.1	-	-	5	22.7	3	20.0	324	21.9
12:01- 6:00 P.M.	362	44.7	95	52.8	127	44.1	74	45.4	-	-	11	50.0	8	53.3	677	45.8
6:01-12:00 Midnight	139	17.2	38	21.1	60	20.8	34	20.9	-	-	5	22.7	2	13.3	278	18.8
SUBTOTAL	810	100.0%	180	100.0%	288	100.0%	163	100.0%	-	-	22	100.0%	15	100.0%	1478	100.0%
Not Available	-		-		2		-		-		-		-		2	
TOTAL LARCENY	810		180		290		163		-		22		15		1480	

<sup>1</sup>Includes locations classified by the TPD as a toilet or a location not falling into one of the designated classes.

Weapons were reported for 1508 of the 1523 robbery incidents (99.0%). (See, Table 10.) Almost half (47.9%) of these 1508 robberies reported "fist" (or bodily force) as the weapon. In addition, gun and "alleged gun"<sup>28</sup> accounted for 24.4% (17.6% and 6.8%, respectively) of the weapons used in the robberies. Over one fifth (22.1%) of the robberies where a weapon was reported involved a knife. When the type of weapon reported was examined separately by the county of occurrence of the robbery incident, Bronx County had the lowest percentage of incidents with bodily force ("fist") as the weapon reported (39.7%). Use or possession of a knife or gun accounted for a higher proportion of the Bronx County robberies (47.8%) than in any other county (41.6%, 38.4%, and 37.7% in Queens, New York, and Kings Counties, respectively).

Only 57 of 1480 larceny incidents in the sample (3.9%) reported a weapon. Over five sixths (84.2%) of these weapons were knives (or other cutting instruments).<sup>29</sup> Knives are sometimes used in larcenies to cut purse or bag straps or the pocket of someone asleep on a train.

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<sup>28</sup>An "alleged gun" is recorded by the TPD as the weapon if the perpetrator claims to have a gun or simulates a gun by, for example, placing a hand in a pocket.

<sup>29</sup>See, pp.62-67, infra, for a discussion of the clearance rates among lush worker larcenies, the TPD classification into which the majority of these larcenies with weapons fell, and p.72, infra, for a discussion of the clearance rates among the larcenies with a weapon.

TABLE 10

TRANSIT ROBBERY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982;  
OR OCTOBER 2-22, 1982:

## COUNTY BY WEAPON TYPE

WEAPON TYPE	<u>COUNTY</u>		<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Fist <sup>1</sup>	254	50.4%	312	47.7%	84	50.6%	73	39.7%	723	47.9%		
Knife	87	17.3	150	23.0	46	27.7	50	27.2	333	22.1		
Gun	103	20.4	101	15.4	23	13.9	38	20.6	265	17.6		
Alleged Gun	35	6.9	47	7.2	8	4.8	12	6.5	102	6.8		
Other Type <sup>2</sup>	<u>25</u>	<u>5.0</u>	<u>44</u>	<u>6.7</u>	<u>5</u>	<u>3.0</u>	<u>11</u>	<u>6.0</u>	<u>85</u>	<u>5.6</u>		
SUBTOTAL	504	100.0%	654	100.0%	166	100.0%	184	100.0%	1508	100.0%		
Not Available	<u>5</u>		<u>8</u>		<u>-</u>		<u>2</u>		<u>15</u>			
TOTAL ROBBERY	509		662		166		186		1523			

<sup>1</sup>Includes all types of bodily force.

<sup>2</sup>Includes weapons classified by the TPD as a blunt instrument (42), toy gun (13), poison or chemical (10), or a weapon not falling into one of the designated classes (20).

NOTE: Of the 1480 larceny incidents, 57 cases reported a weapon. Weapons included among these 57 cases are: knife (48), fist (4), gun (1), alleged gun (1), toy gun (1), and a weapon not falling into one of the designated classes (2).



G. Value of Property Taken

For almost three fourths of both the robbery and the larceny incidents (73.7% and 74.1%, respectively), some dollar value of the property stolen in connection with the incident was reported to the TPD.<sup>30</sup> (See, Table 11.) Overall, the distribution of stolen property values was similar for robberies and larcenies. The percentage of incidents in three value categories (\$5.00 to \$49.99, \$50.00 to \$199.99, and \$200.00 and over) ranged only from 30.6% to 33.7% for robberies but from 27.9% to 36.8% for larcenies.<sup>31</sup>

For some larceny crime classes, the percentage of incidents in the three highest cash value categories varied from the distribution found for all larceny incidents. For instance, for 62.5% of the incidents classified as a larceny jewelry snatch where some value of property taken was recorded, the property was reported to be worth \$200.00 or more. Purse snatch, bag opener, and pickpocket incidents had the smallest percentages of incidents in the \$200.00-or-more category (18.3%, 19.2%, and 22.6%, respectively). Lush worker larcenies were nearly evenly split among the three highest property value categories, while purse snatch and bag opener larcenies were more heavily concentrated in the \$5.00-to-\$49.99 and \$50.00-to-\$199.00 categories.

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<sup>30</sup>Included among the incidents for which the value of property stolen was not available were incidents where the value of the property was not known or not recorded and incidents where no property was taken. (See, p. 72, infra, for a discussion of the variability of the clearance rates among both robberies and larcenies for each of the five value categories, especially the "value not available" category.)

<sup>31</sup>The TPD provided data to CJA on the value of property taken in the categories presented in Table 11. Because a mean or median would not accurately reflect the distribution of values for cases within each category, neither of these averages was calculated for these data.

TABLE 11

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING  
FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## TPD CRIME CLASSIFICATION BY VALUE OF PROPERTY STOLEN

TPD CRIME CLASSIFICATIONLARCENY

VALUE OF PROPERTY STOLEN	<u>ROBBERY</u>		<u>Jewelry Snatch</u>		<u>Purse Snatch</u>		<u>Bag Opener</u>		<u>Pickpocket</u>		<u>Lush Worker</u>		<u>Other Type</u> <sup>1</sup>		<u>LARCENY TOTAL</u>		<u>ROBBERY AND LARCENY TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
\$1.00-\$4.99	39	3.5%	2	0.7%	7	2.8%	4	1.7%	7	4.9%	1	1.0%	3	3.0%	24	2.2%	63	2.8%
\$5.00-\$49.99	343	30.6	16	5.9	93	37.1	84	35.9	50	35.2	29	29.6	34	34.0	306	27.9	649	29.3
\$50.00-\$199.99	378	33.7	84	30.9	105	41.8	101	43.2	53	37.3	37	37.8	24	24.0	404	36.8	782	35.2
\$200.00 and Over	362	32.2	170	62.5	46	18.3	45	19.2	32	22.6	31	31.6	39	39.0	363	33.1	725	32.7
SUBTOTAL	1122	100.0%	272	100.0%	251	100.0%	234	100.0%	142	100.0%	98	100.0%	100	100.0%	1097	100.0%	2219	100.0%
Not Available <sup>2</sup>	401		75		69		77		63		57		42		383		784	
TOTAL	1523		347		320		311		205		155		142		1480		3003	

<sup>1</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

<sup>2</sup>Includes incidents where no property was taken and where the value of the property taken was not available or not recorded.

#### H. Age and Sex of Complainant

Table 12 shows the age and sex of complainants (or victims) for all robbery and larceny incidents.<sup>32</sup> More robbery complainants tended to be in the youngest age categories than larceny complainants - 18.4% of the robbery complainants were under 20 as compared to only 6.4% of the larceny complainants. On average, larceny complainants were older than robbery complainants: for robbery incidents, the average (or mean) complainant age was 34.9 years; the median age was 30.3 years.<sup>33</sup> The mean complainant age for larceny incidents was 2.4 years higher (37.3 years) and the median complainant age was 2.9 years higher (33.2 years). The most common age categories for both types of incidents were 20 to 29 years and 30 to 39 years (28.5% and 19.5% of the robberies and 32.9% and 23.0% of the larcenies, respectively). Complainants 50 years or older comprised 21.8% of the robbery and 23.6% of the larceny victims.

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<sup>32</sup>The age and sex of the "complainant" was that of the victim of the crime. If someone other than the victim reported the crime, the age and sex of the victim may not have been recorded (and, thus, would be "not available"). If a police officer was the victim of the crime, his or her age should have been recorded. If there was more than one complainant (or victim) involved in the incident, only the age and sex of the first complainant listed on the TP4 form was recorded in the TPD computer system for that incident.

<sup>33</sup>A mean is an average calculated by adding all non-missing values for a variable together and dividing this sum by the number of cases with non-missing values. A median is based upon the frequency distribution of non-missing values. It is the value which cuts the distribution in half - one half of the cases have higher values and one half have lower values.

TABLE 12

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING  
FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

AGE OF COMPLAINANT BY SEX OF COMPLAINANT<sup>1</sup>

SEX OF COMPLAINANT	AGE OF COMPLAINANT													
	Under 16 yrs.		16-19 yrs.		20-29 yrs.		30-39 yrs.		40-49 yrs.		50-59 yrs.		Over 59 yrs.	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
ROBBERY														
Male	82	90.1%	127	71.3%	287	69.2%	191	67.3%	116	67.4%	126	72.8%	110	75.9%
Female	9	9.9	51	28.7	128	30.8	93	32.7	56	32.6	47	27.2	35	24.1
SUBTOTAL	91	100.0%	178	100.0%	415	100.0%	284	100.0%	172	100.0%	173	100.0%	145	100.0%
Not Available	-		-		-		-		-		-		-	
TOTAL ROBBERY	91		178		415		284		172		173		145	
		(5.2%)		(12.2%)		(28.5%)		(19.5%)		(11.8%)		(11.9%)		(9.9%)
LARCENY														
														(100.0%)
														(AGE SUBTOTAL, N=1458)
Male	10	58.8%	26	37.7%	137	30.6%	90	28.8%	65	34.0%	56	35.0%	89	55.6%
Female	7	41.2	43	62.3	310	69.4	223	71.2	126	66.0	104	65.0	71	44.4
SUBTOTAL	17	100.0%	69	100.0%	447	100.0%	313	100.0%	191	100.0%	160	100.0%	160	100.0%
Not Available	-		-		-		-		-		-		-	
TOTAL LARCENY	17		69		447		313		191		160		160	
		(1.3%)		(5.1%)		(32.9%)		(23.0%)		(14.1%)		(11.8%)		(11.8%)
														(100.0%)
														(AGE SUBTOTAL, N=1357)

<sup>1</sup>The age and sex of the "complainant" was that of the victim of the crime.

There were considerable differences in the proportions of male and female robbery and larceny complainants, generally and among age groups. Victims of robbery incidents were most often male (71.2%), while female complainants were more prevalent among larcenies (65.7% of these incidents). When complainant age was examined by complainant sex, for both robberies and larcenies, differences among the age groups appeared the greatest for the youngest and oldest age categories. For instance, males comprised 90.1% of the robbery complainants under 16 years of age but no more than 75.9% for any other age category. For larcenies, the pattern found in the middle age categories, 16 to 59 years (where over two thirds - 68.3% - of the victims were female), was nearly the reverse of that found for complainants under 16 years (58.8% male) or over 59 years (55.6% male).

As Table 13 illustrates, the sex of the larceny complainant varied greatly depending upon the type of crime incident reported. Bag opener, purse snatch, and jewelry snatch larcenies overwhelmingly involved female complainants (96.7%, 86.7%, and 79.2%, respectively) while lush worker and pickpocket larcenies most often involved male complainants (87.1% and 83.4%, respectively). Larcenies classified as "other" were more evenly split among male and female complainants (56.8% and 43.2%, respectively) than any other crime class.<sup>34</sup>

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<sup>34</sup>Among the "other" larcenies where the sex of the complainant was recorded, male complainants were reported for 50.0% of the 88 miscellaneous larcenies, 70.0% of the 25 hat snatches, and 80.0% of the 5 larcenies involving TA property. (These data do not appear in any table in this report.)

TABLE 13

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## TPD CRIME CLASSIFICATION BY SEX OF COMPLAINANT

SEX OF COMPLAINANT	TDP CRIME CLASSIFICATION													
	Jewelry Snatch		Purse Snatch		Bag Opener		Pickpocket		Lush Worker		Other Type <sup>1</sup>		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Male	72	20.8%	42	13.3%	10	3.3%	171	83.4%	135	87.1%	67	56.8%	497	34.3%
Female	274	79.2	274	86.7	297	96.7	34	16.6	20	12.9	51	43.2	950	65.7
SUBTOTAL	346	100.0%	316	100.0%	307	100.0%	205	100.0%	155	100.0%	118	100.0%	1447	100.0%
Not Available	1		4		4		-		-		24		33	
TOTAL	347		320		311		205		155		142		1480	

<sup>1</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

### III. INCIDENT RATES

In the previous section, the numbers and types of robbery and larceny incidents have been enumerated and described. While analyses of these data uncovered some interesting patterns of crime incidents, they provide, by themselves, an incomplete picture of subway crime and need to be placed in the larger perspective of the number of potential crime victims and the likelihood of victimization. For example, the findings in Section II that fewer larceny incidents occurred late at night and early in the morning or on weekends may simply reflect lower ridership at those times and thus fewer potential victims, not that the subways are "safer" during those times. In this section, we present an analysis of incident rates, taking into account the number of passengers.

#### A. Sample Time Periods

The New York City Transit Authority (TA) provided CJA with system-wide turnstile registration figures for each day of the four three-week periods examined in this component of the study.<sup>35</sup> Total passenger registration volume varied slightly among the four periods examined (See, Table 14) as did the total

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<sup>35</sup> These turnstile registration figures do not reflect persons who entered the system illegally or with a valid pass. In addition, passenger registration, by definition, can only record the point at which a person enters the subway system. Although certain patterns of entrance and egress may be assumed to be fairly constant, these patterns are not easily translated into exact times and locations. For instance, while during the week a person may tend to leave the system in the morning at the same station where he or she enters in the evening, there is no way to determine from passenger registration either the amount of time the person was on the system or the route taken. Therefore, when this measure is used to determine the number of people in the subway system at a particular time or at a particular location, it is necessarily only a rough estimate of the number of persons present. There are no available data on the number of passengers in and around stations and trains at any given time.

TABLE 14

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

WEEKDAY AND WEEKEND INCIDENT RATES PER MILLION PASSENGERS

ROBBERY	WEEKDAYS			WEEKEND <sup>1</sup>			TOTAL, ALL DAYS		
	NUMBER OF INCIDENTS <sup>2</sup>	TOTAL PASSENGER REGISTRATION <sup>3</sup>	INCIDENT RATE	NUMBER OF INCIDENTS <sup>2</sup>	TOTAL PASSENGER REGISTRATION <sup>3</sup>	INCIDENT RATE	NUMBER OF INCIDENTS <sup>2</sup>	TOTAL PASSENGER REGISTRATION <sup>3</sup>	INCIDENT RATE
Feb. 1-21, 1982	289	46,735,347	6.2	134	6,659,509	20.1	423	53,394,856	7.9
May 1-21, 1982	259	48,769,232	5.3	100	7,295,898	13.7	359	56,065,130	6.4
Aug. 1-21, 1982	286	45,539,379	6.3	118	6,773,451	17.4	404	52,312,830	7.7
Oct. 2-22, 1982	251	48,258,835	5.2	86	7,053,068	12.2	337	55,311,903	6.1
TOTAL ROBBERY	1085	189,302,793	5.7	438	27,781,926	15.7	1523	217,084,719	7.0
<u>LARCENY</u>									
Feb. 1-21, 1982	257	(see above)	5.5	60	(see above)	9.0	317	(see above)	5.9
May 1-21, 1982	318		6.5	59		8.1	377		6.7
Aug. 1-21, 1982	334		7.3	95		14.0	429		8.2
Oct. 2-22, 1982	291		6.0	66		9.4	357		6.4
TOTAL LARCENY	1200		6.3	280		10.1	1480		6.8
<u>ROBBERY and LARCENY</u>									
Feb. 1-21, 1982	546	(see above)	11.7	194	(see above)	29.1	740	(see above)	13.8
May 1-21, 1982	577		11.8	159		21.8	736		13.1
Aug. 1-21, 1982	620		13.6	213		31.4	833		15.9
Oct. 2-22, 1982	542		11.2	152		21.6	694		12.5
TOTAL ROBBERY AND LARCENY	2285		12.0	718		25.8	3003		13.8

<sup>1</sup>Includes Saturdays and Sundays only.

<sup>2</sup>Information provided by the Transit Police Department, Data Processing Unit.

<sup>3</sup>Turnstile registration of passengers. New York City Transit Authority, Accounting Department and Systems and Information Management Department, 406 Report, February 1982; May 1982; August 1982; and October 1982.



numbers of robbery and larceny incidents, although with different patterns. The average daily incident rates (the number of incidents per million passengers per day) were highest for robberies during February and August (7.9 and 7.7 daily incidents per million passengers, respectively) and for larcenies during August (8.2 incidents per million passengers). (See, Figure 4.) The lowest robbery incident rate was 6.1 per million passengers in the October period while, for larcenies, February showed the lowest incident rate at 5.9 incidents per million passengers. The overall average daily incident rate for all four periods, for both crime types, was 13.8 incidents per million passengers.

B. Day of Occurrence

Both the robbery and the larceny incident rates were calculated separately for each of the four periods for incidents occurring on a weekday (Monday through Friday). (See, Table 14 and Figure 5.) Weekend incident rates, for all time periods, were substantially higher than the weekday incident rates for each crime category. The highest weekend larceny rate was for August 1982 (14.0 per million), almost twice the August weekday rate of 7.3 per million. This may, in part, reflect the increased incidence of chain snatches that occur in the summer months.<sup>36</sup> The three other periods have weekend larceny incident rates between 8.1 per million (May) and 9.4 per million (October).

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<sup>36</sup>An analysis of larceny crime classifications for each of the four periods showed the highest percentage of jewelry snatches among the August sample (33.3%, compared to 7.6%, 28.1%, and 20.7% for February, May, and October, respectively). (See, Table 1 in Appendix I.) This pattern was also found when incidents which occurred on the weekend and during the week were examined separately. Among weekend incidents, the percentage of lush worker incidents was higher in the August period (32 of the 80 incidents, or 40.0%) than in any other period and constituted 33.7% of all of the weekend larceny incidents in August. (See, Table 1 in Appendix I.)

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING  
FEB. 1-21, 1982; MAY 1-21, 1982; AUG. 1-21, 1982; OR OCT. 2-22, 1982:  
NUMBER OF INCIDENTS PER MILLION PASSENGERS

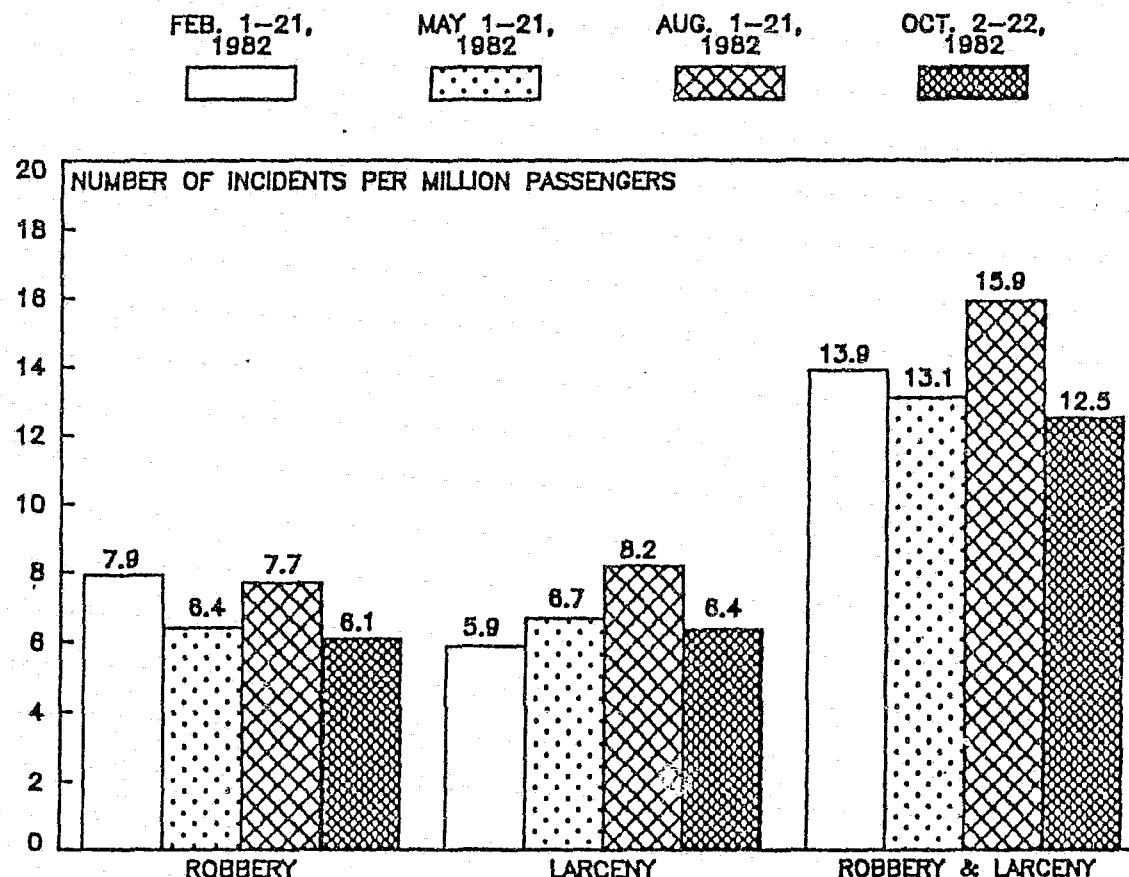


Figure 4

SOURCES: New York City Transit Authority, Accounting Department and Systems and Information Management Department, 406 REPORT, February, 1982; May, 1982; August, 1982; and October, 1982.  
Transit Police Department, Data Processing Unit.

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING  
FEB. 1-21, 1982; MAY 1-21, 1982; AUG. 1-21, 1982; OR OCT. 2-22, 1982:  
WEEKDAY AND WEEKEND INCIDENT RATES

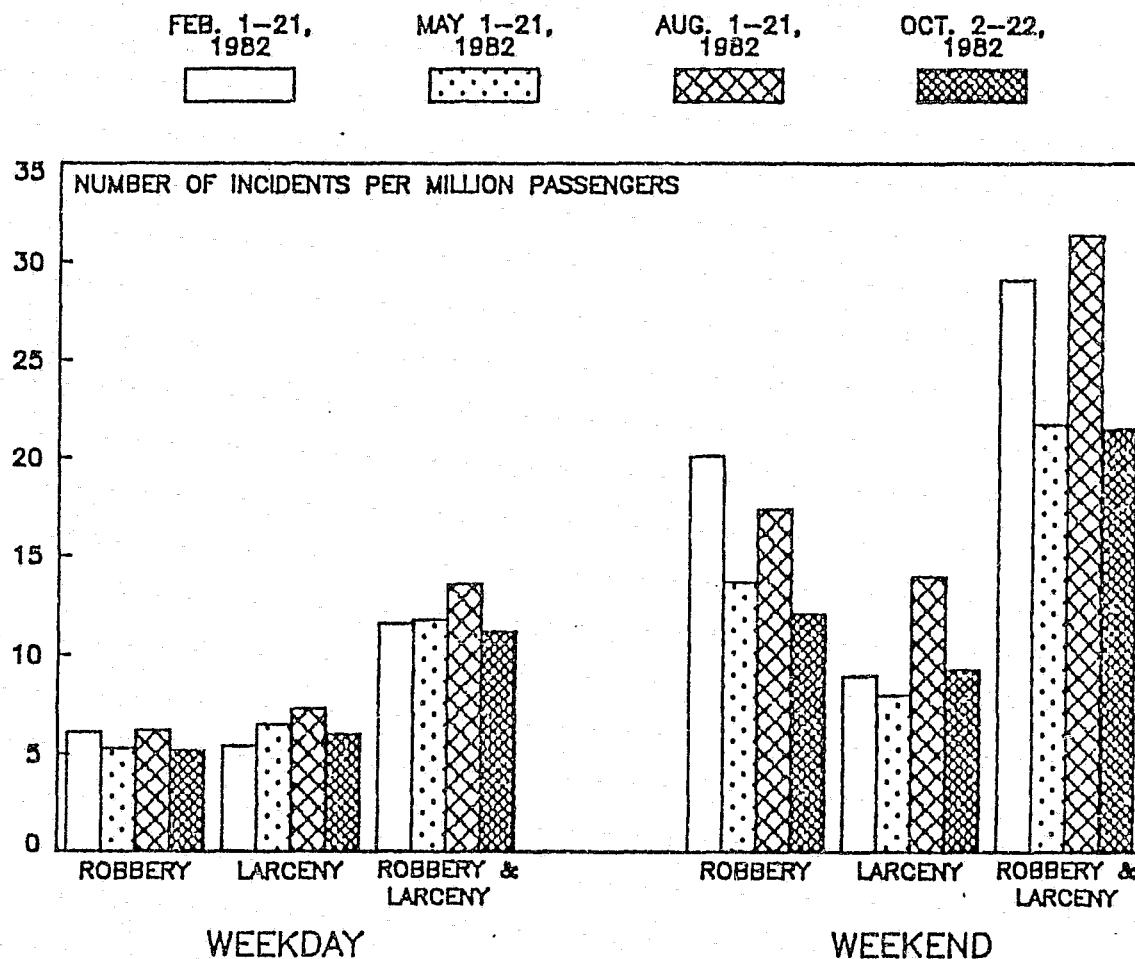


Figure 5

SOURCES: New York City Transit Authority, Accounting Department and Systems and Information Management Department, 408 REPORT, February, 1982; May, 1982; August, 1982; and October, 1982.  
Transit Police Department, Data Processing Unit.

For robberies, the weekend incident rate of 15.7 per million passengers was almost three times as high as the weekday robbery incident rate (5.7). The highest weekend robbery incident rate was 20.1 per million for the February 1982 period. Also, weekends in the August period produced high incident rates for robbery (17.4 per million compared to 13.7 and 12.2 per million for May and October, respectively).

C. Time of Incident, Monday through Friday

The availability from the TA of hourly passenger registration data for a sample day in October 1982 allowed the calculation of weekday incident rates per two-hour interval for the October sample period.<sup>37</sup> (See, Table 15 and Figure 6.) The interval from 2:01 A.M. to 4:00 A.M. showed the highest incident rates for both robbery and larceny incidents (29.0 and 38.4 incidents per million registered passengers, respectively). The period from 12:01 A.M. to 2:00 A.M. had the second highest incident rates for both crime types (28.0 robbery and 13.2 larceny incidents per million passengers). The lowest weekday incident rate for both crime types was that for the early morning rush-hour period, 6:01 A.M. to 8:00 A.M. (1.3 robbery and 1.9 larceny incidents per million passengers). For the evening rush hour (4:01 P.M. to 6:00 P.M.) the robbery incident rate was relatively low (2.7) and the larceny rate relatively high (8.1).

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<sup>37</sup>These incident rates were calculated using hourly passenger registration figures for October 13, 1982, a Wednesday, from New York City Transit Authority, Station Department and Accounting Department, Traffic Study: Passenger Registration by Hours, Rapid Transit Lines, Wednesday, October 13, 1982, n.d., p. 116. The Transit Authority also published hourly passenger registration figures for March 24, 1982. Because this March date, unlike October 13, did not fall within the 84 days of the sample period, it was not used to calculate the hourly incident rates reported here. In addition, to limit the effect of any seasonal or weekend variations in incident times, only October incidents which occurred from Monday through Friday were selected for the hourly rate calculations. (See, Appendix I, Figures 1 and 2, for the time of incident for all robbery and larceny incidents which occurred Monday through Friday.)

TABLE 15

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING OCTOBER 2-22, 1982:

INCIDENT RATES PER TWO-HOUR INTERVAL, MONDAY - FRIDAY

<u>TIME OF INCIDENT</u>	<u>DAILY PASSENGER REGISTRATION</u> <sup>1</sup>	<u>AVERAGE NUMBER OF INCIDENTS PER DAY</u> <sup>2</sup>			<u>INCIDENT RATE</u> <sup>3</sup>		
		<u>ROBBERY</u>	<u>LARCENY</u>	<u>TOTAL</u>	<u>ROBBERY</u>	<u>LARCENY</u>	<u>TOTAL</u>
12:01 - 2:00 A.M.	45,360	1.27	0.60	1.87	29.0	13.2	41.2
2:01 - 4:00 A.M.	13,798	0.40	0.53	0.93	29.0	38.4	67.4
4:01 - 6:00 A.M.	39,952	0.47	0.40	0.87	11.8	10.0	21.8
6:01 - 8:00 A.M.	450,980	0.60	6.87	1.47	1.3	1.9	3.2
8:01 - 10:00 A.M.	600,620	1.27	2.80	4.07	2.1	4.7	6.8
10:01 - 12:00 Noon	237,978	1.13	0.93	2.06	4.8	3.9	8.7
12:01 - 2:00 P.M.	220,209	1.87	1.20	3.07	8.5	5.4	13.9
2:01 - 4:00 P.M.	352,672	2.93	2.40	5.33	8.3	6.8	15.1
4:01 - 6:00 P.M.	704,027	1.93	5.73	7.66	2.7	8.1	10.8
6:01 - 8:00 P.M.	315,797	1.73	2.07	3.80	5.5	6.5	12.0
8:01 - 10:00 P.M.	143,043	1.93	1.97	3.00	13.5	7.5	21.0
10:01 - 12:00 Midnight	103,351	1.13	0.67	1.80	10.9	6.5	17.4
SUBTOTAL, 24-HR. PERIOD	3,227,787	16.66	19.27	35.93	5.1	6.0	11.1
Not Available	57,787	0.07	0.13	0.20	1.2	2.3	3.5
TOTAL, 24-HR. PERIOD	3,285,574	16.73	19.40	36.13	5.1	5.9	11.0

<sup>1</sup>Passenger hourly registration for October 13, 1982. New York City Transit Authority, Station Department, Accounting Department, TRAFFIC STUDY: PASSENGER REGISTRATION BY HOURS, RAPID TRANSIT LINES, October 13, 1982, p. 116.

<sup>2</sup>Based upon data provided by the Transit Police Department, Data Processing Unit, for October 2-22, 1982, Monday through Friday only.

<sup>3</sup>Number of incidents per million passengers.

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING OCTOBER 2-22, 1982:  
INCIDENT RATES PER TWO-HOUR INTERVAL, MONDAY-FRIDAY

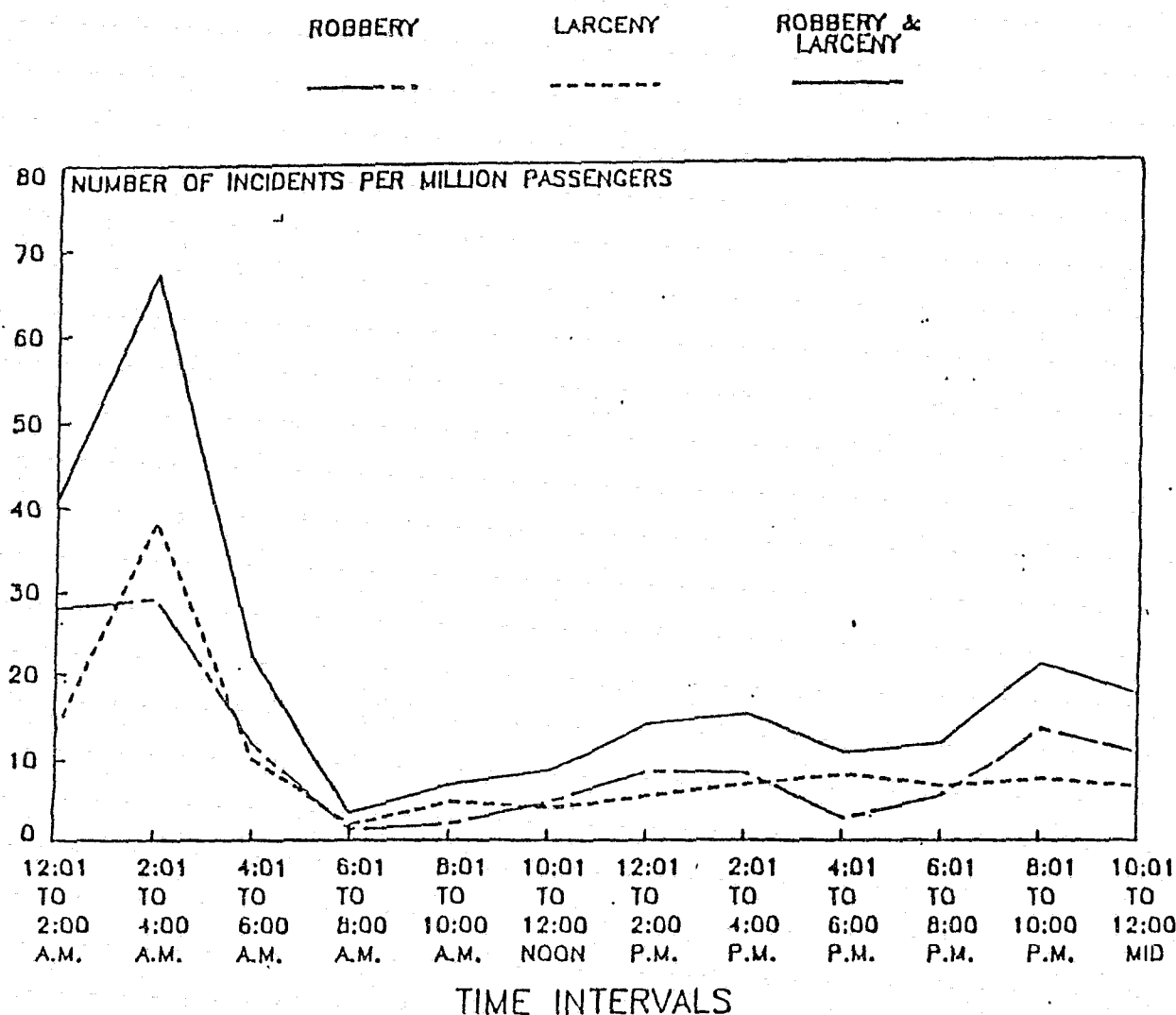


Figure 6

SOURCES: New York City Transit Authority, Station Department and Accounting Department, TRAFFIC STUDY: PASSENGER REGISTRATION BY HOURS, RAPID TRANSIT LINES, WEDNESDAY, OCTOBER 13, 1982, n.d., p. 118.  
Transit Police Department, Data Processing Unit.

D. County

By looking at the daily incident rates for each county, a pattern emerges which is different from that found by simply looking at the average number of incidents per day.<sup>38</sup> As with the incidents-per-day averages, there was substantial variation among incident rates for the four counties. (See, Table 16.) For instance, the average daily incident rate for robberies and larcenies combined ranged from a low of 8.7 incidents per million registered passengers in Queens to a high of 21.0 incidents per million passengers in Kings County. New York and Bronx Counties fell fairly evenly between these two extremes with daily incident rates of 12.1 and 17.6 incidents per million registered passengers, respectively.<sup>39</sup>

When each crime category was examined separately, Queens also had the lowest incident rates per day for both robbery and larceny (5.1 per million and 3.6 per million, respectively) while the incident rates in Kings County for both robbery (11.6 per million) and larceny (9.4 per million) were higher than those for any other county. New York County was the only county which had a higher daily incident rate for larceny (6.8 per million) than for robbery (5.3 per million). The relatively high daily robbery incident rate in the Bronx (11.1 per million) contrasts sharply with the low daily average number of robbery incidents occurring

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<sup>38</sup> See, p.11, supra, for a discussion of the average number of transit robbery and larceny incidents per day for each county.

<sup>39</sup> Table 17 shows how a simple count of incidents per day can give a distorted picture of the actual victimization rate. Although Queens and the Bronx had about the same average number of incidents per day (3.4 and 3.5, respectively) the incident rate for the Bronx was twice as high (17.6 per million passengers versus 8.8 for Queens). Similarly, although Kings County had a much lower average number of robbery and larceny incidents per day than New York County, its incident rate (21.0), because of its lower passenger volume, was almost double that of New York County (12.1).

TABLE 16

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

INCIDENT RATE BY COUNTY<sup>1</sup>

COUNTY	AVERAGE DAILY PASSENGER REGISTRATION <sup>1</sup>	AVERAGE NUMBER OF INCIDENTS PER DAY <sup>2</sup>			INCIDENT RATE <sup>3</sup>		
		ROBBERY	LARCENY	TOTAL	ROBBERY	LARCENY	TOTAL
Kings .	517,908	6.0	4.9	10.9	11.6	9.4	21.0
New York	1,475,118	7.9	10.0	17.9	5.3	6.8	12.1
Queens	388,085	2.0	1.4	3.4	5.1	3.6	8.7
Bronx ,	198,751	2.2	1.3	3.5	11.1	6.5	17.6
TOTAL	2,579,862	18.1	17.6	35.7	7.0	6.8	13.8

<sup>1</sup>Based upon turnstile registration figures for February, May, August, and October 1982. These figures have been adjusted to reflect the average daily passenger registration for February 1-21, May 1-21, August 1-21, and October 2-22, 1982. New York City Transit Authority, Accounting Department and Systems and Information Management Department, 406 Report, February 1982; May 1982; August 1982; and October 1982.

<sup>2</sup>Based upon data provided by the Transit Police Department, Data Processing Unit.

<sup>3</sup>Number of incidents per million passengers.



TABLE 17

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS  
REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

INCIDENT RATE AND CLEARANCE RATE BY COUNTY

	<u>COUNTY</u>				
<u>ROBBERY</u>	<u>Kings</u>	<u>New York</u>	<u>Queens</u>	<u>Bronx</u>	<u>TOTAL</u>
Incident Rate <sup>1</sup>	11.6	5.3	5.1	11.1	7.0
Clearance Rate	16.9%	16.5%	14.5%	22.0%	17.1%
<u>LARCENY</u>					
Incident Rate <sup>1</sup>	9.4	6.8	3.6	6.5	6.8
Clearance Rate	13.2%	24.3%	25.4%	21.5%	21.1%
<u>ROBBERY AND LARCENY</u>					
Incident Rate <sup>1</sup>	21.0	12.1	8.7	17.6	13.8
Clearance Rate	15.2%	20.9%	19.0%	21.8%	19.0%

<sup>1</sup> Number of incidents per million passengers. Calculated using the data provided by the Transit Police Department Data Processing Unit, and turnstile registration figures for February, May, August, and October 1982. New York City Transit Authority, Accounting Department and Systems and Information Management Department, 406 Report, February, 1982; May, 1982; August, 1982; and October, 1982. These turnstile registration figures have been adjusted to reflect the average daily passenger registration for February 1-21, May 1-21, August 1-21, and October 2-22, 1982.

there. Again the very high average daily passenger registration found in New York County and the comparatively low passenger volume in the Bronx appear to mediate the crime incident figures reported above where only the number of incidents reported was taken into account.

E. Incident Rate for 25 Stations with Highest Passenger Entry Volume

The TA produced a report on the volume of passenger entry registration by station in the subway system for the year ending June 30, 1982.<sup>40</sup> Using these data, the average daily volume for the 25 stations with the highest passenger entry volume was calculated.<sup>41</sup> Second, the average number of incidents per day was tabulated for each of these stations (or, more precisely, at the Transit Police "posts" which make up these stations and include the tracks coming into and going out from them). Finally, incident rates for the 25 stations with the highest passenger entry volume were calculated from these figures. These stations were then ranked from the highest to the lowest incident rate for robbery, for larceny, and for robbery and larceny combined. Table 18 summarizes these data.

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<sup>40</sup> Eugenia Katsnelson, New York City Transit Authority, Engineering Department, Planning Division, Ranking of Stations: Yearly and Peak Hourly Passenger Registrations, July 1983. See, fn. 35, p.37, for a note on passenger entry volume.

<sup>41</sup> Stations serving more than one line were grouped where there is a free transfer between them. These include: (1) stations where lines are separated by platform levels which were designed as a single station, such as the IND station at West 4th Street and Sixth Avenue in Manhattan; and (2) stations, originally designed as separate stations but later joined by tunnels, that allow free transfer, such as the station complex at Fulton, Broadway, Nassau, and William Streets in lower Manhattan.

TABLE 18 -

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## INCIDENT RATE FOR 25 STATIONS WITH HIGHEST PASSENGER ENTRY VOLUME CITYWIDE

STATION <sup>1</sup>	LINE	AVERAGE DAILY VOLUME <sup>2</sup>	INCIDENTS PER DAY <sup>3</sup>			INCIDENT RATE <sup>4</sup> (RANKS) <sup>5</sup>		
			ROBBERY	LARCENY	TOTAL	ROBBERY	LARCENY	TOTAL
1. Grand Central	TSS LEX FLS	85,525	0.23	0.82	1.05	2.7 (16)	9.6 ( 6)	12.3 ( 9)
2. 34th St.	BWY 6AV	64,218	0.27	0.66	0.93	4.2 (10)	<u>10.3</u> ( 4)	14.5 ( 6)
3. Times Square	BWY BW7 FLS TSS	61,525	0.31	0.61	0.92	5.0 ( 8)	<u>9.9</u> ( 5)	<u>14.9</u> ( 5)
4. 34th St.	BW7	43,622	0.06	0.18	0.24	1.4 (21)	4.1 (20)	5.5 (23)
5. Chambers-WTC- Park Place	8AV 8AV NLT	43,458	0.10	0.32	0.42	2.3 (17)	7.4 (10)	9.7 (15)
6. 47 St.-Rockefeller	6AV	43,052	0.12	0.17	0.29	2.8 (14)	3.9 (22)	6.7 (20)
7. 34th St.	8AV	41,823	0.08	0.17	0.25	1.9 (20)	4.1 (20)	6.0 (22)
8. 59th St.- Lexington	LEX BWY	39,297	0.03	0.66	0.69	0.8 (22)	<u>16.8</u> ( 1)	<u>17.6</u> ( 3)
9. Fulton-Broadway- Nassau-William	LEX NAS 8AV NLT	39,061	0.11	0.26	0.37	2.8 (14)	6.7 (13)	9.5 (16)
10. 42nd St. - 5 Ave.	6AV FLS	37,982	0.55	0.31	0.86	<u>14.4</u> ( 1)	8.2 ( 8)	<u>22.6</u> ( 1)
11. Union Square	LEX BWY CNR	36,696	0.13	0.38	0.51	3.5 (12)	<u>10.4</u> ( 3)	13.9 ( 8)
12. Main St.	FLS	34,417	0.01	0.02	0.03	0.3 (25)	0.6 (25)	0.9 (25)
13. 42nd St.	8AV	31,528	0.32	0.36	0.68	<u>10.2</u> ( 2)	<u>11.4</u> ( 2)	<u>21.6</u> ( 2)
14. 59th St.	8AV BW7	31,102	0.20	0.16	0.36	<u>6.4</u> ( 5)	5.1 (19)	11.5 (12)
15. Lexington Ave.	QBL	30,807	0.07	0.10	0.17	2.3 (17)	3.2 (24)	5.5 (23)
16. 86th St.	LEX	29,818	0.02	0.17	0.19	0.7 (23)	5.7 (15)	6.4 (21)
17. 14th St.	BW7 CNR 6AV	27,374	0.14	0.25	0.39	5.1 ( 7)	9.1 ( 7)	14.2 ( 7)
18. 179th St.	QBL	26,689	0.02	0.19	0.21	0.8 (23)	7.1 (11)	7.9 (18)
19. West 4th St.	8AV	24,997	0.16	0.14	0.30	<u>6.4</u> ( 5)	5.6 (17)	12.0 (10)
20. Canal-Lafayette- Broadway-Centre	LEX BWY BWY NAS	23,724	0.19	0.08	0.27	<u>8.0</u> ( 4)	3.4 (23)	11.4 (13)
21. 5th Ave.	QBL	22,885	0.09	0.16	0.25	3.9 (11)	7.0 (12)	10.9 (14)
22. Brooklyn Bridge- Chambers	LEX NAS	22,753	0.05	0.13	0.18	2.2 (19)	5.7 (15)	7.9 (18)
23. Roosevelt-74 St.	QBL FLS	20,835	0.20	0.14	0.34	<u>9.6</u> ( 3)	6.7 (13)	<u>16.3</u> ( 4)
24. Bowling Green	LEX	18,554	0.06	0.10	0.16	3.2 (13)	5.4 (18)	8.6 (17)
25. 96th St.	BW7	18,354	0.08	0.14	0.22	4.4 ( 9)	7.6 ( 9)	12.0 (10)

<sup>1</sup> Stations serving more than one line were grouped where there is a free transfer between them.

<sup>2</sup> Based upon turnstile registration figures for the year ending June 30, 1982. Eugenia Katsnelson, New York City Transit Authority, Engineering Department, Planning Division, Ranking of Stations: Yearly and Peak Hourly Passenger Registrations, July 1983.

<sup>3</sup> Based upon data provided by the Transit Police Department, Data Processing Unit.

<sup>4</sup> Number of incidents per million passengers.

<sup>5</sup> Incident rate rank among the 25 stations with the highest passenger entry volume (from highest to lowest).

NOTE: Boxes indicate stations with the five highest incident rates in each category.

Stations with the greatest daily passenger registration volume or largest number of incidents per day were not necessarily the ones with the highest incident rates. Both the total daily incident rate and the daily incident rate for robberies was highest for the station complex at 42nd Street and 6th Avenue in Manhattan (22.6 robbery and larceny incidents combined, and 14.4 robbery incidents per million registered passengers). This station complex includes the station at 5th Avenue and 42nd Street and has the tenth highest passenger volume. Another station on 42nd Street, located at 8th Avenue (13th highest in passenger volume), had the second highest incident rate among these 25 stations across all three crime categories: 10.2 robberies, 11.4 larcenies, and 21.6 robberies and larcenies combined per million registered passengers.

Of these 25 high passenger registration stations, the BMT and IRT station complex at 59th Street and Lexington Avenue had the highest average daily incident rate for larceny (16.8 per million registered passengers). However, its robbery incident rate (0.8 per million) was among the lowest of the stations examined in Table 18. The two stations which feed into Pennsylvania Station, the 7th Avenue and 8th Avenue stations at 34th Street, despite their high passenger volume (ranked 4th and 7th, respectively), had relatively low incident rates for both robbery and larceny. The 7th Avenue Station had 1.4 robbery and 4.1 larceny incidents per million registered passengers (ranked 23rd in terms of combined incident rate) while the 8th Avenue station had 1.9 robbery and 4.1 larceny incidents per million registered passengers (ranked 22nd out of the 25 stations in combined incident rates). The station with the lowest robbery, larceny, and combined incident rates among the 25 stations was the Main Street Station of the Flushing IRT line.

Table 19 presents information on how much the robbery, larceny, and combined robbery and larceny incident rates for these same high passenger registration volume stations differed from the overall incident rates for all 465 stations (citywide means). In this table, a negative deviation from the mean indicates that the incident rate at a station was lower, by that absolute amount, than the incident rate among all stations. Conversely, a positive deviation from the mean indicates that a station's incident rate was that much higher than the citywide average.

For robberies and larcenies combined, the stations whose average daily incidents per million passengers were at least 6 greater than the citywide average were 42nd Street-5th Avenue (22.6 per million passengers) and 42nd Street-8th Avenue (21.6). For larceny incidents, the average daily incident rate for the 59th Street-Lexington Station (16.8) was substantially higher than the citywide average. Combined incident rates that were at least 6 units lower than the citywide average were observed for the following stations: 34th Street-7th Avenue; 34th Street-8th Avenue; 47th Street-Rockefeller Center; 86th Street-Lexington, IRT; Lexington Avenue, IND (at 53rd Street); and Main Street-Flushing, IRT.

As noted earlier, because the only available passenger volume data were turnstile registration figures, these station incident rates are only estimates of the true rates. Because the passenger registration data do not take into account those passengers on trains passing through the station or passengers transferring between lines, the incident rates shown in Tables 18 and 19 of this report generally over estimate the actual rates. This would especially be true for those stations with a high volume of passenger transfers, such as the 59th Street-Lexington Avenue, 42nd Street-5th Avenue, West 4th Street, and 34th Street-Broadway-6th Avenue stations.

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

DEVIATIONS FROM MEAN OF CITYWIDE INCIDENT RATE FOR 25 STATIONS  
WITH HIGHEST PASSENGER ENTRY VOLUME<sup>1</sup>

STATION <sup>2</sup>	LINE	DEVIATIONS FROM MEAN <sup>3</sup>		
		ROBBERY	LARCENY	TOTAL
		Citywide Mean = 7.0	Citywide Mean = 6.8	Citywide Mean = 13.8
Grand Central	TSS LEX FLS	-4.3	+2.8	-1.5
34th St.	BWY 6AV	-2.8	+3.5	+0.7
Times Square	BWY BW7 FLS TSS	-2.0	+3.1	+1.1
34th St.	BW7	-5.6	-2.7	-8.3
Chambers-WTC- Park Place	8AV 8AV NLT	-4.7	+0.6	-4.1
47 St.-Rockefeller	6AV	-4.2	-2.9	-7.1
34th St.	8AV	-5.1	-2.7	-7.8
59th St.-Lexington	LEX BWY	-6.2	+10.0	+3.8
Fulton-Broadway- Nassau-William	LEX NAS 8AV NLT	-4.2	-0.1	-4.3
42nd St. - 5 Ave.	6AV FLS	+7.4	+1.4	+8.8
Union Square	LEX BWY CNR	-3.5	+3.6	+0.1
Main St.	FLS	-6.7	-6.2	-12.9
42nd St.	8AV	+3.2	+4.6	+7.8
59th St.	8AV BW7	-0.6	-1.7	-2.3
Lexington Ave.	QBL	-4.7	-3.6	-8.3
86th St.	LEX	-6.3	-1.1	-7.4
14th St.	BW7 CNR 6AV	-1.9	+2.3	+0.4
179th St.	QBL	-6.2	+0.3	-5.9
West 4th St.	8AV	-0.6	-1.2	-1.8
Canal-Lafayette- Broadway-Centre	LEX BWY BWY NAS	+1.0	-3.4	-2.4
5th Ave.	QBL	-3.1	+0.2	-2.9
Brooklyn Bridge- Chambers	LEX NAS	-4.8	-1.1	-5.9
Roosevelt-74 St.	QBL FLS	+2.6	-0.1	+2.5
Bowling Green	LEX	-3.8	-1.4	-5.2
96th St.	BW7	-2.6	+0.8	-1.8

<sup>1</sup>The incident rate for 25 stations with highest passenger entry volume is based upon turnstile registrations figures for the year ending June 30, 1982. Eugenia Katsnelson, New York City Transit Authority, Engineering Department, Planning Division, Ranking of Stations: Yearly and Peak Hourly Passenger Registrations, July 1983.

<sup>2</sup>Stations serving more than one line were grouped where there is a free transfer between them.

<sup>3</sup>The citywide mean is based upon turnstile registration figures for February, May, August, and October 1982. New York City Transit Authority, Accounting Department and Systems and Information Management Department, 406 Report, February 1982; May 1982; August 1982; and October 1982.

#### IV. CLEARANCES

Among the 3003 crime incidents occurring during the 84 days covered by the study, 251 robberies and 311 larcenies were cleared by an arrest.<sup>42</sup> In addition, 9 robberies and 1 larceny in the sample were "exceptional clearances." In this section, factors associated with the subway crime incidents are described according to whether the incident was cleared.<sup>43</sup> An attempt is also made here to identify patterns among variables in relation to clearances.

##### A. Time Period

Nearly one fifth (19.0%) of all robbery and larceny incidents in the four periods of the study were subsequently cleared. (See, Table 20.) The overall percentage of robbery incidents cleared (17.1%) was four percentage points lower than the overall percentage of larcenies cleared (21.1%). While the October period had a somewhat higher percentage of clearances than the other periods for both robberies and larcenies (20.5% and 23.8%, respectively), the difference was not statistically significant for either crime type.<sup>44</sup>

##### B. Day of Occurrence

The day of the week on which a robbery occurred was not strongly related to its likelihood of being cleared. The percentage of robberies cleared varied by only 3.3 percentage points among all days, from a low of 15.5% on Saturday to a high of 18.8% on Thursday. (See, Table 21.) While the variation in the

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<sup>42</sup>See, fn. 4, *supra*, for an explanation of the TPD definition of "clearance" and "exceptional clearance."

<sup>43</sup>Thus, all of the clearance figures in this section refer to the total number of cleared robberies (260) and larcenies (312).

<sup>44</sup>The level of significance used was 0.05 with 3 degrees of freedom. For the robbery incidents, chi-square equaled 4.3 and, for the larceny incidents, it was 3.1.

TABLE 20

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

TIME PERIOD OF INCIDENT BY CLEARANCE

	<u>TIME PERIOD OF INCIDENT</u>									
	<u>February 1-21</u>		<u>May 1-21</u>		<u>August 1-21</u>		<u>October 2-22</u>		<u>TOTAL</u>	
<u>ROBBERY</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Clearance	70	16.5%	61	17.0%	60	14.9%	69	20.5%	260	17.1%
No Clearance	353	83.5	298	83.0	344	85.1	268	79.5	1263	82.9
TOTAL ROBBERY	423	100.0%	359	100.0%	404	100.0%	337	100.0%	1523	100.0%
<u>LARCENY</u>										
Clearance	70	22.1%	72	19.1%	85	19.8%	85	23.8%	312	21.1%
No Clearance	247	77.9	305	80.9	344	80.2	272	76.2	1168	78.9
TOTAL LARCENY	317	100.0%	377	100.0%	429	100.0%	357	100.0%	1480	100.0%
<u>ROBBERY AND LARCENY</u>										
Clearance	140	18.9%	133	18.1%	145	17.4%	154	22.2%	572	19.0%
No Clearance	600	81.1	603	81.9	688	82.6	540	77.8	2431	81.0
TOTAL ROBBERY AND LARCENY	740	100.0%	736	100.0%	833	100.0%	694	100.0%	3003	100.0%



TABLE 21

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## DAY OF OCCURRENCE BY CLEARANCE

DAY OF OCCURRENCE

	<u>Sunday</u>		<u>Monday</u>		<u>Tuesday</u>		<u>Wednesday</u>		<u>Thursday</u>		<u>Friday</u>		<u>Saturday</u>		<u>TOTAL</u>	
<u>ROBBERY</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Clearance	34	16.5%	38	18.4%	37	16.7%	31	16.0%	36	18.8%	48	17.6%	36	15.5%	260	17.1%
No Clearance	172	83.5	169	81.6	184	83.3	163	84.0	155	81.2	224	82.4	196	84.5	1263	82.9
TOTAL ROBBERY	206	100.0%	207	100.0%	221	100.0%	194	100.0%	191	100.0%	272	100.0%	232	100.0%	1523	100.0%
<u>LARCENY</u>																
Clearance	28	23.5%	38	18.9%	47	19.6%	61	24.1%	39	15.9%	55	21.1%	44	27.3%	312	21.1%
No Clearance	91	76.5	163	81.1	193	80.4	192	75.9	206	84.1	206	78.9	117	72.7	1168	78.9
TOTAL LARCENY	119	100.0%	201	100.0%	240	100.0%	253	100.0%	245	100.0%	261	100.0%	161	100.0%	1480	100.0%
<u>ROBBERY AND LARCENY</u>																
Clearance	62	19.1%	76	18.6%	84	18.2%	92	20.6%	75	17.2%	103	19.3%	80	20.4%	572	19.0%
No Clearance	263	80.9	332	81.4	377	81.8	355	79.4	361	82.8	430	80.7	313	79.6	2431	81.0
TOTAL ROBBERY AND LARCENY	325	100.0%	408	100.0%	461	100.0%	447	100.0%	436	100.0%	533	100.0%	393	100.0%	3003	100.0%

number of robbery incidents occurring from one day to another was not great, as a previous section of the report pointed out,<sup>45</sup> the likelihood of being the victim of a robbery was greater on weekends than during the week.<sup>46</sup> Thus for robberies, the chance of being victimized was greater on the weekend while the probability of the perpetrator being apprehended was nearly the same throughout the week.

Larcenies, on the other hand, differed by as much as 11.4 percentage points in the clearance rates for crimes committed on a given day, from 15.9% on Thursday to 27.3% on Saturday.<sup>47</sup> Higher-than-average clearance rates were also observed for incidents occurring on Wednesday (24.1%) and Sunday (23.5%). Clearance rates for each day of the week were re-calculated without lush worker incidents<sup>48</sup> (See, Table 2 in Appendix I.) When lush worker incidents were not included, the percentage of clearances on Saturday and Sunday dropped by 4.3% and 6.8% to 23.0% and 16.7%, respectively. Thus, it appears that the high weekend clearance rates for larcenies were related, at least in part, to the high percentage of lush worker incidents which occurred on those days.

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<sup>45</sup> See, p.12, supra, and Table 3.

<sup>46</sup> See, pp.39,42, supra, Table 14, and Figure 5.

<sup>47</sup> Police deployment figures separated according to day of the week may help explain whether any of the differences in clearance volume can be accounted for by the number of police present in the system on particular days. However, there may be differences in the numbers of officers present in the subway on particular days which are related to the number of persons arrested and not just to the number of police initially deployed. For instance, an arrest of one or more persons for a crime may require that one or more officers leave the system to help process the arrestees. If arrests, especially multiple arrests, for robberies, larcenies, and other crimes tend to occur more often on certain days, manpower figures would not give a complete picture of day-to-day police presence on the system.

<sup>48</sup> These incidents were eliminated because they had a relatively high percentage of clearances (See, p.64, infra) and occurred most frequently on the weekend (See, p.23, supra).

C. Time of Incident

Table 22 summarizes the clearance rates for robberies and larcenies by time of the incident and complainant age. For larcenies, the percentages of incidents cleared which occurred between 12:01 A.M. and 4:00 A.M. and between 4:01 A.M. and 8:00 A.M. (41.8% and 30.7%, respectively) were each at least 10 percentage points higher than for any other time period, possibly reflecting that it may be easier for victims or witnesses to see who the perpetrator is when the system is less crowded.<sup>49</sup> Among robberies, where there was less variation by time period in the percentage of incidents cleared; the highest clearance rate (20.5%) was found for the 12:01 P.M. to 4:00 P.M. period. Relatively low clearance rates were observed for robbery incidents occurring between 4:01 P.M. and 8:00 P.M. (13.1%), and for larcenies occurring between 8:01 A.M. and 12:00 noon (13.7%).<sup>50</sup>

D. County

Transit crime clearance rates varied somewhat by borough of occurrence. (See, Table 23.) The clearance rate for larcenies was higher than the robbery clearance rate citywide (21.1% and 17.1%, respectively), in New York County (24.3% and 16.5%, respectively), and in Queens (25.4% and 14.5%, respectively). In the Bronx, however, clearance rates for robberies and larcenies were roughly equivalent (22.0% and 21.5%, respectively). In Kings

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<sup>49</sup>See, p.64, infra, for a discussion of clearance rates for larcenies, the larceny crime classification most likely to occur early in the morning (See, Table 5), and pp.65, 67, infra, for a discussion of the clearance rates among crime classes at certain times of the day.

<sup>50</sup>See, pp.62, 64-65, 67, infra, for a discussion of clearance rates among TPD crime classifications.

TABLE 22

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

PERCENTAGE CLEARED BY TIME OF INCIDENT BY AGE OF COMPLAINANT<sup>1</sup>

AGE OF COMPLAINANT	TIME OF INCIDENT												Not Available	TOTAL	
	12:01-4:00 A.M.	4:01-8:00 A.M.	8:01-12:00 Noon	12:01-4:00 P.M.	4:01-8:00 P.M.	8:01-12:00 Midnight									
ROBBERY	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	(N)	%	(N)
Under 16 yrs.	50.0	( 4)	66.7	( 3)	23.1	( 13)	23.1	( 39)	15.8	( 19)	53.8	( 13)	(-)	28.6	( 91)
16-19 yrs.	29.6	( 27)	29.6	( 7)	20.0	( 20)	20.8	( 48)	21.6	( 37)	20.5	( 39)	(-)	22.5	( 178)
20-29 yrs.	27.3	( 77)	15.6	( 32)	11.9	( 42)	31.5	( 73)	11.1	( 81)	19.1	(110)	(-)	20.2	( 415)
30-39 yrs.	9.7	( 62)	14.3	( 35)	27.3	( 22)	24.0	( 50)	13.0	( 54)	16.4	( 61)	(-)	16.2	( 284)
40-49 yrs.	9.4	( 32)	26.3	( 19)	6.7	( 15)	13.3	( 30)	6.1	( 33)	4.7	( 43)	(-)	9.9	( 172)
50-59 yrs.	6.9	( 29)	14.3	( 28)	9.1	( 22)	9.7	( 31)	9.4	( 32)	12.9	( 31)	(-)	10.4	( 173)
Over 59 yrs.	9.1	( 11)	22.2	( 9)	18.2	( 11)	12.1	( 58)	16.7	( 30)	11.5	( 26)	(-)	13.8	( 145)
SUBTOTAL	17.8	(242)	18.8	(133)	15.9	(145)	20.7	(329)	12.9	(286)	17.0	(323)	(-)	17.2	(1458)
Not Available	21.4	( 14)	12.5	( 8)	-	( 3)	12.5	( 8)	15.8	( 19)	-	( 12)	(1)	13.8	( 65)
TOTAL ROBBERY	18.0	(256)	18.4	(141)	15.5	(148)	20.5	(337)	13.1	(305)	16.4	(335)	(1)	17.1	(1523)
LARCENY															
Under 16 yrs.	100.0	( 1)	-	( -)	-	( 5)	37.5	( 8)	-	( -)	-	( 3)	(-)	23.5	( 17)
16-19 yrs.	80.0	( 5)	50.0	( 10)	50.0	( 8)	26.9	( 26)	18.8	( 16)	75.0	( 4)	(-)	37.7	( 69)
20-29 yrs.	42.9	( 49)	28.0	( 50)	5.8	( 69)	9.9	( 81)	15.0	(160)	23.7	( 38)	(-)	17.9	( 447)
30-39 yrs.	40.0	( 35)	25.8	( 31)	12.1	( 66)	14.8	( 54)	19.6	(102)	4.0	( 25)	(-)	18.8	( 313)
40-49 yrs.	21.4	( 14)	28.6	( 21)	25.0	( 28)	13.2	( 38)	19.7	( 71)	5.6	( 18)	(1)	19.4	( 191)
50-59 yrs.	16.7	( 6)	33.3	( 18)	4.8	( 21)	11.9	( 42)	21.2	( 66)	-	( 7)	(-)	16.9	( 160)
Over 59 yrs.	50.0	( 4)	41.7	( 12)	16.1	( 31)	10.7	( 56)	13.5	( 52)	20.0	( 5)	(-)	16.3	( 160)
SUBTOTAL	40.4	(114)	31.0	(142)	12.7	(228)	13.8	(305)	17.6	(467)	15.0	(100)	(1)	19.1	(1357)
Not Available	62.5	( 8)	27.3	( 11)	25.0	( 20)	56.0	( 25)	47.7	( 44)	28.6	( 14)	(1)	43.1	( 123)
TOTAL LARCENY	41.8	(122)	30.7	(153)	13.7	(248)	17.0	(330)	20.2	(511)	16.7	(114)	(2)	21.1	(1480)

<sup>1</sup>Numbers in parentheses "(N)" refer to the total number of incidents in each age category during each time period. All percentages in table refer to the percentage of the total incidents in each category which were cleared by an arrest.

TABLE 23

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

PERCENTAGE CLEARED BY CRIME LOCATION BY COUNTY<sup>1</sup>

COUNTY	CRIME LOCATION										TOTAL			
	Train		Stairway		Platform		Mezzanine		Token Booth			Passageway/Ramp		Other Location <sup>2</sup>
ROBBERY	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)
Kings	16.7	(174)	13.1	(107)	15.8	(133)	30.8	( 65)	8.7	(23)	-	( 2)	-	( 5)
New York	15.8	(165)	10.6	(198)	19.7	(147)	25.0	( 76)	26.3	(19)	7.9	(38)	31.6	(19)
Queens	14.7	( 68)	9.4	( 32)	18.4	( 38)	21.1	( 19)	-	( 1)	-	( 3)	-	( 5)
Bronx	20.6	( 63)	17.1	( 35)	23.5	( 51)	30.8	( 26)	-	( 5)	66.7	( 3)	-	( 3)
TOTAL	16.6	(470)	11.8	(372)	18.7	(369)	27.4	(186)	14.6	(48)	10.9	(46)	18.8	(32)
LARCENY														
Kings	12.1	(239)	10.0	( 40)	10.6	( 85)	27.5	( 40)	-	(-)	14.3	( 7)	16.7	( 6)
New York	17.7	(429)	36.1	(119)	33.1	(169)	24.0	(104)	-	(-)	18.2	(11)	33.3	( 6)
Queens	31.2	( 77)	12.5	( 8)	15.0	( 20)	25.0	( 8)	-	(-)	-	( 2)	-	( 3)
Bronx	27.7	( 65)	7.7	( 13)	12.5	( 16)	18.2	( 11)	-	(-)	-	( 2)	-	( -)
TOTAL	18.1	(810)	27.2	(180)	24.1	(290)	24.5	(163)	-	(-)	13.6	(22)	20.0	(15)

<sup>1</sup>Numbers in parentheses "(N)" refer to the total number of incidents in each county at each location. All percentages in table refer to the percentage of the total incidents in each category which were cleared by an arrest.

<sup>2</sup>Includes locations classified by the TPD as a toilet or a location not falling into one of the designated classes.

County, while the robbery clearance rate (16.9%) was comparable to other county robbery clearance rates, except that for the Bronx, the clearance rate for larcenies (13.2%) was much lower than for any other county.<sup>51</sup>

The NYPD citywide clearance figures for all of 1982 varied greatly for robberies and larcenies.<sup>52</sup> Citywide (excluding Richmond County) clearance rates were 20.7% for robberies (slightly higher than for transit robberies) and only 7.0% for larcenies (substantially lower than for transit larcenies). (See, Table 24.) Differences in clearance rates among counties were slight for both types of crime. Robbery clearance rates were between 19.1% in Kings County and 22.5% in the Bronx while larceny clearance rates ranged from 5.5% in Queens to 7.7% in Bronx County. The large difference between the transit larceny clearance rate for the sample periods and the citywide NYPD figures may be related to the type of larceny found most often in each group. For instance, the vast majority of subway larcenies were crimes where property was taken from a person, such as with a jewelry or purse snatch or a bag opener larceny.<sup>53</sup> The citywide NYPD figures may include large numbers of other types of larcenies, especially those where there was not a direct confrontation between the perpetrator and the victim.

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<sup>51</sup>See, pp.67, 69, infra, for explanations of some factors which appear to account for this low larceny clearance rate in Kings County. See, also, pp.67, 69 and 71, infra, for a discussion of clearance rates at various crime locations.

<sup>52</sup>See, fn. 12, supra.

<sup>53</sup>See, p.18, supra, for a discussion of TPD crime classifications for larcenies.

TABLE 24

ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
NEW YORK CITY POLICE DEPARTMENT IN 1982:

COUNTY OF OCCURRENCE BY CLEARANCE<sup>1</sup>

<u>1982 ROBBERY COMPLAINTS</u>	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>CITYWIDE (Excluding Richmond)</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Clearance	5,981	19.1%	6,620	20.8%	3,231	21.7%	3,755	22.5%	19,587	20.7%
No Clearance	25,295	80.9	25,134	79.2	11,657	78.3	12,931	77.5	75,017	79.3
<b>TOTAL ROBBERY</b>	<b>31,276</b>	<b>100.0%</b>	<b>31,754</b>	<b>100.0%</b>	<b>14,888</b>	<b>100.0%</b>	<b>16,686</b>	<b>100.0%</b>	<b>94,604</b>	<b>100.0%</b>
<u>1982 LARCENY COMPLAINTS</u>										
Clearance	2,218	6.5%	6,457	7.6%	1,593	5.5%	1,152	7.7%	11,420	7.0%
No Clearance	31,875	93.5	78,853	92.4	27,280	94.5	13,742	92.3	151,750	93.0
<b>TOTAL LARCENY</b>	<b>34,093</b>	<b>100.0%</b>	<b>85,310</b>	<b>100.0%</b>	<b>28,873</b>	<b>100.0%</b>	<b>14,894</b>	<b>100.0%</b>	<b>163,170</b>	<b>100.0%</b>

<sup>1</sup> Statistical Report, Complaints and Arrests, New York City Police Department, Office of Management Analysis, Crime Analysis Section, 1982, December, n.d., pp. 31, 34, 35, and 38.

E. TPD Crime Classification

For robbery incidents, the percentage of cleared incidents among those classified by the TPD as "robbery passenger" was lower than that for all other robberies (15.6% compared to 24.0%).<sup>54</sup> (See, Table 25.) This difference is difficult to evaluate because the "other" category contains diverse sorts of robberies<sup>55</sup> which are not numerous enough to be separately analyzed. In addition, the decision by the TPD to classify a particular robbery incident in a category other than "passenger" may have occurred when incidents were particularly noteworthy. Factors which made these incidents noteworthy in some way may also have made them more likely to have been cleared.

For larceny incidents, the "level of intrusion" of the taking of property<sup>56</sup> was related to the likelihood that the incident was cleared. For instance, incidents with comparatively minimal amounts of physical contact necessary for completion of the crime, such as purse or jewelry snatches, had substantially lower percentages of cleared incidents (9.7% and 11.0%, respectively). (See, Table 25.) In contrast, those incidents involving

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<sup>54</sup>The difference between the two categories was statistically significant at the 0.01 level with 1 degree of freedom. Chi-square equaled 10.9.

<sup>55</sup>"Other" includes robberies classified by the TPD as a jewelry snatch, a bag snatch with injury or a mugging, a robbery involving a student, a school pass, or TA property, or a robbery not falling into one of the designated classes.

<sup>56</sup>"Level of intrusion" refers to the length of the physical contact which a perpetrator would ordinarily have to have with a victim to complete a particular type of theft. In this context, physical "contact" can be distinguished from physical "force" where the latter refers to the amount of physical exertion used in the course of a crime.



TABLE 25

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

TPD CRIME CLASSIFICATION BY CLEARANCE

TPD CRIME CLASSIFICATION

	<u>ROBBERY</u>						<u>LARCENY</u>													
	<u>Passenger</u>		<u>Other</u> <sup>1</sup>		<u>TOTAL ROBBERY</u>		<u>Jewelry Snatch</u>		<u>Purse Snatch</u>		<u>Bag Opener</u>		<u>Pickpocket</u>		<u>Lush Worker</u>		<u>Other Type</u> <sup>2</sup>		<u>TOTAL LARCENY</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Clearance	197	15.6%	63	24.0%	260	17.1%	38	11.0%	31	9.7%	72	23.2%	66	32.2%	58	37.4%	47	33.1%	312	21.1%
No Clearance	1064	84.4	199	76.0	1263	82.9	309	89.0	289	90.3	239	76.8	139	67.8	97	62.6	95	66.9	1168	78.9
TOTAL	1261	100.0%	262	100.0%	1523	100.0%	347	100.0%	320	100.0%	311	100.0%	205	100.0%	155	100.0%	142	100.0%	1480	100.0%

<sup>1</sup>Includes robberies classified by the TPD as a jewelry snatch, a bag snatch with injury or a mugging, a robbery involving a student, school pass, or TA property, or a robbery not falling into one of the designated classes.

<sup>2</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

a more intrusive taking, such as those classified as bag opener, pickpocket, and lush worker larcenies, had higher percentages of clearances (23.2%, 32.2%, and 37.4%, respectively).<sup>57</sup> This higher clearance rate found for lush worker larcenies may also be related to the time of occurrence of these incidents and the high clearance rates found for these times.<sup>58</sup> As Table 5 illustrated, two thirds of the lush worker incidents (67.5%) occurred between 12:01 A.M. and 6:00 A.M. In addition, these lush worker incidents represented 52.3% of the 199 larcenies reported as occurring in this time period.

Table 26 presents the percentage of cleared larceny incidents within six four-hour time periods. Although many of the categories involved few numbers of cases, some observations about these data can be made. For instance, jewelry snatch and

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<sup>57</sup>This interpretation appears to be supported even among lush worker larcenies. Separate clearance rates were calculated for lush worker larcenies according to whether a weapon was reported (35 or 22.6%) or not (120 or 77.4%). All 35 reported weapons were knives or other cutting instruments. Among these 35 larcenies, the clearance rate was 8.6%. For the other lush worker larcenies where no weapon was reported, the clearance rate was 45.8%. (These figures do not appear in any table in this report.) If a knife was used to cut the pocket of a sleeping person, the length of the physical contact between the perpetrator and the victim (or level of intrusion) would probably have been less than that necessary to remove the same property from the same person if the pocket had remained intact. Here, where the level of intrusion was comparatively low, the chance that the larceny would have been noticed immediately would also have been low. If this type of larceny was not noticed immediately, it was probably less likely to have resulted in an immediate arrest (and, thus, in a clearance). (See, p.86, *infra*, for a discussion of incident-to-arrest time lags among TPD larceny crime classifications.)

<sup>58</sup>See, p.57, *supra*, where it is noted that the percentages of incidents occurring between 12:01 A.M. and 4:00 A.M. and between 4:01 A.M. and 8:00 A.M. which were cleared were each at least 10 percentage points higher than for any other time period.

purse snatch larcenies had fairly consistent percentages of clearances within all of the time periods. The percentages of cleared jewelry snatch incidents within each period ranged from 9.6% to 14.3% while the purse snatch clearance rates varied a little more, ranging from 3.7% to 14.3%.

The clearance rates for pickpocket, "other," and lush worker larcenies were highest for incidents which occurred between 12:01 A.M. and 4:00 A.M. (66.7%, 63.2%, and 38.1%, respectively) and 4:01 A.M. and 8:00 A.M. (34.8%, 37.5%, and 50.0%, respectively). Overall, the clearance rates for these two time periods were higher than for any other time categories as were the clearance rates for these three crime classes. However, as Table 26 indicates, the clearance rates were not high for all crime classes during these two early morning time periods nor were they high for pickpocket, lush worker, or other larcenies at all times. Therefore, it may be the interaction of factors associated with these three crime types and two time periods which produced the higher clearance rates found for pickpocket, lush worker, and other larcenies in the early morning hours. These higher clearance rates at these times appear to explain relatively high overall rates found when these two time periods were compared to other time periods and these three crime classes were compared to other crime classes.

As noted above, Kings County had the lowest percentage of clearances for all larcenies.<sup>59</sup> The combination of having the comparatively large percentages of jewelry and purse snatches occurring there<sup>60</sup> and the low percentages of clearances for these

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<sup>59</sup> See, p.60, supra.

<sup>60</sup> See, p.20, supra.

TABLE 26

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

PERCENTAGE CLEARED BY TIME OF INCIDENT BY TPD CRIME CLASSIFICATION<sup>1</sup>

	TIME OF INCIDENT														
TPD CRIME CLASSIFICATION	12:01-4:00 A.M.		4:01-8:00 A.M.		8:01-12:00 Noon		12:01-4:00 P.M.		4:01-8:00 P.M.		8:01-12:00 Midnight		Not Available	TOTAL	
	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	(N)	%	(N)
Jewelry Snatch	14.3	( 7)	10.0	(20)	10.0	(70)	9.6	(125)	12.5	(104)	14.3	(21)	(-)	11.0	(347)
Purse Snatch	14.3	(14)	3.7	(27)	8.2	(49)	10.7	(75)	12.2	(107)	6.3	(48)	(-)	9.7	(320)
Bag Opener	-	( 1)	18.2	(11)	11.9	(59)	37.0	(46)	23.1	(186)	28.6	( 7)	(1)	23.2	(311)
Pickpocket	66.7	(18)	34.8	(23)	23.7	(38)	25.6	(43)	31.9	( 72)	27.3	(11)	(-)	32.2	(205)
Lush Worker	38.1	(63)	50.0	(56)	-	( 8)	14.3	( 7)	-	( 7)	30.8	(13)	(1)	37.4	(155)
Other Type <sup>2</sup>	63.2	(19)	37.5	(16)	29.2	(24)	20.6	(34)	31.4	( 35)	20.6	(14)	(-)	33.1	(142)
TOTAL	41.8	(122)	30.7	(153)	13.7	(248)	17.0	(330)	20.2	(511)	16.7	(114)	(2)	21.1	(1480)

<sup>1</sup>Numbers in parentheses "(N)" refer to the total number of incidents in each TPD crime classification category during each time period. All percentages in the table refer to the percentage of the total incidents in each category which were cleared by an arrest.

<sup>2</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

particular crime types accounts, in part, for Kings County's low percentage of larceny clearances.<sup>61</sup> Percentages of cleared pickpocket and lush worker larcenies were also low in Kings County in comparison to the other counties. (See, Table 27.) In the Bronx, clearance rates for jewelry snatch (4.8%), purse snatch (4.2%), and bag opener larcenies (11.1%) were lower than for the other counties (although the numbers of incidents in these categories were fairly small).

#### F. Crime Location

Table 23 also presents the percentage of cleared incidents occurring at a particular location separately for each county in the system. For both transit robberies and larcenies citywide, clearance rates varied considerably by the location of the crime incident. For robberies, the clearance rate was highest for incidents which occurred in the mezzanine (27.4%) and lowest for those which occurred on stairways and in passageways or on ramps (11.8% and 10.9%, respectively). Among transit larcenies, the clearance rates were roughly equivalent for incidents which occurred on stairways, mezzanines, and platforms (27.2%, 24.5%, and 24.1%, respectively), but lower for those which occurred on trains (18.1%), where over one half of the transit larcenies occurred.<sup>62</sup>

The variation was substantial among counties in the percentage of cleared larcenies which occurred at different locations. For instance, the relatively high percentages of stairway and platform incidents cleared, noted above, reflected primarily the high clearance rate in New York County (36.1% for stairways and

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<sup>61</sup>See, p.69, infra, where the low percentage of clearances in Kings County for larcenies occurring on a train is also noted.

<sup>62</sup>See, p.24, supra.

TABLE 27

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

PERCENTAGE CLEARED BY TPD CRIME CLASSIFICATION BY COUNTY<sup>1</sup>

TPD CRIME CLASSIFICATION														
COUNTY	Jewelry Snatch		Purse Snatch		Bag Opener		Pickpocket		Lush Worker		Other Type <sup>2</sup>		TOTAL	
	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)
Kings	14.1	(163)	8.6	(116)	16.0	( 25)	12.1	( 33)	10.9	( 46)	26.5	( 34)	13.2	( 417)
New York	7.1	(140)	11.5	(157)	23.5	(260)	37.1	(140)	54.2	( 59)	37.8	( 82)	24.3	( 838)
Queens	17.4	( 23)	8.7	( 23)	35.3	( 17)	17.6	( 17)	45.2	( 31)	14.3	( 7)	25.4	( 118)
Bronx	4.8	( 21)	4.2	( 24)	11.1	( 9)	46.7	( 15)	36.8	( 19)	31.6	( 19)	21.5	( 107)
TOTAL	11.0	(347)	9.7	(320)	23.2	(311)	32.2	(205)	37.4	(155)	33.1	(142)	21.1	(1480)

<sup>1</sup>Numbers in parentheses "(N)" refer to the total number of incidents in each crime category for each county. All percentages in table refer to the percentage of the total incidents in each category which were cleared by an arrest.

<sup>2</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

33.1% for platform incidents), where most of these incidents occurred. The percentage of stairway and mezzanine larceny incidents cleared in the Bronx was low (7.7% and 18.2%, respectively) compared to the percentages cleared in other counties (27.5%, 25.0%, and 24.0% for mezzanine incidents in Kings, Queens, and New York Counties, respectively). Also, the percentage of cleared train larcenies varied from 31.2% (Queens) and 27.7% (Bronx) to 17.7% (New York) and 12.1% (Kings). This variation among counties in train clearance rates appears to be related, in part, both to the percentage of lush worker incidents which occurred on trains in each county and to the clearance rates in each county for these incidents.<sup>63</sup>

Among robberies, there was somewhat less variation among counties in the percentages of cleared incidents at particular locations within the system. For all counties, clearance rates for both mezzanine and stairway incidents were lower.

Table 28 presents robbery and larceny clearance rates by six-hour time intervals. Clearance rates for robberies which occurred on a stairway or mezzanine varied less across time periods than those which occurred on a train or platform.<sup>64</sup> Stairway robbery clearance rates were relatively low, ranging

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<sup>63</sup>Of the Queens and Bronx larceny train incidents, 35.1% and 27.7%, respectively, were lush worker incidents. Only 9.1% of the New York County and 15.1% of the Kings County larceny train incidents were classified as lush worker incidents. In addition, the clearance rate for the lush worker train incidents in Kings County (8.3%) was very low in comparison to those for New York, Queens, and Bronx Counties (48.7%, 40.7%, and 33.3%, respectively). These data should be interpreted with caution because they involve small numbers of cases in some instances. (These data do not appear in any of the tables in this report.)

<sup>64</sup>Because robbery incidents which occurred at the other three locations (token booth, passageway or ramp, and "other") did not have enough incidents in each time period to guard against skewedness, they have not been discussed here.

TABLE 28

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

PERCENTAGE CLEARED BY CRIME LOCATION BY TIME OF INCIDENT<sup>1</sup>CRIME LOCATION

<u>TIME OF INCIDENT</u>	<u>Train</u>	<u>Stairway</u>	<u>Platform</u>	<u>Mezzanine</u>	<u>Token Booth</u>	<u>Passageway/ Ramp</u>	<u>Other Location</u> <sup>2</sup>	<u>TOTAL</u>
<u>ROBBERY</u>	% (N)	% (N)	% (N)	% (N)	% (N)	% (N)	% (N)	% (N)
12:01- 6:00 A.M.	16.1 (124)	14.5 ( 62)	16.5 ( 91)	31.7 ( 41)	14.3 (21)	25.0 ( 4)	25.0 ( 4)	17.9 ( 347)
6:01-12:00 Noon	7.7 ( 65)	14.3 ( 49)	26.8 ( 41)	22.7 ( 22)	33.3 ( 6)	25.0 ( 8)	14.3 ( 7)	16.7 ( 198)
12:01- 6:00 P.M.	17.5 (137)	11.3 (133)	22.6 (124)	29.0 ( 69)	11.1 ( 9)	5.6 (18)	27.3 (11)	18.4 ( 501)
6:01-12:00 Midnight	20.1 (144)	10.2 (128)	13.3 (113)	22.6 ( 53)	8.3 (12)	6.3 (16)	10.0 (10)	15.1 ( 476)
SUBTOTAL	16.6 (470)	11.8 (372)	18.7 (369)	27.0 (185)	14.6 (48)	10.9 (46)	18.8 (32)	17.0 (1522)
Not Available	- ( -)	- ( -)	- ( -)	100.0 ( 1)	- ( -)	- ( -)	- ( -)	100.0 ( 1)
TOTAL ROBBERY	16.6 (470)	11.8 (372)	18.7 (369)	27.4 (186)	14.6 (48)	10.9 (46)	18.8 (32)	17.1 (1523)
<u>LARCENY</u>	% (N)	% (N)	% (N)	% (N)	% (N)	% (N)	% (N)	% (N)
12:01- 6:00 A.M.	41.3 (121)	40.0 ( 15)	56.5 ( 46)	28.6 ( 14)	- ( -)	- ( 1)	100.0 ( 2)	44.2 ( 199)
6:01-12:00 Noon	11.7 (188)	6.2 ( 32)	16.4 ( 55)	24.4 ( 41)	- ( -)	20.0 ( 5)	- ( 3)	13.6 ( 324)
12:01- 6:00 P.M.	13.8 (362)	35.8 ( 95)	18.1 (127)	28.4 ( 74)	- ( -)	- (11)	12.5 ( 8)	19.1 ( 677)
6:01-12:00 Midnight	18.0 (139)	18.4 ( 38)	16.7 ( 60)	14.7 ( 34)	- ( -)	40.0 ( 5)	- ( 2)	17.6 ( 278)
SUBTOTAL	18.1 (810)	27.2 (180)	23.6 (288)	24.5 (163)	- ( -)	13.6 (22)	20.0 (15)	21.0 (1478)
Not Available	- ( -)	- ( -)	100.0 ( 2)	- ( -)	- ( -)	- ( -)	- ( -)	100.0 ( 2)
TOTAL LARCENY	18.1 (810)	27.2 (180)	24.1 (290)	24.5 (163)	- ( -)	13.6 (22)	20.0 (15)	21.1 (1480)

<sup>1</sup>Numbers in parentheses "(N)" refer to the total number of incidents in each crime location during each time period. All percentages in table refer to the percentage of the total incidents in each category which were cleared by an arrest.

<sup>2</sup>Includes locations classified by the TPD as a toilet or a location not falling into one of the designated classes.



from 10.2% (6:01 P.M. to 12:00 midnight) to 14.5% (12:01 A.M. to 6:00 A.M.). Clearance rates for robbery mezzanine incidents, on the other hand, were relatively high for all time periods, ranging from clearance rates of 22.6% and 22.7% for the periods between 6:01 P.M. and 12:00 midnight and between 6:01 A.M. and 12:00 noon, respectively, to 31.7% for the period between 12:01 A.M. and 6:00 A.M. Among platform incidents, those which occurred between 6:01 A.M. and 12:00 noon had the highest clearance rate (26.8%). The lowest clearance rate for platform incidents was 13.3% (6:01 P.M. to 12:00 midnight) while that for train robberies which occurred between 6:01 A.M. to 12:00 noon was even lower (7.7%). The clearance rate for train robberies was highest for the period between 6:01 P.M. and 12:00 midnight (20.1%).

Larceny clearance rates varied more consistently by time of incident across crime locations than robberies. The highest clearance rates among stairway, train, and platform larcenies were found for the 12:01 A.M. to 6:00 A.M. period (40.0%, 41.3%, and 56.5%, respectively). Among the clearance rates for the remaining time periods for these three larceny locations, only the clearance rate for the 12:01 P.M. to 6:00 P.M. period for stairway incidents (35.8%) was over 20.0%. For larceny mezzanine incidents, the clearance rates for the first three time periods (12:01 A.M. to 6:00 A.M., 6:01 A.M. to 12:00 noon, and 12:01 P.M. to 6:00 P.M.) were roughly equivalent (28.6%, 24.4%, and 28.4%, respectively) while that for the 6:01 P.M. to 12:00 midnight period was almost 10 percentage points lower (14.7%).

#### G. Value of Property Stolen

Table 29 shows the percentage of incidents cleared by the value of property reported stolen. For both robberies and larcenies, the percentage of incidents cleared was highest when the value of the property stolen was not available (31.4% and

58.2%, respectively, compared to 11.9% and 8.1% for all robberies and larcenies where the amount stolen was reported). These high clearance rates suggest that the "not available" category may include large numbers of crimes where no property was taken because the perpetrator was apprehended before the crime was completed.

#### H. Weapon Type

Across all weapon types, robberies where a gun was reported had the lowest percentage of clearances (10.9%). (See, Table 30.) Where the weapon reported was an "alleged gun," the percentage of cleared incidents rose to 23.5%. The "other" category<sup>65</sup> had the highest percentage of clearances among all weapon categories (29.4%). As with the "other" category for the robbery crime classification, the diversity of weapons in this category and the small numbers of cases in certain categories made these percentages difficult to evaluate. Of the 57 larcenies where a weapon was reported, 15 were cleared (26.3%).<sup>66</sup>

#### I. Age of Complainant

Clearance rates were higher for both robberies and larcenies among incidents involving younger complainants than for those in which the complainant was older. (See, Table 22.) For robberies, incidents with complainants under 16, 16 to 19, and 20 to 29

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<sup>65</sup>This category includes weapons classified as a toy gun, blunt instrument, poison or chemical, or a weapon not falling into one of the TPD-designated classes.

<sup>66</sup>These figures on larceny clearances by weapon used do not appear in any table in this report. See, fn. 57, supra, for a discussion of clearance rates among larcenies separated according to whether a weapon was reported.

TABLE 29

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## VALUE OF PROPERTY STOLEN BY CLEARANCE

<u>VALUE OF PROPERTY STOLEN</u>												
	<u>\$1.00-\$4.99</u>		<u>\$5.00-\$49.99</u>		<u>\$50.00-\$199.99</u>		<u>\$200.00 and Over</u>		<u>SUBTOTAL</u>		<u>Not Available<sup>1</sup></u>	<u>TOTAL</u>
<u>ROBBERY</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Clearance	7	17.9%	43	12.5%	46	12.2%	38	10.5%	134	11.9%	126	31.4%
No Clearance	32	82.1	300	87.5	332	87.8	324	89.5	988	88.1	275	68.6
TOTAL ROBBERY	39	100.0%	343	100.0%	378	100.0%	362	100.0%	1122	100.0%	401	100.0%
<u>LARCENY</u>												
Clearance	8	33.3%	38	12.4%	27	6.7%	16	4.4%	89	8.1%	223	58.2%
No Clearance	16	66.7	268	87.6	377	93.3	347	95.6	1008	91.9	160	41.8
TOTAL LARCENY	24	100.0%	306	100.0%	404	100.0%	363	100.0%	1097	100.0%	383	100.0%

<sup>1</sup>Includes incidents where no property was taken and where the value of the property taken was not available or was not recorded.

TABLE 30

TRANSIT ROBBERY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## WEAPON TYPE BY CLEARANCE

	<u>Fist</u> <sup>1</sup>		<u>Knife</u>		<u>Gun</u>		<u>Alleged Gun</u>		<u>Other</u> <sup>2</sup> <u>Type</u>		<u>SUBTOTAL</u>		<u>Not</u> <u>Available</u> <sup>3</sup>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
Clearance	130	18.0%	50	15.0%	29	10.9%	24	23.5%	25	29.4%	258	17.1%	2	260	17.1%
No Clearance	593	82.0	283	85.0	236	89.1	78	76.5	60	70.6	1250	82.9	13	1263	82.9
TOTAL	723	100.0%	333	100.0%	265	100.0%	102	100.0%	85	100.0%	1508	100.0%	15	1523	100.0%

<sup>1</sup>Includes all types of bodily force.

<sup>2</sup>Includes weapons classified by the TPD as a toy gun, blunt instrument, poison or chemical, or a weapon not falling into one of the designated classes.

<sup>3</sup>Includes incidents where no weapon was used, threatened, or recovered and where the type of weapon used, threatened, or recovered was not available or not recorded.

years of age were cleared 28.6%, 22.5%, and 20.2% of the time, respectively. In contrast, the percentage of robbery incidents cleared where complainants were 40 years or older was 11.2%.

Larceny incidents with complainants under 16 and from 16 to 19 years old were cleared 23.5% and 37.7% of the time, respectively, compared with 19.1% of all larcenies.<sup>67</sup> It should be noted, however, that larceny incidents with complainants in these two age groups make up only 6.4% of all incidents where the age of the complainant was available. (See, Table 12.)

Table 22 shows clearance rates by complainant ages and time of incident in four-hour intervals. While it is difficult to draw definitive conclusions because of the small numbers of cases appearing in many of the categories, several observations can be made. Among robberies, clearance rates for incidents involving

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<sup>67</sup> These differential clearance rates may be attributable, in part, to the associations between complainant age and crime class. Larcenies involving complainants under 16 years and 16 to 19 years included, in comparison to other larcenies (where the age of the complainant was known), low percentages of incidents in the crime class (purse snatch) with the lowest clearance rate (9.7%) and high percentages in one of the crime classes ("other" larcenies) with a high clearance rate (33.1%). (See, Table 3 in Appendix I.) Among all larcenies where the age of the complainant was known, 22.0% were purse snatches while "other" larcenies represented only 8.2% of these incidents. (These figures are not shown in Table 3, Appendix I.) Among incidents with complainants under 16 and 16 to 19 years of age, however, purse snatches accounted for only 11.8% and 14.5% of the total, respectively, while "other" larcenies made up 29.4% and 11.6%, respectively. (See, Table 3, Appendix I.)

16-to-19-year-old complainants, unlike other age groups, were fairly similar across time periods, ranging from 20.0% for incidents occurring between 8:01 A.M. and 12:00 noon to 29.6% for incidents in the 12:01 A.M. to 4:00 A.M. period. Although robbery clearance rates were generally lowest for incidents involving complainants aged 40 or older (9.9% to 13.8%), these age groups showed relatively high clearance rates for incidents occurring between 4:01 A.M. and 8:00 A.M. (14.3% to 26.3%). Relatively high clearance rates were also observed within the 20-to-29-year-old group for incidents occurring between 12:01 A.M. and 4:00 A.M. (27.3%) and between 12:01 P.M. and 4:00 P.M. (31.5%), and within 30-to-39-year-olds for incidents occurring between 8:01 A.M. and 4:00 P.M. (27.3% and 24.0%).<sup>68</sup>

For larceny incidents, the highest clearance rates among those involving complainants aged 20 to 29 and 30 to 39 years were for incidents in the 12:01 A.M. to 4:00 A.M. period (42.9% and 40.0%, respectively), and the lowest rates during the period 8:01 A.M. to 12:00 noon (5.8% for 20-to-29-year-olds) and 8:01 P.M. to 12:00 midnight (4.0% for 30-to-39-year-olds).<sup>69</sup>

#### J. Sex of Complainant

Table 31 shows that, for robberies, the clearance rate was virtually identical for male (17.2%) and female (16.6%) complainants. For larcenies, however, incidents involving male complainants were more likely to be cleared than those involving female

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<sup>68</sup>Complainants aged 20 to 29 years and 30 to 39 years comprised 28.5% and 19.5%, respectively, of all robbery incidents where the age of the complainant was available. (See, Table 12.)

<sup>69</sup>Complaints aged 20 to 29 years and 30 to 39 years comprised 32.9% and 23.0%, respectively, of all larceny incidents where the age of the complainant was available. (See, Table 12.)

complainants (28.2% of the larcenies involving male complainants and 16.2% of the larcenies involving female complainants were cleared). This difference may reflect that jewelry and purse snatches, which have relatively low clearance rates<sup>70</sup> are predominantly crimes against women.

V. INCIDENTS WITH ARREST(S)

For this study, because the number and characteristics of perpetrators involved in each crime incident were not known, it was not possible to analyze offender characteristics for all incidents. In this section, data are analyzed for persons arrested for incidents which occurred in the four sample three-week periods in 1982, including number of co-defendants, the time lag between incident and arrest, and the age of the youngest person arrested for an incident.<sup>71</sup>

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<sup>70</sup> See, Table 25, where the clearance rates for jewelry and purse snatch larcenies are presented, and Table 13, where the percentages of incidents involving male and female complainants are shown separately for each TPD crime classification.

<sup>71</sup> This section includes information about defendants arrested for these crime incidents and does not include information related to incidents where there was an "exceptional clearance."

TABLE 31

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

SEX OF COMPLAINANT BY CLEARANCE

SEX OF COMPLAINANT

	<u>Male</u>		<u>Female</u>		<u>Not Available</u>	<u>TOTAL</u>	
<u>ROBBERY</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
Clearance	185	17.2%	72	16.6%	3	260	17.1%
No Clearance	888	82.8	363	83.4	12	1263	82.9
TOTAL ROBBERY	1073	100.0%	435	100.0%	15	1523	100.0%
<u>LARCENY</u>							
Clearance	140	28.2%	154	16.2%	18	312	21.1%
No Clearance	357	71.8	796	83.8	15	1168	78.9
TOTAL LARCENY	497	100.0%	950	100.0%	33	1480	100.0%
<u>ROBBERY AND LARCENY</u>							
Clearance	325	20.7%	226	16.3%	21	572	19.0%
No Clearance	1245	79.3	1159	83.7	27	2431	81.0
TOTAL ROBBERY AND LARCENY	1570	100.0%	1385	100.0%	48	3003	100.0%



A. Number of Arrestees and Time of Incident

Robbery arrestees were much more likely to have co-defendants than arrestees charged with larceny (43.8% of the robbery incidents compared to 18.3% of those classified as larcenies). (See, Table 32.) Among the robbery and larceny incidents with more than one arrestee, the majority included just two defendants (79.1% and 82.5%, respectively).

Figure 7 shows the percentages of robbery and larceny arrests that included more than one defendant by the time of the incident. For robbery incidents with arrest(s), the data show that incidents which occurred during the time period 12:01 P.M. to 4:00 P.M. were most likely to involve co-defendants (54.0% of these incidents versus 43.8% of all robbery incidents with arrest(s)).<sup>72</sup> Conversely, for robbery incidents that occurred during the time period 8:01 A.M. to 12:00 noon, the percentage of arrests involving more than one arrestee was the lowest (22.7%). Because data are only available for those incidents which resulted in an arrest, it is not possible with this dataset to determine whether more robberies were committed in particular time periods by individuals acting in groups or alone. In addition, this dataset cannot address questions such as whether

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<sup>72</sup> See, Table 32.

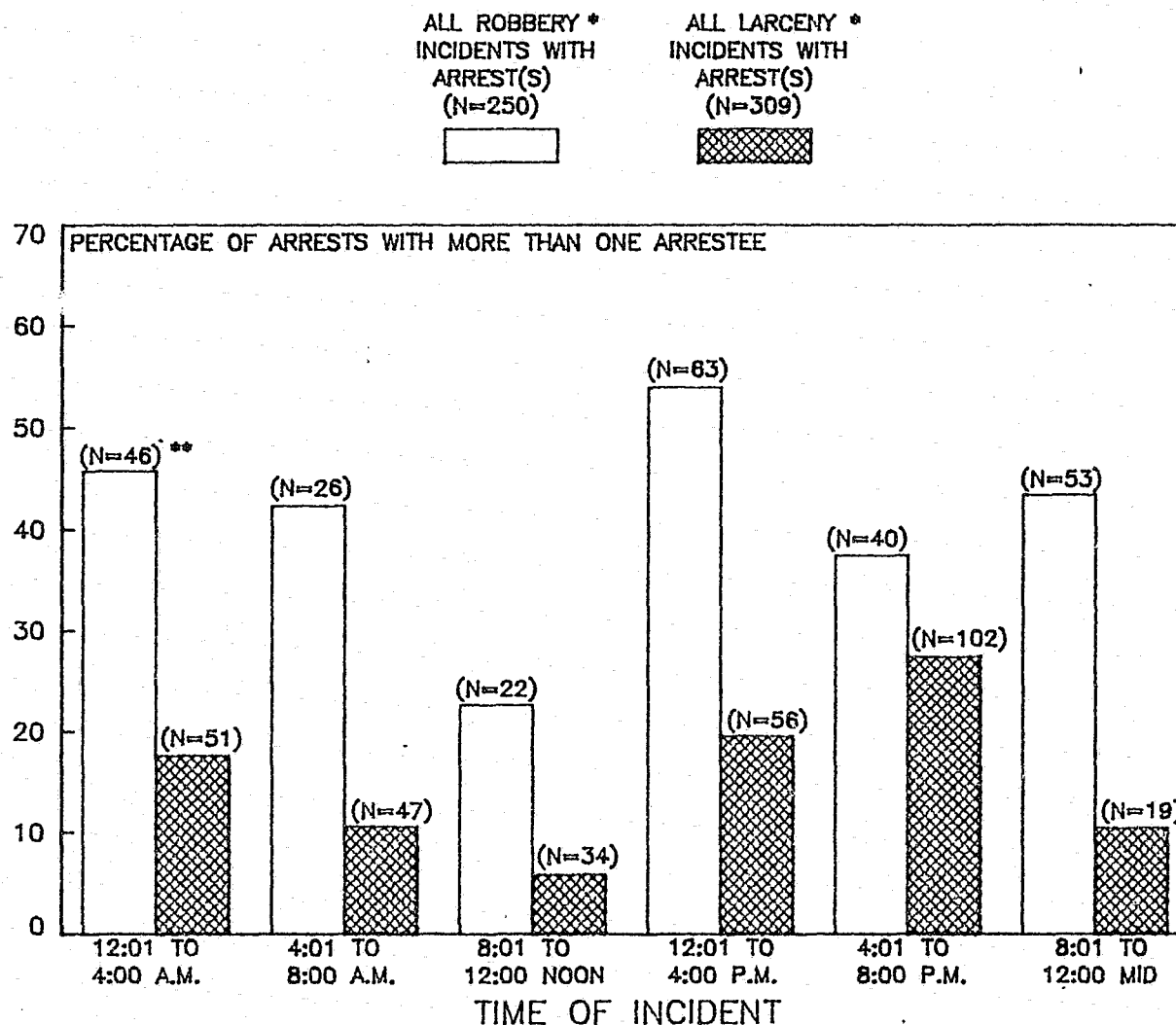
TABLE 32

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED  
TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982;  
MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

NUMBER OF ARRESTEES PER INCIDENT

NUMBER OF ARRESTEES PER INCIDENT	ROBBERY			LARCENY		
	<u>N</u>	<u>%</u>		<u>N</u>	<u>%</u>	
ONE ARRESTEE	141	56.2%		254	81.7%	
<u>MORE THAN ONE:</u>						
Two	87	34.6	( 79.1%)	47	15.1	( 82.5%)
Three	16	6.4	( 14.6 )	9	2.9	( 15.8 )
Four	4	1.6	( 3.6 )	-	-	( - )
Five	2	0.8	( 1.8 )	-	-	( - )
Six	1	0.4	( 0.9 )	-	-	( - )
Seven	-	-	( - )	1	0.3	( 1.7 )
SUBTOTAL						
MORE THAN ONE	110	43.8%	(100.0%)	57	18.3%	(100.0%)
TOTAL	251	100.0%		311	100.0%	

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS WITH ARRESTS REPORTED  
TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982;  
MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:  
NUMBER OF ARRESTEES BY TIME OF INCIDENT



\* Excludes one robbery and two larceny cases where the time of incident was not available.

\*\* The numbers in parentheses reflect the total number of incidents with arrest(s) in each time period.

Figure 7

the number of persons arrested for an incident was a result of different police arrest or patrol practices during certain time periods. It may be logical to assume, however, that the greater numbers of arrests of more than one defendant for incidents occurring 12:01 P.M. to 4:00 P.M. may be related to students getting out of school.<sup>73</sup>

For larcenies, in contrast to robberies, co-defendant arrests were most likely for incidents occurring during the period from 4:01 P.M. to 8:00 P.M. (27.5% of these arrests involved more than one defendant compared with 18.3% of all larcenies with arrest(s)).<sup>74</sup> Co-defendant arrests were least common among larceny incidents with arrest(s) which occurred between 8:01 A.M. and 12:00 noon (5.9% of these arrests).

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<sup>73</sup> Additional analyses were conducted in which robbery incidents with arrests were separated according to: (1) whether the incident occurred during the week or on the weekend; (2) whether one or more than one defendant was arrested; and (3) the time of occurrence of the incident and the age class of the arrestee(s). For incidents with more than one arrestee which occurred Monday through Friday, those which fell in the under-16-years age category were overrepresented in the 12:01 P.M. to 4:00 P.M. category (51.9%, compared to 37.2% for all incidents occurring in this time period). These divisions of the data, however, resulted in very small numbers of cases in particular categories and should be cautiously interpreted. (The data discussed here have not been included in any of the tables in this report.)

<sup>74</sup> See, Table 32. The figures for larceny incidents with arrest(s) involving more than one defendant per incident may be unreliable since the total number of cases is relatively low (N=57); therefore, these results should be interpreted with caution.

## B. Incident-to-Arrest Time Lag

The number of transit robbery and larceny incidents with arrest(s) decreased as the interval between the time of the incident and the time of arrest increased: 59.4% were classified as an "immediate arrest"<sup>75</sup> while an additional 26.8% had an incident-to-arrest time lag of 1 to 15 minutes. (See, Table 33.) When robbery and larceny incidents with arrest(s) were examined separately, however, larcenies were much more likely to result in immediate arrest(s) than robberies (74.1% compared to 41.2%, respectively). Only 8.0% of robbery and 2.6% of larceny incidents with arrest(s) occurred more than one hour after the incident.

### 1. Incident-to-Arrest Time Lag and County

Table 34 shows the percentage distribution of arrest time lag by county of occurrence for robbery and larceny incidents with arrest(s). New York County had the highest percentage of immediate arrests for both robbery and larceny (48.6% and 81.1%, respectively) while Queens had the lowest percentage for robbery (22.7%)<sup>76</sup> and Kings for larceny (52.7%).

### 2. Incident-to-Arrest Time Lag and Crime Location

Table 35 shows the percentage distribution of incident-to-arrest time lag by crime location for robbery and larceny. Robbery and larceny mezzanine incidents with an arrest each had a

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<sup>75</sup>An "immediate arrest" is one where the time of incident and the time of arrest were the same. For incidents where more than one defendant was arrested, the incident-to-arrest time lag of the first defendant arrested was recorded here.

<sup>76</sup>Note, however, that the total number of robbery incidents with arrest(s) for Queens was relatively small (N=22).

TABLE 33

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS WITH ARREST(S)  
REPORTED TO THE TRANSIT POLICE DEPARTMENT AS  
OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

ARREST TIME LAG<sup>1</sup>

<u>ARREST TIME LAG</u>	<u>ROBBERY</u>		<u>LARCENY</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Immediate Arrest <sup>2</sup>	103	41.2%	229	74.1%	332	59.4%
1 - 15 minutes	91	36.4	59	19.1	150	26.8
16 - 30 minutes	17	6.8	8	2.6	25	4.5
31 - 60 minutes	19	7.6	5	1.6	24	4.3
Over 1 hr. - 1 day	13	5.2	7	2.3	20	3.6
Over 1 day	7	2.8	1	0.3	8	1.4
SUBTOTAL	250	100.0%	309	100.0%	559	100.0%
Not Available	1		2		3	
TOTAL	251		311		562	

<sup>1</sup>Interval between time of incident and time of arrest. For incidents where more than one defendant was arrested, the incident-to-arrest time lag of the first defendant arrested was recorded here.

<sup>2</sup>Time of incident and time of arrest were the same.

TABLE 34

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

COUNTY BY ARREST TIME LAG

COUNTY

<u>ARREST TIME LAG</u> <sup>1</sup>	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>TOTAL</u>	
<u>ROBBERY</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Immediate Arrest <sup>2</sup>	31	36.1%	52	48.6%	5	22.7%	15	42.9%	103	41.2%
1 - 15 Minutes	32	37.2	37	34.6	8	36.4	14	40.0	91	36.4
16 - 60 Minutes	13	15.1	13	12.1	6	27.3	4	11.4	36	14.4
Over 1 hour	10	11.6	5	4.7	3	13.6	2	5.7	20	8.0
	<hr/>		<hr/>		<hr/>		<hr/>		<hr/>	
SUBTOTAL	86	100.0%	107	100.0%	22	100.0%	35	100.0%	250	100.0%
Not Available	-		1		-		-		1	
	<hr/>		<hr/>		<hr/>		<hr/>		<hr/>	
TOTAL ROBBERY	86		108		22		35		251	
 <u>LARCENY</u>										
Immediate Arrest <sup>2</sup>	29	52.7%	163	81.1%	23	76.7%	14	60.9%	229	74.1%
1 - 15 Minutes	15	27.3	32	15.9	5	16.7	7	30.4	59	19.1
Over 15 Minutes	11	20.0	6	3.0	2	6.7	2	8.7	21	6.8
	<hr/>		<hr/>		<hr/>		<hr/>		<hr/>	
SUBTOTAL	55	100.0%	201	100.0%	30	100.0%	23	100.0%	309	100.0%
Not Available	-		2		-		-		2	
	<hr/>		<hr/>		<hr/>		<hr/>		<hr/>	
TOTAL LARCENY	55		203		30		23		311	

<sup>1</sup>Interval between time of incident and time of arrest. For incidents where more than one defendant was arrested, the incident-to-arrest time lag of the first defendant arrested was recorded here.

<sup>2</sup>Time of incident and time of arrest were the same.

relatively high percentage of arrests more than 15 minutes after the incident (44.9% and 25.0%, respectively). Among robbery train incidents with arrest(s), most arrests occurred between 1 and 15 minutes after the incident (48.7%) with only 36.8% occurring immediately.<sup>77</sup>

### 3. Incident-to-Arrest Time Lag and TPD Crime Classification

Table 36 shows the percentage distribution of the time from incident to arrest for larcenies by TPD crime classification. Larcenies classified by the TPD as "jewelry snatch" and "purse snatch," when compared with other TPD larceny crime classifications, had high percentages of arrests after the passage of some time - over half (57.9%) of jewelry snatches and 40.0% of purse snatch arrests were not immediate. As noted above, the overall arrest time lag distribution for robbery showed a similar pattern, with nearly three fifths (58.8%) of the arrests not occurring immediately.<sup>78</sup> This similarity in the arrest time lag distributions for robberies and jewelry and purse snatch larcenies may have resulted because jewelry and purse snatch incidents, like robberies, are transactions which are likely to capture the attention of the victim (or others). Hence, they would allow the victim (or another) to notice some feature of the perpetrator, enabling him or her to identify someone as the perpetrator for a later arrest. Note also that lush worker, bag opener, and pickpocket larcenies, which had relatively high clearance rates,<sup>79</sup> had the highest percentages of immediate arrests (87.7%, 84.5%, and 75.8%, respectively). With these larcenies, suspected perpetrators appear likely to be "caught in the act" or not caught at all.

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<sup>77</sup> See, p.89, infra, where the relationship between incident-to-arrest time lags for crime location and weapon type is discussed.

<sup>78</sup> See, p.83, supra.

<sup>79</sup> See, p.64, supra.



TABLE 35

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## CRIME LOCATION BY ARREST TIME LAG

CRIME LOCATION																
ARREST TIME LAG <sup>1</sup>	Train		Stairway		Platform		Mezzanine		Token Booth		Passageway/ Ramp		Other Location <sup>3</sup>		TOTAL	
ROBBERY	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Immediate Arrest <sup>2</sup>	28	36.8%	24	57.2%	31	47.7%	11	22.4%	5	71.4%	3	60.0%	1	16.7%	103	41.2%
1-15 Minutes	37	48.7	10	23.8	21	32.3	16	32.7	2	28.6	2	40.0	3	50.0	91	36.4
16-60 Minutes	5	6.6	4	9.5	7	10.8	18	36.7	-	-	-	-	2	33.3	36	14.4
Over 1 hour	6	7.9	4	9.5	6	9.2	4	8.2	-	-	-	-	-	-	20	8.0
SUBTOTAL	76	100.0%	42	100.0%	65	100.0%	49	100.0%	7	100.0%	5	100.0%	6	100.0%	250	100.0%
Not Available	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1	-
TOTAL ROBBERY	76		42		65		50		7		5		6		251	
LARCENY																
Immediate Arrest <sup>2</sup>	109	74.1%	37	77.1%	57	83.8%	22	55.0%	-	-	1	33.3%	3	100.0%	229	74.1%
1-15 Minutes	32	21.8	9	18.7	9	13.2	8	20.0	-	-	1	33.3	-	-	59	19.1
Over 15 Minutes	6	4.1	2	4.2	2	3.0	10	25.0	-	-	1	33.3	-	-	21	6.8
SUBTOTAL	147	100.0%	48	100.0%	68	100.0%	40	100.0%	-	-	3	100.0%	3	100.0%	309	100.0%
Not Available	-	-	-	-	2	-	-	-	-	-	-	-	-	-	2	-
TOTAL LARCENY	147		48		70		40		-		3		3		311	

<sup>1</sup>Interval between time of incident and time of arrest. For incidents where more than one defendant was arrested, the incident-to-arrest time lag of the first defendant arrested was recorded here.

<sup>2</sup>Time of incident and time of arrest were the same.

<sup>3</sup>Includes locations classified by the TPD as a toilet or a location not falling into one of the designated classes.

TABLE 36

TRANSIT GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## TPD CRIME CLASSIFICATION BY ARREST TIME LAG

TPD CRIME CLASSIFICATION

ARREST TIME LAG <sup>1</sup>	Jewelry Snatch		Purse Snatch		Bag Opener		Pickpocket		Lush Worker		Other Type <sup>3</sup>		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Immediate Arrest <sup>2</sup>	16	42.1%	18	60.0%	60	84.5%	50	75.8%	50	87.7%	35	74.5%	229	74.1%
1 - 15 Minutes	12	31.6	8	26.7	10	14.1	14	21.2	6	10.5	9	19.1	59	19.1
Over 15 Minutes	10	26.3	4	13.3	1	1.4	2	3.0	1	1.8	3	6.4	21	6.8
SUBTOTAL	38	100.0%	30	100.0%	71	100.0%	66	100.0%	57	100.0%	47	100.0%	309	100.0%
Not Available	-		-		1		-		1		-		2	
TOTAL	38		30		72		66		58		47		311	

<sup>1</sup>Interval between time of incident and time of arrest. For incidents where more than one defendant was arrested, the incident-to-arrest time lag of the first defendant arrested was recorded here.

<sup>2</sup>Time of incident and time of arrest were the same.

<sup>3</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

#### 4. Incident-to-Arrest Time Lag and Weapon Type

Robbery incidents with arrest(s) where the weapon reported was some kind of bodily force (fist) or cutting instrument (knife) had higher percentages of later arrest(s) compared to incidents where some other weapon was reported. About three fifths (61.4%) of "fist" and three quarters (77.8%) of "knife" robbery incidents with arrest(s) resulted in arrest(s) after the passage of some time. (See, Table 37.) These high proportions of later arrests among robberies with arrest(s) where a knife or fist was reported appears to be related to the high proportion of later arrests among robberies which occurred on a train or mezzanine.<sup>80</sup>

#### 5. Incident-to-Arrest Time Lag and Value of Property Taken

As Table 38 illustrates, larceny incidents were most likely to result in immediate arrest(s) in the "not available" category (81.5%) which includes cases where no property was taken and where the value of the property taken was not available or not recorded. Although this was true for robbery incidents also, the percentage of immediate arrests in this category was not as high for robbery as it was for larceny (47.6%, or 59 of 124 robbery incidents with arrest(s)). In addition, large percentages of robbery and larceny incidents with arrest(s) appear to have resulted in the apprehension of a suspect before any property was taken from the complainant. Almost half (49.4%) of the robbery and 71.7% of the larceny incidents with arrest(s) reported no value of property stolen.

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<sup>80</sup> Over one half (51.6%) of the "fist" robberies with arrest(s) and two thirds (64.4%) of those with a knife occurred on a train or mezzanine. In addition, roughly three fourths of both train (76.3%) and mezzanine (74.0%) incidents reported a fist or knife as the weapon used. (These figures do not appear in any table in this report.) Given the small numbers of robbery cases where there was an arrest, however, it was not possible to determine which factor (weapon use or crime location) was more likely to affect when the arrest occurred.

TABLE 37

TRANSIT ROBBERY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## WEAPON TYPE BY ARREST LAG

ARREST TIME LAG <sup>1</sup>	Fist		Knife		Gun		Alleged Gun		SUBTOTAL GUN		Other Type <sup>3</sup>		Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	N	%
Immediate Arrest <sup>2</sup>	49	38.6%	10	22.2%	18	64.3%	14	58.3%	32	61.5%	12	50.0%	-	103	41.2%
1 - 15 Minutes	50	39.4	26	57.8	2	7.1	6	25.0	8	15.4	5	20.8	2	91	36.4
16 - 60 Minutes	17	13.4	6	13.3	5	17.9	3	12.5	8	15.4	5	20.8	-	36	14.4
Over 1 hour	11	8.6	3	6.7	3	10.7	1	4.2	4	7.7	2	8.4	-	20	8.0
SUBTOTAL	127	100.0%	45	100.0%	28	100.0%	24	100.0%	52	100.0%	24	100.0%	2	250	100.0%
Not Available	1		-		-		-		-		-		-	1	
TOTAL	128		45		28		24		52		24		2	251	

<sup>1</sup> Interval between time of incident and time of arrest. For incidents where more than one defendant was arrested, the incident-to-arrest time lag of the first defendant arrested was recorded here.

<sup>2</sup> Time of incident and time of arrest were the same.

<sup>3</sup> Includes weapons classified by the TPD as a toy gun, blunt instrument, poison or chemical, or a weapon not falling into one of the designated classes.

TABLE 38

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## VALUE OF PROPERTY STOLEN BY ARREST TIME LAG

VALUE OF PROPERTY STOLEN												
ARREST TIME LAG <sup>1</sup>	\$1.00-\$4.99		\$5.00-\$49.99		\$50.00-\$199.99		\$200.00 and Over		Not Available <sup>3</sup>		TOTAL	
ROBBERY	N	%	N	%	N	%	N	%	N	%	N	%
Immediate Arrest <sup>2</sup>	1	16.7%	12	30.0%	15	34.9%	16	43.3%	59	47.6%	103	41.2%
1 - 15 Minutes	2	33.3	19	47.5	15	34.9	14	37.8	41	33.1	91	36.4
16 - 60 Minutes	2	33.3	6	15.0	8	18.6	3	8.1	17	13.7	36	14.4
Over 1 hour	1	16.7	3	7.5	5	11.6	4	10.8	7	5.6	20	8.0
SUBTOTAL	6	100.0%	40	100.0%	43	100.0%	37	100.0%	124	100.0%	250	100.0%
Not Available	-		1		-		-		-		1	
TOTAL ROBBERY	6	(2.4%)	41	(16.3%)	43	(17.2%)	37	(14.7%)	124	(49.4%)	251	(100.0%)
LARCENY												
Immediate Arrest <sup>2</sup>	6	75.0%	23	62.2%	15	55.6%	5	31.3%	180	81.5%	229	74.1%
1 - 15 Minutes	2	25.0	10	27.0	8	29.6	6	37.5	33	14.9	50	19.1
Over 15 Minutes	-	-	4	10.8	4	14.8	5	31.3	8	3.6	21	6.8
SUBTOTAL	8	100.0%	37	100.0%	27	100.0%	16	100.0%	221	100.0%	309	100.0%
Not Available	-		-		-		-		2		2	
TOTAL LARCENY	8	(2.6%)	37	(11.9%)	27	(8.7%)	16	(5.1%)	223	(71.7%)	311	(100.0%)

<sup>1</sup>Interval between time of incident and time of arrest. For incidents where more than one defendant was arrested, the incident-to-arrest time lag of the first defendant arrested was recorded here.

<sup>2</sup>Time of incident and time of arrest were the same.

<sup>3</sup>Includes incidents where no property was taken and where the value of property taken was not available or not recorded.

6. Incident-to-Arrest Time Lag and Age of Complainant

The "20 to 29 years" complainant age category had the highest percentage of incidents with an immediate arrest among robberies (53.8%) and among larcenies (80.0%). (See, Table 39.) Also, for robbery incidents with arrest(s), the likelihood of an immediate arrest decreased as the age of the complainant increased. For robbery complainants aged 50 years or older, only 27.0% of arrests were immediate. This pattern was not observed among larceny incidents with arrest(s), however.

7. Incident-to-Arrest Time Lag and Sex of Complainant

The incident-to-arrest time lag percentage distributions were fairly similar for male and female complainants among both robbery and larceny incidents. For larcenies, however, the percentage of incidents with an immediate arrest was slightly higher for male complainants than it was for females (77.7% compared to 70.6%). (See, Table 40.)

C. Defendant Age

About one third of the 562 incidents with arrest(s) involved defendants 16 to 19 years of age (35.8%).<sup>81</sup> (See, Table 41.) A comparison of the two crime types shows that robbery incidents with an arrest had a greater percentage of arrestees in younger age categories than larceny incidents. Although the percentage of incidents with defendants under 16 years of age was about the same for robbery (18.8%) and larceny (16.5%), the percentage of arrestees in the age class of 16 to 19 years was 14.8 percentage points higher for robbery cases than for larceny (44.0% compared to 29.2%). In addition, 13.2% of robbery cases compared to 29.4% of larceny cases fell into the combined age classes of 25 to 29 years and over 29 years.

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<sup>81</sup> When more than one defendant was arrested for an incident, the age of the youngest defendant was chosen as the defendant age for that particular incident.

TABLE 39

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## AGE OF COMPLAINANT BY ARREST TIME LAG

AGE OF COMPLAINANT

<u>ARREST TIME LAG</u> <sup>1</sup>	<u>Under 16 years</u>		<u>16-19 years</u>		<u>20-29 years</u>		<u>30-39 years</u>		<u>40-49 years</u>		<u>50-59 years</u>		<u>Over 59 years</u>	<u>Not Available</u>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>	
<u>ROBBERY</u>																
Immediate Arrest <sup>2</sup>	10	38.5%	13	34.2%	43	53.8%	15	33.3%	9	52.9%	4	23.5%	6	30.0%	3	103 41.2%
1-15 Minutes	10	38.5	13	34.2	22	27.5	21	46.7	5	29.4	9	52.9	8	40.0	3	91 36.4
16-60 Minutes	4	15.3	9	23.7	9	11.2	5	11.1	2	11.8	3	17.7	3	15.0	1	36 14.4
Over 1 hour	2	7.7	3	7.9	6	7.5	4	8.9	1	5.9	1	5.9	3	15.0	-	20 8.0
	-----		-----		-----		-----		-----		-----		-----		-----	
SUBTOTAL	26	100.0%	38	100.0%	80	100.0%	45	100.0%	17	100.0%	17	100.0%	20	100.0%	7	250 100.0%
Not Available	-		-		-		-		-		-		-		1	1
TOTAL ROBBERY	26		38		80		45		17		17		20		8	251
<u>LARCENY</u>																
Immediate Arrest <sup>2</sup>	3	75.0%	18	69.2%	64	80.0%	44	69.5%	22	61.1%	19	73.1%	17	65.4%	45	229 74.1%
1-15 Minutes	-	-	6	23.1	10	12.5	16	27.1	10	27.8	6	23.1	6	23.1	5	59 19.1
Over 15 Minutes	1	25.0	2	7.7	6	7.5	2	3.4	4	11.1	1	3.8	3	11.5	2	21 6.8
	-----		-----		-----		-----		-----		-----		-----		-----	
SUBTOTAL	4	100.0%	26	100.0%	80	100.0%	59	100.0%	36	100.0%	26	100.0%	26	100.0%	52	309 100.0%
Not Available	-		-		-		-		1		-		-		1	2
TOTAL LARCENY	4		26		80		59		37		26		26		53	311

<sup>1</sup>Interval between time of incident and time of arrest. For incidents where more than one defendant was arrested, the incident-to-arrest time lag of the first defendant arrested was recorded here.

<sup>2</sup>Time of incident and time of arrest were the same.

TABLE 40

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

SEX OF COMPLAINANT BY ARREST TIME LAG

SEX OF COMPLAINANT

<u>ARREST TIME LAG<sup>1</sup></u>	<u>Male</u>		<u>Female</u>		<u>Not Available</u>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
<u>ROBBERY</u>							
Immediate Arrest <sup>2</sup>	75	41.2%	27	40.9%	1	103	41.2%
1 - 15 minutes	67	36.8	23	34.8	1	91	36.4
16 - 60 minutes	24	13.2	12	18.2	-	36	14.4
Over 1 hour	16	8.8	4	6.1	-	20	8.0
	<hr/>		<hr/>		<hr/>	<hr/>	<hr/>
SUBTOTAL	182	100.0%	66	100.0%	2	250	100.0%
Not Available	-		1		-	1	
	<hr/>		<hr/>		<hr/>	<hr/>	<hr/>
TOTAL ROBBERY	182		67		2	251	
 <u>LARCENY</u>							
Immediate Arrest <sup>2</sup>	108	77.7%	108	70.6%	13	229	74.1%
1 - 15 Minutes	26	18.7	31	20.3	2	59	19.1
Over 15 Minutes	5	3.6	14	9.1	2	21	6.8
	<hr/>		<hr/>		<hr/>	<hr/>	<hr/>
SUBTOTAL	139	100.0%	153	100.0%	17	309	100.0%
Not Available	1		-		1	2	
	<hr/>		<hr/>		<hr/>	<hr/>	<hr/>
TOTAL LARCENY	140		153		18	311	

<sup>1</sup>Interval between time of incident and time of arrest. For incidents where more than one defendant was arrested, the incident-to-arrest time lag of the first defendant arrested was recorded here.

<sup>2</sup>Time of incident and time of arrest were the same.



TABLE 41

TRANSIT ROBBERY AND GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

COUNTY BY DEFENDANT(S) AGE(S)<sup>1</sup>

DEFENDANT(S) AGE(S)	Kings		New York		Queens		Bronx		TOTAL	
	N	%	N	%	N	%	N	%	N	%
<u>ROBBERY</u>										
Under 16 years	19	22.1%	15	14.0%	5	22.7%	8	22.9%	47	18.8%
16-19 years <sup>2</sup>	39	45.3	46	43.0	14	63.7	11	31.4	110	44.0
20-24 years	20	23.3	30	28.1	1	4.5	9	25.7	60	24.0
25-29 years	6	7.0	9	8.4	2	9.1	4	11.4	21	8.4
Over 29 years	2	2.3	7	6.5	-	-	3	8.6	12	4.8
SUBTOTAL	86	100.0%	107	100.0%	22	100.0%	35	100.0%	250	100.0%
Not Available	-		1		-		-		1	
TOTAL ROBBERY	86		108		22		35		251	
<u>LARCENY</u>										
Under 16 years <sup>2</sup>	17	30.9%	30	14.9%	-	-	4	17.4%	51	16.5%
16-19 years	21	38.2	54	26.9	8	26.7%	7	30.5	90	29.2
20-24 years	9	16.4	53	26.4	11	36.6	4	17.4	77	24.9
25-29 years <sup>2</sup>	5	9.1	26	12.9	5	16.7	3	13.0	39	12.6
Over 29 years	3	5.4	38	18.9	6	20.0	5	21.7	52	16.8
SUBTOTAL	55	100.0%	201	100.0%	30	100.0%	23	100.0%	309	100.0%
Not Available	-		2		-		-		2	
TOTAL LARCENY	55		203		30		23		311	
<u>ROBBERY AND LARCENY</u>										
Under 16 years <sup>2</sup>	36	25.5%	45	14.6%	5	9.6%	12	20.7%	98	17.5%
16-19 years <sup>2</sup>	60	42.6	100	32.5	22	42.3	18	31.0	200	35.8
20-24 years	29	20.6	83	27.0	12	23.1	13	22.4	137	24.5
25-29 years <sup>2</sup>	11	7.8	35	11.3	7	13.5	7	12.1	60	10.7
Over 29 years	5	3.5	45	14.6	6	11.5	8	13.8	64	11.5
SUBTOTAL	141	100.0%	308	100.0%	52	100.0%	58	100.0%	559	100.0%
Not Available	-		3		-		-		3	
TOTAL ROBBERY AND LARCENY	141		311		52		58		562	

<sup>1</sup> For cases involving more than one defendant per incident where the defendants belong to different age categories, the age of the youngest defendant arrested for the incident was chosen.

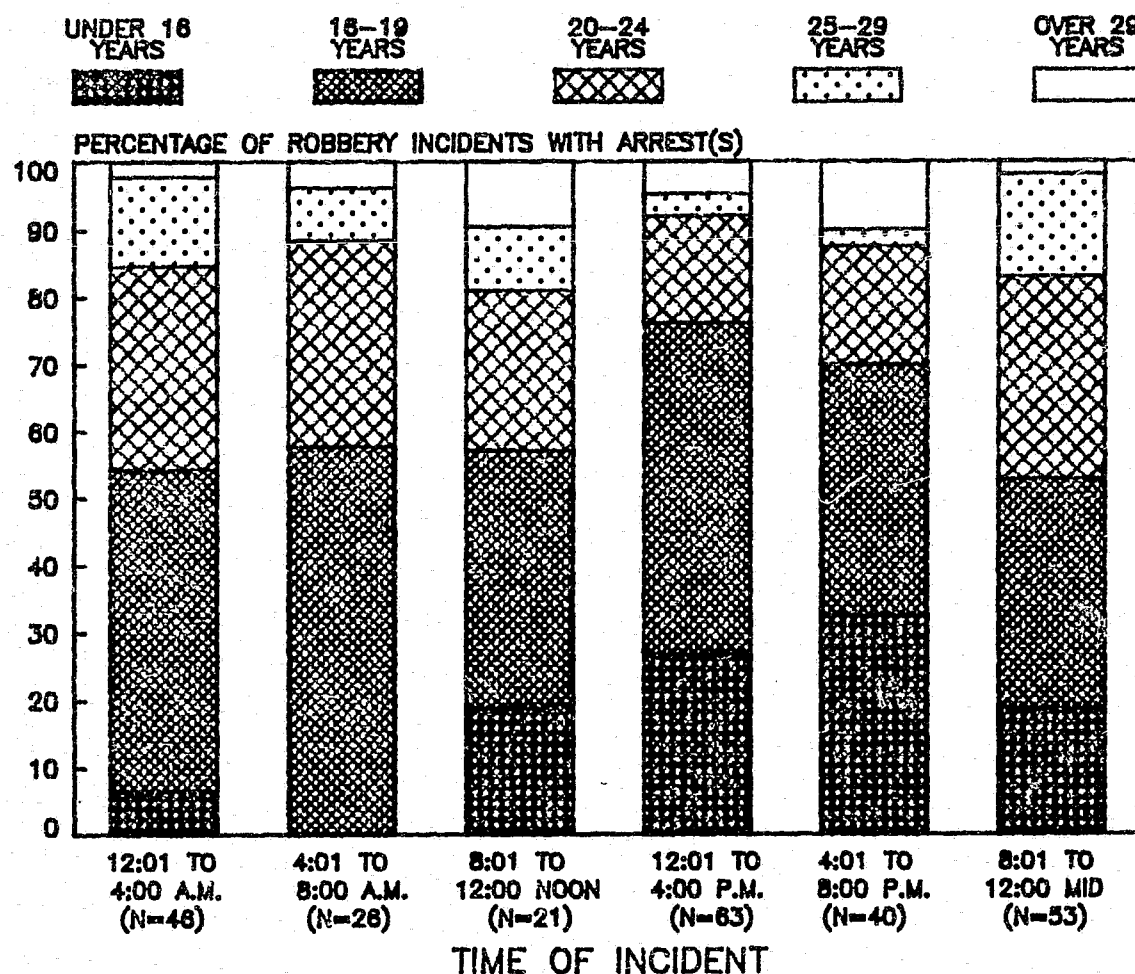
<sup>2</sup> Includes an incident involving more than one defendant where the age of one of the defendants arrested was not available.

# 1. Defendant Age and Time of Incident

For all four-hour incident time periods, more than four fifths of defendants for robbery incidents with arrest(s) were in the three youngest age categories (under 16, 16 to 19, and 20 to 24 years). (See, Figure 8.) The 16 to 19 year age group was the largest category for all time periods. This was especially true for three time periods, between 12:01 A.M. and 4:00 A.M., 4:01 A.M. and 8:00 A.M., and 12:01 P.M. and 4:00 P.M., where about half of the incidents during each period were classified as involving defendants aged 16 to 19 years (47.8%, 57.7%, and 49.2%, respectively). Also, robbery incidents involving defendants under 16 years of age were most frequent in the period from 4:01 P.M. to 8:00 P.M. (32.5% of the 40 incidents within this time period) and least frequent in that between 4:01 A.M. and 8:00 A.M. (no reported incidents with arrestees under 16 years).

Similarly, for all time periods except 4:01 A.M. to 8:00 A.M., larceny incidents with arrest(s) had large proportions of incidents in the three youngest defendant age categories. (See, Figure 9.) Approximately three fifths or more (57.9% to 84.3%) of the incidents within these time periods belonged to these combined age classes. With the exception of between 12:01 P.M. and 4:00 P.M. (where there were slightly more 20-to-24-year-olds (28.6%) than 16-to-19-year-olds (26.8%)) and between 4:01 A.M. and 8:00 A.M., incidents with 16-to-19-year-old defendants made up the largest percentage of incidents. The time period between 4:01 A.M. and 8:00 A.M. had about the same proportion of larceny incidents in the older (over 24 years) and younger (under 25 years) age categories (51.5% and 48.9%, respectively). Within this time period, the age categories 20 to 24 years and over 29 years represented the highest percentage of incidents, each comprising about a quarter of the total incidents for the time period (29.8% and 27.7%, respectively).

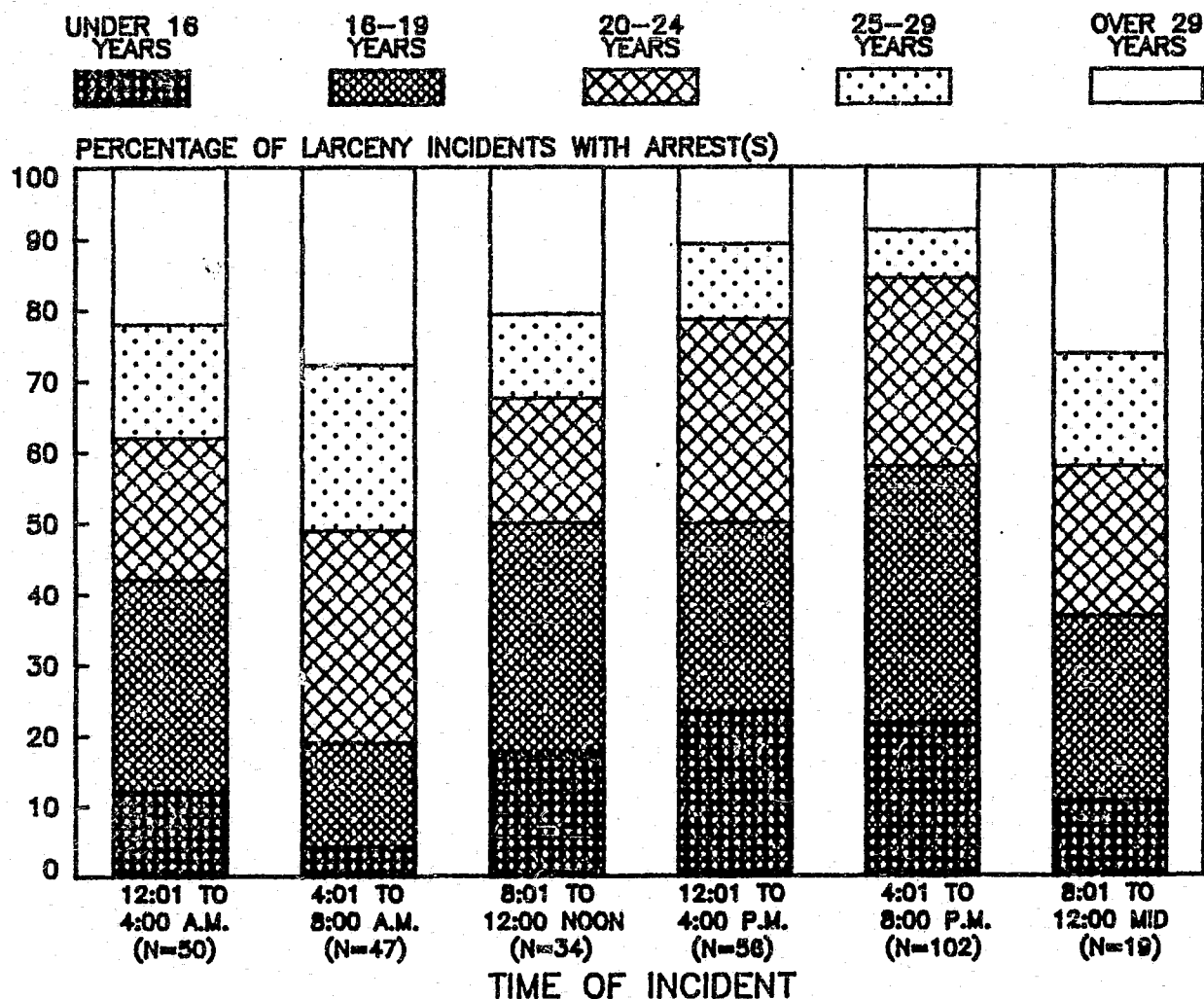
TRANSIT ROBBERY INCIDENTS WITH ARREST(S) REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21,1982;  
MAY 1-21,1982; AUGUST 1-21,1982; OR OCTOBER 2-22,1982:  
TIME OF INCIDENT BY DEFENDANT(S) AGE(S) \*



\* Excludes two cases where the time of incident or the defendant age was not available.  
For cases involving more than one defendant per incident where the defendants belong to different age categories, the age of the youngest defendant arrested for the incident was chosen.

Figure 8

TRANSIT GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21,1982;  
MAY 1-21,1982; AUGUST 1-21,1982; OR OCTOBER 2-22,1982:  
TIME OF INCIDENT BY DEFENDANT(S) AGE(S)\*



\* Excludes three cases where either the time of incident, age of defendant, or time of incident and age of defendant were not available. For cases involving more than one defendant per incident where the defendants belong to different age categories, the age of the youngest defendant arrested for the incident was chosen.

Figure 9

Robbery incidents with arrest(s), when compared with larcenies, had smaller proportions of incidents in the older (over 24 years) defendant age categories for all time periods. (Compare, Figure 8 and Figure 9.) There were at least twice as many incidents with older defendants among the larceny incidents than among robberies during all time periods except 4:01 P.M. to 8:00 P.M., where the proportion of incidents with older defendants was only slightly higher for larcenies than for robberies.

## 2. Defendant Age and County

Except for larceny incidents with an arrest in Queens, incidents with arrestees who were 16 to 19 years of age represented the most frequent age group among all robbery and larceny defendant age distributions for all counties. (See, Table 41.) The percentage distribution of 16-to-19-year-olds ranged from 26.9% for New York County larceny defendants to 63.7% of the Queens robbery arrestee incidents. Overall, Kings County had the largest percentage of arrestees in the youngest age category (25.5% of the Kings County arrestees were under 16 years of age compared to 14.6%, 9.6%, and 20.7% of those incidents in New York, Queens, and Bronx Counties, respectively). Moreover, only 11.3% of the Kings County incidents with arrest(s) fell into the two oldest age classes (25 to 29 years and over 29 years) as compared to 25.9%, 25.0%, and 25.9% of these incidents in New York, Queens, and Bronx Counties.

As noted above, Table 41 also shows that there was a greater percentage of younger arrestees among the robbery incidents with an arrest than among the larceny incidents with an arrest. This pattern did not hold for Kings County, however. There, the age distributions were fairly similar for robbery and larceny incidents with an arrest: 67.4% of the robbery incidents with an arrest were classified as having arrestees under 20 years compared with 69.1% for larceny; 9.3% of the robbery incidents had arrestees classified as 25 years and over compared with 14.5% for larceny.

### 3. Defendant Age and Weapon Type

For robberies, the type of weapon used varied according to the age of the youngest defendant arrested for each incident. Defendants 16 to 19 and 20 to 24 years were more likely to use fists (54.1% and 57.6%) than both younger (46.8% of the under 16 years) and older defendants (39.4% of all the incidents with defendants over 25 years). (See, Table 42.) Overall, a "fist" (which includes all types of bodily force) was used in one half (51.4%) of all the robbery incidents with arrest(s). A gun or alleged gun was used in 20.9% of all these robberies. Defendants under 16 years had the highest percentage of gun use (25.5%). Older arrestees (those over 25 years) used an "other" weapon in a larger proportion of their incidents (24.2%) than any other age group. Incidents with defendants in the 20-to-24-year-old age category had the lowest percentage of knife use (10.2%) of any age group. Knife use among the other age groups involved a large proportion of the incidents ranging from 16.7% of the over 29 arrestee group to 21.1% of the incidents involving a 16-to-19-year-old as the youngest arrestee.<sup>82</sup>

### 4. Defendant Age and Age and Sex of Complainant

The most common complainant age categories among all the robbery and larceny complainants in the 84 days in the sample period were the 20-to-29 and 30-to-39-year-old classes (together comprising 48.0% and 55.9% of all robbery and larceny incidents, respectively).<sup>83</sup> Complainants in these two age classes also comprised nearly one half of the complainants for robbery and larceny incidents with arrest(s) where the age of the complainant was available (51.4% and 53.9%, respectively).<sup>84</sup> Both robbery

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<sup>82</sup>The distributions of weapon use for single- and multiple-arrestee incidents were examined, but, because they were similar, they were not separately reported in Table 42.

<sup>83</sup>See, Table 12.

<sup>84</sup>These figures can be calculated from the data presented in Tables 43 and 44.

TABLE 42

TRANSIT ROBBERY INCIDENTS WITH ARREST(S)  
 REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING  
 FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## DEFENDANT(S) AGE(S) PER INCIDENT BY WEAPON TYPE

DEFENDANT(S) AGE(S)<sup>1</sup>

WEAPON TYPE	Under 16 Years		16-19 years		20-24 Years		25-29 Years		Over 29 Years		Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	%
Gun	8	17.0%	12	11.0%	5	8.5%	1	4.8%	2	16.7%	-	28	11.3%
Alleged Gun	4	8.5	9	8.3	8	13.5	3	14.3	-	-	-	24	9.6
SUBTOTAL GUN	12	25.5%	21	19.3%	13	22.0%	4	19.1%	2	16.7%	-	52	20.9%
Knife	9	19.2%	23	21.1%	6	10.2%	4	19.1%	2	16.7%	1	45	18.1%
Fist <sup>2</sup>	22	46.8	59	54.1	34	57.6	9	42.8	4	33.3	-	128	51.4
Other <sup>3</sup>	4	8.5	6	5.5	6	10.2	4	19.1	4	33.3	-	24	9.6
SUBTOTAL	47	100.0%	109	100.0%	59	100.0%	21	100.0%	12	100.0%	1	249	100.0%
Not Available	-	-	1	-	1	-	-	-	-	-	-	2	-
TOTAL	47	-	110	-	60	-	21	-	12	-	1	251	-

<sup>1</sup>For cases involving more than one defendant per incident where the defendants belong to different age categories, the age of the youngest defendant arrested for the incident was chosen.

<sup>2</sup>Includes all types of bodily force.

<sup>3</sup>Includes weapons classified by the Transit Police Department (TPD) as a toy gun, blunt instrument, poison or chemical, or a weapon not falling into one of the designated classes.

TABLE 43

TRANSIT ROBBERY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING  
FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## AGE OF COMPLAINANT BY DEFENDANT(S) AGE(S) PER INCIDENT

AGE OF COMPLAINANT																	
DEFENDANT(S) AGE(S)	Under 16 yrs.		16-19 yrs.		20-29 yrs.		30-39 yrs.		40-49 yrs.		50-59 yrs.		Over 59 yrs.		Not Available	TOTAL	
ONE DEFENDANT	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	N	%
ARRESTED	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	N	%
Under 16 years	2	7.7%	3	7.9%	3	3.8%	2	4.4%	-	-	1	6.2%	1	5.0%	1	13	5.2%
16 - 19 years	5	19.2	10	26.3	18	22.5	6	13.3	3	17.6%	2	12.5	7	35.0	-	51	20.4
20 - 24 years	1	3.9	2	5.3	23	28.8	9	20.0	3	17.6	4	25.0	3	15.0	-	45	18.0
25 - 29 years	-	-	1	2.6	6	7.5	4	8.9	4	23.5	2	12.5	-	-	2	19	7.6
Over 29 years	-	-	-	-	1	1.2	8	17.8	-	-	-	-	3	15.0	-	12	4.8
SUBTOTAL	8	30.8%	16	42.1%	51	63.8%	29	64.4%	10	58.8%	9	56.2%	14	70.0%	3	140	56.0%
MORE THAN ONE DEFENDANT ARRESTED <sup>1</sup>																	
Under 16 years	9	34.6%	9	23.7%	3	3.8%	5	11.1%	2	11.8%	2	12.5%	3	15.0%	1	34	13.6%
16 - 19 years <sup>2</sup>	7	26.9	11	29.0	20	25.0	6	13.3	4	23.5	5	31.3	3	15.0	3	59	23.6
20 - 24 years	2	7.7	1	2.6	6	7.5	4	8.9	1	5.9	-	-	-	-	1	15	6.0
25 - 29 years	-	-	1	2.6	-	-	1	2.3	-	-	-	-	-	-	-	2	0.8
Over 29 years	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL	18	69.2%	22	57.9%	29	36.3%	16	35.6%	7	41.2%	7	43.8%	6	30.0%	5	110	44.0%
ALL INCIDENTS WITH ARREST(S) <sup>1</sup>																	
Under 16 years	11	42.3%	12	31.6%	6	7.5%	7	15.5%	2	11.8%	3	18.7%	4	20.0%	2	47	18.8%
16 - 19 years <sup>2</sup>	12	46.2	21	55.2	38	47.5	12	26.7	7	41.2	7	43.8	10	50.0	3	110	44.0
20 - 24 years	3	11.5	3	7.9	29	36.3	13	28.9	4	23.5	4	25.0	3	15.0	1	60	24.0
25 - 29 years	-	-	2	5.3	6	7.5	5	11.1	4	23.5	2	12.5	-	-	2	21	8.4
Over 29 years	-	-	-	-	1	1.2	8	17.8	-	-	-	-	3	15.0	-	12	4.8
SUBTOTAL	26	100.0%	38	100.0%	80	100.0%	45	100.0%	17	100.0%	16	100.0%	20	100.0%	8	250	100.0%
Not Available	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1	-
TOTAL INCIDENTS WITH ARREST(S)	26	(10.3%)	38	(15.1%)	80	(31.9%)	45	(17.9%)	17	(6.8%)	17	(6.8%)	20	(8.0%)	8	251	(3.2%)

<sup>1</sup>For cases involving defendants belonging to different age categories, the age of the youngest defendant arrested for the incident was chosen.

<sup>2</sup>Includes an incident where the age of one of the defendants arrested was not available.



and larceny incidents were most likely to involve arrestees falling in the 16-to-19-year-old age category (44.0% and 29.1%, respectively). (See, Tables 43 and 44.) For robbery incidents, the arrestee age varied by the age of the complainant although this pattern of variation was found only among the four youngest complainant age categories: complainants in these age groups had higher percentages of same-age arrestees than any other complainant age category. For example, among 16-to-19-year-old complainants, the percentage of 16-to-19-year-old arrestees was 55.2%, which was higher than the percentage found for any other complainant age category.<sup>85</sup> This pattern did not appear to hold for larceny incidents with arrest(s) where the age distributions within each complainant age group tended to follow more closely the overall age distribution for these incidents.

Among robbery incidents with arrest(s), those involving male complainants were more likely to have more than one arrestee than were those involving female complainants (48.1% compared to 32.8%, respectively). (See Table 45.) In contrast, for larceny incidents with arrest(s), 23.7% of the incidents involving female complainants had more than one arrestee compared to 14.4% of those with male complainants. (See, Table 46.)

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<sup>85</sup>As noted earlier, this dataset cannot answer questions related to perpetrator ages, such as: do robbers prey on same-age victims? It can only report on the ages of those arrested for crime incidents involving complainants whose ages were reported.

TABLE 44

TRANSIT GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING  
FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

## AGE OF COMPLAINANT BY DEFENDANT(S) AGE(S) PER INCIDENT

## AGE OF COMPLAINANT

DEFENDANT(S) AGE(S)	Under 16 yrs.		16-19 yrs.		20-29 yrs.		30-39 yrs.		40-49 yrs.		50-59 yrs.		Over 59 yrs.		Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	N	%
ONE DEFENDANT ARRESTED																	
Under 16 years	-	-	4	15.4%	9	11.4%	6	10.2%	3	8.3%	1	3.8%	4	15.4%	7	34	11.0%
16 - 19 years	2	50.0%	7	26.9	15	19.0	15	25.4	9	25.0	4	15.4	7	26.9	7	66	21.4
20 - 24 years	-	-	6	23.1	16	20.3	12	20.3	7	19.5	6	23.1	4	15.4	16	67	21.7
25 - 29 years	-	-	3	11.5	9	11.4	4	6.8	8	22.2	1	3.8	2	7.7	7	34	11.0
Over 29 years	-	-	2	7.7	17	21.5	13	22.0	3	8.3	4	15.4	6	23.1	6	51	16.5
SUBTOTAL	2	50.0%	22	84.6%	66	83.5%	50	84.7%	30	83.3%	16	61.5%	23	88.5%	43	252	81.6%
<u>MORE THAN ONE DEFENDANT ARRESTED<sup>1</sup></u>																	
Under 16 years <sup>2</sup>	-	-	1	3.8%	5	6.3%	3	5.1%	1	2.8%	5	19.2%	-	-	2	17	5.5%
16 - 19 years	1	25.0%	1	3.8	4	5.1	3	5.1	4	11.1	2	7.7	2	7.7%	7	24	7.8
20 - 24 years	-	-	1	3.8	4	5.1	1	1.7	-	-	2	7.7	1	3.8	1	10	3.2
25 - 29 years <sup>2</sup>	1	25.0	1	3.8	-	-	1	1.7	1	2.8	1	3.8	-	-	-	5	1.6
Over 29 years	-	-	-	-	-	-	1	1.7	-	-	-	-	-	-	-	1	0.3
SUBTOTAL	2	50.0%	4	15.4%	13	16.5%	9	15.3%	6	16.7%	10	38.5%	3	11.5%	10	57	18.4%
<u>ALL INCIDENTS WITH ARREST(S)<sup>1</sup></u>																	
Under 16 years <sup>2</sup>	-	-	5	19.2%	14	17.7%	9	15.3%	4	11.1%	6	23.1%	4	15.4%	9	51	16.5%
16 - 19 years	3	75.0%	8	30.8	19	24.1	18	30.5	13	36.1	6	23.1	9	34.6	14	90	29.1
20 - 24 years	-	-	7	26.9	20	25.3	13	22.0	7	19.5	8	30.7	5	19.2	17	77	24.9
25 - 29 years	1	25.0	4	15.4	9	11.4	5	8.5	9	25.0	2	7.7	2	7.7	7	39	12.6
Over 29 years <sup>2</sup>	-	-	2	7.7	17	21.5	14	23.7	3	8.3	4	15.4	6	23.1	6	52	16.9
SUBTOTAL	4	100.0%	26	100.0%	79	100.0%	59	100.0%	36	100.0%	26	100.0%	26	100.0%	53	309	100.0%
Not Available	-	-	-	-	1	-	-	-	1	-	-	-	-	-	-	2	-
TOTAL INCIDENTS WITH ARREST(S)	4		26		80		59		37		26		26		53	311	

<sup>1</sup>For cases involving defendants belonging to different age categories, the age of the youngest defendant arrested for the incident was chosen.

<sup>2</sup>Includes an incident where the age of one of the defendants arrested was not available.

TABLE 45

TRANSIT ROBBERY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

SEX OF COMPLAINANT BY DEFENDANT(S) AGE(S) PER INCIDENT

SEX OF COMPLAINANT

<u>DEFENDANT(S) AGE(S)</u>	<u>Male</u>		<u>Female</u>		<u>Not Available</u>	<u>TOTAL</u>	
<u>ONE DEFENDANT ARRESTED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
Under 16 years	7	3.9%	5	7.5%	1	13	5.2%
16 - 19 years	32	17.7	19	28.4	-	51	20.4
20 - 24 years	35	19.3	10	14.9	-	45	18.0
25 - 29 years	12	6.6	7	10.4	-	19	7.6
Over 29 years	8	4.4	4	6.0	-	12	4.8
SUBTOTAL	94	51.9%	45	67.2%	1	140	56.0%
<u>MORE THAN ONE DEFENDANT ARRESTED</u> <sup>1</sup>							
Under 16 years	26	14.4%	8	11.9%	-	34	13.6%
16 - 19 years <sup>2</sup>	45	24.4	13	19.4	1	59	23.6
20 - 24 years	14	7.7	1	1.5	-	15	6.0
25 - 29 years	2	1.1	-	-	-	2	0.8
Over 29 years	-	-	-	-	-	-	-
SUBTOTAL	87	48.1%	22	32.8%	1	110	44.0%
<u>ALL INCIDENTS WITH ARREST(S)</u> <sup>1</sup>							
Under 16 years	33	18.2%	13	19.4%	1	47	18.8%
16 - 19 years <sup>2</sup>	77	42.6	32	47.8	1	110	44.0
20 - 24 years	49	27.1	11	16.4	-	60	24.0
25 - 29 years	14	7.7	7	10.4	-	21	8.4
Over 29 years	8	4.4	4	6.0	-	12	4.8
SUBTOTAL	181	100.0%	67	100.0%	2	250	100.0%
Not Available	1		-		-	1	
TOTAL INCIDENTS WITH ARREST(S)	182		67		2	251	

<sup>1</sup>For cases involving defendants belonging to different age categories, the age of the youngest defendant arrested for the incident was chosen.

<sup>2</sup>Includes an incident where the age of one of the defendants arrested was not available.

TRANSIT GRAND LARCENY INCIDENTS WITH ARREST(S) REPORTED TO THE TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

SEX OF COMPLAINANT BY DEFENDANT(S) AGE(S) PER INCIDENT

SEX OF COMPLAINANT							
DEFENDANT(S) AGE(S)	Male		Female		Not Available	TOTAL	
	N	%	N	%	N	N	%
<u>ONE DEFENDANT ARRESTED</u>							
Under 16 years	7	5.0%	23	15.1%	4	34	11.0%
16 - 19 years	30	21.6	34	22.4	2	66	21.4
20 - 24 years	30	21.6	32	21.1	5	67	21.7
25 - 29 years	23	16.5	8	5.3	3	34	11.0
Over 29 years	29	20.9	19	12.5	3	51	16.5
SUBTOTAL	119	85.6%	116	76.3%	17	252	81.6%
<u>MORE THAN ONE DEFENDANT ARRESTED</u> <sup>1</sup>							
Under 16 years <sup>2</sup>	5	3.6%	11	7.2%	1	17	5.5%
16 - 19 years	9	6.5	15	9.9	-	24	7.8
20 - 24 years	4	2.9	6	3.9	-	10	3.2
25 - 29 years <sup>2</sup>	2	1.4	3	2.0	-	5	1.6
Over 29 years	-	-	1	0.7	-	1	0.3
SUBTOTAL	20	14.4%	36	23.7%	1	57	18.4%
<u>ALL INCIDENTS WITH ARREST(S)</u> <sup>1</sup>							
Under 16 years <sup>2</sup>	12	8.6%	34	22.4%	5	51	16.5%
16 - 19 years	39	28.0	49	32.2	2	90	29.1
20 - 24 years	34	24.5	38	25.0	5	77	24.9
25 - 29 years <sup>2</sup>	25	18.0	11	7.2	3	39	12.6
Over 29 years	29	20.9	20	13.2	3	52	16.9
SUBTOTAL	139	100.0%	152	100.0%	18	309	100.0%
Not Available	1		1		-	2	
TOTAL INCIDENTS WITH ARREST(S)	140		153		18	311	

<sup>1</sup>For cases involving defendants belonging to different age categories, the age of the youngest defendant arrested for the incident was chosen.

<sup>2</sup>Includes an incident where the age of one of the defendants arrested was not available.

Because males represented 71.2% of the robbery complainants in the sample<sup>86</sup> and because clearance rates for robbery complainants were nearly identical for male and female complainants (17.2% and 16.6%, respectively),<sup>87</sup> it is not surprising that 73.1% of the complainants for robbery incidents with an arrest where the sex of the complainant was available were males.<sup>88</sup> For larceny incidents, the different percentages of clearances for male and female complainants (28.2% and 16.2%, respectively)<sup>89</sup> resulted in a higher representation of males among the larceny incidents with arrest(s) (47.8%)<sup>90</sup> than among all larceny complainants (34.3%).<sup>91</sup>

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<sup>86</sup>See, Table 12.

<sup>87</sup>See, Table 31.

<sup>88</sup>This percentage was calculated from figures appearing in Table 45.

<sup>89</sup>See, Table 31.

<sup>90</sup>This percentage was calculated from figures appearing in Table 46.

<sup>91</sup>See, Table 13.

PART II:

TRANSIT ROBBERY ARRESTS

## I. INTRODUCTION

This section of the report focuses on robbery arrests made December 1981 through June 1982 for incidents which occurred on the subway system. The first part describes the robbery incidents while the second part examines the relationship between certain characteristics of the robbery incident and defendant arrest and court processing information.

Overall, 1255 transit robbery arrests were made in the seven-month sample period. Although these 1255 arrests involved 717 incidents, this portion of the study reports information for only 705 incidents.<sup>1</sup> Note also that the number of incidents is lower than the number of arrestees because some of the incidents involved more than one arrestee from the sample period.

During the sample period, the Transit Police Department (TPD) sent CJA copies of all the arrest reports (TP4s) for subway robberies. CJA staff screened these arrest reports and matched the defendant arrest numbers with those in the CJA database (UDIIS). This screening procedure was done so that no arrest was included in the sample more than once and that arrests

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<sup>1</sup>When the adjustments were made in the dataset to allow information to be presented for incidents as well as arrests, the method used did not allow for the separate reporting of 12 incidents in which the implicated defendants were linked to more than one incident. For half of these incidents, information on the additional incidents was not reported either because it was not available or was duplicative. For the other six incidents, information was reported in combination with the information for the other incident linked to the same arrestee(s).

made by the TPD for above-ground incidents and cases involving an attempted murder arrest charge were excluded.<sup>2</sup> Later, to ensure the completeness of the sample, arrest information from the TPD computer system was matched against the previously identified sample.

Incident information was coded by CJA staff directly from the TP4 forms. Some of the information which was coded was transcribed directly from the TP4 - for example, defendant date of birth, time of incident, and county of occurrence. Other information (such as use of force, seriousness of victim injury, and whether property was actually taken) was derived from the description of the incident which appeared on the TP4. The coding scheme was developed by CJA and based upon a review of all of the TP4s for the sample period. Demographic and case processing information was gathered from several sources. Some data, such as defendant residence, arrest charge, and court information,<sup>3</sup> were coded from the TP4. The CJA computer system served as the primary Criminal Court data source, supplemented by Criminal Court calendars and the computer system operated by

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<sup>2</sup>The TPD classifies arrests according to the FBI's Uniform Crime Reports (UCR) hierarchy; under this hierarchy, a robbery involving murder, rape, or attempted rape would not be classified as a robbery because the other crimes are considered more severe offenses than robbery. Under the UCR scheme, attempted murder is considered to be an aggravated assault and classified as a less severe offense than robbery. Note, however, that robberies where there was also an attempted murder arrest charge were nevertheless excluded by CJA from this sample of transit robbery arrests.

<sup>3</sup>The court information coded from the TP4 indicated the court in which the defendant's case was to be prosecuted initially: Family Court, Criminal Court, or Supreme Court.



State of New York Office of Court Administration (OCA) for cases which were not interviewed by CJA.<sup>4</sup> Supreme Court case processing information for defendants whose cases were transferred to Supreme Court and for defendants who were indicted prior to arrest was also gathered from the OCA computer system.

## II. INCIDENT CHARACTERISTICS

This section presents information on the subway incidents for which arrests between December 1981 and June 1982 were made. Information on county of incident, crime location, crime victims, use of force or a weapon, and the property involved in the incident is analyzed below. This information may differ from that presented in Part I of the report because, in Part I, information on all robbery incidents reported to the TPD as occurring in four three-week sample periods in 1982 was presented. Here, the incidents reported are only those for which an arrest was made. Some comparisons are made with the 251 robbery incidents with arrest(s) reported in Part I, however.

### A. County of Incident

Forty-two percent of the robbery incidents for which defendants were arrested in the seven months of the sample period occurred in New York County while 37.4% occurred in Kings, 8.7% in Queens, and 11.9% in Bronx Counties. (See, Table 47.) This percentage distribution by county of occurrence was similar to

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<sup>4</sup>CJA does not interview defendants arrested for robbery incidents who were incarcerated at the time of their arrests.

TABLE 47

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

NUMBER OF PARTICIPANTS BY COUNTY OF INCIDENT

NUMBER OF PARTICIPANTS

COUNTY	<u>One Participant</u>		<u>Two Participants</u>		<u>Three Participants</u>		<u>Four Participants</u>		<u>Five Participants</u>		<u>Six or More Participants</u>		<u>SUBTOTAL THREE OR MORE</u>	<u>Not Available</u>	<u>TOTAL INCIDENTS</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
New York	99	44.8%	97	41.2%	46	40.3%	22	37.3%	15	48.4%	16	39.0%	99	40.4%	1	296 42.0%
Kings	77	34.8	85	36.2	45	39.5	25	42.4	14	45.2	16	39.0	100	40.8	2	264 37.4
Bronx	26	11.8	27	11.5	14	12.3	10	16.9	1	3.2	6	14.6	31	12.7	1	84 11.9
Queens	19	8.6	26	11.1	9	7.9	2	3.4	1	3.2	3	7.3	15	6.1	-	61 8.7
TOTAL INCIDENTS	221	100.0%	235	100.0%	114	100.0%	59	100.0%	31	100.0%	41	100.0%	245	100.0%	4	705 100.0%

that found in the 84 days of the sample of 1982 transit robbery incidents<sup>5</sup> and to the distribution of citywide (transit and non-transit) robbery incidents reported in 1982<sup>6</sup> which were described in Part I.

Table 47 presents the relationship between the number of participants<sup>7</sup> and the incident county. As the table shows, there was not a great deal of variation among the participant categories when the information for incidents with three or more participants was aggregated. The percentage of Kings County incidents was lowest among those with one participant (34.8%) and highest among those with three or more participants (40.8%). One-participant incidents had the highest percentage of New York County incidents (44.8%) while the percentage of Queens County incidents was highest (11.1%) among those involving two participants.

#### B. Crime Location

Among the 705 incidents, two fifths (41.3%) occurred on the train and one fourth (24.1%) were platform incidents. (See, Table 48.) This distribution of incidents by crime location differs from both the distribution of crime locations for

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<sup>5</sup> See, Table 1, Part I.

<sup>6</sup> See, Table 2, Part I.

<sup>7</sup> Note that this sample of incidents is based upon an initial arrest population. Thus, conclusions about the percentages of all subway robberies which involve one or more than one perpetrator cannot be drawn from these data.

TABLE 4B

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

## NUMBER OF PARTICIPANTS BY CRIME LOCATION

NUMBER OF PARTICIPANTS

LOCATION	One Participant		Two Participants		Three Participants		Four Participants		Five Participants		Six or More Participants		SUBTOTAL		Not Available	TOTAL INCIDENTS	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%		N	%
Train	75	34.1%	96	40.8%	47	41.3%	28	47.4%	19	61.3%	25	61.0%	290	41.5%	1	291	41.3%
Platform	54	24.5	53	22.6	29	25.4	16	27.1	8	25.8	8	19.5	168	24.0	2	170	24.1
Mezzanine <sup>1</sup>	47	21.4	32	13.6	20	17.5	5	8.5	3	9.7	5	12.2	112	16.0	1	113	16.1
Stairway <sup>2</sup>	34	15.5	40	17.0	16	14.0	8	13.6	1	3.2	3	7.3	102	14.6	-	102	14.5
Passageway	2	0.9	8	3.4	1	0.9	1	1.7	-	-	-	-	12	1.7	-	12	1.7
Other <sup>3</sup>	8	3.6	6	2.6	1	0.9	1	1.7	-	-	-	-	16	2.2	-	16	2.3
SUBTOTAL	220	100.0%	235	100.0%	114	100.0%	59	100.0%	31	100.0%	41	100.0%	700	100.0%	4	704	100.0%
Not Available	1		-		-		-		-		-		1		-	1	
TOTAL INCIDENTS	221		235		114		59		31		41		701		4	705	

<sup>1</sup>Includes "near token booth."<sup>2</sup>Includes "exit area," "highwheel," and "stairway."<sup>3</sup>Includes locations described as "closed end," "closed end crossover area," and "bathroom."

reported robbery incidents and for robbery incidents with arrest(s) described in Part I, with higher percentages of train and mezzanine incidents and fewer stairway incidents. Among the robbery incidents reported in Part I, less than one third (30.9%) took place on a train, while, as with the 705 incidents reported here, one fourth (24.2%) occurred on the platform.<sup>8</sup> These percentages were similar to those for the robbery incidents with arrest(s) described in Part I.<sup>9</sup> The reason for the difference between the two arrest samples is unclear.

In addition, crime location was examined separately according to the number of participants involved in the incident. The percentage of incidents which occurred on the train rose greatly as the number of participants involved in the incident increased. One third (34.1%) of the incidents with one participant while over three fifths (61.3 and 61.0%) of the incidents with five and six or more participants, respectively, occurred there. The percentage of mezzanine incidents was highest (21.4%) among those with only one participant.

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<sup>8</sup> See, Table 7, Part I.

<sup>9</sup> See, Table 35, Part I. (The percentage of incidents occurring at each location can be calculated by dividing the number of incidents at a particular location by the total number of incidents with an arrest.)

### C. Victim Information

This section presents information on the number of victims and witnesses and, also, the number of participants in the crime, the average age and the sex(es) of the victim(s), and the seriousness of any injury suffered by a victim in relation to the number of victims.<sup>10</sup> The most severe victim injury in relation to the sex of the victims is also examined in this section.

#### 1. Number of Victims and Witnesses

Overall, for 88.1% of the 705 robbery incidents for which arrests were made in the seven-month sample period, only one victim was reported on the TP4. (See, Table 49.) Two thirds of these 705 incidents (67.3%) had no non-victim witnesses reported on the TP4. (See, Table 50.) However, two or more victims or witnesses were reported for two fifths (41.0%) of the incidents. (See, Table 51.)

#### 2. Number of Participants By Number of Victims

Table 49 presents the number of participants in the crime by the number of victims reported. The percentage of incidents with one participant (31.5%) was approximately equal to the percentage with two participants (33.5%). The remaining participant categories represented between 16.3% (three participants) and 4.4% (five participants) of the total number of incidents

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<sup>10</sup>While the total number of victims reported on the TP4 for each incident was coded by CJA, specific victim information (such as the age, sex, the extent of the injury suffered, and county of residence) was coded for only the first three victims listed on the TP4.

TABLE 49

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

NUMBER OF PARTICIPANTS BY NUMBER OF VICTIMS

NUMBER OF PARTICIPANTS

<u>NUMBER OF VICTIMS</u>	<u>One Participant</u>		<u>Two Participants</u>		<u>Three Participants</u>		<u>Four Participants</u>		<u>Five Participants</u>		<u>Six or More Participants</u>		<u>SUBTOTAL</u>		<u>Not Available</u>	<u>TOTAL INCIDENTS</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
One Victim	208	94.1%	208	88.5%	101	88.6%	48	81.4%	27	87.1%	26	63.4%	618	88.2%	3	621	88.1%
Two or More Victims	13	5.9	27	11.5	13	11.4	11	18.6	4	12.9	15	36.6	83	11.8	1	84	11.9
TOTAL INCIDENTS	221	100.0%	235	100.0%	114	100.0%	59	100.0%	31	100.0%	41	100.0%	701	100.0%	4	705	100.0%
	(31.5%)		(33.5%)		(16.3%)		(8.4%)		(4.4%)		(5.9%)		(100.0%)				

TABLE 50

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

NUMBER OF NON-VICTIM WITNESSES

<u>NUMBER OF WITNESSES</u>	<u>N</u>	<u>%</u>
NO WITNESSES	474	67.3%
<u>ONE OR MORE</u> <u>WITNESSES</u>		
1 Witness	191	27.2
2 or More Witnesses	39	5.5
SUBTOTAL ONE OR MORE WITNESSES	<u>230</u>	<u>32.7%</u>
	704	100.0%
Not Available	1	
TOTAL INCIDENTS	<u>705</u>	



TABLE 51

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

TOTAL NUMBER OF VICTIMS AND WITNESSES

<u>NUMBER OF VICTIMS AND WITNESSES</u>	<u>N</u>	<u>%</u>
1 Victim, No Witnesses	415	59.0%
2 Victims or Witnesses	215	30.6
3 Victims or Witnesses	50	7.1
4 or More Victims or Witnesses	23	3.3
SUBTOTAL	<u>703</u>	<u>100.0%</u>
Not Available	2	
TOTAL INCIDENTS	<u>705</u>	

where the number of participants could be determined from the TP4 crime incident description. This distribution of crime participants contrasts sharply with the distribution of crime victims noted above. Among incidents in which the number of participants was known, 88.2% had only one victim reported on the TP4. Among incidents with only one participant, 94.1% reported only one victim, the highest percentage among any category of participants. Incidents with six or more participants had the highest percentage of multiple victims (36.6%). There was little variation among the other categories of participants. In sum, almost three tenths (29.7%) of the 701 incidents in which the number of participants was available involved a single perpetrator and a single victim; 58.5% involved more than one perpetrator but only one victim; and 10.0% involved multiple participants and multiple victims.

### 3. Average Age of Victims

Overall, almost three fifths (58.2%) of the 705 robbery incidents had an "average" victim age<sup>11</sup> of under 30 years. (See, Table 52.) The largest percentage of incidents had an average victim age in the 19-to-29-years age category (32.4%). Victim age was also examined separately in Table 52 according to whether one or more than victim was involved in the robbery incident. The percentage of multiple-victim incidents where the average age

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<sup>11</sup>"Average" victim age for incidents with more than one victim was the mean age when two ages were available and the median age when three ages were available. (See, fn.33, Part I, for a discussion of the definitions of "mean" and "median.")

TABLE 52

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

AVERAGE<sup>1</sup> AGE OF VICTIM(S) BY NUMBER OF VICTIMS

<u>INCIDENTS WITH ONE VICTIM</u>	<u>N</u>	<u>%</u>	<u>(%)</u>
Under 16 years	65	9.5%	( 10.8%)
16 - 18 years	82	12.0	( 13.6%)
19 - 29 years	193	28.1	( 32.1%)
30 - 39 years	111	16.2	( 18.4%)
40 - 49 years	59	8.6	( 9.8%)
50 - 59 years	51	7.4	( 8.5%)
Over 59 years	41	6.0	( 6.8%)
	<hr/> 602	<hr/> 87.8%	<hr/> (100.0%)
Not Available	19		
SUBTOTAL INCIDENTS WITH ONE VICTIM	<hr/> 621		
 <u>INCIDENTS WITH MORE THAN ONE VICTIM</u>			
Under 16 years	15	2.2%	( 17.9%)
16 - 18 years	15	2.2	( 17.9%)
19 - 29 years	29	4.2	( 34.5%)
30 - 39 years	9	1.3	( 10.7%)
40 - 49 years	11	1.6	( 13.1%)
50 - 59 years	4	0.6	( 4.7%)
Over 59 years	1	0.1	( 1.2%)
	<hr/> 84	<hr/> 12.2%	<hr/> (100.0%)
SUBTOTAL	<hr/> 686	<hr/> 100.0%	
Not Available	19		
TOTAL INCIDENTS	<hr/> 705		
 <u>ALL INCIDENTS</u>			
Under 16 years	80	11.7%	
16 - 18 years	97	14.1	
19 - 29 years	222	32.4	
30 - 39 years	120	17.5	
40 - 49 years	70	10.2	
50 - 59 years	55	8.0	
Over 59 years	42	6.1	
	<hr/> 686	<hr/> 100.0%	
Not Available	19		
TOTAL INCIDENTS	<hr/> 705		

<sup>1</sup>"Average" victim age for incidents with more than one victim is the mean age when two ages were available and the median age when three ages were available.

of the victims was 29 years of age or less (70.3%) was greater than that found for single-victim incidents (56.5%). This difference reflected a larger percentage of under 19 year olds among the multiple-victim incidents. Incidents with one victim were more likely to involve victims 50 years of age or older (15.3% versus 5.9% for multiple-victim incidents).

#### 4. Sex of Victims

Overall, among the incidents for which robbery arrests were made in the seven months of the sample period (December 1981 through June 1982), 71.3% of the TP4s listed only male victims while 25.7% listed only female victims.<sup>12</sup> (See, Table 53.)

Three percent of the incidents reported both male and female victims. Among incidents with only one victim, almost three fourths (73.2%) reported male victims. Among incidents with more than one victim, 56.3% reported all male victims while 17.5% reported that all of the victims were female.

#### 5. Seriousness of Victim Injury

Table 54 presents the seriousness of the injury to the crime victim(s), as measured primarily by the treatment the victim(s) received, in relation to the number of victims involved

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<sup>12</sup>This percentage distribution corresponds to that found among the robbery incidents and among the robbery incidents with arrest(s) reported in Part I (See, Tables 12 and 40) where the sex of the complainant was available. (Note that the percentages in Table 40 must be calculated with N=249.)

TABLE 53

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

SEX(ES) OF VICTIM(S) BY NUMBER OF VICTIMS

<u>INCIDENTS WITH ONE VICTIM</u>	<u>N</u>	<u>%</u>	<u>(%)</u>
Males	451	64.8%	( 73.2%)
Females	165	23.7	( 26.8%)
SUBTOTAL	616	88.5%	(100.0%)
Not Available	5		
SUBTOTAL INCIDENTS WITH ONE VICTIM	621		
<u>INCIDENTS WITH MORE THAN ONE VICTIM</u>			
All Males	45	6.5%	( 56.3%)
All Females	14	2.0	( 17.5%)
Both Sexes	21	3.0	( 26.2%)
SUBTOTAL	80	11.5%	(100.0%)
Not Available	4		
SUBTOTAL INCIDENTS WITH MORE THAN ONE VICTIM	84		
SUBTOTAL	696	100.0%	
Not Available	9		
TOTAL INCIDENTS	705		
<u>ALL INCIDENTS</u>			
All Males	496	71.3%	
All Females	179	25.7	
Both Sexes	21	3.0	
SUBTOTAL	696	100.0%	
Not Available	9		
TOTAL INCIDENTS	705		

TABLE 54

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

SERIOUSNESS OF VICTIM INJURY BY NUMBER OF VICTIM

<u>INCIDENTS WITH ONE VICTIM</u>	<u>N</u>	<u>%</u>	<u>(%)</u>
No Injury Reported	384	54.5%	( 61.8%)
Injury, No Details	54	7.6	( 8.7%)
Refused Medical Assistance	114	16.2	( 18.4%)
Treated and Released	40	5.7	( 6.4%)
Hospitalized	28	4.0	( 4.5%)
Died <sup>1</sup>	1	0.1	( 0.2%)
SUBTOTAL INCIDENTS WITH ONE VICTIM	621	88.1%	(100.0%)
<u>INCIDENTS WITH MORE THAN ONE VICTIM<sup>2</sup></u>			
No Injury Reported	48	6.8%	( 57.2%)
Injured, No Details	4	0.6	( 4.8%)
Refused Medical Assistance	18	2.6	( 21.4%)
Treated and Released	8	1.1	( 9.5%)
Hospitalized	6	0.8	( 7.1%)
Died	-	-	( - )
SUBTOTAL INCIDENTS WITH MORE THAN ONE VICTIM	84	11.9%	(100.0%)
TOTAL INCIDENTS	705	100.0%	
<u>ALL INCIDENTS</u>			
No Injury Reported	432	61.4%	
Injured, No Details	58	8.2	
Refused Medical Assistance	132	18.7	
Treated and Released	48	6.8	
Hospitalized	34	4.8	
Died <sup>1</sup>	1	0.1	
TOTAL INCIDENTS	705	100.0%	

<sup>1</sup>Although the Transit Police Department (TPD) arrest report (TP4) indicated that the victim in this robbery incident died, the defendant was not charged at arrest with murder, manslaughter, or attempted murder. Other victims of robberies in this study may have died as a result of their injuries, but only the injuries and treatments reported on the TP4 have been included here.

<sup>2</sup>For incidents with more than one victim where the injury or treatment (if any) of these victims fell into different categories of seriousness, the category chosen to represent the seriousness of the victim injury for the incident was selected according to the following scheme (ranking from least serious to most serious): (1) no injury reported; (2) injured, no details; (3) refused medical assistance; (4) treated and released; (5) hospitalized; and (6) died.

in an incident.<sup>13</sup> Overall, three fifths (61.4%) of the incidents did not report any injury to the victim in connection with the robbery. In less than one fifth (18.7%) of the 705 incidents, the TP4 listed at least one of the victims as having been injured but refusing medical assistance. In 8.2% of the total incidents, one of the victims was reported to have been injured, but no details of treatment were given. For over ten percent (11.6%) of the incidents, at least one victim was sent to the hospital (6.8% were treated and released, 4.8% were hospitalized). When incidents with one or more victims were examined separately, the largest difference was where one or more victims went to the hospital (10.9% of the single-victim incidents versus 16.6% of the multiple-victim incidents).

In Table 55, the seriousness of the injury of the victims involved in the robbery incidents is presented according to the sex of the most severely injured victim (where the treatment provided was used as the primary determinate of the seriousness of the injury). Overall, 72.2% of the incidents listed a male and

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<sup>13</sup>For incidents with more than one victim where the injury or treatment (if any) of these victims fell into different categories of seriousness, the category chosen to represent the seriousness of the victim injury for the incident was selected according to the following scheme (ranking from least serious to most serious): (1) no injury reported; (2) injured, no details; (3) refused medical assistance; (4) treated and released; (5) hospitalized; and (6) died. When "injured, no details" was considered as the most serious category, the distribution of the incidents was identical to that reported in Table 54. This is because there were no incidents in which one victim was reported as having been injured with no details of treatment given and another victim was also injured but details of treatment were reported.

TABLE 55

## TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

SERIOUSNESS OF VICTIM INJURY BY THE SEX(ES) OF THE MOST  
SERIOUSLY INJURED VICTIM(S)SERIOUSNESS OF VICTIM INJURY<sup>1</sup>

SEX(ES) OF THE MOST SERIOUSLY INJURED VICTIM(S)	<u>No Injury Reported</u>		<u>Injured, No Details</u>		<u>Refused Medical Assistance</u>		<u>Treated and Released</u>		<u>Hospitalized</u>		<u>Died<sup>2</sup></u>		<u>TOTAL INCIDENTS</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
All Males	320	74.6%	36	64.3%	85	64.4%	36	75.0%	27	81.8%	1	100.0%	505	72.2%
All Females	100	23.3	19	33.9	46	34.8	12	25.0	6	18.2	-	-	183	26.2
Both Males and Females	9	2.1	1	1.8	1	0.8	-	-	-	-	-	-	11	1.6
SUBTOTAL	429	100.0%	56	100.0%	132	100.0%	48	100.0%	33	100.0%	1	100.0%	699	100.0%
Not Available	3		2		-		-		1		-		6	
TOTAL INCIDENTS	432		58		132		48		34		1		705	

<sup>1</sup>For incidents with more than one victim where the injury or treatment (if any) of these victims fell into different categories of seriousness, the category chosen to represent the seriousness of the victim injury for the incident was selected according to the following scheme (ranking from least serious to most serious): (1) no injury reported; (2) injured, no details; (3) refused medical assistance; (4) treated and released; (5) hospitalized; and (6) died.

<sup>2</sup>Although the Transit Police Department (TPD) arrest report (TP4) indicated that the victim in this robbery incident died, the defendant was not charged with murder, manslaughter, or attempted murder. Other victims of the robberies in this study may have died as a result of their injuries, but only the injuries and treatments reported on the TP4s have been included here.



26.2% listed a female as the most severely injured victim. This distribution is nearly identical to that found when the sexes of the victims involved in an incident were compared regardless of the injury suffered.<sup>14</sup> The percentages of female victims were highest (and of male victims lowest) among incidents where the victim was reported to have been injured, but no details were given (33.9% female compared to 64.3% male) and where the victim refused medical assistance (34.8% female compared to 64.4% male). The category of incidents with the lowest percentage of female victims was that reporting a hospitalized victim (18.2% female compared to 81.8% male).

#### D. Use of Force or a Weapon

In this section, information on the use of force or a weapon in the robbery incidents is presented. Both the use of force and the use of a weapon were examined by the number of victims and by the number of participants involved in the incident. The distribution of the type of weapon threatened, displayed, or used is presented also, as is the relationship between whether a weapon was threatened, displayed, or used and whether a weapon was recovered from one or more arrestees.

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<sup>14</sup>See, p.121, supra, for a discussion of the distribution of the sexes of victims for the 705 robbery incidents.

1. Use of Force

Overall, four fifths (79.4%) of all the robbery incidents in the sample involved the use of force.<sup>15</sup> (See, Table 56.) Less than one fifth (18.6%) involved no force. Force was threatened, but not used, in only two percent of the incidents. The number of victims involved in the incident does not seem to have been a factor in the threat or use of force in the robbery incidents in this sample. The percentage of incidents where force was used was nearly the same for incidents with one and with more than one victim (79.4% versus 79.8%, respectively) as was the percentage of incidents where no force was threatened or used (18.7% for single- and 17.8% for multiple-victim incidents).

The number of participants involved in the incident, on the other hand, does seem to have been related to the use of force. With the exception of incidents with five participants (where the number of cases was not large, N=31), the percentage of incidents where force was used increased as the number of participants increased. (See, Table 57.) Among incidents with one participant, 72.4% of the incidents involved the use of some force while, among incidents with six or more participants, 97.6% involved the use of force.

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<sup>15</sup>Under the coding scheme used here, "force" was considered to have been used if the property was reported as having been forcibly removed from the victim or if force was used against a victim (for example, if a victim was struck by a participant). "Force" here does not include a weapon.

TABLE 56

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

THREAT OF USE OF FORCE<sup>1</sup> BY NUMBER OF VICTIMS

<u>INCIDENTS WITH ONE VICTIM</u>	<u>N</u>	<u>%</u>	<u>(%)</u>
No Force	116	16.5%	( 18.7%)
Force Threatened	12	1.7	( 1.9%)
Force Used	491	69.9	( 79.4%)
SUBTOTAL	619	88.1%	(100.0%)
Not Available	2		
SUBTOTAL INCIDENTS WITH ONE VICTIM	621		
<u>INCIDENTS WITH MORE THAN ONE VICTIM</u>			
No Force	15	2.1%	( 17.8%)
Force Threatened	2	0.3	( 2.4%)
Force Used	67	9.5	( 79.8%)
SUBTOTAL INCIDENTS WITH MORE THAN ONE VICTIM	84	11.9%	(100.0%)
SUBTOTAL	703	100.0%	
Not Available	2		
TOTAL INCIDENTS	705		
<u>ALL INCIDENTS</u>			
No Force	131	18.6%	
Force Threatened	14	2.0	
Force Used	558	79.4	
SUBTOTAL	703	100.0%	
Not Available	2		
TOTAL INCIDENTS	705		

<sup>1</sup>"Force" includes physical, or bodily, force and does not include the threat, display, or use of weapon.

## 2. Use of a Weapon

Overall, over one half (53.7%) of the robbery incidents with an arrest made in the seven-month sample period reported no use, display, or threat of a weapon in connection with the robbery incident. (See, Table 58.) Only 7.3% of the incidents involved weapon use while 11.6% involved the threat of a weapon. A weapon was displayed in 27.4% of the incidents.

Table 58 also presents weapon use separately for incidents with one and with more than one victim. Unlike the use of physical force, presented above in Table 56, the use, display, and threat of a weapon do appear to have been related to the number of victims involved in the incident for the 705 incidents reported here. Among incidents with more than one victim, the percentages of incidents in which a weapon was used (12.2%), displayed (35.4%), or threatened (14.6%) were higher than those found among incidents with only one victim (6.6%, 26.4%, and 11.2%, respectively).

Table 59 presents the relationship between weapon use and the number of participants involved in the incident. The relationship between the number of participants and the use, display, or threat of a weapon does not appear to be as direct as that found between the number of participants and the use of physical force.<sup>16</sup> With the exception of incidents with five participants, weapons did tend to be used more often in incidents with many

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<sup>16</sup>See, pp.126, 127, supra, for a discussion of this relationship.

TABLE 57

TRANSIT ROBBERY ARREST MADE DECEMBER 1981 THROUGH JUNE 1982:

NUMBER OF PARTICIPANTS BY THE THREAT OR USE OF FORCE<sup>1</sup>NUMBER OF PARTICIPANTS

<u>FORCE</u>	<u>One Participant</u>		<u>Two Participants</u>		<u>Three Participants</u>		<u>Four Participants</u>		<u>Five Participants</u>		<u>Six or More Participants</u>		<u>SUBTOTAL</u>		<u>Not Available</u>	<u>TOTAL INCIDENTS</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
No Force	59	26.7%	43	18.4%	16	14.2%	6	10.2%	6	19.4%	1	2.4%	131	18.7%	-	131	18.6%
Force Threatened	2	0.9	8	3.4	4	3.5	-	-	-	-	-	-	14	2.0	-	14	2.0
Force Used	160	72.4	183	78.2	93	82.3	53	89.8	25	80.6	40	97.6	554	79.3	4	558	79.4
SUBTOTAL	221	100.0%	234	100.0%	113	100.0%	59	100.0%	31	100.0%	41	100.0%	699	100.0%	4	703	100.0%
Not Available	-		1		1		-		-		-		2		-	2	
TOTAL	221		235		114		59		31		41		701		4	705	

<sup>1</sup>"Force" includes physical, or bodily force and does not include the threat, display, or use of a weapon.

TABLE 58  
TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

THREAT, DISPLAY, OR USE OF A WEAPON BY  
NUMBER OF VICTIMS

<u>INCIDENTS WITH ONE VICTIM</u>	<u>N</u>	<u>%</u>	<u>(%)</u>
No Weapon	345	49.3%	( 55.8%)
Weapon Threatened	69	9.9	( 11.2%)
Weapon Displayed	163	23.3	( 26.4%)
Weapon Used	41	5.8	( 6.6%)
SUBTOTAL	618	88.3%	(100.0%)
Not Available	3		
SUBTOTAL INCIDENTS WITH ONE VICTIM	621		
<u>INCIDENTS WITH MORE THAN ONE VICTIM</u>			
No Weapon	31	4.4%	( 37.8%)
Weapon Threatened	12	1.7	( 14.6%)
Weapon Displayed	29	4.2	( 35.4%)
Weapon Used	10	1.4	( 12.2%)
SUBTOTAL	82	11.7%	(100.0%)
Not Available	2		
SUBTOTAL INCIDENTS WITH MORE THAN ONE VICTIM	84		
SUBTOTAL	700	100.0%	
Not Available	5		
TOTAL INCIDENTS	705		
<u>ALL INCIDENTS</u>			
No Weapon	376	53.7%	
Weapon Threatened	81	11.6	
Weapon Displayed	192	27.4	
Weapon Used	51	7.3	
SUBTOTAL	700	100.0%	
Not Available	5		
TOTAL INCIDENTS	705		

TABLE 59

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:  
 NUMBER OF PARTICIPANTS BY THE THREAT, DISPLAY, OR USE OF A WEAPON

## NUMBER OF PARTICIPANTS

	One Participant		Two Participants		Three Participants		Four Participants		Five Participants		Six or More Participants		SUBTOTAL		Not Available	TOTAL INCIDENTS	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	N	%
WEAPON																	
No Weapon	112	50.9%	136	58.3%	60	52.6%	29	50.0%	16	53.3%	20	47.6%	373	53.6%	3	376	53.7%
Weapon Threatened	36	16.4	25	10.7	9	7.9	6	10.3	1	3.3	4	11.9	81	11.6	-	81	11.6
Weapon Displayed	59	26.8	60	25.8	35	30.7	15	25.9	11	36.7	12	28.6	192	27.6	-	192	27.4
Weapon Used	13	5.9	12	5.2	10	8.8	8	13.8	2	6.7	5	11.9	50	7.2	1	51	7.3
SUBTOTAL	220	100.0%	233	100.0%	114	100.0%	58	100.0%	30	100.0%	41	100.0%	696	100.0%	4	700	100.0%
Not Available	1		2		-		1		1		-		5		-	5	
TOTAL	221		235		114		59		31		41		701		4	705	

participants. For instance, among incidents with one or two participants, 5.9% and 5.2%, respectively, reported that a weapon was used while, among incidents with four and six or more participants, 13.8% and 11.9%, respectively, reported weapon use. Incidents with one participant had the highest percentage of weapons threatened (16.4%) while those with five and with three participants had the lowest percentages (3.3% and 7.9%, respectively).

Table 60 shows the relationship between weapon use in the incident and the recovery of a weapon from one of the arrestees at the time of the arrest or from the crime scene.<sup>17</sup> Overall, over one fifth (21.1%) of the incidents in which information about weapon recovery was available reported that some weapon was recovered from an arrestee. There was a great deal of variation, however, among the different weapon-use categories in the percentage of incidents in which some weapon was reported to have been recovered. The percentage of incidents in which a weapon was recovered was highest among incidents involving the display of a weapon (55.0%) and next highest among those where a weapon was used (43.1%). Incidents in which a weapon was threatened and those not involving a weapon had much lower weapon recovery rates (8.6% and 2.9%, respectively) than the two categories of incidents (mentioned above) where the victim reported having seen (or felt) a weapon.

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<sup>17</sup>The weapon recovered was not necessarily the same type of weapon as that reported in connection with the incident.



TABLE 60

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

## THREAT, DISPLAY, OR USE OF A WEAPON IN INCIDENTS BY WEAPON RECOVERY

WEAPON THREAT, DISPLAY, OR USE

<u>WEAPON RECOVERY</u>	<u>No Weapon</u>		<u>Weapon Threatened</u>		<u>Weapon Displayed</u>		<u>Weapon Used</u>		<u>SUBTOTAL</u>		<u>Not Available</u>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
Some Weapon Recovered	11	2.9%	7	8.6%	105	55.0%	22	43.1%	145	20.8%	3	148	21.1%
No Weapon Recovered	364	97.1	74	91.4	86	45.0	29	56.9	553	79.2	2	555	78.9
SUBTOTAL	375	100.0%	81	100.0%	191	100.0%	51	100.0%	698	100.0%	5	703	100.0%
Not Available	1		-		1		-		2		-	2	
TOTAL	376		81		192		51		700		5	705	

### 3. Type of Weapon Threatened, Displayed, or Used

Table 61 presents the distribution of the 328 incidents where the type of weapon threatened, displayed, or used was available. For almost one half (49.4%) of these incidents, a gun (18.9%) or simulated gun (30.5%) was reported as the type of weapon involved in the incident. A knife or other cutting instrument was reported for 42.1% of the 328 incidents. When these figures were compared with the robbery incidents reported in Part I, some differences between the datasets appeared. Most notably, the sample of robbery incidents and robbery incidents with arrest(s) described in Part I reported larger percentages of guns as weapons (33.8% and 23.1%, respectively) than alleged guns (13.0% and 19.8%, respectively).<sup>18</sup>

#### E. Property

This section includes descriptions of factors associated with the property which was demanded or taken from the victim(s) of the robbery incident, including whether property was actually taken from the victim(s), the value of the property demanded or taken, and the types of property demanded or taken.

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<sup>18</sup>The percentages of gun and alleged guns reported together for these incidents (46.8% and 42.9%, respectively) suggest that either: (1) different criteria may have been used by the TPD than by CJA coders in decisions about how to distinguish a gun from an alleged or simulated gun or (2) the two samples represent different types of robbery incidents.

TABLE 61

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

TYPE OF WEAPON THREATENED, DISPLAYED, OR USED

<u>WEAPON TYPE</u>	<u>N</u>	<u>%</u>
Gun	62	18.9%
Knife or Razor	126	38.4
Sharp Object	12	3.7
Blunt Object	25	7.6
Simulated Gun	100	30.5
Other Type <sup>1</sup>	3	0.9
SUBTOTAL	<u>328</u>	<u>100.0%</u>
Not Available	1	
No Weapon Threatened, Displayed, or Used	376	
TOTAL INCIDENTS	<u>705</u>	

<sup>1</sup>Includes perfume, acid, and an "unknown object."

## 1. The Demand for and Taking of Property

Table 62 presents the distribution of robbery incidents according to whether property was demanded or taken from the victim(s) separately for incidents with one and with more than one victim. Overall, among the robbery incidents involving defendants arrested from December 1981 to June 1982, 69.4% involved the taking of property. In one fifth (20.2%) of the total incidents, there was an attempt made to take property while, in one tenth (10.4%) of the incidents, property was demanded but no attempt was made to take it. The number of victims was related to whether property was actually taken from the victim(s) (68.0% of incidents with one victim compared to 79.5% for multiple-victim incidents) and to whether an attempt was made to take the property but no property was actually taken (21.8% versus 8.4%, respectively).

## 2. Value of Property Demanded or Taken

Among the incidents reported in this sample, 46.1% had no property value listed on the TP4 arrest report.<sup>19</sup> (See, Table 63.)

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<sup>19</sup>The value of the property involved in the incident was not available if its value was not recorded either because the value was not available or the property was difficult to value (such as "T.A. property" or "all your money"). This percentage of incidents with the value of the property not available was larger than that found among the robbery incidents examined in Part I (401 out of 1523 or 26.3%). When incidents with an arrest in one of the two three-week periods which overlap the two samples were examined, the differences between the two samples were much smaller. Among the incidents with an arrest in the robbery incident sample, 43.3% (94 out of 217 incidents) did not report any value of the property taken. Among the incidents in the robbery arrest sample from the overlapping six-week period, 47.6% (101 out of 212 incidents) did not report any value of the property demanded or taken. (These figures do not appear in any tables in this report.)

TABLE 62

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

THE DEMAND FOR OR TAKING OF PROPERTY  
BY NUMBER OF VICTIMS

<u>INCIDENTS WITH ONE VICTIM</u>	<u>N</u>	<u>%</u>	<u>(%)</u>
Property Demanded	63	9.0%	( 10.2%)
Attempt Made to Take			
Property	135	19.2	( 21.8%)
Property Taken	422	60.0	( 68.0%)
SUBTOTAL	620	88.2%	(100.0%)
Not Available	1		
SUBTOTAL INCIDENTS WITH ONE VICTIM	621		
<u>INCIDENTS WITH MORE THAN ONE VICTIM</u>			
Property Demanded	10	1.4%	( 12.1%)
Attempt Made to Take			
Property	7	1.0	( 8.4%)
Property Taken	66	9.4	( 79.5%)
SUBTOTAL	83	11.8%	(100.0%)
Not Available	1		
SUBTOTAL INCIDENTS WITH MORE THAN ONE VICTIM	84		
SUBTOTAL	703	100.0%	
Not Available	2		
TOTAL INCIDENTS	705		
<u>ALL INCIDENTS</u>			
Property Demanded	73	10.4%	
Attempt Made to Take			
Property	142	20.2	
Property Taken	488	69.4	
SUBTOTAL	703	100.0%	
Not Available	2		
TOTAL INCIDENTS	705		

TABLE 63

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

VALUE OF PROPERTY DEMANDED OR TAKEN BY NUMBER OF VICTIMS

<u>VALUE<sup>1</sup></u>	<u>One Victim</u>		<u>More than One Victim</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Under \$5	31	9.5%	1	2.0%	32	8.4%
\$ 5 - \$ 49	116	35.3	9	17.6	125	33.0
\$50 - \$199	88	26.8	20	39.2	108	28.5
Over \$199	93	28.4	21	41.2	114	30.1
SUBTOTAL	328	100.0%	51	100.0%	379	100.0%
Not Available <sup>2</sup>	292		32		324	
Not Applicable <sup>3</sup>	1		1		2	
TOTAL	621		84		705	

<sup>1</sup>These categories correspond to the categories used by the TPD when it records the value of the property taken in a crime incident in its computer system.

<sup>2</sup>The value of the property involved in the incident was not available if its value was not recorded on the TP4 either because it was not available or because the property was difficult to value (such as "T.A. property" or "all your money.")

<sup>3</sup>The values recorded on TP4s for these incidents were obvious under- or over-estimates for the items described.

Incidents were fairly evenly distributed among three value categories (\$5 to \$49, \$50 to \$199, and \$200 and over with 33.0%, 28.5%, and 30.1%, respectively).<sup>20</sup> These percentages differ by between 2.1 and 5.2 percentage points from those described in these same categories among the transit robbery incidents in the 84 days of the sample reported in Part I.

Not surprisingly, there does seem to be a relationship between the number of victims in the incident and the value of the property demanded. Incidents with more than one victim reported higher percentages of property in the two highest value categories (39.2% and 41.2% in the \$50-to-\$199 and over-\$199 ranges, respectively, compared to 26.8% and 28.4%, respectively, among incidents with only one victim).

### 3. Type of Property Demanded or Taken

Table 64 presents the number of incidents in which different types of property were demanded or taken.<sup>21</sup> Almost half (49.8%) of the robberies involved the taking or demanding of

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<sup>20</sup>These value categories correspond to the categories used by the TPD when it records the value of the property taken in the incident in its computer system. They were used here to allow some comparisons to be made with the information reported in Part I.

<sup>21</sup>If more than one type of property was demanded or taken in an incident, all of the different types were reported here. Thus, the percentages do not sum to 100.0%.

TABLE 64

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981  
THROUGH JUNE 1982:

TYPE OF PROPERTY DEMANDED OR TAKEN IN INCIDENTS

<u>PROPERTY TYPE</u> <sup>1</sup>	<u>N</u>	<u>(% of TOTAL INCIDENTS)</u> <sup>2</sup>
Cash	351	(49.8%)
Jewelry	192	(27.2%)
Clothing	99	(14.0%)
TV, Radio	50	( 7.1%)
Other <sup>3</sup>	248	(35.2%)
Not Available <sup>4</sup>	59	( 8.4%)

<sup>1</sup>If more than one type of property was demanded or taken in an incident, all of the different types were reported here. Thus, categories do not sum to 705.

<sup>2</sup>The total number of possible incidents for each category was 705.

<sup>3</sup>Includes items such as "bag containing TA property," "packages," and "school pass."

<sup>4</sup>Includes incidents where no specific type of property was demanded and where the type of property demanded or taken was not available or not recorded.



cash. Over one fourth (27.2%) involved jewelry and 14.0% involved clothing. Other types of items, such as "packages," "school passes," and "TA property," were demanded or taken in over one third of the incidents. Only 8.4% of the incidents did not report the type of property demanded or involved no specific type of property demand.

### III. DEFENDANT CHARACTERISTICS

In this section, information on the age, sex, student or employment status, and county of residence is presented for the 1255 defendants arrested for transit robberies from December 1981 through June 1982.

#### A. Defendant Age and Sex

Almost two thirds (65.1%) of all of the defendants arrested for robbery in the seven months of the study were under 19 years of age at the time of arrest. (See, Table 65.) The mean defendant age was 18.3 years; the median age was 17.2 years. The largest percentage of defendants fell in the 16-to-18-years category (41.1%). Approximately one fourth (26.3%) of the transit robbery arrestees were aged 19 to 24 years while one fifth (20.2%) were 14 to 15 years of age. Only 3.0% of all 1255 defendants were female.

#### B. Defendant Student or Employment Status

Table 65 also presents the student or employment status listed for the defendant on the Transit Police Department's arrest report in relation to the age of the defendant. Almost

TABLE 65

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

## DEFENDANT AGE BY STUDENT OR EMPLOYMENT STATUS

## DEFENDANT AGE

STUDENT OR EMPLOYMENT STATUS	Under 14 yrs.		14-15 yrs.		16-18 yrs.		19-24 yrs.		Over 24 yrs.		SUBTOTAL		Not Available		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
STUDENT	48	100.0%	222	92.5%	275	56.2%	31	10.1%	2	2.0%	578	48.8%	1	12.5%	579	48.6%
EMPLOYED	-	-	-	-	33	6.7	59	19.3	16	16.0	108	9.1	-	-	108	9.0
UNEMPLOYED																
Some Occupation Reported	-	-	1	0.4	28	5.7	33	10.8	14	14.0	76	6.4	-	-	76	6.4
No Occupation Reported	-	-	17	7.1	154	31.4	183	59.8	68	68.0	422	35.7	7	87.5	429	36.0
SUBTOTAL UNEMPLOYED	-	-	18	7.5%	182	37.1%	216	70.6%	82	82.0%	498	42.1%	7	87.5%	505	42.4%
SUBTOTAL	48	100.0%	240	100.0%	490	100.0%	306	100.0%	100	100.0%	1184	100.0%	8	100.0%	1192	100.0%
Not Available	-		11		21		21		7		60		3		63	
TOTAL	48		251		511		327		107		1244		11		1255	
	(3.8%)		(20.2%)		(41.1%)		(26.3%)		(8.6%)		(100.0%)					

one half (48.6%) of the 1255 defendants reported themselves as students. Fifteen percent of the 505 defendants who reported that they were unemployed (6.4% of the total defendants whose occupations were listed) also reported some occupation. Only nine percent of the arrestees reported that they were employed at the time of arrest.

Not surprisingly, the percentage of defendants who reported themselves as students decreased as the age of the defendants increased. The percentages ranged from all 48 (100.0%) of the defendants under 14 years to 2.0% of the defendants over 24 years. Among 16-to-18-year-old defendants, 56.2% reported themselves as students, 37.1% as unemployed, and 6.7% as employed. The largest percentage of employed defendants was found among 19-to-24-year-olds (19.3%) while the largest percentage of unemployed defendants was found among the over 24 year olds (82.0%).

#### C. County of Residence

Almost all (97.7%) of the defendants arrested for transit robberies in the seven months of the sample period, for whom an address was given, reported that they lived in New York City. (See, Table 66.) Over one half (52.7%) were Kings County residents. Bronx, New York, and Queens Counties were reported as the counties of residence for 18.5%, 16.5%, and 9.9%, respectively, of the defendants.

Table 66 also presents defendant county of residence according to whether the transit robbery for which the defendant

TABLE 66

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:  
 DEFENDANT COUNTY OF RESIDENCE BY COUNTY OF INCIDENT

DEFENDANT COUNTY OF RESIDENCE

<u>COUNTY OF INCIDENT</u>	<u>Kings</u>		<u>Bronx</u>		<u>New York</u>		<u>Queens</u>		<u>Richmond</u>	<u>Non-N.Y.C.</u>	<u>SUBTOTAL</u>		<u>Not Available</u>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
Same as Residency	414	63.8%	131	57.5%	174	85.7%	61	50.0%	-	-	780	63.3%	-	780	62.2%
Different from Residency	235	36.2	97	42.5	29	14.3	61	50.0	1	29	452	36.7	23	475	37.8
TOTAL ARRESTS	649	100.0%	228	100.0%	203	100.0%	122	100.0%	1	29	1232	100.0%	23	1255	100.0%
	(52.7%)		(18.5%)		(16.5%)		(9.9%)		(0.1%)	(2.3%)	(100.0%)				

was arrested occurred in that same county or another county. Overall, 63.3% of the defendants with reported addresses lived in the county in which the incident occurred. The percentage distributions differed among residence counties. For instance, defendants who were residents of New York County were more likely than defendants from any other county to be arrested for incidents in their resident county (85.7% compared to 63.8%, 57.5%, and 50.0% for Kings, Bronx, and Queens Counties, respectively).

#### IV. ARREST CHARGE

This section describes the distribution of the most severe arrest charge for the 1255 transit robbery arrests made December 1981 through June 1982. This charge was the most severe robbery charge listed on the TPD arrest report for the sample cases which were chosen as robbery arrests according to the criteria discussed above<sup>22</sup> This section also presents arrest charge information according to the number of participants in the incident, the seriousness of the victim injury, and whether property was demanded or taken in the incident. According to Article 160 of the New York State Penal Law (PL), the number of participants and the seriousness of the injury to the robbery victims are two of

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<sup>22</sup>See, fn. 2, supra.

the factors which affect the severity of the robbery offense charged.<sup>23</sup> In addition, the demand for or attempt to take property (which was not taken) is a factor which would be considered in a decision about whether to charge a defendant with an attempted robbery under Article 110 of the Penal Law.

Overall, two fifths (39.2%) of the defendants were arrested for robbery 2 while just over one fourth (28.1%) were arrested for robbery 1.<sup>24</sup> (See, Table 67.) When attempted robbery charges were included with completed crimes, the percentages of robbery 1 and robbery 2 arrest charges increased to 38.9% and 53.7%, respectively. Attempted robbery was charged for 28.6% of the 1255 arrestees in the sample.

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<sup>23</sup>See, Part III, p.164A, infra, for a chart in which the sections and subsections of PL Article 160 are summarized. Note that additional factors, such as the display of a weapon and the threat of deadly force, can affect the severity of a robbery offense.

<sup>24</sup>This distribution differs from the most severe arrest charge distribution described in Part III, pp.166-168, infra. (In Part III, transit defendants interviewed by CJA whose most severe charge, according to Penal Law severity, was a robbery charge are described.) Part of this difference appears to be due to discrepancies between the most severe arrest charges found in the CJA computer system (UDIIS) and the most severe robbery charges reported on the TPD arrest reports. For instance, among the 891 transit defendants with a most severe arrest charge in UDIIS of robbery, 103 out of the 195 non-corresponding charges (52.8%) involved attempted charges, according to the TPD, which were reported in UDIIS under the same Penal Law section as full robberies. (These figures do not appear in any table in this report.)

TABLE 67

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

SERIOUSNESS OF VICTIM INJURY BY MOST SEVERE TPD ARREST CHARGE FOR DEFENDANTS ARRESTED FOR INCIDENTS WITH ONE OR MORE THAN ONE PARTICIPANT

SERIOUSNESS OF VICTIM INJURY

MOST SEVERE TPD ARREST CHARGE <sup>1</sup> ARRESTS FOR INCIDENTS WITH ONE PARTICIPANT	No Injury Reported		Injured, No Details		Refused Medical Assistance		Treated & Released		Hospitalized		Died <sup>2</sup>		SUBTOTAL INJURED		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Robbery 1	42	29.6%	3	15.0%	6	15.8%	1	10.0%	3	27.3%	-	-	13	16.5%	55	24.9%
Attempted Robbery 1	24	16.9	-	-	3	7.9	2	20.0	2	18.2	-	-	7	8.9	31	14.0
Robbery 2	18	12.7	7	35.0	16	42.1	5	50.0	3	27.3	-	-	31	39.2	49	22.2
Attempted Robbery 2	6	4.2	5	25.0	6	15.8	2	20.0	1	9.0	-	-	14	17.7	20	9.0
Robbery 3	26	18.3	3	15.0	5	13.1	-	-	-	-	-	-	8	10.1	34	15.4
Attempted Robbery 3	26	18.3	2	10.0	2	5.3	-	-	2	18.2	-	-	6	7.6	32	14.5
<b>SUBTOTAL SINGLE PARTICIPANT ARRESTS</b>	<b>142</b>	<b>100.0%</b>	<b>20</b>	<b>100.0%</b>	<b>38</b>	<b>100.0%</b>	<b>10</b>	<b>100.0%</b>	<b>11</b>	<b>100.0%</b>	<b>-</b>	<b>-</b>	<b>79</b>	<b>100.0%</b>	<b>221</b>	<b>100.0%</b>
<b>ARRESTS FOR INCIDENTS WITH MORE THAN ONE PARTICIPANT</b>																
Robbery 1	190	31.3%	3	3.9%	47	23.4%	35	38.5%	21	45.7%	-	-	106	25.5%	296	28.9%
Attempted Robbery 1	69	11.3	8	10.4	19	9.5	4	4.4	3	6.5	1	100.0%	35	8.4	104	10.2
Robbery 2	224	36.8	53	68.8	105	52.2	39	42.8	18	39.1	-	-	215	51.7	439	42.8
Attempted Robbery 2	108	17.8	11	14.3	27	13.4	12	13.2	3	6.5	-	-	53	12.7	161	15.7
Robbery 3	10	1.6	2	2.6	1	0.5	-	-	-	-	-	-	3	0.7	13	1.3
Attempted Robbery 3	7	1.2	-	-	2	1.0	1	1.1	1	2.2	-	-	4	1.0	11	1.1
<b>SUBTOTAL MULTI- PARTICIPANT ARRESTS</b>	<b>608</b>	<b>100.0%</b>	<b>77</b>	<b>100.0%</b>	<b>201</b>	<b>100.0%</b>	<b>91</b>	<b>100.0%</b>	<b>46</b>	<b>100.0%</b>	<b>1</b>	<b>100.0%</b>	<b>416</b>	<b>100.0%</b>	<b>1024</b>	<b>100.0%</b>
Number of Participants Not Available <sup>3</sup>	1		1		8		-		-		-		9		10	
<b>TOTAL ARRESTS</b>	<b>751</b>		<b>98</b>		<b>247</b>		<b>101</b>		<b>57</b>		<b>1</b>		<b>504</b>		<b>1255</b>	
<b>ALL ARRESTS</b>																
Robbery 1	232	30.9%	6	6.2%	53	22.2%	36	35.6%	24	42.1%	-	-	119	24.0%	351	28.2%
Attempted Robbery 1	93	12.4	8	8.2	22	9.2	6	5.9	5	8.8	1	100.0%	42	8.5	135	10.8
Robbery 2	242	32.3	60	61.8	121	50.6	44	43.6	21	36.8	-	-	246	49.6	488	39.2
Attempted Robbery 2	114	15.2	16	16.5	33	13.8	14	13.9	4	7.0	-	-	67	13.5	181	14.5
Robbery 3	36	4.8	5	5.2	6	2.5	-	-	-	-	-	-	11	2.2	47	3.8
Attempted Robbery 3	33	4.4	2	2.1	4	1.7	1	1.0	3	5.3	-	-	10	2.2	43	3.5
<b>SUBTOTAL</b>	<b>750</b>	<b>100.0%</b>	<b>97</b>	<b>100.0%</b>	<b>239</b>	<b>100.0%</b>	<b>101</b>	<b>100.0%</b>	<b>57</b>	<b>100.0%</b>	<b>1</b>	<b>100.0%</b>	<b>495</b>	<b>100.0%</b>	<b>1245</b>	<b>100.0%</b>
Number of Participants Not Available <sup>2</sup>	1		1		8		-		-		-		9		10	
<b>TOTAL ARRESTS</b>	<b>751</b>		<b>98</b>		<b>247</b>		<b>101</b>		<b>57</b>		<b>1</b>		<b>504</b>		<b>1255</b>	

<sup>1</sup>The arrest charge used here was that which appeared on the Transit Police Department arrest report (TP4).

<sup>2</sup>The TP4 for this defendant indicated that the victim in this robbery incident died. Other victims of robberies in this study may have died as a result of their injuries, but only the injuries reported on the TP4 have been included here.

<sup>3</sup>Includes defendants with most severe TPD arrest charges of robbery 1 (1), attempted robbery 1 (1), and robbery 2 (8).

A. Number of Participants and TPD Arrest Charge

One of the factors which can raise the level of severity of a robbery offense from the basic charge of robbery 3 to the higher robbery 2 charge is the number of participants in the robbery.<sup>25</sup> For example, a taking of property where force is used or threatened (robbery 3) becomes a robbery 2 if the offense is committed by two or more persons (or participants). Not surprisingly, therefore, as the figures in Table 67 show, among defendants arrested for incidents with more than one participant, there were higher percentages of robbery 2 (42.8%) and attempted robbery 2 (15.7%) than among defendants arrested for incidents with one participant (22.2% and 9.0%, respectively). In addition, the percentages of defendants charged with robbery 3 and attempted robbery 3 were higher among the group of defendants arrested for incidents involving only one participant (15.4% and 14.5%, respectively) than they were among the defendants arrested for incidents where there were two or more participants (1.3% and 1.1%, respectively). The percentages of defendants charged with either robbery 1 or attempted robbery 1 were the same for the two groups (38.9% and 39.1% for defendants arrested for incidents involving one and two or more participants, respectively).

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<sup>25</sup>See, Part III, p.164A, infra, for a chart which sets out the different provisions of PL Article 160 defining robbery offenses.



B. Seriousness of Victim Injury and TPD Arrest Charge

Table 67 also presents the seriousness of the victim injury<sup>26</sup> in relation to the TPD arrest charge separately for defendants arrested for incidents involving one or more than one participant. Overall, when all arrests were examined without regard to the number of participants in the incident, a pattern of charging appeared among those arrested for incidents in which some victim injury was reported. Generally, as the level of injury rose, the percentage of defendants charged with robbery 1 rose and the percentage charged with robbery 2 fell. For instance, among defendants arrested for incidents in which a victim was either injured but no details were given or the victim refused medical assistance, the percentages of robbery 1 arrest charges were 6.2% and 22.2% respectively, and of robbery 2 were 61.8% and 50.6%, respectively. The percentages of robbery 1 charges were higher among those accused of robberies with victims who were treated and released (35.6%) and hospitalized (42.1%) while, among these two groups, the percentages of robbery 2 charges declined (43.6% and 36.8%, respectively).

The extent of the physical injury to a victim of a robbery is another factor which can affect the severity of the offense charged.<sup>27</sup> The forcible stealing of property (robbery 3) becomes

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<sup>26</sup>Information on victim injury was coded only for the first three victims listed on the TP4 (the TPD arrest report). The seriousness of the victim injury described here is related to the extent of the treatment as reported on the TP4.

<sup>27</sup>See, Part III, p.164A, infra, where a chart describes the factors which determine the severity of a robbery offense under

robbery 2 if a defendant or other participant causes physical injury to a victim during the course of the crime or in the flight from it. Similarly, a robbery 2 offense becomes the crime of first degree robbery if serious injury is caused to a victim. The higher percentages of defendants charged with robbery 1 among those arrested for incidents where the seriousness of the injury to the victim was greater appears to reflect, at least in part, charging distinctions between robbery 1 and 2 set out in Article 160 of the Penal Law.

To determine if this distinction could also be found among defendants arrested for incidents with one or more than one participant, these two groups were examined separately. Among defendants arrested for multiple-participant incidents, the distributions of arrest charges within the different categories of victim injury were similar to those just described for all arrests in the sample. On the other hand, the distributions among the group of defendants arrested for single-participant incidents were very different. However, these differences may be due to skewedness caused by very small numbers of defendants in each of these categories. Thus, no conclusions about the influence of this factor, in combination with the seriousness of the injury to a victim, can be drawn from these data.

Some comparisons among defendants arrested for single-participant incidents are possible, however. For instance, when the total number of defendants arrested for incidents where some

victim injury was reported was compared to the group where no victim injury was reported, some differences, perhaps related to victim injury, did appear. Namely, the percentages of defendants charged with robbery 3 and attempted robbery 3 were lower (10.1% and 7.6%, respectively) among those accused of crimes where injury occurred than among those accused of crimes with no injury (18.3% and 18.3%, respectively). As noted above, victim injury is one of the aggravating factors which can differentiate robbery in the third degree from robbery in the second degree.

In addition, note that among both groups, defendants arrested for incidents with one or more than one participant, the percentages of defendants charged with robbery 1 were greater among those where no injury was reported for the incident (29.6% and 31.3%, respectively) than among the total groups of defendants accused of incidents where there was injury (16.5% and 25.5%, respectively). This finding suggests that additional factors (other than number of participants and the extent of the physical injury to a non-participant) were influencing charging decisions among this group of transit defendants.

D. The Demand for and Taking of Property and TPD Arrest Charge

Table 68 presents the distribution of defendant arrest charge for the 1255 transit defendants separately according to whether, in the incident for which the defendant was arrested, property was reported to have been taken or demanded, or an

attempt was made to take property. The correspondence between reported attempts to take property and an arrest charge of attempted robbery was high as was that between completed crimes and full robbery charges. For instance, among defendants who were arrested for crimes where property was demanded, but not taken, only 5.5% were not charged with an attempted robbery. Similarly, among defendants accused of crimes where the TPD arrest report indicated that an attempt had been made to take property, 7.3% of the defendants were charged with full robbery offenses. Finally, 2.4% of the defendants arrested for incidents in which property was taken were charged at arrest with attempted robbery.

#### V. COURT OUTCOMES

This section presents Criminal and Supreme Court outcome information for the full sample of transit robbery arrests made December 1981 through June 1982. This court outcome information is presented separately according to the seriousness of the injury to the victim of the robbery incident for which each defendant was charged and also according to the residency of the victim(s) within the county of the crime incident. It was hypothesized that these two factors would be related to the likelihood of indictment and conviction.

TABLE 68

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

THE DEMAND FOR OR TAKING OF PROPERTY BY MOST SEVERE TPD ARREST CHARGE

PROPERTY DEMANDED OR TAKEN

MOST SEVERE TPD ARREST CHARGE	Property Was Demanded		An Attempt Was Made To Take Property		Property Was Taken		SUBTOTAL		Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	N	%
Robbery 1	2	1.6%	6	2.6%	344	38.5%	352	28.2%	-	352	28.1%
Attempted Robbery 1	48	37.8	74	31.9	10	1.1	132	10.6	4	136	10.8
Robbery 2	5	3.9	11	4.7	480	53.8	496	39.6	-	496	39.5
Attempted Robbery 2	64	50.4	112	48.3	5	0.6	181	14.4	-	181	14.4
Robbery 3	-	-	-	-	47	5.3	47	3.8	-	47	3.8
Attempted Robbery 3	8	6.3	29	12.5	6	0.7	43	3.4	-	43	3.4
TOTAL ARRESTS	127	100.0%	232	100.0%	892	100.0%	1251	100.0%	4	1255	100.0%

A. Criminal Court Status

Overall, one half (50.7%) of the transit arrestees arraigned in Criminal Court for whom a court outcome was known had their cases transferred to Supreme Court for adjudication. (See, Table 69.) Almost equal percentages of defendants pled guilty in Criminal Court (23.2%) and had their cases dismissed or received an adjournment in contemplation of dismissal (22.6%). This distribution is very similar to that described in Part III<sup>28</sup> for transit defendants who were interviewed by CJA and had a most severe arrest charge of robbery.

B. Criminal Court Status and Seriousness of Victim Injury

Table 69 shows the distribution of Criminal Court outcomes for the transit defendants according to the seriousness of the injury to the victim(s). The variation in the court distributions among the different victim injury categories was greatest for those whose cases were dismissed and for those whose cases were transferred to Supreme Court. Defendants arrested for incidents where the victims were treated and released from the hospital (17.8%) or who refused medical assistance (19.8%) had the lowest dismissal rates while those arrested for incidents where some injury was reported (29.4%) had the highest dismissal rate. The highest Supreme Court transfer rate (54.4%) was found among defendants accused of incidents where the victims refused medical assistance. The lowest Supreme Court transfer rates

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<sup>28</sup>See, Part III, p.183, infra.

TABLE 69

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

SERIOUSNESS OF VICTIM INJURY BY CRIMINAL COURT STATUS AS OF AUGUST 29, 1984

SERIOUSNESS OF VICTIM INJURY

<u>CRIMINAL COURT STATUS</u>	<u>No Injury Reported</u>		<u>Injured, No Details</u>		<u>Refused Medical Assistance</u>		<u>Treated &amp; Released</u>		<u>Hospitalized</u>		<u>Died</u>		<u>SUBTOTAL INJURED</u>		<u>TOTAL</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Dismissed, ACD	128	23.6%	20	29.4%	39	19.8%	16	17.8%	11	22.4%	-	-	86	21.2%	214	22.6%
Pled Guilty <sup>1</sup>	129	23.8	15	22.1	42	21.3	23	25.6	11	22.4	-	-	91	22.5	220	23.2
Transferred to Supreme Court <sup>2</sup>	273	50.4	32	47.0	107	54.4	44	48.9	23	47.0	1	100.0%	207	51.1	480	50.7
Transferred to Family Court	4	0.7	1	1.5	6	3.0	4	4.4	2	4.1	-	-	13	3.2	17	1.8
SUBTOTAL COMPLETED	534	98.5%	68	100.0%	194	98.5%	87	96.7%	47	95.9%	1	100.0%	397	98.0%	931	98.3%
<u>PENDING</u>																
Continued	1	0.2%	-	-	1	0.5%	-	-	-	-	-	-	1	0.2%	2	0.2%
Warrant Ordered	7	1.3	-	-	2	1.0	3	3.3%	2	4.1%	-	-	7	1.8	14	1.5
SUBTOTAL PENDING	8	1.5%	-	-	3	1.5%	3	3.3%	2	4.1%	-	-	8	2.0%	16	1.7%
	542	100.0%	68	100.0%	197	100.0%	90	100.0%	49	100.0%	1	100.0%	405	100.0%	947	100.0%
Status Not Available	6		-		2		-		-		-		2		8	
TOTAL ARRAIGNED	548		68		199		90		49		1		407		955	
Not Arraigned <sup>3</sup>	33		15		12		5		4		-		36		69	
Direct Indictment	17		2		3		-		-		-		5		22	
Cases Sent Directly to Family Court Before Arraignment	153		13		33		6		4		-		56		209	
TOTAL ARRESTED	751		98		247		101		57		1		504		1255	

<sup>1</sup>Includes six defendants who were tried and found guilty.<sup>2</sup>Does not include six cases transferred to Supreme Court and returned to Criminal Court by the Grand Jury. This category includes two arrests of one defendant for one transit robbery incident. The first arrest resulted in a non-robbery prosecution in Criminal Court. Both cases were transferred to Supreme Court and subsumed under one indictment. Only one of the arrests was tracked in Supreme Court.<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

(47.0%, 47.0%, and 48.9%) were found among defendants in the "injured, no details," "hospitalized," and "treated and released" categories, respectively.

C. Criminal Court Status and Victim Residency within County of Crime Incident

One of the hypotheses of those concerned about transit crime centered around possible problems associated with the daily influx of large numbers of subway passengers from many different areas. One fear was that victims and witnesses from other counties either could not be located to be notified of upcoming court dates or would fail to appear to help prosecute the case.

In Table 70, victim residency within the county where the crime incident occurred is presented in relation to Criminal Court status.<sup>29</sup> The distribution of defendant status in Criminal Court, for those arrested for incidents in which all victims were residents of the incident county, was somewhat different from that found for defendants accused of robberies where at least one victim resided in a county other than that in which the incident occurred. Dismissal rates in Criminal Court were higher (26.5%) among the defendants arrested for robberies with at least one residence-out-of-county victim than among those accused of crimes where all victims were residents of the incident county (18.7%).

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<sup>29</sup> Information on the victim county of residence was coded only for the first three victims listed on the TP4.



TABLE 70

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

VICTIM RESIDENCY WITHIN COUNTY OF CRIME INCIDENT BY CRIMINAL COURT  
STATUS AS OF AUGUST 29, 1984VICTIM RESIDENCY WITHIN COUNTY OF CRIME INCIDENT

<u>CRIMINAL COURT STATUS</u>	<u>All Residents</u>		<u>Some Non-Residents</u>		<u>SUBTOTAL</u>		<u>Not Available</u>	<u>TOTAL</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
Dismissed, ACD	92	18.7%	110	26.5%	202	22.3%	12	214	22.6%
Pled Guilty <sup>1</sup>	123	25.1	85	20.5	208	23.0	12	220	23.2
Transferred to Supreme Court <sup>2</sup>	256	52.1	207	49.9	463	51.1	17	480	50.7
Transferred to Family Court	14	2.9	3	0.7	17	1.9	-	17	1.8
SUBTOTAL COMPLETED	485	98.8%	405	97.6%	890	98.3%	41	931	98.3%
<u>PENDING</u>									
Continued	1	0.2%	1	0.2%	2	0.2%	-	2	0.2%
Warrant Ordered	5	1.0	9	2.2	14	1.5	-	14	1.5
SUBTOTAL PENDING	6	1.2%	10	2.4%	16	1.7%	-	16	1.7%
Status Not Available	491 4	100.0%	415 4	100.0%	906 8	100.0%	41 -	947 8	100.0%
TOTAL ARRAIGNED	495		419		914		41	955	
Not Arraigned <sup>3</sup>	35		25		60		9	69	
Direct Indictment	9		9		18		4	22	
Cases Sent to Family Court Before Arraignment	118		80		198		11	209	
TOTAL ARRESTED	657		533		1190		65	1255	

<sup>1</sup>Includes six defendants who were tried and found guilty.<sup>2</sup>Does not include six cases transferred to Supreme Court and returned to Criminal Court by the Grand Jury. This category does include two arrests of one defendant for one transit robbery incident. The first arrest resulted in a non-robbery prosecution in Criminal Court. Both cases were transferred to Supreme Court and subsumed under one indictment. Only one of these arrests was tracked in Supreme Court.<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

Further, the percentage of defendants who pled guilty was slightly higher where all victims were residents of the incident county (25.1% versus 20.5%).

D. Supreme Court Status

Table 71 presents Supreme Court status information for the defendants whose cases were transferred from Criminal Court and for those who were directly indicted by the Grand Jury.<sup>30</sup> Over three fourths (78.4%) of the defendants whose Supreme Court status was available were convicted. Overall, just less than one fifth (18.5%) of the defendants had their cases dismissed or sealed.<sup>31</sup> As with Criminal Court status, this distribution for the complete transit robbery sample was similar to that found for transit robbery arrests who were interviewed by CJA and had a most severe arrest charge (according to Penal Law severity) of robbery.<sup>32</sup>

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<sup>30</sup>Indications of direct indictments came primarily from the TP4 report. However, some Supreme Court information for the defendants whose cases did not appear in the CJA computer or the Criminal Court calendars and were not eligible for adjudication in Family Court (because they were over 15 years of age) was gathered from the OCA computer system if it was available.

<sup>31</sup>The court may seal cases in which there was an acquittal, dismissal, or a conviction for a non-criminal offense; in which a juvenile's prosecution was transferred to Family Court; or in which the defendant received youthful offender treatment following a conviction. Only defendants under 19 years are eligible for youthful offender treatment.

<sup>32</sup>See, Part III, p.213, infra.

TABLE 71

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

SERIOUSNESS OF VICTIM INJURY BY SUPREME COURT STATUS AS OF AUGUST 29, 1984

SERIOUSNESS OF VICTIM INJURY

<u>SUPREME COURT STATUS</u>	<u>No Injury Reported</u>		<u>Injured, No Details</u>		<u>Refused Medical Assistance</u>		<u>Treated &amp; Released</u>		<u>Hospitalized</u>		<u>Died</u>		<u>SUBTOTAL INJURED</u>		<u>TOTAL</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
No Public Record <sup>1</sup>	47	17.7%	4	12.1%	17	16.8%	3	7.7%	3	15.0%	-	-	27	13.9%	74	16.1%
Dismissed	4	1.5	1	3.0	5	5.0	1	2.6	-	-	-	-	7	3.6	11	2.4
Pled Guilty	197	74.4	25	75.8	73	72.2	31	79.4	15	75.0	1	100.0%	145	74.8	342	74.5
Tried and Found Guilty	11	4.2	3	9.1	2	2.0	2	5.1	-	-	-	-	7	3.6	18	3.9
Other <sup>2</sup>	2	0.7	-	-	1	1.0	1	2.6	1	5.0	-	-	3	1.5	5	1.1
SUBTOTAL COMPLETED	261	98.5%	33	100.0%	98	97.0%	38	97.4%	19	95.0%	1	100.0%	189	97.4%	450	98.0%
<u>PENDING</u>																
Continued	2	0.7%	-	-	1	1.0%	-	-	-	-	-	-	1	0.5%	3	0.7%
Warrant Ordered	2	0.7	-	-	2	2.0	1	2.6	1	5.0%	-	-	4	2.1	6	1.3
SUBTOTAL PENDING	4	1.5%	-	-	3	3.0%	1	2.6%	1	5.0%	-	-	5	2.6%	9	2.0%
	265	100.0%	33	100.0%	101	100.0%	39	100.0%	20	100.0%	1	100.0%	194	100.0%	459	100.0%
Returned by Grand Jury to Criminal Court	4		-		2		-		-		-		2		6	
Status Not Available	24		1		9		5		3		-		18		42	
TOTAL SUPREME COURT CASES <sup>3</sup>	293		34		112		44		23		1		214		507	

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.<sup>2</sup>Includes one case transferred to Family Court for prosecution, two cases subsumed by other indictments, and two cases abated by the deaths of the defendants.<sup>3</sup>Includes cases transferred to Supreme Court from Criminal Court and direct indictments.

E. Supreme Court Status and Seriousness of Victim Injury

Table 71 also presents Supreme Court status information separately according to the severity of the injury to the victim(s). While there were some differences between the victim injury categories in the court outcome distributions, these differences did not follow the pattern found when arrest charge was examined for these categories.<sup>33</sup> Here, the percentages of defendants whose cases were sealed or dismissed were lowest among those accused of crimes where the victims reported injury, but no further details were given (15.1%), and where the victims were treated at a hospital and then released (10.3%). These two categories of defendants also tended to have slightly higher conviction rates (84.9% and 84.5%, respectively).

F. Supreme Court Status and Victim Residency within County of Incident

Unlike Criminal Court status, the Supreme Court status distributions were very similar among defendants accused of incidents where all victims were residents of the county where the robbery occurred and among those where at least one victim was a resident of another county.<sup>34</sup> (See, Table 72.) This may be because any effect which victim residency may have had on the prosecution of these defendants occurred prior to the presentation of the case to the Grand Jury.

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<sup>33</sup> See, Table 67, where the percentage of defendants charged with robbery 1 rose as the seriousness of the victim injury reported for the incident increased.

<sup>34</sup> See, Table 70, where the dismissal rate is shown to be higher among defendants accused of crimes where at least one victim was not a resident of the crime county.

TABLE 72

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982:

VICTIM RESIDENCY WITHIN COUNTY OF CRIME INCIDENT BY SUPREME COURT  
STATUS AS OF AUGUST 29, 1984

SUPREME COURT STATUS	VICTIM RESIDENCY WITHIN COUNTY OF CRIME INCIDENT									
	All Residents		Some Non-Residents		SUBTOTAL		Not Available	TOTAL		
COMPLETED	N	%	N	%	N	%	N	N	%	
No Public Record <sup>1</sup>	38	15.8%	33	16.4%	71	16.1%	3	74	16.1%	
Dismissed	3	1.2	8	4.0	11	2.5	-	11	2.4	
Pled Guilty	181	75.2	149	74.1	330	74.7	12	342	74.5	
Tried and Found Guilty	10	4.1	7	3.5	17	3.8	1	18	3.9	
Other <sup>2</sup>	3	1.2	1	0.5	4	0.9	1	5	1.1	
SUBTOTAL COMPLETED	235	97.5%	198	98.5%	433	98.0%	17	450	98.0%	
PENDING										
Continued	1	0.4	2	1.0	3	0.7	-	3	0.7	
Warrant Ordered	5	2.1	1	0.5	6	1.3	-	6	1.3	
SUBTOTAL PENDING	6	2.5%	3	1.5%	9	2.0%	-	9	2.0%	
	241	100.0%	201	100.0%	442	100.0%	17	459	100.0%	
Returned by Grand Jury to Criminal Court	4		1		5		1	6		
Status Not Available	24		15		39		3	42		
TOTAL SUPREME COURT CASES <sup>3</sup>	269		217		486		21	507		

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.<sup>2</sup>Includes one case transferred to Family Court for prosecution, two cases subsumed by other indictments, and two cases abated by the deaths of the defendants.<sup>3</sup>Includes cases transferred to Supreme Court from Criminal Court and direct indictments.

PART III:

TRANSIT AND NON-TRANSIT  
ROBBERY ARRESTS:  
COMPARISON OF COURT OUTCOMES

## I. INTRODUCTION

This section of the report describes the defendant characteristics and court outcomes for transit robbery arrests and a comparison group of non-transit robberies. Transit robbery arrests ("below-ground" robbery arrests) for this analysis were selected from the 1255 robbery arrests identified by the Transit Police Department (TPD) as subway robbery arrests between December 1, 1981 and June 30, 1982.<sup>1</sup> The non-transit comparison group ("above-ground" robbery arrests) was selected directly from the CJA database (UDIIS).<sup>2</sup> Cases were selected if they met four criteria designed to control for variation between the two groups which was not related to the location of the robbery. These criteria were: (1) the defendant was interviewed by CJA; (2) his or her most severe arrest charge in UDIIS was a robbery offense;<sup>3</sup> (3) the

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<sup>1</sup> See, pp. 108-110, supra, Part II of this report, for a discussion of the identification and matching procedures used by the TPD and CJA to select the 1255 transit robbery arrests made December 1981 through June 1982. See, also, fn. 2, Part II, for a discussion of the decision criteria used in the selection of robbery offenses in this study, particularly those involving the FBI's Uniform Crime Reports (UCR) hierarchy.

<sup>2</sup> The CJA database does not include a small number of robbery cases in which CJA did not interview defendants, who were, for example, arrested while incarcerated or following indictment by the Grand Jury, or whose arrests were voided by the police prior to the CJA interview.

<sup>3</sup> In the CJA computer system, charges are classified first according to the severity of their "class," as defined by the New York State Penal Law (PL) and then, when two offenses fall in the same class, according to the type of offense charged. For example, murder in the second degree (PL Section 125.25), a Class A felony, is considered more severe than robbery in the first degree (Robbery 1, PL Section 160.15), a Class B felony. Additionally, although manslaughter in the first degree (Manslaughter 1, PL Section 125.20) and robbery 1 are both "B" felonies, CJA classifies manslaughter 1 as the more severe crime because its crime type, "harm to persons," is considered more serious than "harm to persons and property," the crime type of robbery 1.

defendant was not charged with a rape or attempted rape offense;<sup>4</sup> and (4) the date of arrest for transit defendants was between December 1, 1981, and June 30, 1982, and in December 1981 or April 1982 for non-transit defendants.<sup>5</sup>

The demographic and court processing data used in this analysis were gathered from several sources. CJA's computer system supplied all the arrest-level information and served as the initial Criminal Court data source for the study. The database maintained by the New York State Office of Court Administration (OCA) supplemented this court information and served as the primary source for Supreme Court data on all transit and a random sample of one half of the non-transit robberies transferred to Supreme Court.

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<sup>4</sup>Because the transit robbery arrest group did not include rape or attempted rape cases (due to the TPD's use of the UCR charge hierarchy where rape and attempted rape are considered more severe than robbery), any case with a rape or attempted rape arrest charge was not included in the non-transit comparison group. (See, fn. 2, Part II, for a discussion of the UCR definition of robbery.)

<sup>5</sup>Because the volume of citywide (excluding Richmond County) non-transit robbery arrests was much larger than the volume of transit robbery arrests, a two-month sample of non-transit robberies was selected which was approximately two and one half times as large as the transit sample. December and April, which fall at the beginning and middle, respectively, of the transit sample period, were chosen as the arrest months for the non-transit sample to minimize the possible effect of seasonal variations in the robbery arrest population.



## II. ARREST AND DEFENDANT CHARACTERISTICS - GENERAL COMPARISONS

This section provides a general overview of the differences between transit and non-transit robbery arrests from the sample periods with respect to most severe arrest charge, defendant age at time of arrest, and defendant criminal history.<sup>6</sup>

### A. Most Severe Arrest Charge

Chart 1 on page 164A summarizes the characteristics of the three levels of robbery offenses described in Article 160 of the Penal Law. Among the transit and non-transit robbery arrests in this study, transit defendants were more likely to be charged with robbery in the second degree (robbery 2) than non-transit defendants (45.1% and 33.5%, respectively). (See, Tables 73 and 74.)

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<sup>6</sup>After a defendant is interviewed by CJA prior to arraignment, information on his or her prior criminal history is obtained from the State of New York Division of Criminal Justice Services (DCJS). This record of a defendant's prior criminal history (commonly referred to as the "NYSID" or "rap" sheet) does not include cases which have been sealed by the court. The court may seal cases in which there was an acquittal, dismissal, or a conviction for a non-criminal offense; in which a juvenile's prosecution was transferred to Family Court; or in which the defendant received youthful offender treatment following a conviction. Some potentially sealable cases may nevertheless have appeared on the defendant's NYSID sheet and been counted as a prior arrest on the CJA interview form. As a result, defendants with no prior convictions or open cases but with prior non-sealed arrests were not included as "first arrests" (defendants for whom the present offense was their first arrest) in the present analysis. In addition, convictions for out-of-state offenses are not consistently reported to DCJS and, thus, may have resulted in the undercounting or underreporting of prior felons and misdemeanants in this report.

CHART 1

<u>Charge</u>	<u>P.L. Section</u>	<u>Description</u>
Robbery 3	160.05	Forcible stealing of property.  The forcible stealing of property is the wrongful taking, obtaining, or withholding of the property of another (with the intent to deprive or appropriate that property) through the use or threat of the immediate use of physical force upon another person to aid in the commission of the wrongful taking.
Robbery 2	160.10	Forcible stealing of property where  (1) defendant is aided by another who is present  or  (2) defendant or another participant, during the course of the crime or flight therefrom,  (a) causes physical injury to a non-participant  or  (b) displays what appears to be a firearm.
Robbery 1	160.15	Forcible stealing of property where defendant or another participant, during the course of the crime or flight therefrom,  (1) causes serious physical injury to a non-participant  or  (2) is armed with a deadly weapon  or  (3) uses or threatens the immediate use of a dangerous weapon  or  (4) displays what appears to be a firearm. (Affirmative defense: the firearm was not a loaded weapon from which a shot could be fired.)

In contrast, those defendants arrested for above-ground offenses were more likely to be charged with first degree robbery (robbery 1) (50.9%) than below-ground robbery arrestees (40.0%).<sup>7</sup> Citywide, robbery in the third degree (robbery 3) was more commonly charged among non-transit defendants than among transit defendants (10.5% compared to 4.7%). Finally, transit defendants were twice as likely as non-transit defendants to be charged with attempted robberies (10.2% and 5.1%, respectively).<sup>8</sup>

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<sup>7</sup> It is not possible to determine, from arrest charge alone, whether the crime events which occurred above ground are different in nature from those which occurred below ground. This is because, even if all charging decisions were made strictly according to the Penal Law criteria listed in the chart shown below, several different types of factual situations can result in persons being charged with the same robbery offense. In addition, even if more was known about the crime events for which these robbery defendants were arrested, it would not be possible to compare crime events in different locations using a dataset which focuses on defendants arrested, not reported crime events. The possibility that a crime incident resulted in the arrest of more than one defendant means that multiple-arrestee incidents would be included more than once in this dataset and could possibly skew the findings. For example, robbery 2, subsection 1, allows someone who would otherwise be charged with robbery 3 to be charged with robbery 2 because the crime was committed with another person. If both participants in this sort of robbery incident had been arrested and included in this study as transit robbery 2 arrests, for instance, conclusions about the seriousness of transit crime (in terms of physical injury or use of a weapon) which were based upon an analysis of most severe arrest charge alone would both misrepresent the nature of the incident and count it twice in the analysis.

<sup>8</sup> A person convicted of an attempted robbery is guilty of the commission of a felony which is one class below that of the completed crime. (See, PL Section 110.05.) The number of defendants within each group charged with attempted robbery is small and, therefore, conclusions drawn from these data may be unreliable.

TABLE 73

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

COUNTY OF INCIDENT BY MOST SEVERE  
 ARREST CHARGE

COUNTY OF INCIDENT

MOST SEVERE ARREST CHARGE	Kings		New York		Queens		Bronx		TOTAL	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Robbery 1	105	33.4%	147	38.7%	36	48.0%	68	55.7%	356	40.0%
Att. Robbery 1	25	8.0	12	3.2	-	-	4	3.3	41	4.6
Robbery 2	150	47.8	178	46.8	37	49.3	37	30.3	402	45.1
Att. Robbery 2	18	5.7	16	4.2	-	-	2	1.6	36	4.0
Robbery 3	10	3.2	22	5.8	2	2.7	8	6.6	42	4.7
Att. Robbery 3	6	1.9	5	1.3	-	-	3	2.5	14	1.6
TOTAL ARRESTED	314	100.0%	380	100.0%	75	100.0%	122	100.0%	891	100.0%

TABLE 74

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

COUNTY OF INCIDENT BY MOST SEVERE  
ARREST CHARGE

COUNTY OF INCIDENT

<u>MOST SEVERE ARREST CHARGE</u>	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Robbery 1	347	54.6%	349	47.5%	150	45.8%	204	56.1%	1050	50.9%
Att. Robbery 1	23	3.6	6	0.8	3	0.9	9	2.5	41	2.0
Robbery 2	200	31.5	255	34.7	130	39.6	105	28.8	690	33.5
Att. Robbery 2	15	2.4	17	2.3	4	1.2	3	0.8	39	1.9
Robbery 3	43	6.8	98	13.3	41	12.5	34	9.3	216	10.5
Att. Robbery 3	7	1.1	10	1.4	-	-	9	2.5	26	1.2
SUBTOTAL	635	100.0%	735	100.0%	328	100.0%	364	100.0%	2062	100.0%
Charge Not Available <sup>1</sup>	6		-		-		5		11	
TOTAL ARRESTED	641		735		328		369		2073	

<sup>1</sup>When these arrests were selected as part of the non-transit comparison group, their most severe arrest charges in UDIIS were robberies. Subsequently, charge information for these cases was not available.

Additionally, an examination of Tables 73 and 74 shows that the arrest charge distribution patterns for transit and non-transit defendants were not the same across all counties. Transit arrestees in Queens were more likely to be charged with robbery 2 (49.3% compared to 39.6% among the non-transit arrestees in Queens) and, unlike any other county, were slightly more likely to be charged with robbery 1 than non-transit defendants (48.0% versus 45.8%). In the Bronx, the percentage of transit and non-transit defendants charged at arrest with first degree robbery and second degree robbery were very similar. Robbery 1 accounted for 55.7% of the Bronx transit defendants and 56.1% of the non-transit defendants while robbery 2 accounted for 30.3% and 28.8% of the transit and non-transit defendants, respectively. Non-transit defendants in New York and Queens Counties showed the highest percentages of robbery 3 arrest charges (13.3% and 12.5%, respectively). These two counties also had the largest percentage differences between the transit and non-transit groups for robbery 3 arrest charges (7.5 and 9.8 percentage points for New York and Queens, respectively, compared to 2.7 and 3.6 for Bronx and Kings Counties, respectively).

#### B. Second Most Severe Arrest Charge

Tables 75 and 76 present the second most severe arrest charge for all arrestees with more than one arrest charge. These charges, grouped by type rather than severity, include criminal use of a firearm, possession of a weapon, secondary robbery charges, felonious assault, possession of stolen property, and other charges.

TABLE 75

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 WHO WERE INTERVIEWED BY CJA  
AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

COUNTY OF INCIDENT BY SECOND MOST SEVERE ARREST CHARGE

COUNTY OF INCIDENT

<u>SECOND MOST SEVERE ARREST CHARGE</u>	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>CITYWIDE</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Criminal Use of a Firearm	29	11.7%	27	9.7%	4	6.6%	17	17.0%	77	11.2%
Possession of a Weapon	41	16.6	79	28.4	12	19.6	23	23.0	155	22.6
Robbery	6	2.4	13	4.7	4	6.6	-	-	23	3.4
Felony Assault	101	40.9	84	30.2	17	27.9	31	31.0	233	33.9
Possession of Stolen Property	47	19.1	48	17.3	14	22.9	19	19.0	128	18.7
Other Charges <sup>1</sup>	23	9.3	27	9.7	10	16.4	10	10.0	70	10.2
SUBTOTAL	247	100.0%	278	100.0%	61	100.0%	100	100.0%	686	100.0%
No Second Charge	67		102		14		22		205	
TOTAL ARRESTED	314		380		75		122		891	

<sup>1</sup>Includes misdemeanor assault (24), resisting arrest (14), grand larceny (8), and other charges (24).

TABLE 76

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR APRIL 1982 WHO WERE INTERVIEWED BY CJA  
AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

COUNTY OF INCIDENT BY SECOND MOST SEVERE ARREST CHARGE

<u>SECOND MOST SEVERE ARREST CHARGE</u>	<u>COUNTY OF INCIDENT</u>									
	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>CITYWIDE</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Criminal Use of a Firearm	168	29.6%	105	18.4%	41	15.7%	72	24.8%	386	22.9%
Possession of a Weapon	122	21.5	141	24.6	62	23.8	65	22.4	390	23.1
Robbery	4	0.7	11	1.9	5	1.9	6	2.1	26	1.5
Felony Assault	120	21.2	97	17.0	55	21.1	43	14.8	315	18.6
Possession of Stolen Property	79	13.9	141	24.6	39	14.9	40	13.8	299	17.7
Other Charges <sup>1</sup>	74	13.1	77	13.5	59	22.6	64	22.1	274	16.2
SUBTOTAL	567	100.0%	572	100.0%	261	100.0%	290	100.0%	1690	100.0%
No Second Charge	74		163		67		79		383	
TOTAL ARRESTED	641		735		328		369		2073	

<sup>1</sup>Includes burglary (71), resisting arrest (23), grand larceny (36) misdemeanor assault (45), and other charges (24).



More than three quarters (77.0%) of all transit defendants and over four fifths (81.5%) of all non-transit defendants had more than one arrest charge. Citywide, non-transit defendants were much more likely to be charged with criminal use of a firearm as a second charge than transit defendants (22.9% compared to 11.2%). More than one third of the second arrest charges among transit arrestees (33.9%) were felony assaults while this category represented the second most severe charge for only 13.6% of the non-transit arrestees. Criminal possession of stolen property was the second most severe arrest charge for less than one fifth of both the transit (18.7%) and non-transit (17.7%) group.

To examine possible differences in charging patterns, the second most severe arrest charge was examined separately for each county. In comparison to transit defendants, non-transit defendants were more likely to be charged with criminal use of a firearm in all counties, with the greatest percentage in Kings County (29.6% of all Kings County arrestees with a second arrest charge). Among non-transit defendants, New York County had the highest percentage of defendants charged with criminal possession of stolen property (24.6%, 9.7 percentage points higher than that found for any other county). Among transit defendants, Queens County had the highest percentage of defendants with that charge (22.9%, only 3.8 percentage points higher than for any other county).

### C. Defendant Age

Generally, at the time of their arrest, transit defendants were younger than non-transit arrestees. The mean<sup>9</sup> age among transit defendants was 19.0 years and, among non-transit defendants, 22.4 years. The median ages for the two groups differed by 2.6 years - 17.8 years among transit defendants and 20.4 years among non-transit defendants.<sup>10</sup> Nearly one half (49.6%) of all transit defendants were between the ages of 16 and 18 years whereas less than one third (30.9%) of the non-transit group fell within this age category. (See, Tables 77 and 78.) Concomitantly, there were many more non-transit defendants in the older age categories: 29.9% were 25 years of age or older compared to 9.8% of the transit defendants. Defendants 19 to 24 years made up approximately one third of both the transit (31.3%) and non-transit (33.0%) robbery groups.

#### 1. Defendant Age and Most Severe Arrest Charge

As noted above, transit defendants were more likely to be charged at arrest with robbery 2 and non-transit defendants were more likely to be charged with robbery 1. While this was not equally true within all age categories, it was true among those aged 16 to 18, 19 to 24, and 25 to 29 years. For transit defendants, in these three age groups, robbery 1 was the most severe charge for 37.7%, 37.2%, and 33.3%, respectively, and robbery 2 was the most severe charge for 48.4%, 46.6%, and 43.8%, respectively.

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<sup>9</sup> See, fn. 33, Part I, for a discussion of the definitions of "mean" and "median."

<sup>10</sup> See, p.142, Part II, for a discussion of the mean and median ages among all 1255 transit robbery arrestees. The large number of juvenile (under 16 years of age) defendants in the full robbery sample (whose cases were diverted to Family Court for prosecution prior to the CJA interview and, thus, were not part of the sample of robbery defendants included in this section) lowered the mean and median ages for the full transit arrest sample slightly. (Comparable data for a full sample of non-transit defendants arrested in December 1981 and April 1982 were not available.)

TABLE 77

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY MOST  
SEVERE ARREST CHARGE

MOST SEVERE ARREST CHARGE	DEFENDANT AGE										Age Not Available	TOTAL	
	Under 16 Years <sup>1</sup>		16-18 Years		19-24 Years		25-29 Years		Over 29 Years				
	N	%	N	%	N	%	N	%	N	%		N	%
Robbery 1	53	64.6%	165	37.7%	103	37.2%	19	33.3%	13	44.9%	3	356	40.0%
Att. Robbery 1	1	1.2	21	4.8	12	4.3	3	5.3	4	13.8	-	41	4.6
Robbery 2	28	34.2	212	48.4	129	46.6	25	43.8	6	20.7	2	402	45.1
Att. Robbery 2	-	-	21	4.8	9	3.2	4	7.0	1	3.4	1	36	4.0
Robbery 3	-	-	16	3.6	15	5.5	5	8.8	5	17.2	1	42	4.7
Att. Robbery 3	-	-	3	0.7	9	3.2	1	1.8	-	-	1	14	1.6
TOTAL ARRESTED	82	100.0%	438	100.0%	277	100.0%	57	100.0%	29	100.0%	8	891	100.0%
	(9.3%)		(49.6%)		(31.3%)		(6.5%)		(3.3%)		(100.0%) (N=883)		

<sup>1</sup>The defendant in this age category who was charged at arrest with attempted robbery 1 was charged at Criminal Court arraignment with robbery 1.

TABLE 78

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY MOST  
SEVERE ARREST CHARGE

MOST SEVERE ARREST CHARGE	DEFENDANT AGE										Age Not Available	TOTAL	
	Under 16 Years <sup>1</sup>		16-18 Years		19-24 Years		25-29 Years		Over 29 Years				
	N	%	N	%	N	%	N	%	N	%		N	%
	N	%	N	%	N	%	N	%	N	%		N	%
Robbery 1	86	68.2%	282	44.6%	349	51.6%	157	53.0%	164	52.1%	12	1050	50.9%
Att. Robbery 1	2	1.6	12	1.9	14	2.1	6	2.0	7	2.2	-	41	2.0
Robbery 2	38	30.2	260	41.1	219	32.3	87	29.4	83	26.3	3	690	33.5
Att. Robbery 2	-	-	16	2.5	13	1.9	4	1.4	6	1.9	-	39	1.9
Robbery 3	-	-	56	8.8	76	11.2	35	11.8	49	15.6	-	216	10.5
Att. Robbery 3	-	-	7	1.1	6	0.9	7	2.4	6	1.9	-	26	1.3
SUBTOTAL	126	100.0%	633	100.0%	677	100.0%	296	100.0%	315	100.0%	15	2062	100.0%
Charge Not Available <sup>2</sup>	-	-	-	-	-	-	-	-	-	-	11	11	-
TOTAL ARRESTED	127		633		677		296		315		26	2073	
		(6.2%)		(30.9%)		(33.0%)		(14.5%)		(15.4%)			(100.0%) (N=2047)

<sup>1</sup>Two defendants in this age category were charged at arrest with attempted robbery 1. One of these defendants was charged at Criminal Court arraignment with assault 1; the other defendant was not arraigned in Criminal Court and no further court processing information was available.

<sup>2</sup>When these arrests were selected as part of the non-transit comparison group, their most severe arrest charges in UDIIS were robberies. Subsequently, charge information for these cases was not available.

(See, Tables 77 and 78.) Among non-transit defendants, the percentage of defendants with a most severe arrest charge of robbery 1 was 44.6%, 51.6%, and 53.0%, respectively, for defendants in these age groups while 41.1%, 32.3% and 29.4%, respectively, were charged with robbery 2. The group with the most disparate overall charge distribution was the under-16 category. Approximately two thirds of these defendants were charged with robbery 1 in both the transit (64.6%) and non-transit (68.2%) groups, compared with 37.5% of transit defendants and 49.6% of non-transit defendants 16 years of age or older. Robbery 3 was more likely to be charged among defendants 30 years of age and older than any other age group for both the transit and non-transit comparison groups (17.2% and 15.6%, respectively). The greater proportion of robbery 3 arrest charges among older defendants may indicate that these defendants were less likely than younger defendants to have committed robberies with another person or a weapon or to be involved in a robbery where injury resulted. As Chart 1 indicates, these aggravating factors can increase the severity of a robbery offense.<sup>11</sup>

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<sup>11</sup>Note that this possible explanation of charge differences among defendants of different ages does not contradict the analysis in footnote 7 about the impossibility of characterizing the differences between transit and non-transit robberies. Here, there is a defendant-based explanation of the larger percentage of robbery 3 arrest charges among defendants of a certain age. It is not a general statement about robberies involving persons 30 years of age or older.

#### D. Defendant Criminal History

Overall, the prior criminal histories of transit and non-transit defendants were fairly similar, considering the age differences between the two groups. Transit defendants were slightly more likely not to have been arrested before<sup>12</sup> than were non-transit defendants (37.0% compared to 31.8%). (See, Tables 79 and 80.) Among the below-ground robbery arrestees, there was a slightly higher percentage of defendants with no previous convictions, but with open cases pending against them (24.2%), than among the above-ground arrestees (19.1%). The non-transit comparison group, however, had a higher percentage of defendants with prior felony convictions (16.3%) than the transit group (9.1%). These differences appear to be at least partly related to the age differences between the two groups.<sup>13</sup>

##### 1. Defendant Criminal History and Most Severe Arrest Charge

Although, overall, transit defendants were slightly more likely than non-transit defendants to have had no previous arrests, there was variation among the arrest charge categories. Of the 774 transit defendants charged with robbery 1, attempted robbery 1, and robbery 2, 38.1% had no previous arrests, whereas, among the 1749 non-transit defendants so charged, 32.0% had not been arrested previously. (See, Tables 79 and 80.) Conversely, among defendants charged with attempted robbery 2, non-transit defendants were more likely to have had this arrest as their first (29.0%) than transit defendants similarly charged (20.6%). The percentage of defendants charged with robbery 3 for whom this was a first arrest was nearly identical within the transit (28.5%) and non-transit (28.2%)

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<sup>12</sup>See, fn.6, for a discussion of the differences between the "first arrest" and "no convictions, no open cases" categories.

<sup>13</sup>See, p.179, *infra*, for a discussion of the relationship between defendant age and prior criminal history.

TABLE 79

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE ARREST CHARGE BY  
DEFENDANT CRIMINAL HISTORY

MOST SEVERE ARREST CHARGE

DEFENDANT CRIMINAL HISTORY	Robbery 1		Attempted Robbery 1		Robbery 2		Attempted Robbery 2		Robbery 3		Attempted Robbery 3		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
First Arrest	135	39.1%	12	32.5%	148	37.7%	7	20.6%	12	28.5%	5	41.6%	319	37.0%
No Convictions- No Open Cases	44	12.8	8	21.6	49	12.5	6	17.6	5	11.9	2	16.7	114	13.2
Open Cases Only	81	23.5	11	29.7	99	25.3	8	23.5	8	19.1	2	16.7	209	24.2
Prior Misdemeanor Conviction With or Without Open Cases	54	15.6	5	13.5	63	16.1	9	26.5	9	21.4	2	16.7	142	16.5
Prior Felony Conviction With or Without Open Cases	31	9.0	1	2.7	33	8.4	4	11.8	8	19.1	1	8.3	78	9.1
SUBTOTAL	345	100.0%	37	100.0%	392	100.0%	34	100.0%	42	100.0%	12	100.0%	862	100.0%
NYSID Not Available	5		4		6		1		-		2		18	
Criminal History Not Available	6		-		4		1		-		-		11	
TOTAL ARRESTED	356		41		402		36		42		14		891	

TABLE 88

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE ARREST CHARGE BY  
DEFENDANT CRIMINAL HISTORY

MOST SEVERE ARREST CHARGE

DEFENDANT CRIMINAL HISTORY	<u>Robbery 1</u>		<u>Attempted Robbery 1</u>		<u>Robbery 2</u>		<u>Attempted Robbery 2</u>		<u>Robbery 3</u>		<u>Attempted Robbery 3</u>		<u>Charge Not Available<sup>1</sup></u>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>		<u>N</u>	<u>%</u>
First Arrest	325	31.6%	11	26.8%	223	32.8	11	29.0%	61	28.2	12	48.0%	-	643	31.9%
No Convictions- No Open Cases	106	10.3	7	17.1	104	15.3	4	10.5	20	9.3	3	12.0	-	244	12.0
Open Cases Only	199	19.4	12	29.3	127	18.7	11	29.0	34	15.8	5	20.0	-	388	19.1
Prior Misdemeanor Conviction With or Without Open Cases	209	20.3	4	9.7	142	20.9	7	18.4	56	25.9	4	16.0	-	422	20.8
Prior Felony Conviction With or Without Open Cases	<u>189</u>	<u>18.4</u>	<u>7</u>	<u>17.1</u>	<u>84</u>	<u>12.3</u>	<u>5</u>	<u>13.1</u>	<u>45</u>	<u>20.8</u>	<u>1</u>	<u>4.0</u>	-	<u>331</u>	<u>16.3</u>
SUBTOTAL	1028	100.0%	41	100.0%	680	100.0%	38	100.0%	216	100.0%	25	100.0%	-	2028	100.0%
NYSID Not Available	15		-		5		1		-		1		-	22	
Criminal History Not Available	<u>7</u>		<u>-</u>		<u>5</u>		<u>-</u>		<u>-</u>		<u>-</u>		<u>11</u>	<u>23</u>	
TOTAL ARRESTED	1050		41		690		39		216		26		11	2073	

<sup>1</sup>When these arrests were selected as part of the non-transit comparison group, their most severe arrest charges in UDIIS were robberies. Subsequently, charge information for these cases was not available.



groups, while across all charge categories (except attempted robbery 3 where the number of defendants was small for both groups) non-transit defendants were more likely to be prior felons than transit defendants. This difference was greatest for defendants charged with robbery 1 and attempted robbery 1 (18.4% and 17.1%, respectively, for non-transit defendants in these categories and 9.0% and 2.7%, respectively, for transit defendants).

## 2. Defendant Criminal History and Defendant Age

This section examines the relationship between defendant criminal history and age and reveals some differences from the overall data. For example, among defendants under 16 years of age, non-transit defendants were more likely than transit defendants to have had no previous arrests (76.8% versus 67.9%). (See, Tables 81 and 82.) Conversely, a higher percentage of first arrests were noted for transit defendants 25 years and over (25.6%) than for non-transit defendants (16.9%) of the same age. In addition, in this age group, transit defendants were less likely to be prior felons than non-transit defendants (24.4% compared to 31.4%). Younger defendants (those under 19 years of age) were much less likely to have prior misdemeanor or felony convictions among both the transit and non-transit groups (9.5% and 12.3%, respectively) than older defendants (those 19 years and older with 48.0% and 51.7%, respectively). This may be a reflection of the relatively little contact these defendants have had with the criminal justice system, of the sealing procedures following Family Court findings of juvenile delinquency and Criminal Court youthful offender designations, or of a combination of both factors.

## III. CRIMINAL COURT STATUS

This section discusses the final Criminal Court status of the transit and non-transit comparison groups, controlling for most severe arrest charge, defendant age, and defendant criminal history.

TABLE 81

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY DEFENDANT CRIMINAL HISTORY

DEFENDANT AGE

DEFENDANT CRIMINAL HISTORY	<u>Under 16 Years</u> <sup>1</sup>		<u>16-18 Years</u>		<u>19-24 Years</u>		<u>25-29 Years</u>		<u>Over 29 Years</u>		<u>Age Not Available</u>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
First Arrest	53	67.9%	189	44.4%	54	19.9%	15	27.8%	6	21.4%	2	319	37.0%
No Convictions- No Open Cases	8	10.3	66	15.5	34	12.5	4	7.4	2	7.1	-	114	13.2
Open Cases Only	16	20.5	124	29.1	61	22.4	7	13.0	1	3.6	-	209	24.3
Prior Misdemeanor Conviction With or Without Open Cases	-	-	33	7.7	80	29.4	18	33.3	9	32.2	2	142	16.5
Prior Felony Conviction With or Without Open Cases	<u>1</u>	<u>1.3</u>	<u>14</u>	<u>3.3</u>	<u>43</u>	<u>15.8</u>	<u>10</u>	<u>18.5</u>	<u>10</u>	<u>35.7</u>	<u>-</u>	<u>78</u>	<u>9.0</u>
SUBTOTAL	78	100.0%	426	100.0%	272	100.0%	54	100.0%	28	100.0%	4	862	100.0%
NYSID Not Available	1		8		4		-		1		4	18	
Criminal History Not Available	<u>3</u>		<u>4</u>		<u>1</u>		<u>3</u>		<u>-</u>		<u>-</u>	<u>11</u>	
TOTAL ARRESTED	82		438		277		57		29		8	891	

<sup>1</sup> The defendant in this age category with a prior felony conviction had his instant robbery arrest sealed at OCA. Both CJA and the TPD listed his age as 15 years.

TABLE 82

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

## DEFENDANT AGE BY DEFENDANT CRIMINAL HISTORY

DEFENDANT AGE

DEFENDANT CRIMINAL HISTORY	<u>Under 16 Years</u> <sup>1</sup>		<u>16-18 Years</u>		<u>19-24 Years</u>		<u>25-29 Years</u>		<u>Over 29 Years</u>		<u>Age Not Available</u>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
First Arrest	96	76.8%	272	43.7%	167	25.0%	58	19.9%	43	13.9%	7	643	31.7%
No Convictions- No Open Cases	12	9.6	89	14.3	98	14.7	22	7.6	23	7.5	-	244	12.0
Open Cases Only	16	12.8	171	27.4	120	17.9	46	15.8	35	11.4	-	388	19.2
Prior Misdemeanor Conviction With or Without Open Cases	1	0.8	66	10.6	169	25.3	87	29.9	97	31.5	2	422	20.8
Prior Felony Conviction With or Without Open Cases	-	-	25	4.0	114	17.1	78	26.8	110	35.7	4	331	16.3
SUBTOTAL	125	100.0%	623	100.0%	668	100.0%	291	100.0%	308	100.0%	13	2028	100.0%
NYSID Not Available	-		7		7		3		3		2	22	
Criminal History Not Available	1		3		2		2		4		11	23	
TOTAL ARRESTED	126		633		677		296		315		26	2073	

<sup>1</sup>The defendant in this age category with a prior misdemeanor conviction was listed as being 16 years old in the OCA computer system.

A. General Comparisons

Transit and non-transit robbery arrests had very similar rates of transfer to Supreme Court, dismissal, and plea. One half of all transit (50.2%) and non-transit (50.9%) arrestees arraigned in Criminal Court whose dispositions were known had their cases transferred to Supreme Court for prosecution. (See, Tables 83 and 84.) Among those arraigned in Criminal Court, the plea rate was 22.4% for transit cases and 20.7% for non-transit cases. The dismissal rates in Criminal Court were similar to the Criminal Court plea rates: approximately one fourth of the transit (23.8%) and non-transit (25.2%) arrestees had their cases dismissed.

In Tables 83 and 84, transit and non-transit Criminal Court outcomes were analyzed separately by county of incident. When compared to other counties, Kings County showed the greatest variation in court outcome for both the transit and non-transit arrest groups. Its plea rates (35.3% and 25.8% for transit and non-transit defendants, respectively) were higher and its rates of transfer to Supreme Court (46.5% for transit and 47.2% for non-transit defendants) were lower than for any other county. Also, in contrast to the other counties, the plea rate among transit arrests in Kings County was 9.5 percentage points higher than among Kings County non-transit arrests and its transit arrests had a lower

TABLE 83

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

COUNTY OF INCIDENT BY CRIMINAL COURT STATUS  
AS OF AUGUST 29, 1984

<u>CRIMINAL COURT STATUS</u>	<u>COUNTY OF INCIDENT</u>									
	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>TOTAL</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Dismissed, ACD	38	12.8%	125	33.4%	19	25.3%	23	19.8%	205	23.8%
Pled Guilty <sup>1</sup>	105	35.3	53	14.2	13	17.3	22	19.0	193	22.4
Transferred to Supreme Court <sup>2</sup>	138	46.5	186	49.7	42	56.1	67	57.8	433	50.2
Transferred to Family Court	11	3.7	3	0.8	-	-	2	1.7	16	1.9
<u>SUBTOTAL COMPLETED</u>	<u>292</u>	<u>98.3%</u>	<u>367</u>	<u>98.1%</u>	<u>74</u>	<u>98.7%</u>	<u>114</u>	<u>98.3%</u>	<u>847</u>	<u>98.3%</u>
<u>PENDING</u>										
Continued	1	0.3	1	0.3	-	-	-	-	2	0.2
Warrant Ordered	4	1.4	6	1.6	1	1.3	2	1.7	13	1.5
<u>SUBTOTAL PENDING</u>	<u>5</u>	<u>1.7%</u>	<u>7</u>	<u>1.9%</u>	<u>1</u>	<u>1.3%</u>	<u>2</u>	<u>1.7%</u>	<u>15</u>	<u>1.7%</u>
	<u>297</u>	<u>100.0%</u>	<u>374</u>	<u>100.0%</u>	<u>75</u>	<u>100.0%</u>	<u>116</u>	<u>100.0%</u>	<u>862</u>	<u>100.0%</u>
Status Not Available	-		5		-		1		6	
<u>TOTAL ARRAIGNED</u>	<u>297</u>		<u>379</u>		<u>75</u>		<u>117</u>		<u>868</u>	
Not Arraigned <sup>3</sup>	17		1		-		3		21	
Case Sent Directly to Family Court Before Arrgnment	-		-		-		2		2	
<u>TOTAL ARRESTED</u>	<u>314</u>		<u>380</u>		<u>75</u>		<u>122</u>		<u>891</u>	

<sup>1</sup>Includes six defendants who were tried and found guilty.

<sup>2</sup>Does not include six cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table. This category does include two arrests of one defendant for one robbery incident. The first arrest resulted in a non-robbery prosecution in Criminal Court. Both cases were transferred to Supreme Court and subsumed in one indictment. Only one of these cases were tracked in Supreme Court.

<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

TABLE 84

NON-TRANSIT ROBBERY ARREST MADE DECEMBER 1981 OR APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

COUNTY OF INCIDENT BY CRIMINAL COURT  
STATUS AS OF AUGUST 29, 1984

<u>CRIMINAL COURT STATUS</u>	<u>COUNTY OF INCIDENT</u>									
	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>TOTAL</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Dismissed, ACD	144	23.4%	197	27.2%	91	28.6%	75	21.2%	507	25.2%
Pled Guilty <sup>1</sup>	159	25.8	132	18.2	65	20.4	60	17.0	416	20.7
Transferred to Supreme Court <sup>2</sup>	291	47.2	382	52.6	157	49.4	195	55.2	1025	50.9
Transferred to Family Court	14	2.3	1	0.1	1	0.3	12	3.4	28	1.4
Other <sup>3</sup>	-	-	-	-	-	-	2	0.6	2	0.1
<u>SUBTOTAL COMPLETED</u>	<u>608</u>	<u>98.7%</u>	<u>712</u>	<u>98.1%</u>	<u>314</u>	<u>98.7%</u>	<u>344</u>	<u>97.4%</u>	<u>1978</u>	<u>98.3%</u>
<u>PENDING</u>										
Continued	-	-	1	0.1	-	-	-	-	1	-
Warrant Ordered	8	1.3	13	1.8	4	1.3	9	2.6	34	1.7
<u>SUBTOTAL PENDING</u>	<u>8</u>	<u>1.3%</u>	<u>14</u>	<u>1.9%</u>	<u>4</u>	<u>1.3%</u>	<u>9</u>	<u>2.6%</u>	<u>35</u>	<u>1.7%</u>
	<u>616</u>	<u>100.0%</u>	<u>726</u>	<u>100.0%</u>	<u>318</u>	<u>100.0%</u>	<u>353</u>	<u>100.0%</u>	<u>2013</u>	<u>100.0%</u>
Status Not Available	5		6		7		1		19	
<u>TOTAL ARRAIGNED</u>	<u>621</u>		<u>732</u>		<u>325</u>		<u>354</u>		<u>2032</u>	
Not Arraigned <sup>4</sup>	20		3		3		15		41	
<u>TOTAL ARRESTED</u>	<u>641</u>		<u>735</u>		<u>328</u>		<u>369</u>		<u>2073</u>	

<sup>1</sup>Includes three defendants who were tried and found guilty.

<sup>2</sup>Does not include ten cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table.

<sup>3</sup>Includes one case that was transferred to another county's jurisdiction and one case abated by the death of the defendant.

<sup>4</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

dismissal rate (12.8%) than its non-transit arrests (23.4%).<sup>14</sup> Finally, in Queens County, the percentage of non-transit defendants whose cases were transferred to Supreme Court (49.4%) was lower than that found among transit defendants (56.1%).

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<sup>14</sup>The differences between plea and dismissal rates observed for transit and non-transit defendants in Kings County were also found when defendant age, prior criminal history, and most severe arrest charge were controlled. Generally, the plea rates were higher and the dismissal rates lower for transit defendants than for same-age non-transit defendants and for non-transit defendants with similar criminal histories. Kings County transit defendants charged at arrest with robbery 1 had higher plea rates than similarly charged non-transit defendants while non-transit defendants had higher dismissal rates than transit defendants among both robbery 1 and robbery 2 arrestees. To test whether these higher plea rates among transit defendants resulted from the efforts of the Transit Crime Unit of the Office of the Kings County District Attorney which began operations in mid-February 1982, the data were divided into two groups: (1) defendants arrested between December 1, 1981, and January 31, 1982 (transit) and in December 1981 (non-transit) and (2) defendants arrested between March 1 and June 30, 1982 (transit) and in April 1982 (non-transit). (The February 1982 transit arrestees were not assigned to either period to control for a possible Transit Crime Unit start-up effect.) Among transit defendants, the plea rate remained fairly constant in the two periods (going from 37.7% to 35.1%) while the dismissal rate fell (from 18.5% to 4.6%). Among non-transit defendants, the dismissal rate remained constant (at 23.2% in December and 23.3% in April) while the plea rate fell (from 34.3% to 18.1%). The rate of transfer to Supreme Court rose for both groups (from 39.2% to 52.7% among the transit defendants and from 38.7% to 54.1% among the non-transit defendants). These findings may suggest a general strategy in the Kings County District Attorney's Office during that period to seek more indictments. The efforts of the Transit Crime Unit may have affected the Criminal Court plea rate among transit defendants arrested after March 1, producing a different effect from that found for non-transit defendants. (These figures do not appear in any tables in this report.)

B. Most Severe Arrest Charge and Criminal Court Status

As expected, among both transit and non-transit arrests, the highest percentage of Supreme Court transfer rates were among those charged with robbery 1 (67.5% of transit defendants and 62.7% of non-transit defendants). (See, Tables 85 and 86.) Defendants charged with robbery 2 had very similar disposition patterns in both groups also, but there were substantially fewer transfers to Supreme Court within this charge category for both the transit (43.6%) and non-transit robberies (43.0%) than among the arrestees charged with first degree robbery. Of the more than one hundred defendants charged with attempted robbery 2 or attempted robbery 3 (including both arrest groups), fewer than 9.0% were transferred to Supreme Court.

The largest differences in Criminal Court outcome between transit and non-transit cases occurred among the relatively small number of defendants charged with attempted robbery 1 and 2. Among defendants charged with attempted robbery 1, transit defendants pled guilty more often (35.1%) but had fewer of their cases dismissed (18.9%) than non-transit defendants (20.5% and 35.9%, respectively). Conversely, among defendants charged with attempted robbery 2, transit defendants had a lower percentage of guilty pleas (42.4%) than non-transit defendants (54.1%) and a higher percentage of dismissals (51.5% compared to 35.1% for non-transit defendants).<sup>15</sup>

C. Defendant Age and Criminal Court Status

As Tables 87 and 88 illustrate, among both transit and non-transit defendants, those under 16 years of age showed the highest rates of transfer to Supreme Court (66.2% and 62.1%, respectively).

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<sup>15</sup> Due to the relatively small number of cases within the attempted robbery 1 and 2 charge categories, caution should be used when interpreting these findings.



TABLE 85

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE ARREST CHARGE BY CRIMINAL COURT  
STATUS AS OF AUGUST 29, 1984

MOST SEVERE ARREST CHARGE

CRIMINAL COURT STATUS	Robbery 1		Attempted Robbery 1		Robbery 2		Attempted Robbery 2		Robbery 3		Attempted Robbery 3		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<u>COMPLETED</u>														
Dismissed, ACD	62	17.8%	7	18.9%	108	27.7%	17	51.5%	8	19.0%	3	25.0%	205	23.8%
Pled Guilty <sup>1</sup>	42	12.1	13	35.1	94	24.1	14	42.4	21	50.0	9	75.0	193	22.4
Transferred to Supreme Court <sup>2</sup>	235	67.5	14	37.9	170	43.6	2	6.1	12	28.6	-	-	433	50.2
Transferred to Family Court	5	1.4	1	2.7	10	2.6	-	-	-	-	-	-	16	1.9
SUBTOTAL COMPLETED	344	98.8%	35	94.6%	382	98.0%	33	100.0%	41	97.6%	12	100.0%	847	98.3%
<u>PENDING</u>														
Continued	1	0.3%	-	-	1	0.2%	-	-	-	-	-	-	2	0.2%
Warrant Ordered	3	0.9	2	5.4%	7	1.8	-	-	1	2.4%	-	-	13	1.5
SUBTOTAL PENDING	4	1.2%	2	5.4%	8	2.0%	-	-	1	2.4%	-	-	15	1.7%
	348	100.0%	37	100.0%	390	100.0%	33	100.0%	42	100.0%	12	100.0%	862	100.0%
Status Not Available	3		-		2		-		-		1		6	
TOTAL ARRAIGNED	351		37		392		33		42		13		868	
Not Arraigned <sup>3</sup>	3		4		10		3		-		1		21	
Case Sent Directly to Family Court Before Arraignment	2		-		-		-		-		-		2	
TOTAL ARRESTED	356		41		402		36		42		14		891	

<sup>1</sup>Includes six defendants who were tried and found guilty.

<sup>2</sup>Does not include six cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table. This category does include two arrests of one defendant for one robbery incident. The first arrest resulted in a non-robbery prosecution in Criminal Court. Both cases were transferred to Supreme Court and subsumed in one indictment. Only one of these cases was tracked in Supreme Court.

<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

TABLE 86

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE ARREST CHARGE BY CRIMINAL COURT  
STATUS AS OF AUGUST 29, 1984

## MOST SEVERE ARREST CHARGE

CRIMINAL COURT STATUS	Robbery 1		Attempted Robbery 1		Robbery 2		Attempted Robbery 2		Robbery 3		Attempted Robbery 3		Charge Not Available <sup>1</sup>	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	N	%
Dismissed, ACD	241	23.4%	14	35.9%	186	27.7%	13	35.1%	48	22.7%	5	20.8%	-	507	25.2%
Pled Guilty <sup>2</sup>	107	10.4	8	20.5	172	25.6	20	54.1	94	44.6	15	62.5	-	416	20.7
Transferred to Supreme Court <sup>3</sup>	646	62.7	17	43.6	289	43.0	4	10.8	66	31.3	3	12.5	-	1025	50.9
Transferred to Family Court	15	1.5	-	-	13	1.9	-	-	-	-	-	-	-	28	1.4
Other <sup>4</sup>	-	-	-	-	1	0.2	-	-	1	0.5	-	-	-	2	0.1
SUBTOTAL COMPLETED	1009	98.0%	39	100.0%	661	98.4%	37	100.0%	209	99.1%	23	95.8%	-	1978	98.3%
<u>PENDING</u>															
Continued	1	0.1%	-	-	-	-	-	-	-	-	-	-	-	1	-
Warrant Ordered	20	1.9	-	-	11	1.6%	-	-	2	0.9%	1	4.2%	-	34	1.7%
SUBTOTAL PENDING	21	2.0%	-	-	11	1.6%	-	-	2	0.9%	1	4.2%	-	35	1.7%
	1030	100.0%	39	100.0%	672	100.0%	37	100.0%	211	100.0%	24	100.0%	-	2013	100.0%
Status Not Available	5		1		8		2		2		1		-	19	
TOTAL ARRAIGNED	1035		40		680		39		213		25		-	2032	
Not Arraigned <sup>5</sup>	15		1		10		-		3		1		11	41	
TOTAL ARRESTED	1050		41		690		39		216		26		11	2073	

<sup>1</sup>When these arrests were selected as part of the non-transit comparison group, their most severe arrest charges in UDIIS were robberies. Subsequently, charge information for these cases was not available.

<sup>2</sup>Includes three defendants who were tried and found guilty.

<sup>3</sup>Does not include ten cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table.

<sup>4</sup>Includes one case that was transferred to another county's jurisdiction and one case abated by the death of the defendant.

<sup>5</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

TABLE 87

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY CRIMINAL COURT STATUS  
AS OF AUGUST 29, 1984

CRIMINAL COURT STATUS	DEFENDANT AGE										Age Not Available	TOTAL	
	Under 16 Years		16-18 Years		19-24 Years		25-29 Years		Over 29 Years			N	%
	N	%	N	%	N	%	N	%	N	%			
COMPLETED													
Dismissed, ACD	10	13.0%	119	27.9%	57	21.2%	9	16.1%	9	32.1%	1	205	23.8%
Pled Guilty <sup>1</sup>	-	-	106	24.9	59	21.9	22	39.3	5	17.9	1	193	22.4
Transferred to <sup>2</sup> Supreme Court	51	66.2	195	45.8	150	55.8	21	37.5	12	42.9	4	433	50.2
Transferred to Family Court	16	20.8	-	-	-	-	-	-	-	-	-	16	1.9
SUBTOTAL COMPLETED	77	100.0%	420	98.6%	266	98.9%	52	92.9%	26	92.9%	6	847	98.3%
PENDING													
Continued	-	-	1	0.2	1	0.4	-	-	-	-	-	2	0.2
Warrant Ordered	-	-	5	1.2	2	0.7	4	7.1	2	7.1	-	13	1.5
SUBTOTAL PENDING	-	-	6	1.4%	3	1.1%	4	7.1%	2	7.1%	-	15	1.7%
	77	100.0%	426	100.0%	269	100.0%	56	100.0%	28	100.0%	6	862	100.0%
Status Not Available	1		2		2		-		1		-	6	
TOTAL ARRAIGNED	78		428		271		56		29		6	868	
Not Arraigned <sup>3</sup>	2		10		6		1		-		2	21	
Case Sent Directly to Family Court Before Arraignment	2		-		-		-		-		-	2	
TOTAL ARRESTED	82		438		277		57		29		8	891	

<sup>1</sup>Includes six defendants who were tried and found guilty.

<sup>2</sup>Does not include six cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table. This category does include two arrests of one defendant for one robbery incident. The first arrest resulted in a non-robbery prosecution in Criminal Court. Both cases were transferred to Supreme Court and subsumed in one indictment. Only one of these cases was tracked in Supreme Court.

<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

TABLE 88

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY CRIMINAL COURT STATUS  
AS OF AUGUST 29, 1984

CRIMINAL COURT STATUS	DEFENDANT AGE										Age Not Available	TOTAL	
	Under 16 Years		16-18 Years		19-24 Years		25-29 Years		Over 29 Years			N	N
	N	%	N	%	N	%	N	%	N	%			
<u>COMPLETED</u>													
Dismissed, ACD	15	12.9%	158	25.5%	161	24.2%	89	30.7%	81	26.3%	3	507	25.2%
Pled Guilty <sup>1</sup>	-	-	157	25.4	122	18.4	64	22.0	70	22.7	3	416	20.7
Transferred to Supreme Court <sup>2</sup>	72	62.1	299	48.3	364	54.7	131	45.2	150	48.7	9	1025	50.9
Transferred to Family Court	28	24.1	-	-	-	-	-	-	-	-	-	28	1.4
Other <sup>3</sup>	-	-	1	0.2	-	-	-	-	1	0.3	-	2	0.1
SUBTOTAL COMPLETED	115	99.1%	615	99.4%	647	97.3%	284	97.9%	302	98.0%	15	1978	98.3%
<u>PENDING</u>													
Continued	-	-	-	-	1	0.1	-	-	-	-	-	1	-
Warrant Ordered	1	0.9	4	0.6	17	2.6	6	2.1	6	2.0	-	34	1.7
SUBTOTAL PENDING	1	0.9%	4	0.6%	18	2.7%	6	2.1%	6	2.0%	-	35	1.7%
	116	100.0%	619	100.0%	665	100.0%	290	100.0%	308	100.0%	15	2013	100.0%
Status Not Available	3		3		5		3		5		-	19	
TOTAL ARRAIGNED	119		622		670		293		313		15	2032	
Not Arraigned <sup>4</sup>	7		11		7		3		2		11	41	
TOTAL ARRESTED	126		633		677		296		315		26	2073	

<sup>1</sup>Includes three defendants who were tried and found guilty.

<sup>2</sup>Does not include ten cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table.

<sup>3</sup>Includes one case that was transferred to another county's jurisdiction and one case abated by the death of the defendant.

<sup>4</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

This appears to be related to the arrest charges of these defendants. Two thirds of all defendants under 16 years of age were charged with robbery 1 and, as previously stated, a higher percentage of defendants (both transit and non-transit) charged with robbery 1 were transferred to Supreme Court than among any other charge category.<sup>16</sup> Note also that no defendants under 16 years of age in either the transit or the non-transit groups pled guilty in Criminal Court.<sup>17</sup> Transit defendants in the 25-to-29-years age category were more likely to plead guilty than non-transit defendants (39.3% and 22.0%, respectively). Conversely, non-transit defendants in the same age group were more likely to have their cases dismissed or adjourned in contemplation of dismissal than transit defendants (30.7% of the non-transit defendants compared to 16.1% of the transit defendants).<sup>18</sup>

To isolate the interactions among defendant age and most severe arrest charge, Criminal Court status was examined separately for robbery 1 and robbery 2 arrests (the two largest charge categories). (See, Tables 89 and 90.) Among the robbery 1 arrestees, differences in Criminal Court outcome appeared when transit and non-transit arrests were examined separately for three different age categories (under 16, 16 to 18, and over 18 years). For those charged at arrest with robbery 2, above- and below-ground arrestees have similar Criminal Court outcome distributions across all three age categories.

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<sup>16</sup> See, p.187, supra.

<sup>17</sup> This is because, under Section 180.75 of the New York State Criminal Procedure Law (CPL), a Criminal Court judge has three options for dealing with felony complaints involving juveniles (in this case, 14 or 15 year olds charged with robbery 1 or robbery 2): the judge can remove the case to Family Court, transfer it to Supreme Court, or dismiss the charges.

<sup>18</sup> These figures for transit defendants may be skewed due to the relatively small number of transit cases in this age group (N=57).

TABLE 89

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982  
AND NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY 1:

DEFENDANT AGE BY CRIMINAL COURT STATUS  
AS OF AUGUST 29, 1984

## DEFENDANT AGE

CRIMINAL COURT STATUS	Under 16 Years				16-18 Years				Over 18 Years				Age Not Available	
	Transit		Non-Transit		Transit		Non-Transit		Transit		Non-Transit		Transit	Non-Transit
	N	%	N	%	N	%	N	%	N	%	N	%	N	N
<u>COMPLETED</u>														
Dismissed, ACD	6	12.2%	9	10.8%	35	21.5%	57	20.9%	21	15.8%	172	26.0%	-	3
Pled Guilty <sup>1</sup>	-	-	-	-	23	14.1	39	14.3	19	14.3	67	10.1	-	1
Transferred to Supreme Court <sup>2</sup>	38	77.6	58	69.9	103	63.2	175	64.1	91	68.4	405	61.2	3	8
Transferred to Family Court	5	10.2	15	18.1	-	-	-	-	-	-	-	-	-	-
SUBTOTAL COMPLETED	49	100.0%	82	98.8%	161	98.8%	271	99.3%	131	98.5%	644	97.3%	3	12
<u>PENDING</u>														
Continued	-	-	-	-	1	0.6	-	-	-	-	1	0.1	-	-
Warrant Ordered	-	-	1	1.2	1	0.6	2	0.7	2	1.5	17	2.6	-	-
SUBTOTAL PENDING	-	-	1	1.2%	2	1.2%	2	0.7%	2	1.5%	18	2.7%	-	-
	49	100.0%	83	100.0%	163	100.0%	273	100.0%	133	100.0%	662	100.0%	3	12
Status Not Available	1		1		1		-		1		4		-	-
TOTAL ARRAIGNED	50		84		164		273		134		666		3	12
Not Arraigned <sup>3</sup>	1		2		1		9		1		4		-	-
Case Sent Directly to Family Court Before Arraignment	2		-		-		-		-		-		-	-
TOTAL ARRESTED	53		86		165		282		135		670		3	12

<sup>1</sup>Includes 2 transit defendants and 1 non-transit defendant tried and found guilty.

<sup>2</sup>Does not include 1 transit case and 8 non-transit cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table.

<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

TABLE 89 Continued

CRIMINAL COURT STATUS	TOTAL			
	Transit		Non-Transit	
	N	%	N	%
<u>COMPLETED</u>				
Dismissed, ACD	62	17.8%	241	23.4%
Pled Guilty <sup>1</sup>	42	12.1	107	10.4
Transferred to Supreme Court <sup>2</sup>	235	67.5	646	62.7
Transferred to Family Court	5	1.4	15	1.5
SUBTOTAL COMPLETED	344	98.8%	1009	98.0%
<u>PENDING</u>				
Continued	1	0.3	1	0.1
Warrant Ordered	3	0.9	20	1.9
SUBTOTAL PENDING	4	1.2%	21	2.0%
	348	100.0%	1030	100.0%
Status Not Available	3		5	
TOTAL ARRAIGNED	351		1035	
Not Arraigned <sup>3</sup>	3		15	
Case Sent Directly to Family Court Before Arraignment	2		-	
TOTAL ARRESTED	356		1050	

TABLE 90

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982  
AND NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY 2:

DEFENDANT AGE BY CRIMINAL COURT STATUS  
AS OF AUGUST 29, 1984

DEFENDANT AGE

CRIMINAL COURT STATUS	Under 16 Years				16-18 Years				Over 18 Years				Age Not Available	
	Transit		Non-Transit		Transit		Non-Transit		Transit		Non-Transit		Transit	Non-Transit
	N	%	N	%	N	%	N	%	N	%	N	%	N	N
<u>COMPLETED</u>														
Dismissed, ACD	4	14.8%	5	15.6%	66	31.9%	75	29.2%	38	24.5%	106	27.9%	-	-
Pled Guilty <sup>1</sup>	-	-	-	-	54	26.1	75	29.2	40	25.8	95	25.0	-	2
Transferred to Supreme Court <sup>2</sup>	13	48.2	14	43.8	84	40.6	105	40.8	72	46.5	169	44.5	1	1
Transferred to Family Court	10	37.0	13	40.6	-	-	-	-	-	-	-	-	-	-
Transferred to Other Jurisdiction	-	-	-	-	-	-	-	-	-	-	1	0.3	-	-
SUBTOTAL COMPLETED	27	100.0%	32	100.0%	204	98.6%	255	99.2%	150	96.8%	371	97.7%	1	3
<u>PENDING</u>														
Continued	-	-	-	-	-	-	-	-	1	0.6	-	-	-	-
Warrant Ordered	-	-	-	-	3	1.4	2	0.8	4	2.6	9	2.3	-	-
SUBTOTAL PENDING	-	-	-	-	3	1.4%	2	0.8%	5	3.2%	9	2.3%	-	-
	27	100.0%	32	100.0%	207	100.0%	257	100.0%	155	100.0%	380	100.0%	1	3
Status Not Available	-		2		1		1		1		5		-	-
TOTAL ARRAIGNED	27		34		208		258		156		385		1	3
Not Arraigned <sup>3</sup>	1		4		4		2		4		4		1	-
TOTAL ARRESTED	28		38		212		260		160		389		2	3

<sup>1</sup>Included 2 transit defendants and 1 non-transit defendant tried and found guilty.

<sup>2</sup>Does not include 2 transit cases and 1 non-transit case transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table. This category does include two arrests of one defendant for one transit robbery incident. The first arrest resulted in a non-robbery prosecution in Criminal Court. Both cases were transferred to Supreme Court and subsumed in one indictment. Only one of these cases was tracked in Supreme Court.

<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.



TABLE 90 Continued

CRIMINAL COURT STATUS	TOTAL			
	Transit		Non-Transit	
	N	%	N	%
<u>COMPLETED</u>				
Dismissed, ACD	108	27.7%	186	27.7%
Pled Guilty <sup>1</sup>	94	24.1	172	25.6
Transferred to Supreme Court <sup>2</sup>	170	43.6	289	43.0
Transferred to Family Court	10	2.6	13	1.9
Transferred to Other Jurisdiction	-	-	1	0.2
SUBTOTAL COMPLETED	382	98.0%	661	98.4%
<u>PENDING</u>				
Continued	1	0.2	-	-
Warrant Ordered	7	1.8	11	1.6
SUBTOTAL PENDING	8	2.0%	11	1.6%
	390	100.0%	672	100.0%
Status Not Available	2		8	
TOTAL ARRAIGNED	392		680	
Not Arraigned <sup>3</sup>	10		10	
TOTAL ARRESTED	402		690	

For robbery 1 arrestees under 16 years or over 18 years, the rates of transfer to Supreme Court were higher for transit defendants (77.6% and 68.4%, respectively) than for non-transit defendants (69.9% and 61.2%, respectively). Among the comparison group of non-transit robbery 1 arrestees, the percentage of defendants whose cases were transferred to Family Court (18.1%) was higher than that for transit arrestees similarly charged (10.2%). Non-transit arrests also had a higher dismissal rate among defendants 19 years or older (26.0%) than the transit defendants in that age category (15.8%). Because the non-transit comparison group had larger percentages of both robbery 1 arrests and defendants over 18 years of age,<sup>19</sup> this high dismissal rate for older non-transit robbery 1 arrestees would be expected to have weighted the overall distribution of Criminal Court status for the non-transit comparison group, producing a dismissal rate for non-transit arrestees which was considerably higher than that for transit arrestees. This expected effect, however, appears to have been mitigated by the comparatively high dismissal rates among transit defendants charged with attempted robbery 2 and attempted robbery 3.<sup>20</sup>

#### D. Defendant Criminal History and Criminal Court Status

Although, as mentioned previously, the overall Criminal Court disposition distributions were very similar for the transit and non-transit groups, some differences between the groups were evident when individual criminal history categories were examined. (See, Tables 91 and 92.) For instance, a higher percentage of non-transit defendants with prior felony convictions had their cases dismissed than transit defendants with the same criminal history (22.3% and 14.7%, respectively) while transit arrestees in this

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<sup>19</sup> See, pp.165, 168 and p.172, supra, for discussions of the distribution of arrest charges and defendant ages, respectively, among the two robbery groups.

<sup>20</sup> See, Tables 85 and 86.

TABLE 91

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY CRIMINAL COURT STATUS  
AS OF AUGUST 29, 1984

DEFENDANT CRIMINAL HISTORY

CRIMINAL COURT STATUS	First Arrest		No Convictions- No Open Cases		Open Cases Only		Prior Misdemeanor Conviction With or Without Open Cases		Prior Felony Conviction With or Without Open Cases		NYSID Not Available	Criminal History Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	N	%
<u>COMPLETED</u>														
Dismissed, ACD	91	29.1%	19	16.6%	55	26.5%	26	18.6%	11	14.7%	2	1	205	23.8%
Pled Guilty <sup>1</sup>	56	17.9	36	31.6	36	17.4	39	27.9	22	29.3	1	3	193	22.4
Transferred to Supreme Court <sup>2</sup>	144	46.0	57	50.0	112	54.1	73	52.1	41	54.7	4	2	433	50.2
Transferred to Family Court	13	4.1	1	0.9	2	1.0	-	-	-	-	-	-	16	1.9
SUBTOTAL COMPLETED	304	97.1%	113	99.1%	205	99.0%	138	98.6%	74	98.7%	7	6	847	98.3%
<u>PENDING</u>														
Continued	2	0.6	-	-	-	-	-	-	-	-	-	-	2	0.2
Warrant Ordered	7	2.3	1	0.9	2	1.0	2	1.4	1	1.3	-	-	13	1.5
SUBTOTAL PENDING	9	2.9%	1	0.9%	2	1.0%	2	1.4%	1	1.3%	-	-	15	1.7%
	313	100.0%	114	100.0%	207	100.0%	140	100.0%	75	100.0%	7	6	862	100.0%
Status Not Available	3		-		-		2		1		-	-	6	
TOTAL ARRAIGNED	316		114		207		142		76		7	6	868	
Not Arraigned <sup>3</sup>	3		-		2		-		2		11	3	21	
Case Sent Directly To Family Court Before Arraignment	-		-		-		-		-		-	2	2	
TOTAL ARRESTED	319		114		209		142		78		18	11	891	

<sup>1</sup>Includes six defendants who were tried and found guilty.

<sup>2</sup>Does not include six cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table. This category does include two arrests of one defendant for one robbery incident. The first arrest resulted in a non-robbery prosecution in Criminal Court. Both cases were transferred to Supreme Court and subsumed in one indictment. Only one of these cases was tracked in Supreme Court.

<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

TABLE 92

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY CRIMINAL COURT STATUS  
AS OF AUGUST 29, 1984

## DEFENDANT CRIMINAL HISTORY

CRIMINAL COURT STATUS	First Arrest		No Convictions- No Open Cases		Open Cases Only		Prior Misdemeanor Conviction With or Without Open Cases		Prior Felony Conviction With or Without Open Cases		NYSID Not Available	Criminal History Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	N	%
<u>COMPLETED</u>														
Dismissed, ACD	180	28.7%	69	29.3%	93	24.1%	87	20.7%	72	22.3%	2	4	507	25.2%
Pled Guilty <sup>1</sup>	116	18.5	54	23.0	88	22.8	95	22.6	58	18.0	4	1	416	20.7
Transferred to Supreme Court <sup>2</sup>	293	46.6	105	44.7	201	52.1	228	54.3	189	58.5	7	2	1025	50.9
Transferred to Family Court	25	4.0	3	1.3	-	-	-	-	-	-	-	-	28	1.4
Other <sup>3</sup>	-	-	1	0.4	-	-	-	-	-	-	-	1	2	0.1
SUBTOTAL COMPLETED	614	97.8%	232	98.7%	382	99.0%	410	97.6%	319	98.8%	13	8	1978	98.3%
<u>PENDING</u>														
Continued	1	0.1	-	-	-	-	-	-	-	-	-	-	1	-
Warrant Ordered	13	2.1	3	1.3	4	1.0	10	2.4	4	1.2	-	-	34	1.7
SUBTOTAL PENDING	14	2.2%	3	1.3%	4	1.0%	10	2.4%	4	1.2%	-	-	35	1.7%
	628	100.0%	235	100.0%	386	100.0%	420	100.0%	323	100.0%	13	8	2013	100.0%
Status Not Available	8		4		2		1		4		-	-	19	
TOTAL ARRAIGNED	636		239		388		421		327		13	8	2032	
Not Arraigned <sup>4</sup>	7		5		-		1		4		9	15	41	
TOTAL ARRESTED	643		244		388		422		331		22	23	2073	

<sup>1</sup>Includes three defendants who were tried and found guilty.

<sup>2</sup>Does not include ten cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table.

<sup>3</sup>Includes one case that was transferred to another county's jurisdiction and one case abated by the death of the defendant.

<sup>4</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

group pled guilty in Criminal Court at a higher rate than non-transit arrestees (29.3% compared to 18.0% for the below-ground defendants). Transit defendants with prior arrests but no convictions had lower rates of dismissal (16.6% compared to 29.3%) and higher plea rates (31.6% compared to 23.0%) than non-transit defendants.

Tables 93 and 94, showing Criminal Court status in relation to criminal history for defendants charged at arrest with robbery 1 and robbery 2, respectively, demonstrates that the above differences are somewhat charge-specific. For instance, among defendants charged with robbery 1, non-transit defendants, with the exception of prior misdemeanants where the differences between the two groups were slight,<sup>21</sup> were more likely to have their cases dismissed than transit arrestees; among robbery 2 arrestees, the non-transit dismissal rates were higher only among prior misdemeanants. In addition, among robbery 2 arrestees, dismissal rates were higher for transit defendants with no prior arrests (35.2% compared to 29.6% for non-transit cases in this category).

#### IV. CRIMINAL COURT SENTENCE

This section provides a comparison of the Criminal Court sentences imposed for transit and non-transit defendants, analyzed by most severe arrest charge, defendant age, and defendant criminal history.

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<sup>21</sup>"Prior misdemeanants" includes defendants with and without open cases pending against them but does not include defendants with prior felony convictions.

TABLE 93

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982  
AND NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY 1:

DEFENDANT CRIMINAL HISTORY BY CRIMINAL COURT STATUS  
AS OF AUGUST 29, 1984

CRIMINAL COURT STATUS	First Arrest				No Prior Convictions-With or Without Open Cases				Prior Misdemeanor Conviction Only- With or Without Open Cases				Prior Felony Conviction- With or Without Prior Misdemeanor Convictions or Open Cases			
	Transit		Non-Transit		Transit		Non-Transit		Transit		Non-Transit		Transit		Non-Transit	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<u>COMPLETED</u>																
Dismissed, ACD	29	21.6%	86	26.7%	19	15.2%	69	23.0%	9	17.0%	39	18.7%	4	13.8%	45	24.1%
Pled Guilty <sup>1</sup>	15	11.2	24	7.5	15	12.0	42	14.0	7	13.2	23	11.0	4	13.8	15	8.0
Transferred to Supreme Court <sup>2</sup>	81	60.5	194	60.2	91	72.8	184	61.3	37	69.8	138	66.0	21	72.4	123	65.8
Transferred to Family Court	5	3.7	13	4.0	-	-	2	0.7	-	-	-	-	-	-	-	-
SUBTOTAL COMPLETED	130	97.0%	317	98.4%	125	100.0%	297	99.0%	53	100.0%	200	95.7%	29	100.0%	183	97.9%
<u>PENDING</u>																
Continued	1	0.8	1	0.3	-	-	-	-	-	-	-	-	-	-	-	-
Warrant Ordered	3	2.2	4	1.3	-	-	3	1.0	-	-	9	4.3	-	-	4	2.1
SUBTOTAL PENDING	4	3.0%	5	1.6%	-	-	3	1.0%	-	-	9	4.3%	-	-	4	2.1
	134	100.0%	322	100.0%	125	100.0%	300	100.0%	53	100.0%	209	100.0%	29	100.0%	187	100.0%
Status Not Available	1		2		-		2		1		-		1		1	
TOTAL ARRAIGNED	135		324		125		302		54		209		30		188	
Not Arraigned <sup>3</sup>	-		1		-		3		-		-		1		1	
Case Sent Directly to Family Court	-		-		-		-		-		-		-		-	
Before Arraignment	-		-		-		-		-		-		-		-	
TOTAL ARRESTED	135		325		125		305		54		209		31		189	

<sup>1</sup>Includes 2 transit defendants and 1 non-transit defendant tried and found guilty.

<sup>2</sup>Does not include 1 transit and 8 non-transit cases which were transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table.

<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.

TABLE 93 Continued

CRIMINAL COURT STATUS	NYSID Not Available		Criminal History Not Available		TOTAL			
	Transit	Non-Transit	Transit	Non-Transit	Transit		Non-Transit	
	N	N	N	N	N	%	N	%
<u>COMPLETED</u>								
Dismissed, ACD	1	-	-	2	62	17.8%	241	23.4%
Pled Guilty <sup>1</sup>	-	3	1	-	42	12.1	107	10.4
Transferred to Supreme Court <sup>2</sup>	3	5	2	2	235	67.5	646	62.7
Transferred to Family Court	-	-	-	-	5	1.4	15	1.5
SUBTOTAL COMPLETED	4	8	3	4	344	98.8%	1009	98.0%
<u>PENDING</u>								
Continued	-	-	-	-	1	0.3	1	0.1
Warrant Ordered	-	-	-	-	3	0.9	20	1.9
SUBTOTAL PENDING	-	-	-	-	4	1.2%	21	2.0%
	4	8	3	4	348	100.0%	1030	100.0%
Status Not Available	-	-	-	-	3		5	
TOTAL ARRAIGNED	4	8	3	4	351		1035	
Not Arraigned <sup>3</sup>	1	7	1	3	3		15	
Case Sent Directly to Family Court								
Before Arraignment	-	-	2	-	2		-	
TOTAL ARRESTED	5	15	6	7	356		1050	

TABLE 94

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982  
AND NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OR ROBBERY 2:

DEFENDANT CRIMINAL HISTORY BY CRIMINAL COURT STATUS  
AS OF AUGUST 29, 1984

DEFENDANT CRIMINAL HISTORY

CRIMINAL COURT STATUS	First Arrest				No Prior Convictions-With or Without Open Cases				Prior Misdemeanor Conviction Only- With or Without Open Cases				Prior Felony Conviction- With or Without Prior Misdemeanor Convictions or Open Cases			
	Transit		Non-Transit		Transit		Non-Transit		Transit		Non-Transit		Transit		Non-Transit	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<u>COMPLETED</u>																
Dismissed, ACD	51	35.2%	63	29.6%	41	27.9%	64	28.2%	8	12.9%	37	26.2%	7	21.2%	18	21.7
Pled Guilty <sup>1</sup>	27	18.6	48	22.5	34	23.1	67	29.5	24	38.7	39	27.7	8	24.3	16	19.3
Transferred to Supreme Court <sup>2</sup>	56	38.6	83	39.0	67	45.6	92	40.5	29	46.8	64	45.4	17	51.5	49	59.0
Transferred to Family Court	.8	5.5	12	5.6	2	1.4	1	0.5	-	-	-	-	-	-	-	-
Transferred to Other Jurisdiction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL COMPLETED	142	97.9%	206	96.7%	144	98.0%	224	98.7%	61	98.4%	140	99.3%	32	97.0%	83	100.0%
<u>PENDING</u>																
Continued	1	0.7	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warrant Ordered	2	1.4	7	3.3	3	2.0	3	1.3	1	1.6	1	0.7	1	3.0	-	-
SUBTOTAL PENDING	3	2.1%	7	3.3%	3	2.0%	3	1.3%	1	1.6%	1	0.7%	1	3.0%	-	-
	145	100.0%	213	100.0%	147	100.0%	227	100.0%	62	100.0%	141	100.0%	33	100.0%	83	100.0%
Status Not Available	1		5		-		2		1		-		-		1	
TOTAL ARRAIGNED	146		218		147		229		63		141		33		84	
Not Arraigned <sup>3</sup>	2		5		1		2		-		1		-		-	
TOTAL ARRESTED	148		223		148		231		63		142		33		84	

<sup>1</sup>Includes 2 transit defendants and 1 non-transit defendant tried and found guilty.

<sup>2</sup>Does not include 2 transit cases and 1 non-transit case transferred to Supreme Court and returned to Criminal Court by the Grand Jury. Their final Criminal Court dispositions have been included in this table. This category does include two arrests of one defendant for one transit robbery incident. The first arrest resulted in a non-robbery prosecution in Criminal Court. Both cases were transferred to Supreme Court and subsumed in one indictment. Only one of these cases was tracked in Supreme Court.

<sup>3</sup>Includes cases declined prosecution, voided arrests, and cases not docketed for unknown reasons.



TABLE 94 Continued

CRIMINAL COURT STATUS	NYSID Not Available		Criminal History Not Available		TOTAL			
	Transit	Non-Transit	Transit	Non-Transit	Transit	%	Non-Transit	%
<u>COMPLETED</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Dismissed, ACD	-	2	1	2	108	27.7%	186	27.7%
Pled Guilty <sup>1</sup>	-	1	1	1	94	24.1	172	25.6
Transferred to Supreme Court <sup>2</sup>	1	1	-	-	170	43.6	289	43.0
Transferred to Family Court	-	-	-	-	10	2.6	13	1.9
Transferred to Other Jurisdiction	-	-	-	1	-	-	1	0.2
SUBTOTAL COMPLETED	<u>1</u>	<u>4</u>	<u>2</u>	<u>4</u>	<u>382</u>	<u>98.0%</u>	<u>661</u>	<u>98.4%</u>
<u>PENDING</u>								
Continued	-	-	-	-	1	0.2	-	-
Warrant Ordered	-	-	-	-	7	1.8	11	1.6
SUBTOTAL PENDING	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>8</u>	<u>2.0%</u>	<u>11</u>	<u>1.6%</u>
	<u>1</u>	<u>4</u>	<u>2</u>	<u>4</u>	<u>390</u>	<u>100.0%</u>	<u>672</u>	<u>100.0%</u>
Status Not Available	-	-	-	-	2		8	
TOTAL ARRAIGNED	<u>1</u>	<u>4</u>	<u>2</u>	<u>4</u>	<u>392</u>		<u>680</u>	
Not Arraigned <sup>3</sup>	5	1	2	1	10		10	
TOTAL ARRESTED	<u>6</u>	<u>5</u>	<u>4</u>	<u>5</u>	<u>402</u>		<u>690</u>	

A. General Comparisons

Transit robbery arrests resulting in a Criminal Court conviction were much more likely to have a sentence of probation (33.0%) than non-transit robbery arrests (20.0%). (See, Tables 95 and 96.) Criminal Court sentences of fine or imprisonment, and imprisonment alone, were more common among non-transit robbery arrests than among transit arrests.

B. Most Severe Arrest Charge and Criminal Court Sentence

The difference in the percentage of Criminal Court convictions resulting in a probation sentence was even greater for defendants charged with robbery 1 at arrest: 41.5% of convicted transit defendants with this arrest charge were sentenced to probation compared to only 17.3% of convicted non-transit defendants. (See, Tables 95 and 96.) This difference was also noted among defendants charged with robbery 2 although to a lesser degree (36.7% of transit defendants so charged compared to 25.7% of non-transit defendants). Non-transit defendants charged with robbery 1 were considerably more likely to be sentenced in Criminal Court to a conditional or unconditional discharge than transit defendants similarly charged (44.2% and 21.9%, respectively).

C. Defendant Age and Criminal Court Sentence

Within both the transit and non-transit comparison groups, arrestees aged 16 to 18 years showed a lower percentage of defendants receiving a jail sentence than any other age group (19.4% of the transit and 29.4% of the non-transit defendants) and the highest percentage sentenced to probation (45.6% and 35.1%, respectively).<sup>22</sup> (See, Tables 97 and 98.) Although, overall, non-transit

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<sup>22</sup>This may be related to the group differences in most severe arrest charge found for this age category. (See, p.175, supra.)

TABLE 95

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE ARREST CHARGE BY CRIMINAL COURT SENTENCE  
AS OF AUGUST 29, 1984, FOR DEFENDANTS CONVICTED IN  
CRIMINAL COURT AS OF AUGUST 29, 1984

MOST SEVERE ARREST CHARGE

CRIMINAL COURT SENTENCE	Robbery 1		Attempted Robbery 1		Robbery 2		Attempted Robbery 2		Robbery 3		Attempted Robbery 3		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Imprisonment	13	31.7%	4	30.8%	30	33.3%	6	42.9%	7	33.3%	3	33.3	63	33.5%
Probation	17	41.5	4	30.8	33	36.7	3	21.4	3	14.3	2	22.2	62	33.0
Fine or Imprisonment <sup>1</sup>	2	4.9	-	-	3	3.3	-	-	1	4.8	-	-	6	3.2
Conditional or Un- conditional Discharge	9	21.9	5	38.4	24	26.7	5	35.7	10	47.6	4	44.5	57	30.3
TOTAL SENTENCED	41	100.0%	13	100.0%	90	100.0%	14	100.0%	21	100.0%	9	100.0%	188	100.0%
Sentence Pending	1		-		4		-		-		-		5	
TOTAL CONVICTED IN CRIMINAL COURT	42		13		94		14		21		9		193	

<sup>1</sup>Includes one defendant who received a sentence of fine and conditional discharge.

TABLE 96

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE ARREST CHARGE BY CRIMINAL COURT SENTENCE  
AS OF AUGUST 29, 1984, FOR DEFENDANTS CONVICTED  
IN CRIMINAL COURT AS OF AUGUST 29, 1984

MOST SEVERE ARREST CHARGE

<u>CRIMINAL COURT SENTENCE</u>	<u>Robbery 1</u>		<u>Attempted Robbery 1</u>		<u>Robbery 2</u>		<u>Attempted Robbery 2</u>		<u>Robbery 3</u>		<u>Attempted Robbery 3</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Imprisonment	31	29.8%	3	37.5%	69	40.4%	8	40.0%	48	51.6%	2	13.3%	161	39.2%
Probation	18	17.3	2	25.0	44	25.7	3	15.0	13	14.0	2	13.3	82	20.0
Fine or Imprisonment	9	8.7	1	12.5	10	5.8	6	30.0	7	7.5	4	26.7	37	9.0
Fine	-	-	-	-	2	1.2	-	-	1	1.1	-	-	3	0.7
Conditional or Un- conditional Discharge	46	44.2	2	25.0	46	26.9	3	15.0	24	25.8	7	46.7	128	31.1
TOTAL SENTENCED	104	100.0%	8	100.0%	171	100.0%	20	100.0%	93	100.0%	15	100.0%	411	100.0%
Sentence Pending	3		-		1		-		1		-		5	
TOTAL CONVICTED IN CRIMINAL COURT	107		8		172		20		94		15		416	

TABLE 97

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY CRIMINAL COURT SENTENCE  
AS OF AUGUST 29, 1984, FOR DEFENDANTS  
CONVICTED IN CRIMINAL COURT  
AS OF AUGUST 29, 1984

	DEFENDANT AGE											
CRIMINAL COURT SENTENCE	Under 16 Years		16-18 Years		19-24 Years		25-29 Years		Over 29 Years		Age Not Available	TOTAL
	N	%	N	%	N	%	N	%	N	%	N	%
Imprisonment	-	-	20	19.4%	30	51.7%	12	57.1%	1	20.0%	-	63 33.5%
Probation	-	-	47	45.6	12	20.7	3	14.3	-	-	-	62 33.0
Fine or Imprisonment <sup>1</sup>	-	-	4	3.9	1	1.7	1	4.8	-	-	-	6 3.2
Conditional or Un- conditional Discharge	-	-	32	31.1	15	25.9	5	23.8	4	80.0	1	57 30.3
TOTAL SENTENCED	-	-	103	100.0%	58	100.0%	21	100.0%	5	100.0%	1	188 100.0%
Sentence Pending	-	-	3	-	1	-	1	-	-	-	-	5
TOTAL CONVICTED IN CRIMINAL COURT	-	-	106	-	59	-	22	-	5	-	1	193

<sup>1</sup>Includes one defendant who received a sentence of fine and conditional discharge.

TABLE 98

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY CRIMINAL COURT SENTENCE  
AS OF AUGUST 29, 1984, FOR DEFENDANTS  
CONVICTED IN CRIMINAL COURT  
AS OF AUGUST 29, 1984

DEFENDANT AGE													
CRIMINAL COURT SENTENCE	Under 16 Years		16-18 Years		19-24 Years		25-29 Years		Over 29 Years		Age Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	%
Imprisonment	-	-	46	29.9%	54	44.3%	25	40.4%	34	48.6%	2	161	39.2%
Probation	-	-	54	35.1	23	18.8	3	4.8	2	2.9	-	82	20.0
Fine or Imprisonment	-	-	9	5.8	9	7.4	9	14.5	10	14.3	-	37	9.0
Fine	-	-	1	0.6	-	-	1	1.6	1	1.4	-	3	0.7
Conditional or Un- conditional Discharge	-	-	44	28.6	36	29.5	24	38.7	23	32.8	1	128	31.1
TOTAL SENTENCED	-	-	154	100.0%	122	100.0%	62	100.0%	70	100.0%	3	411	100.0%
Sentence Pending	-	-	3	-	-	-	2	-	-	-	-	5	-
TOTAL CONVICTED IN CRIMINAL COURT	-	-	157	-	122	-	64	-	70	-	3	416	-

defendants were more likely to be sentenced to a jail term, transit defendants aged 19 to 24 years and 25 to 29 years had higher rates of jail sentences than non-transit defendants in the same age categories (51.7% and 57.1% compared to 44.3% and 40.4%, respectively).

D. Defendant Criminal History and Criminal Court Sentence

Not surprisingly, for both groups, as the severity of prior criminal history increased, the percentage of convicted defendants sentenced to jail time increased while the percentage sentenced to probation decreased. Of the non-transit defendants, from 10.8% of those in the first-arrest category to 74.1% of those with prior felony convictions received a jail term while, among the transit defendants from 5.6% of those with no prior arrests to 63.6% of the prior felons received this sentence. (See, Tables 99 and 100.) Defendants in both arrest groups who had prior misdemeanor convictions also tended to have high jail sentence rates (60.6% of the transit and 57.9% of the non-transit defendants convicted in Criminal Court). Transit defendants with no previous arrests, with no prior convictions and no pending cases, and those with pending cases were more likely to be sentenced to probation than non-transit defendants in the same categories (53.7%, 41.6%, and 41.2% compared to 35.1%, 29.6%, 20.4%, respectively). One explanation may be that transit defendants within these criminal history categories tended to be younger than those in the comparison groups with similar backgrounds.<sup>23</sup>

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<sup>23</sup> Among transit defendants with no previous arrests, with no prior convictions, and no open cases, 76.7%, 64.9%, and 67.0%, respectively, were 18 years of age or younger while, among the non-transit arrestees in the same prior criminal history categories, 57.7%, 41.4%, and 48.2%, respectively, were 18 years or younger.

TABLE 99

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY CRIMINAL COURT  
SENTENCE AS OF AUGUST 29, 1984, FOR  
DEFENDANTS CONVICTED IN CRIMINAL  
COURT AS OF AUGUST 29, 1984

DEFENDANT CRIMINAL HISTORY

CRIMINAL COURT SENTENCE	First Arrest		No Convictions- No Open Cases		Open Cases Only		Prior Misdemeanor Conviction With or Without Open Cases		Prior Felony Conviction With or Without Open Cases		NYSID Not Available	Criminal History Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	N	%
Imprisonment	3	5.6%	9	25.0%	14	41.2%	23	60.6%	14	63.6%	-	-	63	33.5%
Probation	29	53.7	15	41.6	14	41.2	1	2.6	1	4.6	-	2	62	33.0
Fine or Imprisonment <sup>1</sup>	2	3.7	1	2.8	1	2.9	1	2.6	-	-	-	1	6	3.2
Conditional or Un- conditional Discharge	20	37.0	11	30.6	5	14.7	13	34.2	7	31.8	1	-	57	30.3
TOTAL SENTENCED	54	100.0%	36	100.0%	34	100.0%	38	100.0%	22	100.0%	1	3	188	100.0%
Sentence Pending	2		-		2		1		-		-	-	5	
TOTAL CONVICTED IN CRIMINAL COURT	56		36		36		39		22		1	3	193	

<sup>1</sup>Includes one defendant who received a sentence of fine and conditional discharge.



TABLE 100

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY CRIMINAL COURT  
SENTENCE AS OF AUGUST 29, 1984, FOR  
DEFENDANTS CONVICTED IN CRIMINAL  
COURT AS OF AUGUST 29, 1984

## DEFENDANT CRIMINAL HISTORY

CRIMINAL COURT SENTENCE	First Arrest		No Convictions- No Open Cases		Open Cases Only		Prior Misdemeanor Conviction With or Without Open Cases		Prior Felony Conviction With or Without Open Cases		NYSID Not Available	Criminal History Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	N	%
Imprisonment	12	10.8%	19	35.2%	29	33.0%	55	57.9%	43	74.1%	3	-	161	39.2%
Probation	39	35.1	16	29.6	18	20.4	6	6.3	2	3.4	-	1	82	20.0
Fine or Imprisonment.	11	9.9	4	7.4	12	13.6	7	7.4	3	5.2	-	-	37	9.0
Fine	2	1.8	-	-	-	-	1	1.0	-	-	-	-	3	0.7
Conditional or Un- conditional Discharge	47	42.4	15	27.8	29	33.0	26	27.4	10	17.3	1	-	128	31.1
TOTAL SENTENCED	111	100.0%	54	100.0%	88	100.0%	95	100.0%	58	100.0%	4	1	411	100.0%
Sentence Pending	5		-		-		-		-		-	-	5	
TOTAL CONVICTED In CRIMINAL COURT	116		54		88		95		58		4	1	416	

One third (33.0%) of the convicted above-ground arrestees with open cases pending against them received a sentence of conditional or unconditional discharge while only 14.7% of their below-ground counterparts received this sentence. Convicted transit defendants in this criminal history category were not only more likely than non-transit defendants to receive jail sentences, as was noted above, but were also more likely to be sentenced to probation (41.2% compared to 20.4%).

#### E. Criminal Court Jail Term

Table 101 presents the distribution of jail terms to which defendants convicted in Criminal Court were sentenced. Among all convicted robbery arrestees sentenced to imprisonment (or to imprisonment and probation), one half (50.9%) were sentenced to a jail term of between 61 days and 365 days. The percentage of transit defendants who received jail terms between 61 days and 180 days (43.8%) was greater than the percentage of non-transit defendants who received jail terms within this same range (29.2%). Non-transit defendants, however, were slightly more likely than transit defendants to receive a sentence of imprisonment of between 181 days and 365 days (18.0% compared to 15.1% for transit defendants). Non-transit defendants, in addition, were more likely than transit defendants to be sentenced to "time served" (18.6% versus 12.3%, respectively) and to between 31 and 60 days (17.4% compared to 8.2%).

TABLE 101

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 AND NON-TRANSIT ROBBERY ARREST MADE DECEMBER 1981  
OR APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD A  
MOST SEVERE ARREST CHARGE OF ROBBERY:

CRIMINAL COURT JAIL TERM FOR TRANSIT AND NON-TRANSIT  
 DEFENDANTS SENTENCED IN CRIMINAL COURT AS OF AUGUST 29, 1984

<u>CRIMINAL COURT</u> <u>JAIL TERM</u>	<u>Transit</u>		<u>Non-Transit</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Time served	9	12.3%	30	18.6%	39	16.7%
1-15 days	7	9.6	9	5.6	16	6.8
16-30 days	8	11.0	18	11.2	26	11.1
31-60 days	6	8.2	28	17.4	34	14.5
61-90 days	14	19.2	22	13.7	36	15.4
91-180 days	18	24.6	25	15.5	43	18.4
181-365 days	11	15.1	29	18.0	40	17.1
<hr/>						
TOTAL SENTENCED TO JAIL IN CRIMINAL COURT	73	100.0%	161	100.0%	234	100.0%

## V. SUPREME COURT STATUS

This section describes the status of those defendants transferred to Supreme Court from Criminal Court.<sup>24</sup> Outcome data are compared for the transit and non-transit arrest groups by most severe indictment charge, defendant age, and defendant criminal history. Most severe indictment charge was used in this section because it was the charge upon which defendants were prosecuted in Supreme Court.

### A. General Comparisons

Among the cases transferred to Supreme Court, the percentage of defendants who pled guilty or were tried and found guilty in Supreme Court was slightly higher for those arrested for transit robberies (77.3%) than for those arrested for robberies outside the subway system (71.7%).<sup>25</sup> (See, Tables 102 and 103.) Non-transit robbery arrests for whom a disposition in Supreme Court was known were slightly more likely to have had their cases sealed<sup>26</sup> or dismissed than transit robbery arrests (22.6% and 19.5%, respectively).

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<sup>24</sup>A random sample of approximately one half of the 1035 above-ground robbery arrests which were transferred to Supreme Court was selected. Supreme Court information for these 515 cases, along with the 438 below-ground Supreme Court transferees, was obtained from OCA's computer system. All Supreme Court information reported in Sections V and VI, therefore, refers only to these 953 cases.

<sup>25</sup>The number of days from Grand Jury indictment to plea or guilty verdict was calculated separately for transit and non-transit defendants. (See, Table 1 in Appendix II.) Transit defendants were more likely to have their cases disposed in Supreme Court within the first two months after indictment (28.6% compared to 17.9% of the non-transit defendants) while non-transit were more likely than transit defendants to have had their cases continued in Supreme Court for over one year (11.6% compared to 6.2% among convicted transit defendants). The distributions of defendants within the other time periods were similar for both groups.

<sup>26</sup>The term "No Public Record" is used by OCA for cases which have been sealed. See, Part II, fn. 31, supra, for a description of the types of cases which may be sealed by the court.

TABLE 102

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

COUNTY OF INCIDENT BY SUPREME COURT STATUS AS OF AUGUST 29, 1984, FOR DEFENDANTS TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

COUNTY OF INCIDENT

<u>SUPREME COURT STATUS</u>	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>TOTAL</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
No Public Record <sup>1</sup>	12	9.8%	22	12.2%	12	32.4%	22	34.3%	68	16.8%
Dismissed	2	1.6	9	5.0	-	-	-	-	11	2.7
Pled Guilty	98	79.7	139	77.2	22	59.5	40	62.5	299	74.1
Tried and Found Guilty	5	4.1	5	2.8	2	5.4	1	1.6	13	3.2
Other <sup>2</sup>	4	3.2	-	-	-	-	-	-	4	1.0
SUBTOTAL COMPLETED	121	98.4%	175	97.2%	36	97.3%	63	98.4%	395	97.8%
<u>PENDING</u>										
Continued	-	-	3	1.7	-	-	-	-	3	0.7
Warrant Ordered	2	1.6	2	1.1	1	2.7	1	1.6	6	1.5
SUBTOTAL PENDING	2	1.6%	5	2.8%	1	2.7%	1	1.6%	9	2.2%
	123	100.0%	180	100.0%	37	100.0%	64	100.0%	404	100.0%
Returned by Grand Jury to Criminal Court	4		2		-		-		6	
Status Not Available	14		6		5		3		28	
TOTAL TRANSFERRED TO SUPREME COURT	141		188		42		67		438	

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

<sup>2</sup>Includes one case which was transferred to Family Court, one case where the present indictment was consolidated with another indictment with no further information in Supreme Court, and two cases which were abated by the deaths of the defendants.

TABLE 103

NON-TRANSIT ROBBERY ARREST MADE DECEMBER 1981 OR APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

COUNTY OF INCIDENT BY SUPREME COURT STATUS AS OF  
AUGUST 29, 1984, FOR A FIFTY PERCENT RANDOM SAMPLE OF DEFENDANTS  
TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

<u>SUPREME COURT STATUS</u>	<u>COUNTY OF INCIDENT</u>									
	<u>Kings</u>		<u>New York</u>		<u>Queens</u>		<u>Bronx</u>		<u>TOTAL</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
No Public Record <sup>1</sup>	25	20.7%	19	11.3%	28	33.3%	25	25.8%	97	20.7%
Dismissed	2	1.6	6	3.6	1	1.2	-	-	9	1.9
Pled Guilty	75	62.0	118	70.2	46	54.8	56	57.7	295	62.8
Tried and Found Guilty	11	9.1	17	10.1	7	8.3	7	7.2	42	8.9
Other <sup>2</sup>	1	0.8	-	-	-	-	2	2.1	3	0.6
<u>SUBTOTAL COMPLETED</u>	<u>114</u>	<u>94.2%</u>	<u>160</u>	<u>95.2%</u>	<u>82</u>	<u>97.6%</u>	<u>90</u>	<u>92.8%</u>	<u>446</u>	<u>94.9%</u>
<u>PENDING</u>										
Continued	3	2.5	1	0.6	1	1.2	1	1.0	6	1.3
Warrant Ordered	4	3.3	7	4.2	1	1.2	6	6.2	18	3.8
<u>SUBTOTAL PENDING</u>	<u>7</u>	<u>5.8%</u>	<u>8</u>	<u>4.8%</u>	<u>2</u>	<u>2.4%</u>	<u>7</u>	<u>7.2%</u>	<u>24</u>	<u>5.1%</u>
	<u>121</u>	<u>100.0%</u>	<u>168</u>	<u>100.0%</u>	<u>84</u>	<u>100.0%</u>	<u>97</u>	<u>100.0%</u>	<u>470</u>	<u>100.0%</u>
Returned by Grand Jury to Criminal Court	9		-		1		-		10	
Status Not Available	9		13		9		4		35	
<u>TOTAL RANDOM SAMPLE OF SUPREME COURT TRANSFEREES</u>	<u>139</u>		<u>181</u>		<u>94</u>		<u>101</u>		<u>515</u>	

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

<sup>2</sup>Includes two cases where the present indictment was consolidated with or covered by another indictment with no further information in Supreme Court and one case which was abated by the death of the defendant.

B. County

Tables 102 and 103 present transit and non-transit Supreme Court dispositions separately according to the county of occurrence of the incident. With the exception of Kings County incidents, the conviction rates (including defendants who pled guilty and those who were tried and found guilty) were similar for transit and non-transit transferees, but the percentage of transferees who were tried and found guilty was higher among the non-transit than among the transit group. In Kings County, the conviction rate was higher for transit (83.8%) than for non-transit (71.1%) cases in Supreme Court. However, Kings County transit cases showed a lower percentage of cases which were sealed (9.8%) than non-transit cases (20.7%) in that county. The conviction rates in Queens and Bronx Counties for both transit (64.9% and 64.1%, respectively) and non-transit (63.1% and 64.9%, respectively) cases were lower than those noted above for Kings County and those found for New York County (80.0% and 80.3% among the transit and non-transit groups, respectively).

C. Most Severe Indictment Charge

Among defendants transferred to Supreme Court whose most severe indictment charges were known, non-transit defendants were more likely to have had a most severe indictment charge of robbery 1 (52.8%) than transit defendants (38.0%) while transit defendants were more often indicted for robbery 2 (41.7%) than non-transit defendants (23.2%). (See, Tables 104 and 105.) These differences were similar to those noted above for most severe arrest charge.<sup>27</sup> Note also that a slightly larger portion of the transit Supreme Court transferees had a robbery charge as the most severe indictment charge (96.5%, compared to 90.3% for non-transit Supreme Court transferees).

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<sup>27</sup> See. p.165, supra. This is true even though there were differences between most severe arrest and indictment charges as noted on p.219, infra.

TABLE 104

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 WHO WERE  
INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE INDICTMENT CHARGE BY MOST SEVERE ARREST CHARGE FOR DEFENDANTS  
TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

MOST SEVERE ARREST CHARGE<sup>1</sup>

MOST SEVERE INDICTMENT CHARGE	Robbery 1		Attempted Robbery 1		Robbery 2		Attempted Robbery 2		Robbery 3		Attempted Robbery 3		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Robbery 1	124	67.0%	-	-	6	4.4%	-	-	1	10.0%	-	-	131	38.0%
Attempted Robbery 1	8	4.3	8	66.7%	2	1.5	-	-	-	-	-	-	18	5.2
Robbery 2	40	21.6	-	-	101	74.9	-	-	3	30.0	-	-	144	41.7
Attempted Robbery 2	2	1.1	3	25.0	15	11.1	1	33.3%	-	-	-	-	21	6.1
Robbery 3	4	2.2	-	-	7	5.2	-	-	4	40.0	-	-	15	4.3
Attempted Robbery 3	2	1.1	-	-	2	1.5	-	-	-	-	-	-	4	1.2
SUBTOTAL ROBBERY	180	97.3%	11	91.7%	133	98.6%	1	33.3%	8	80.0%	-	-	333	96.5%
B Felony	1	0.5	-	-	-	-	-	-	-	-	-	-	1	0.3
C Felony	1	0.5	1	8.3	-	-	-	-	-	-	-	-	2	0.6
D Felony	-	-	-	-	-	-	-	-	-	-	-	-	-	-
E Felony	-	-	-	-	1	0.7	-	-	2	20.0	-	-	3	0.9
Misdemeanor or Violation <sup>2</sup>	3	1.7	-	-	1	0.7	2	66.7	-	-	-	-	6	1.7
SUBTOTAL	185	100.0%	12	100.0%	135	100.0%	3	100.0%	10	100.0%	-	-	345	100.0%
No Public Record <sup>3</sup>	22		-		20		1		2		-		45	
Charge Not Available	14		1		5		-		1		-		21	
Status and Charge Not Avail.	15		1		11		-		-		-		27	
TOTAL TRANSFERRED TO SUPREME COURT	236		14		171		4		13		-		438	

<sup>1</sup>The severity of an attempted crime, under PL Section 110.05, is one class below that of the completed crime.

<sup>2</sup>This category includes four defendants whose cases were returned to Criminal Court by the Grand Jury.

<sup>3</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.



TABLE 105

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR APRIL 1982 WHO WERE  
INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE INDICTMENT CHARGE BY MOST SEVERE ARREST CHARGE FOR A FIFTY PERCENT RANDOM SAMPLE  
OF DEFENDANTS TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

	MOST SEVERE ARREST CHARGE <sup>1</sup>													
MOST SEVERE , INDICTMENT CHARGE	Robbery 1		Attempted Robbery 1		Robbery 2		Attempted Robbery 2		Robbery 3		Attempted Robbery 3		TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Robbery 1	187	77.9%	-	-	15	14.2%	-	-	3	10.7%	-	-	205	52.8%
Attempted Robbery 1	12	5.0	3	37.5%	2	1.9	-	-	2	7.1	-	-	19	4.9
Robbery 2	17	7.1	1	12.5	67	63.2	-	-	5	17.9	-	-	90	23.2
Attempted Robbery 2	1	0.4	3	37.5	5	4.7	3	60.0%	-	-	1	100.0%	13	3.4
Robbery 3	4	1.7	-	-	4	3.8	-	-	12	42.8	-	-	20	5.2
Attempted Robbery 3	-	-	-	-	2	1.9	-	-	1	3.6	-	-	3	0.8
SUBTOTAL ROBBERY	221	92.1%	7	87.5%	95	89.7%	3	60.0%	23	82.1%	1	100.0%	350	90.3%
B Felony	3	1.3	-	-	2	1.9	1	20.0	-	-	-	-	6	1.5
C Felony	2	0.8	1	12.5	2	1.9	-	-	1	3.6	-	-	6	1.5
D Felony	5	2.1	-	-	3	2.8	-	-	1	3.6	-	-	9	2.3
E Felony	1	0.4	-	-	3	2.8	-	-	3	10.7	-	-	7	1.8
Misdemeanor or Violation <sup>2</sup>	8	3.3	-	-	1	0.9	1	20.0	-	-	-	-	10	2.6
SUBTOTAL	240	100.0%	8	100.0%	106	100.0%	5	100.0%	28	100.0%	1	100.0%	388	100.0%
No Public Record <sup>3</sup>	42		1		29		-		2		-		74	
Charge Not Available	11		-		5		-		2		-		18	
Status and Charge Not Avail.	19		1		14		-		1		-		35	
TOTAL TRANSFERRED TO SUPREME COURT	312		10		154		5		33		1		515	

<sup>1</sup>The severity of an attempted crime, under PL Section 110.05, is one class below that of the completed crime.

<sup>2</sup>This category includes only defendants whose cases were returned to Criminal Court by the Grand Jury.

<sup>3</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

When most severe arrest charge was examined in relation to most severe indictment charge for Supreme Court transferees, there were differences both between transit and non-transit arrest groups and among arrest charge categories. As Tables 104 and 105 indicate, transit defendants charged at arrest with robbery 1 were less likely to have a robbery 1 indictment charge (67.0%) than non-transit defendants with the same arrest charge (77.9%). Among transit robbery 2 arrestees, however, 74.9% had a most severe indictment charge of robbery 2 compared to 63.2% of the non-transit robbery 2 arrestees. Among the non-transit robbery 2 arrestees, 16.1% had an indictment charge of greater severity than their most severe arrest charge compared to only 4.4% of the transit robbery 2 arrestees.<sup>28</sup>

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<sup>28</sup>Indictment charges were not known for 94 transit and 127 non-transit cases (21.5% and 24.7%, respectively). While some of the cases in which a charge was not available and the Supreme Court disposition was known resulted in convictions (27.7% and 17.4% among transit and non-transit transferees, respectively), much more than half of these cases (70.8% of the transit and 81.5% of the non-transit defendants) were listed as "No Public Record" by OCA. (See, Tables 2 and 3 in Appendix II.) Because of the sealing procedures used by OCA (See, Part II, fn. 31, *supra*), it is impossible to distinguish defendants who had their cases dismissed (either by the Grand Jury or following indictment) from those whose cases were sealed after a conviction (those designated as youthful offenders or "YOs"). Thus, differences in conviction rates among charge categories or between defendant arrest groups may be obscured.

When the percentages in Tables 104 and 105, showing most severe arrest charge by most severe indictment charge for transit and non-transit Supreme Court transferees, were recalculated excluding only those cases where both indictment charge and Supreme Court status were not known, non-transit robbery 2 arrestees had a higher percentage of sealed cases (20.7%) than non-transit robbery 1 (14.3%), transit robbery 1 (10.0%), or transit robbery 2 (12.6%) arrestees. However, the variation found among most severe arrest charges and most severe indictment charges (indicating, for instance, that non-transit Supreme Court transferees charged at arrest with robbery 2 were more likely to have a more severe indictment charge than transit robbery 2 arrestees) makes it difficult to determine if a difference among indictment charge categories would also be found if indictment charges for sealed cases were known.

D. Defendant Age and Supreme Court Status

Overall, there was an 11.3 percentage point difference between the transit (74.1%) and the non-transit (62.8%) Supreme Court plea rate. The differences between the two groups were even greater for those in the 16-to-18 and 19-to-24-years categories (71.5% and 84.4% among the transit defendants compared to 58.5% and 69.0% for the non-transit arrestees, respectively). (See, Tables 106 and 107.) Even when the percentages of those who were tried and found guilty were added to these plea rates, among these two age groups, transit defendants showed higher conviction rates (72.1% and 90.5% among 16-to-18 and 19-to-24-year-olds, respectively) than same-age non-transit defendants (63.0% and 79.7%, respectively).<sup>29</sup> Non-transit defendants within these same age groups were more likely to have their cases sealed than transit defendants (32.6% and 13.7% compared to 23.5% and 2.7%, respectively). Since sealed data for defendants under 19 years include both convictions for defendants given youthful offender treatment and dismissals, the conviction rates reported here for the two groups might be different if the data for sealed cases were available.

To determine if these differences in plea and sealing rates for 16-to-18-year-olds were related to indictment charge differences among transit and non-transit Supreme Court transferees, defendant age and Supreme Court status were examined separately for those with indictment charges of robbery 1 and robbery 2. These

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<sup>29</sup>The small number of defendants in the other age categories prevents any reliable comparison of these groups.

TABLE 106

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY SUPREME COURT STATUS AS OF  
AUGUST 29, 1984, FOR DEFENDANTS TRANSFERRED  
TO SUPREME COURT AS OF AUGUST 29, 1984

DEFENDANT AGE

SUPREME COURT STATUS	Under 16 Years		16-18 Years		19-24 Years		25-29 Years		Over 29 Years		Age Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	%
<u>COMPLETED</u>													
No Public Record <sup>1</sup>	18	41.9%	42	23.5%	4	2.7%	4	21.0%	-	-	-	68	16.8%
Dismissed	1	2.3	4	2.2	5	3.4	-	-	-	-	1	11	2.7
Pled Guilty	23	53.5	128	71.5	125	84.4	13	68.4	8	72.7%	2	299	74.1
Tried and Found Guilty	-	-	1	0.6	9	6.1	1	5.3	2	18.2	-	13	3.2
Other <sup>2</sup>	1	2.3	2	1.1	1	0.7	-	-	-	-	-	4	1.0
SUBTOTAL COMPLETED	43	100.0%	177	98.9%	144	97.3%	18	94.7%	10	90.9%	3	395	97.8%
<u>PENDING</u>													
Continued	-	-	-	-	1	0.7	-	-	1	9.1	1	3	0.7
Warrant Ordered	-	-	2	1.1	3	2.0	1	5.3	-	-	-	6	1.5
SUBTOTAL PENDING	-	-	2	1.1%	4	2.7%	1	5.3%	1	9.1%	1	9	2.2%
	43	100.0%	179	100.0%	148	100.0%	19	100.0%	11	100.0%	4	404	100.0%
Returned by Grand Jury to Criminal Court	-	-	4	-	2	-	-	-	-	-	-	6	-
Status Not Available	8	-	15	-	2	-	2	-	1	-	-	28	-
TOTAL TRANSFERRED TO SUPREME COURT	51	-	198	-	152	-	21	-	12	-	4	438	-

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

<sup>2</sup>Includes one case which was transferred to Family Court, one case where the present indictment was consolidated with another indictment with no further information in Supreme Court, and two cases which were abated by the deaths of the defendants.

TABLE 107

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY SUPREME COURT STATUS AS OF  
AUGUST 29, 1984, FOR A FIFTY PERCENT RANDOM  
SAMPLE OF DEFENDANTS WHO WERE TRANSFERRED  
TO SUPREME COURT AS OF AUGUST 29, 1984

DEFENDANT AGE

<u>SUPREME COURT STATUS</u>	<u>Under 16 Years</u>		<u>16-18 Years</u>		<u>19-24 Years</u>		<u>25-29 Years</u>		<u>Over 29 Years</u>		<u>Age Not Available</u>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
<u>COMPLETED</u>													
No Public Record <sup>1</sup>	13	43.3%	44	32.6%	23	13.7%	5	8.1%	11	15.5%	1	97	20.7%
Dismissed	-	-	4	3.0	2	1.2	3	4.8	-	-	-	9	1.9
Pled Guilty	15	50.0	79	58.5	116	69.0	39	62.9	44	62.0	2	295	62.8
Tried and Found Guilty	-	-	6	4.5	18	10.7	8	12.9	9	12.7	1	42	8.9
Other <sup>2</sup>	-	-	1	0.7	1	0.6	1	1.6	-	-	-	3	0.6
SUBTOTAL COMPLETED	28	93.3%	134	99.3%	160	95.2%	56	90.3%	64	90.2%	4	446	94.9%
<u>PENDING</u>													
Continued	1	3.3	1	0.7	3	1.8	-	-	1	1.4	-	6	1.3
Warrant Ordered	1	3.3	-	-	5	3.0	6	9.7	6	8.4	-	18	3.8
SUBTOTAL PENDING	2	6.7%	1	0.7%	8	4.8%	6	9.7%	7	9.8%	-	24	5.1%
	30	100.0%	135	100.0%	168	100.0%	62	100.0%	71	100.0%	4	470	100.0%
Returned by Grand Jury to Criminal Court	-		2		4		3		1		-	10	
Status Not Available	1		17		12		1		4		-	35	
TOTAL OF RANDOM SAMPLE OF SUPREME COURT TRANSFEREES	31		154		184		66		76		4	515	

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

<sup>2</sup>Includes two cases where the present indictment was consolidated with or covered by another indictment with no further information in Supreme Court and one case which was abated by the death of the defendant.

figures appear in Tables 108 and 109. When indictment charge was controlled and defendants were analyzed in the three age categories (under 16, 16 to 18, and over 18 years), the pattern of differences between same-age defendants in the two arrest groups noted above changed.<sup>30</sup> For instance, 16-to-18-year-old non-transit defendants indicted for robbery 1 showed a higher percentage of convictions (91.3%) than transit defendants in that age group (76.9%). Among defendants over 18 years of age who were indicted for robbery 1, the transit and non-transit conviction rates were similar (87.9% for transit defendants compared to 85.7% for non-transit defendants). When the plea rate alone was compared for these defendants, however, the differences were much greater (11.6 percentage points, with 79.3% of the transit and 67.7% of the non-transit defendants over 18 years old having pled guilty).

E. Defendant Criminal History and Supreme Court Status

Among both the transit and the non-transit comparison groups, those defendants for whom this was their first arrest were much more likely to have had their cases sealed than those in any other criminal history category (33.9% and 33.4%, respectively, compared to 10.2% and 22.7%, respectively, for defendants in the category with the next highest percentage - open cases only). (See, Tables 110 and 111.) Across all criminal history categories, transit defendants had higher conviction rates.<sup>31</sup> This difference was most pronounced among defendants with open cases only (84.3% transit compared to 68.0% non-transit arrestees). Defendants with prior felony convictions had high conviction rates within both the

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<sup>30</sup> This different pattern may have resulted, in part, because defendants with missing indictment charges were not included here.

<sup>31</sup> "Conviction rates" refers here to the combined percentages of defendants who pled guilty and who were tried and found guilty.

TABLE 108

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 AND NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE INDICTMENT CHARGE OF ROBBERY 1:

DEFENDANT AGE BY SUPREME COURT STATUS AS OF AUGUST 29, 1984, FOR DEFENDANTS WHO WERE TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

DEFENDANT AGE

<u>SUPREME COURT STATUS</u>	<u>Under 16 years</u>				<u>16-18 years</u>				<u>Over 18 years</u>			
	<u>Transit</u>		<u>Non-Transit</u>		<u>Transit</u>		<u>Non-Transit</u>		<u>Transit</u>		<u>Non-Transit</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
<u>COMPLETED</u>												
No Public Record <sup>1</sup>	1	5.9%	1	7.7%	8	15.4%	3	5.3%	3	5.2%	4	3.0%
Dismissed	-	-	-	-	-	-	-	-	-	-	2	1.5
Pled Guilty	16	94.1	11	84.6	40	76.9	49	86.0	46	79.3	90	67.7
Tried and Found Guilty	-	-	-	-	-	-	3	5.3	5	8.6	24	18.0
Other <sup>2</sup>	-	-	-	-	2	3.8	1	1.7	1	1.7	2	1.5
SUBTOTAL DISPOSED	17	100.0%	12	92.3%	50	96.2%	56	98.3%	55	94.8%	122	91.7%
<u>PENDING</u>												
Continued	-	-	1	7.7	-	-	1	1.7	2	3.5	1	0.8
Warrant Ordered	-	-	-	-	2	3.8	-	-	1	1.7	10	7.5
SUBTOTAL PENDING	-	-	1	7.7%	2	3.8%	1	1.7%	3	5.2%	11	8.3%
	17	100.0%	13	100.0%	52	100.0%	57	100.0%	58	100.0%	133	100.0%
Returned by Grand Jury to Criminal Court	-	-	-	-	-	-	-	-	-	-	-	-
Status Not Available	1	-	-	-	-	-	-	-	-	-	-	-
TOTAL TRANSFERRED TO SUPREME COURT	18		13		52		57		58		133	

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

<sup>2</sup>Includes two transit and one non-transit case abated by the deaths of the defendants as well as one transit and two non-transit cases subsumed under other indictments.

TABLE 108 Continued

<u>SUPREME COURT STATUS</u>	<u>Age Not Available</u>		<u>TOTAL</u>			
	<u>Transit</u>	<u>Non-Transit</u>	<u>Transit</u>		<u>Non-Transit</u>	
	<u>N</u>	<u>N</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
<u>COMPLETED</u>						
No Public Record <sup>1</sup>	-	-	12	9.3%	8	3.9%
Dismissed	-	-	-	-	2	1.0
Pled Guilty	1	2	103	79.9	152	74.1
Tried and Found Guilty	-	-	5	3.9	27	13.2
Other <sup>2</sup>	-	-	3	2.3	3	1.5
	-	-	-	-	-	-
SUBTOTAL DISPOSED	1	2	123	95.4%	192	93.7%
<u>PENDING</u>						
Continued	1	-	3	2.3	3	1.5
Warrant Ordered	-	-	3	2.3	10	4.8
	-	-	-	-	-	-
SUBTOTAL PENDING	1	-	6	4.6%	13	6.3%
	-	-	-	-	-	-
	2	2	129	100.0%	205	100.0%
Returned by Grand Jury to Criminal Court	-	-	-	-	-	-
Status Not Available	-	-	1	-	-	-
	-	-	-	-	-	-
TOTAL TRANSFERRED TO SUPREME COURT	2	2	130		205	



TABLE 109

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 AND NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE INDICTMENT CHARGE OF ROBBERY 2:

DEFENDANT AGE BY SUPREME COURT STATUS AS OF AUGUST 29, 1984, FOR DEFENDANTS WHO WERE TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

DEFENDANT AGE

<u>SUPREME COURT STATUS</u>	<u>Under 16 years</u>				<u>16-18 years</u>				<u>Over 18 years</u>			
	<u>Transit</u>		<u>Non-Transit</u>		<u>Transit</u>		<u>Non-Transit</u>		<u>Transit</u>		<u>Non-Transit</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
<u>COMPLETED</u>												
No Public Record <sup>1</sup>	1	25.0%	1	25.0%	7	10.0%	2	8.7%	-	-	6	9.5%
Dismissed	-	-	-	-	4	5.7	3	13.0	4	5.8%	2	3.2
Pled Guilty	2	50.0	2	50.0	58	82.9	16	69.6	57	82.6	45	71.4
Tried and Found Guilty	-	-	-	-	1	1.4	2	8.7	6	8.7	5	7.9
Transferred to Family Court	1	25.0	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL DISPOSED	4	100.0%	3	75.0%	70	100.0%	23	100.0%	67	97.1%	58	92.0%
<u>PENDING</u>												
Continued	-	-	-	-	-	-	-	-	-	-	2	3.2
Warrant Ordered	-	-	1	25.0	-	-	-	-	2	2.9	3	4.8
	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL PENDING	-	-	1	25.0%	-	-	-	-	2	2.9%	5	8.0%
	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL TRANSFERRED TO SUPREME COURT	4	100.0%	4	100.0%	70	100.0%	23	100.0%	69	100.0%	63	100.0%

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

TABLE 109 Continued

<u>SUPREME COURT STATUS</u>	<u>Age Not Available</u>		<u>TOTAL</u>			
	<u>Transit</u>	<u>Non-Transit</u>	<u>Transit</u>		<u>Non-Transit</u>	
	<u>N</u>	<u>N</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
<u>COMPLETED</u>						
No Public Record <sup>1</sup>	-	-	8	5.6%	9	10.0%
Dismissed	-	-	8	5.6	5	5.6
Pled Guilty	1	-	118	81.9	63	70.0
Tried and Found Guilty	-	-	7	4.8	7	7.8
Transferred to Family Court	-	-	1	0.7	-	-
	-	-	-	-	-	-
SUBTOTAL DISPOSED	1	-	142	98.6%	84	93.4%
<u>PENDING</u>						
Continued	-	-	-	-	2	2.2
Warrant Ordered	-	-	2	1.4	4	4.4
	-	-	-	-	-	-
SUBTOTAL PENDING	-	-	2	1.4%	6	6.6%
	-	-	-	-	-	-
TOTAL TRANSFERRED TO SUPREME COURT	1	-	144	100.0%	90	100.0%

TABLE 110

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY SUPREME COURT STATUS AS OF  
AUGUST 29, 1984, FOR DEFENDANTS WHO WERE  
TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

## DEFENDANT CRIMINAL HISTORY

SUPREME COURT STATUS	First Arrest		No Prior Convictions- No Open Cases		Open Cases Only		Prior Misdemeanor Conviction With or Without Open Cases		Prior Felony Conviction With or Without Open Cases		NYSID Not Available	Criminal History Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	N	%
<u>COMPLETED</u>														
No Public Record <sup>1</sup>	43	33.9%	5	9.3%	11	10.2%	3	4.4%	3	7.3%	2	1	68	16.8%
Dismissed	2	1.6	2	3.7	4	3.7	1	1.5	1	2.4	1	-	11	2.7
Pled Guilty	75	59.0	43	79.6	90	83.4	59	86.8	31	75.7	-	1	299	74.1
Tried and Found Guilty	2	1.6	1	1.9	1	0.9	3	4.4	6	14.6	-	-	13	3.2
Other <sup>2</sup>	-	-	3	5.5	1	0.9	-	-	-	-	-	-	4	1.0
SUBTOTAL COMPLETED	122	96.1%	54	100.0%	107	99.1%	66	97.1%	41	100.0%	3	2	395	97.8%
<u>PENDING</u>														
Continued	-	-	-	-	-	-	2	2.9	-	-	1	-	3	0.7
Warrant Ordered	5	3.9	-	-	1	0.9	-	-	-	-	-	-	6	1.5
SUBTOTAL PENDING	5	3.9%	-	-	1	0.9%	2	2.9%	-	-	1	-	9	2.2%
	127	100.0%	54	100.0%	108	100.0%	68	100.0%	41	100.0%	4	2	404	100.0%
Returned by Grand Jury to Criminal Court	3		-		2		1		-		-	-	6	
Status Not Available	17		3		4		4		-		-	-	28	
TOTAL TRANSFERRED TO SUPREME COURT	147		57		114		73		41		4	2	438	

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

<sup>2</sup>Includes one case which was transferred to Family Court, one case where the present indictment was consolidated with another indictment with no further information in Supreme Court, and two cases which were abated by the deaths of the defendants.

TABLE 111

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY SUPREME COURT STATUS AS OF  
AUGUST 29, 1984, FOR A FIFTY PERCENT RANDOM SAMPLE  
OF DEFENDANTS WHO WERE TRANSFERRED TO SUPREME  
COURT AS OF AUGUST 29, 1984

## DEFENDANT CRIMINAL HISTORY

SUPREME COURT STATUS	First Arrest		No Convictions- No Open Cases		Open Cases Only		Prior Misdemeanor Conviction With or Without Open Cases		Prior Felony Conviction With or Without Open Cases		NYSID Not Available	Criminal History Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	N	%
<u>COMPLETED</u>														
No Public Record <sup>1</sup>	45	33.4%	9	18.7%	22	22.7%	13	12.9%	7	8.4%	-	1	97	20.7%
Dismissed	1	0.7	2	4.2	2	2.1	2	2.0	2	2.4	-	-	9	1.9
Pled Guilty	71	52.6	33	68.7	64	65.9	76	75.2	46	55.5	4	1	295	62.8
Tried and Found Guilty	5	3.7	3	6.3	2	2.1	7	6.9	25	30.1	-	-	42	8.9
Other <sup>2</sup>	1	0.7	-	-	2	2.1	-	-	-	-	-	-	3	0.6
SUBTOTAL COMPLETED	123	91.1%	47	97.9%	92	94.9%	98	97.0%	80	96.4%	4	2	446	94.9%
<u>PENDING</u>														
Continued	2	1.5	-	-	1	1.0	2	2.0	1	1.2	-	-	6	1.3
Warrant Ordered	10	7.4	1	2.1	4	4.1	1	1.0	2	2.4	-	-	18	3.8
SUBTOTAL PENDING	12	8.9%	1	2.1%	5	5.1%	3	3.0%	3	3.6%	-	-	24	5.1%
	135	100.0%	48	100.0%	97	100.0%	101	100.0%	83	100.0%	4	2	470	100.0%
Returned by Grand Jury to Criminal Court	1		1		3		2		3		-	-	10	
Status Not Available	12		5		8		4		6		-	-	35	
TOTAL OF RANDOM SAMPLE OF SUPREME COURT TRANSFEREES	148		54		100		107		92		4	2	515	

<sup>1</sup>The term "No Public Record" is used to by OCA to designate cases which have been sealed.

<sup>2</sup>Includes two cases where the present indictment was consolidated with or covered by another indictment with no further information in Supreme Court and one case which was abated by the death of the defendant.

transit (90.3%) and non-transit (85.6%) samples. However, above-ground arrestees with prior felony convictions were twice as likely to have been tried and found guilty than below-ground arrestees (30.1% of the non-transit defendants compared to 14.6% of the transit defendants).

As Table 113 illustrates, among those indicted for robbery 2, transit defendants again had higher conviction rates than non-transit defendants across all prior history categories (although the total number of cases in some categories was small). Among those indicted for robbery 1, however, the conviction rates for transit and non-transit defendants were very similar, differing by no more than 3.1 percentage points within any criminal history category. (See, Table 112.)

## VI. SUPREME COURT SENTENCE

This section describes the sentences imposed on defendants convicted in Supreme Court, controlling for most severe indictment charge, defendant age, and defendant criminal history. Sentence information on cases OCA listed as "no public record" which were sealed because the defendant received youthful offender treatment following a conviction and sentence was not available and, thus, could not be included here.

### A. General Comparisons

Supreme Court sentencing patterns were similar to those found in Criminal Court. Transit robbery transferees convicted in Supreme Court were more likely than non-transit cases to receive a

TABLE 112

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 AND NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE INDICIMENT CHARGE OF ROBBERY 1:

DEFENDANT CRIMINAL HISTORY BY SUPREME COURT STATUS AS OF AUGUST 29, 1984, FOR DEFENDANTS WHO WERE TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

DEFENDANT CRIMINAL HISTORY

SUPREME COURT STATUS	<u>First Arrest</u>		<u>No Prior Convictions-With or Without Open Cases</u>		<u>Prior Misdemeanor Conviction Only- With or Without Open Cases</u>		<u>Prior Felony Conviction- With or Without Prior Misdemeanors Convictions or Open Cases</u>	
	<u>Transit</u>	<u>Non-Transit</u>	<u>Transit</u>	<u>Non-Transit</u>	<u>Transit</u>	<u>Non-Transit</u>	<u>Transit</u>	<u>Non-Transit</u>
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
No Public Record <sup>1</sup>	5	15.6%	4	8.0%	4	7.1%	1	2.4%
Dismissed	-	-	-	-	-	-	-	-
Pled Guilty	25	78.1	35	70.0	48	85.7	41	85.4
Tried and Found Guilty	-	-	5	10.0	-	-	3	6.2
Other <sup>2</sup>	-	-	1	2.0	3	5.4	-	-
SUBTOTAL COMPLETED	30	93.7%	45	90.0%	55	98.2%	46	95.8%
<u>PENDING</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Continued	-	-	1	2.0	-	-	2	4.2
Warrant Ordered	2	6.3	4	8.0	1	1.8	-	-
SUBTOTAL PENDING	2	6.3%	5	10.0%	1	1.8%	2	4.2%
	32	100.0%	50	100.0%	56	100.0%	48	100.0%
Returned by Grand Jury to Criminal Court	-	-	-	-	-	-	-	-
Status Not Available	1	-	-	-	-	-	-	-
TOTAL TRANSFERRED TO SUPREME COURT	33		50		56		48	

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

<sup>2</sup>Includes two transit and one non-transit case abated by the deaths of the defendants as well as one transit and two non-transit cases subsumed under other indictments.

TABLE 112 Continued

SUPREME COURT STATUS	NYSID Not Available		Criminal History Not Available		TOTAL			
	Transit	Non-Transit	Transit	Non-Transit	Transit	Non-Transit	Transit	Non-Transit
<u>COMPLETED</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
No Public Record <sup>1</sup>	1	-	-	-	12	9.3%	8	3.9%
Dismissed	-	-	-	-	-	-	2	1.0
Pled Guilty	-	2	1	1	103	79.9	152	74.1
Tried and Found Guilty	-	-	-	-	5	3.9	27	13.2
Other <sup>2</sup>	-	-	-	-	3	2.3	3	1.5
	-	-	-	-	-	-	-	-
SUBTOTAL COMPLETED	1	2	1	1	123	95.4%	192	93.7%
<u>PENDING</u>								
Continued	1	-	-	-	3	2.3	3	1.5
Warrant Ordered	-	-	-	-	3	2.3	10	4.8
	-	-	-	-	-	-	-	-
SUBTOTAL PENDING	1	-	-	-	6	4.6%	13	6.3%
	-	-	-	-	-	-	-	-
	2	2	1	1	129	100.0%	205	100.0%
Returned by Grand Jury to Criminal Court	-	-	-	-	-	-	-	-
Status Not Available	-	-	-	-	1	-	-	-
	-	-	-	-	-	-	-	-
TOTAL TRANSFERRED TO SUPREME COURT	2	2	1	1	130		205	

TABLE 113

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 AND NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE INDICTMENT CHARGE OF ROBBERY 2:

DEFENDANT CRIMINAL HISTORY BY SUPREME COURT STATUS AS OF AUGUST 29, 1984,  
FOR DEFENDANTS WHO WERE TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

## DEFENDANT CRIMINAL HISTORY

	<u>First Arrest</u>				<u>No Prior Convictions-With or Without Open Cases</u>				<u>Prior Misdemeanor Conviction Only- With or Without Open Cases</u>				<u>Prior Felony Conviction- With or Without Prior Misdemeanor Convictions or Open Cases</u>			
<u>SUPREME COURT STATUS</u>	<u>Transit</u>		<u>Non-Transit</u>		<u>Transit</u>		<u>Non-Transit</u>		<u>Transit</u>		<u>Non-Transit</u>		<u>Transit</u>		<u>Non-Transit</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
No Public Record <sup>1</sup>	5	12.8%	2	8.0%	3	4.9%	3	12.5%	-	-	3	12.5%	-	-	1	5.9%
Dismissed	2	5.1	1	4.0	4	6.6	2	8.3	1	4.0%	2	8.3	1	5.3%	-	-
Pled Guilty	29	74.4	18	72.0	51	83.6	17	70.8	23	92.0	19	79.2	15	78.9	9	52.9
Tried and Found Guilty	1	2.6	-	-	2	3.3	1	4.2	1	4.0	-	-	3	15.8	6	35.3
Transferred to Family Court	-	-	-	-	1	1.6	-	-	-	-	-	-	-	-	-	-
	<u>37</u>	<u>94.9%</u>	<u>21</u>	<u>84.0%</u>	<u>61</u>	<u>100.0%</u>	<u>23</u>	<u>95.8%</u>	<u>25</u>	<u>100.0%</u>	<u>24</u>	<u>100.0%</u>	<u>19</u>	<u>100.0%</u>	<u>16</u>	<u>94.1%</u>
<u>PENDING</u>																
Continued	-	-	1	4.0	-	-	1	4.2	-	-	-	-	-	-	-	-
Warrant Ordered	2	5.1	3	12.0	-	-	-	-	-	-	-	-	-	-	1	5.9
	<u>2</u>	<u>5.1%</u>	<u>4</u>	<u>16.0%</u>	<u>-</u>	<u>-</u>	<u>1</u>	<u>4.2%</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1</u>	<u>5.9%</u>
	<u>39</u>	<u>100.0%</u>	<u>25</u>	<u>100.0%</u>	<u>61</u>	<u>100.0%</u>	<u>24</u>	<u>100.0%</u>	<u>25</u>	<u>100.0%</u>	<u>24</u>	<u>100.0%</u>	<u>19</u>	<u>100.0%</u>	<u>17</u>	<u>100.0%</u>
Returned by Grand Jury to Criminal Court	-		-		-		-		-		-		-		-	
Status Not Available	-		-		-		-		-		-		-		-	
TOTAL TRANSFERRED TO SUPREME COURT	<u>39</u>		<u>25</u>		<u>61</u>		<u>24</u>		<u>25</u>		<u>24</u>		<u>19</u>		<u>17</u>	

<sup>1</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.



TABLE 113 Continued

SUPREME COURT STATUS	NYSID Not Available		Criminal History Not Available		TOTAL			
	Transit	Non-Transit	Transit	Non-Transit	Transit		Non-Transit	
COMPLETED	N	N	N	N	N	%	N	%
No Public Record <sup>1</sup>	-	-	-	-	8	5.6%	9	10.0%
Dismissed	-	-	-	-	8	5.6	5	5.6
Pled Guilty	-	-	-	-	118	81.9	63	70.0
Tried and Found Guilty	-	-	-	-	7	4.8	7	7.8
Transferred to Family Court	-	-	-	-	1	0.7	-	-
SUBTOTAL COMPLETED	-	-	-	-	142	98.6%	84	93.4%
PENDING								
Continued	-	-	-	-	-	-	2	2.2
Warrant Ordered	-	-	-	-	2	1.4	4	4.4
SUBTOTAL PENDING	-	-	-	-	2	1.4%	6	6.6%
	-	-	-	-	144	100.0%	90	100.0%
Returned by Grand Jury to Criminal Court	-	-	-	-	-	-	-	-
Status Not Available	-	-	-	-	-	-	-	-
TOTAL TRANSFERRED TO SUPREME COURT	-	-	-	-	144		90	

sentence of probation (23.6% compared to 19.0%, respectively);<sup>32</sup> this difference was smaller than that observed for Criminal Court sentences. (See, Tables 114 and 115.) As in Criminal Court also, non-transit arrestees in Supreme Court were more likely to receive a sentence of imprisonment (74.4%) than were transit robbery arrestees (67.5%). When the proportion of defendants sentenced in Supreme Court to probation or to imprisonment (including imprisonment and probation) was examined separately by county of occurrence for transit and non-transit defendants, Kings County showed the largest difference between the two groups of arrestees.<sup>33</sup>

B. Most Severe Indictment Charge and Supreme Court Sentence

The sentence differences noted above were observed only among defendants with a most severe indictment charge of robbery 1: transit defendants were more likely than non-transit defendants to be sentenced to probation (21.5% compared to 14.1%) and less likely to be given a sentence of imprisonment (70.2% compared to 81.2%). (See, Tables 114 and 115.) Supreme Court sentences for transit and non-transit defendants were similar among the other charge categories. Both transit and non-transit Supreme Court cases with a most severe indictment charge of robbery 1 were more likely to be sentenced to imprisonment (70.2% and 81.2%, respectively) than those indicted for robbery 2 (64.1% and 67.1%, respectively).

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<sup>32</sup>It is possible that the higher Supreme Court plea rates found for transit defendants (See, p.213, supra) may be related to these higher probation rates. For instance, the prospect of receiving a sentence of probation as part of a plea bargaining agreement might provide an incentive for certain defendants to plead guilty and not risk the possibility of being tried and found guilty and then sentenced to imprisonment. The possible relationship between conviction after trial and type of sentence imposed can be illustrated from the data. Among the 55 defendants who were tried and found guilty in both arrest groups, only one of the 54 defendants actually sentenced (1.9%) received probation - the other 53 defendants were sentenced to imprisonment (98.1%). (These data do not appear in any tables in this report.)

<sup>33</sup>The probation rate among Kings County transit defendants (30.0%) was almost 15-percentage points higher than the non-transit rate in that county (15.7%). (These data do not appear in any tables in this report.)

TABLE 114

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 WHO WERE  
INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE INDICTMENT CHARGE BY SUPREME COURT SENTENCE AS OF AUGUST 29, 1984,  
FOR DEFENDANTS CONVICTED IN SUPREME COURT AS OF AUGUST 29, 1984

## MOST SEVERE INDICTMENT CHARGE

SUPREME COURT SENTENCE	Robbery 1 <sup>1</sup>		Robbery 2 <sup>2</sup>		Robbery 3 <sup>3</sup>		SUBTOTAL ROBBERY		Other Felony		Misdemeanor		Charge Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	N	%
Imprisonment <sup>4</sup>	85	70.2%	91	64.1%	12	75.0%	188	67.4%	6	100.0%	2	100.0%	10	206	67.5%
Imprisonment & Probation	3	2.5	5	3.5	2	12.5	10	3.6	-	-	-	-	3	13	4.3
Probation	26	21.5	40	28.2	1	6.3	67	24.0	-	-	-	-	5	72	23.6
Conditional Discharge	1	0.8	1	0.7	-	-	2	0.7	-	-	-	-	-	2	0.7
SUBTOTAL SENTENCED	115	95.0%	137	96.5%	15	93.8%	267	95.7%	6	100.0%	2	100.0%	18	293	96.1%
Sentence Pending	3	2.5	3	2.1	-	-	6	2.2	-	-	-	-	-	6	1.9
Warrant Ordered After Conviction	3	2.5	1	0.7	-	-	4	1.4	-	-	-	-	-	4	1.3
Case Abated After Conviction	-	-	1	0.7	1	6.3	2	0.7	-	-	-	-	-	2	0.7
SUBTOTAL NOT SENTENCED	6	5.0%	5	3.5%	1	6.3%	12	4.3%	-	-	-	-	-	12	3.9%
	121	100.0%	142	100.0%	16	100.0%	279	100.0%	6	100.0%	2	100.0%	18	305	100.0%
Sentence Not Available	3		4		-		7		-		-		-	7	
TOTAL CONVICTED IN SUPREME COURT	124		146		16		286		6		2		18	312	

<sup>1</sup>Includes attempted robbery 1.

<sup>2</sup>Includes attempted robbery 2.

<sup>3</sup>Includes attempted robbery 3.

<sup>4</sup>Includes one defendant who received a sentence of imprisonment and fine.

TABLE 115

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR APRIL 1982 WHO WERE  
INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE INDICTMENT CHARGE BY SUPREME COURT SENTENCE AS OF AUGUST 29, 1984, FOR DEFENDANTS CONVICTED IN SUPREME COURT  
AS OF AUGUST 29, 1984, FROM A FIFTY PERCENT RANDOM SAMPLE OF DEFENDANTS TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

MOST SEVERE INDICTMENT CHARGE

<u>SUPREME COURT SENTENCE</u>	<u>Robbery 1<sup>1</sup></u>		<u>Robbery 2<sup>2</sup></u>		<u>Robbery 3<sup>3</sup></u>		<u>SUBTOTAL ROBBERY</u>		<u>Other Felony</u>		<u>Misdemeanor</u>		<u>Charge Not Available</u>	<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
Imprisonment	155	81.2%	55	67.1%	16	80.0%	226	77.2%	15	65.3%	-	-	6	247	74.4%
Imprisonment & Probation	8	4.2	6	7.3	1	5.0	15	5.1	-	-	-	-	2	17	5.1
Probation <sup>4</sup>	27	14.1	20	24.4	2	10.0	49	16.7	6	26.1	-	-	8	63	19.0
Conditional Discharge	-	-	-	-	-	-	-	-	1	4.3	-	-	-	1	0.3
<b>SUBTOTAL SENTENCED</b>	<b>190</b>	<b>99.5%</b>	<b>81</b>	<b>98.8%</b>	<b>19</b>	<b>95.0%</b>	<b>290</b>	<b>99.0%</b>	<b>22</b>	<b>95.7%</b>	<b>-</b>	<b>-</b>	<b>16</b>	<b>328</b>	<b>98.8%</b>
Sentence Pending	1	0.5	1	1.2	-	-	2	0.7	-	-	-	-	-	2	0.6
Warrant Ordered After Conviction	-	-	-	-	1	5.0	1	0.3	1	4.3	-	-	-	2	0.6
Case Abated After Conviction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>SUBTOTAL NOT SENTENCED</b>	<b>1</b>	<b>0.5%</b>	<b>1</b>	<b>1.2%</b>	<b>1</b>	<b>5.0%</b>	<b>3</b>	<b>1.0%</b>	<b>1</b>	<b>4.3%</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4</b>	<b>1.2%</b>
	<b>191</b>	<b>100.0%</b>	<b>82</b>	<b>100.0%</b>	<b>20</b>	<b>100.0%</b>	<b>293</b>	<b>100.0%</b>	<b>23</b>	<b>100.0%</b>	<b>-</b>	<b>-</b>	<b>16</b>	<b>332</b>	<b>100.0%</b>
Sentence Not Available	3		1		1		5		-		-		-	5	
<b>TOTAL CONVICTED IN SUPREME COURT</b>	<b>194</b>		<b>83</b>		<b>21</b>		<b>298</b>		<b>23</b>		<b>-</b>		<b>16</b>	<b>337</b>	

<sup>1</sup>Includes attempted robbery 1.

<sup>2</sup>Includes attempted robbery 2.

<sup>3</sup>Includes attempted robbery 3.

<sup>4</sup>Includes two defendants who received sentences of probation and fine.

C. Defendant Age and Supreme Court Sentence

As was noted above, non-transit defendants convicted in Supreme Court had higher rates of imprisonment and lower percentages of defendants receiving probation than transit defendants. This pattern was also apparent within the two largest age groups (16 to 18 and 19 to 24 years) although, for 19-to-24-year-olds, the differences between the sentences among convicted transit and non-transit defendants were not great. (See, Tables 116 and 117.) Of the convicted non-transit defendants in these age groups 67.8% and 74.5%, respectively, received imprisonment sentences compared to 59.0% and 71.5% of the same-age transit defendants. Among the convicted 16-to-18 and 19-to-24-year-olds, probation was the sentence imposed for 25.0% and 18.0%, respectively, of the non-transit and 32.3% and 20.0%, respectively, of the transit defendants. The number of convicted transit defendants in the other age categories was small, thus, reliable comparisons with same-age non-transit defendants cannot be made.

D. Defendant Criminal History and Supreme Court Sentence

When Supreme Court sentence was examined by defendant criminal history, the differences in probation and imprisonment rates between transit and non-transit cases were observed only among defendants with open cases who had no prior convictions. (See, Tables 118 and 119.) In that sub-group, below-ground arrestees were more likely to be sentenced to probation (15.7% versus 10.6%) and above-ground arrestees to imprisonment (80.3% compared to 73.0%). This may be related to the higher guilty plea rate among below-ground arrestees in this criminal history category.<sup>34</sup> Those defendants for whom the instant case represents their first arrest were, as expected, more likely to be sentenced to probation and less likely to receive a sentence of imprisonment, within both the transit and non-transit comparison groups, than defendants in any other criminal history category. Among transit first arrests, 36.8% were sentenced to imprisonment and 52.6% to probation.

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<sup>34</sup> See, p.223, supra.

TABLE 116

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY SUPREME COURT SENTENCE AS OF  
AUGUST 29, 1984, FOR DEFENDANTS CONVICTED  
IN SUPREME COURT AS OF AUGUST 29, 1984

## DEFENDANT AGE

SUPREME COURT SENTENCE	Under 16 Years		16-18 Years		19-24 Years		25-29 Years		Over 29 Years		Age Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	%
Imprisonment <sup>1</sup>	15	65.2%	75	59.0%	93	71.5%	12	92.3%	9	90.0%	2	206	67.5%
Imprisonment and Probation	4	17.4	4	3.1	5	3.9	-	-	-	-	-	13	4.3
Probation	4	17.4	41	32.3	26	20.0	-	-	1	10.0	-	72	23.6
Conditional Discharge	-	-	1	0.8	1	0.8	-	-	-	-	-	2	0.7
SUBTOTAL SENTENCED	23	100.0%	121	95.2%	125	96.2%	12	92.3%	10	100.0%	2	293	96.1%
Sentence Pending	-	-	2	1.6	3	2.3	1	7.7	-	-	-	6	1.9
Warrant Ordered After Conviction	-	-	2	1.6	2	1.5	-	-	-	-	-	4	1.3
Case Abated After Conviction	-	-	2	1.6	-	-	-	-	-	-	-	2	0.7
SUBTOTAL NOT SENTENCED	-	-	6	4.8%	5	3.8%	1	7.7%	-	-	-	12	3.9%
	23	100.0%	127	100.0%	130	100.0%	13	100.0%	10	100.0%	2	305	100.0%
Sentence Not Available	-	-	2	-	4	-	1	-	-	-	-	7	-
TOTAL CONVICTED IN SUPREME COURT	23	-	129	-	134	-	14	-	10	-	2	312	-

<sup>1</sup>Includes one defendant who received a sentence of imprisonment and fine.

TABLE 117

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT AGE BY SUPREME COURT SENTENCE AS OF  
AUGUST 29, 1984, FOR DEFENDANTS CONVICTED IN  
SUPREME COURT AS OF AUGUST 29, 1984, FROM A  
FIFTY PERCENT RANDOM SAMPLE OF DEFENDANTS  
TRANSFERRED TO SUPREME COURT  
AS OF AUGUST 29, 1984

DEFENDANT AGE

SUPREME COURT SENTENCE	Under 16 Years		16-18 Years		19-24 Years		25-29 Years		Over 29 Years		Age Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	%
Imprisonment	5	35.7%	57	67.8%	99	74.5%	42	91.3%	41	78.9%	3	247	74.4%
Imprisonment and Probation	-	-	5	6.0	8	6.0	-	-	4	7.7	-	17	5.1
Probation <sup>1</sup>	9	64.5	21	25.0	24	18.5	3	6.5	6	11.5	-	63	19.0
Conditional Discharge	-	-	-	-	-	-	-	-	1	1.9	-	1	0.3
SUBTOTAL SENTENCED	14	100.0%	83	98.8%	131	98.5%	45	97.8%	52	100.0%	3	328	98.8%
Sentence Pending	-	-	1	1.2	1	0.7	-	-	-	-	-	2	0.6
Warrant Ordered After Conviction	-	-	-	-	1	0.7	1	2.2	-	-	-	2	0.6
Case Abated After Conviction	-	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL NOT SENTENCED	-	-	1	1.2%	2	1.5%	1	2.2%	-	-	-	4	1.2%
	14	100.0%	84	100.0%	133	100.0%	46	100.0%	52	100.0%	3	332	100.0%
Sentence Not Available	1		1		1		1		1		-	5	
TOTAL CONVICTED IN SUPREME COURT	15		85		134		47		53		3	337	

<sup>1</sup>Includes two defendants who received sentences of probation and fine.

TABLE 118

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY SUPREME COURT SENTENCE AS OF  
AUGUST 29, 1984, FOR DEFENDANTS CONVICTED IN  
SUPREME COURT AS OF AUGUST 29, 1984

## DEFENDANT CRIMINAL HISTORY

SUPREME COURT SENTENCE	First Arrest		No Convictions- No Open Cases		Open Cases Only		Prior Misde- meanor Conviction With or Without Open Cases		Prior Felony Conviction With or Without Open Cases		NYSID Not Available	Criminal History Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%			N	%
Imprisonment <sup>1</sup>	28	36.8%	27	62.8%	65	73.0%	50	82.0%	35	100.0%	-	1	206	67.5%
Imprisonment and Probation	4	5.3	3	7.0	6	6.8	-	-	-	-	-	-	13	4.3
Probation	40	52.6	11	25.6	14	15.7	7	11.5	-	-	-	-	72	23.6
Conditional Discharge	-	-	-	-	1	1.1	1	1.6	-	-	-	-	2	0.7
<b>SUBTOTAL SENTENCED</b>	<b>72</b>	<b>94.7%</b>	<b>41</b>	<b>95.4%</b>	<b>86</b>	<b>96.6%</b>	<b>58</b>	<b>95.1%</b>	<b>35</b>	<b>100.0%</b>	<b>-</b>	<b>1</b>	<b>293</b>	<b>96.1%</b>
Sentence Pending	3	4.0	1	2.3	1	1.1	1	1.6	-	-	-	-	6	1.9
Warrant Ordered After Conviction	-	-	1	2.3	1	1.1	2	3.3	-	-	-	-	4	1.3
Case Abated After Conviction	1	1.3	-	-	1	1.1	-	-	-	-	-	-	2	0.7
<b>SUBTOTAL NOT SENTENCED</b>	<b>4</b>	<b>5.3%</b>	<b>2</b>	<b>4.6%</b>	<b>3</b>	<b>3.4%</b>	<b>3</b>	<b>4.9%</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>12</b>	<b>3.9%</b>
	<b>76</b>	<b>100.0%</b>	<b>43</b>	<b>100.0%</b>	<b>89</b>	<b>100.0%</b>	<b>61</b>	<b>100.0%</b>	<b>35</b>	<b>100.0%</b>	<b>-</b>	<b>1</b>	<b>305</b>	<b>100.0%</b>
Sentence Not Available	1		1		2		1		2		-	-	7	
<b>TOTAL CONVICTED IN SUPREME COURT</b>	<b>77</b>		<b>44</b>		<b>91</b>		<b>62</b>		<b>37</b>		<b>-</b>	<b>1</b>	<b>312</b>	

<sup>1</sup>Includes one defendant who received a sentence of imprisonment and fine.



TABLE 119

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR  
APRIL 1982 WHO WERE INTERVIEWED BY CJA AND HAD  
A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY SUPREME COURT SENTENCE AS OF  
AUGUST 29, 1984, FOR DEFENDANTS CONVICTED IN  
SUPREME COURT AS OF AUGUST 29, 1984, FROM A  
FIFTY PERCENT RANDOM SAMPLE OF DEFENDANTS  
WHO WERE TRANSFERRED TO SUPREME COURT  
AS OF AUGUST 29, 1984

DEFENDANT CRIMINAL HISTORY

SUPREME COURT SENTENCE	First Arrest		No Convictions- No Open Cases		Open Cases Only		Prior Misde- meanor Conviction With or Without Open Cases		Prior Felony Conviction With or Without Open Cases		NYSID Not Available	Criminal History Not Available	TOTAL	
	N	%	N	%	N	%	N	%	N	%	N	N	N	%
Imprisonment	29	39.2%	22	62.9%	53	80.3%	68	84.0%	70	98.6%	4	1	247	74.4%
Imprisonment and Probation	5	6.7	3	8.6	5	7.6	4	4.9	-	-	-	-	17	5.1
Probation <sup>1</sup>	39	52.7	9	25.7	7	10.6	8	9.9	-	-	-	-	63	19.0
Conditional Discharge	-	-	1	2.8	-	-	-	-	-	-	-	-	1	0.3
SUBTOTAL SENTENCED	73	98.6%	35	100.0%	65	98.5%	80	98.8%	70	98.6%	4	1	328	98.8%
Sentence Pending	-	-	-	-	1	1.5	-	-	1	1.4	-	-	2	0.6
Warrant Ordered After Conviction	1	1.4	-	-	-	-	1	1.2	-	-	-	-	2	0.6
Case Abated After Conviction	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL NOT SENTENCED	1	1.4%	-	-	1	1.5%	1	1.2%	1	1.4%	-	-	4	1.2%
	74	100.0%	35	100.0%	66	100.0%	81	100.0%	71	100.0%	4	1	332	100.0%
Sentence Not Available	2		1		-		2		-		-	-	5	
TOTAL CONVICTED IN SUPREME COURT	76		36		66		83		71		4	1	337	

<sup>1</sup>Includes two defendants who received sentences of probation and fine.

Similarly, 39.2% of the non-transit defendants in the first-arrest category received a sentence of imprisonment while 52.7% received probation. As expected (given the sentencing requirements set out in Article 70 of the Penal Law), all the sentenced defendants with prior felony convictions were sentenced to prison terms.

E. Supreme Court Imprisonment Terms

Tables 120 (transit) and 121 (non-transit) present sentence lengths by prior felony conviction status for defendants convicted in Supreme Court and sentenced to imprisonment. Generally, non-transit defendants tended to receive longer minimum prison terms than transit defendants and, within both the transit and non-transit groups, prior felons were much more likely to receive a higher minimum sentence than defendants without prior felony convictions. Among convicted transit defendants, one fifth (20.4%) received determinate sentences of one year or less while two thirds (67.5%) received indeterminate sentences with minimums between 1 year and 2 years, 6 months. Among non-transit defendants, 17.8% were given sentences of one year or less and approximately one half (53.0%) were given minimum sentences from 1 year to 2 years, 6 months.

The largest differences overall between transit and non-transit defendants were in the sentence ranges 1 year to 1 year 10 months (45.2% compared to 27.9%, respectively) and 3 or more years minimum (12.1% compared to 29.2%, respectively). For the 1-year-to-1-year-10-months category, the differences were independent of prior felony status: there was a 13.9 percentage point difference between transit and non-transit defendants who had no prior felony convictions (48.2% versus 34.3%, respectively) and a 17.1 percentage point difference among the prior felons (31.4% versus 14.3%, respectively). Likewise, for the category of minimum sentence of over 3 years, the difference between transit and non-transit defendants was 13.8 percentage points for defendants with no prior

TABLE 120

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY TYPE AND LENGTH OF IMPRISONMENT FOR DEFENDANTS SENTENCED TO IMPRISONMENT IN SUPREME COURT AS OF AUGUST 29, 1984

DEFENDANT CRIMINAL HISTORY

DETERMINATE SENTENCES	No Prior Felony Conviction		Prior Felony Conviction(s)		NYSID Not Available	Criminal History Not Available		TOTAL	
	N	%	N	%		N		N	%
Time Served	1	0.6%	-	-	-	-		1	0.5%
6 Months	2	1.2	-	-	-	-		2	1.0
9 Months	2	1.2	-	-	-	-		2	1.0
10 Months	-	-	1	2.9%	-	-		1	0.5
1 Year	36	21.1	-	-	-	-		36	17.4
SUBTOTAL 1 YEAR OR LESS	41	24.1%	1	2.9%	-	-		42	20.4%
<u>INDETERMINATE SENTENCES</u>									
MINIMUM: 1 yr. to 1 yr. 10 mos.									
1 - 3 years	33	19.4	4	11.4	-	-		37	18.0
1½ - 4½ years	40	23.5	-	-	-	-		40	19.4
Other Sentences	9	5.3	7	20.0	-	-		16	7.8
SUBTOTAL <2 YRS. MINIMUM	82	48.2%	11	31.4%	-	-		93	45.2%
MINIMUM: 2 yrs. to 2½ years									
2 - 6 years	27	15.9	3	8.6	-	-		30	14.5
Other Sentences	8	4.7	7	20.0	-	1		16	7.8
SUBTOTAL 2 - 2½ YRS. MINIMUM	35	20.6%	10	28.6%	-	1		46	22.3%
MIN.: 3 to 3½ yrs.	7	4.1	4	11.4	-	-		11	5.4
MIN.: 4 to 4½ yrs.	2	1.2	4	11.4	-	-		6	2.9
MIN.: 5 to 5½ yrs.	1	0.6	2	5.7	-	-		3	1.4
MIN.: 6 to 6½ yrs.	1	0.6	2	5.7	-	-		3	1.4
MIN.: 7½ to 20 yrs.	1	0.6	1	2.9	-	-		2	1.0
SUBTOTAL >3 YRS. MINIMUM	12	7.1%	13	37.1%	-	-		25	12.1%
TOTAL SENTENCED TO IMPRISONMENT IN SUPREME COURT	170	100.0%	35	100.0%	-	1		206	100.0%

TABLE 121

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 WHO WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

DEFENDANT CRIMINAL HISTORY BY TYPE AND LENGTH OF IMPRISONMENT FOR DEFENDANTS SENTENCED TO IMPRISONMENT IN SUPREME COURT AS OF AUGUST 29, 1984, FROM A FIFTY PERCENT RANDOM SAMPLE OF DEFENDANTS TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

DEFENDANT CRIMINAL HISTORY

DETERMINE SENTENCES	No Prior Felony Conviction		Prior Felony Conviction(s)		NYSID Not Available	Criminal History Not Available		TOTAL	
	N	%	N	%		N		N	%
Time Served	1	0.6%	-	-	-	-		1	0.4%
6 Months	3	1.7	1	1.4%	-	-		4	1.6
9 Months	-	-	-	-	-	-		-	-
10 Months	1	0.6	-	-	-	-		1	0.4
1 Year	32	18.6	4	5.7	1	1		38	15.4
SUBTOTAL 1 YEAR OR LESS	37	21.5%	5	7.1%	1	1		44	17.8%
<u>INDETERMINATE SENTENCES</u>									
MINIMUM: 1 yr. to 1 yr. 10 mos.									
1 - 3 years	13	7.6	2	2.9	-	-		15	6.1
1½ - 4½ years	35	20.3	1	1.4	-	-		36	14.5
Other Sentences	11	6.4	7	10.0	-	-		18	7.3
SUBTOTAL <2 YRS. MINIMUM	59	34.3%	10	14.3%	-	-		69	27.9%
MINIMUM: 2 yrs. to 2½ years									
2 - 6 years	24	14.0	4	5.7	-	-		28	11.3
Other Sentences	16	9.3	18	25.7	-	-		34	13.8
SUBTOTAL 2 - 2½ YRS. MINIMUM	40	23.3%	22	31.4%	-	1		62	25.1%
MIN.: 3 to 3½ yrs.	16	9.3	7	10.0	2	-		25	10.1
MIN.: 4 to 4½ yrs.	8	4.6	3	4.3	-	-		11	4.5
MIN.: 5 to 5½ yrs.	9	5.2	7	10.0	-	-		16	6.5
MIN.: 6 to 6½ yrs.	1	0.6	7	10.0	1	-		9	3.6
MIN.: 7½ to 20 yrs.	2	1.2	9	12.9	-	-		11	4.5
SUBTOTAL >3 YRS. MINIMUM	36	20.9%	33	47.2%	3	-		72	29.2%
TOTAL SENTENCED TO IMPRISONMENT IN SUPREME COURT	172	100.0%	70	100.0%	4	1		247	100.0%

felony convictions (7.1% compared to 20.9%, respectively) and 10.1 percentage points for those who had prior felony convictions (37.1% compared to 47.2% respectively).

Note also that, within both the transit and non-transit groups, prior felons were much more likely to receive a higher minimum sentence (over 3 years) than defendants without prior felony convictions (37.1% versus 7.1%, respectively, among the transit group and 47.2% versus 20.9%, respectively, among the non-transit group). Among transit defendants, only 2.9% of the prior felons compared to 24.1% of the defendants with no prior felony convictions received a determinate sentence of one year or less. Among non-transit defendants, sentences of one year or less were given to 7.1% of the prior felons compared with 21.5% of those with no prior felony convictions. Of the six defendants with prior felony convictions who received determinate sentences of one year or less, four were convicted of misdemeanor offenses. The other two defendants pled guilty to felony offenses and received a one year sentence of imprisonment.<sup>35</sup>

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<sup>35</sup>It is not possible to determine, from the available data, whether the prior felony convictions of these two defendants fell within the parameters set out in the Penal Law (Sections 70.04, 70.06, 70.08, or 70.10) governing the enhanced sentencing of prior felony offenders. Hence, the legality of these sentences cannot be determined here.

## CONCLUSION

This study has presented a comprehensive description of subway robbery and larceny crime incidents, arrests, and their Court outcomes. It is hoped that these data and analyses will assist policymakers toward a better understanding of the nature of subway crime and suggest potential strategies for reducing this crime. In this section, we review some of the findings from each part of the study, and discuss possible implications of the data.

There were 1523 robbery and 1480 larceny incidents reported to the Transit Police Department (TPD) as occurring in the four selected three-week sample periods in 1982. New York County had the largest percentage of both robbery and larceny incidents while Kings County had the next highest percentage of both types of crime. Over one half of the larceny incidents occurred on a train, and one fifth occurred on the platform. Of the transit robbery incidents, however, less than one third occurred on the train, while stairways and platforms together accounted for almost half of the reported transit robbery locations. There were few differences among the counties in the distribution of incidents according to crime location. Compared to other counties, New York County had the lowest percentage of robberies occurring on a train and the highest percentage on a stairway. A similar pattern was observed for larcenies. For both robberies and larcenies, Queens incidents most often occurred on a train.

Reported crime incidents were not evenly distributed throughout the week. The lowest average numbers of larceny incidents were on Saturday and Sunday. Transit robberies showed a different pattern: a substantially higher number of incidents occurred on Fridays, with the next highest average number occurring on Saturdays. Transit robbery incidents were more evenly distributed throughout the day than larcenies. For robberies, the percentage of incidents was lowest in the morning rush-hour period (6:01 A.M. to 8:00 A.M.), and highest in the evening (8:01 P.M. to 10:00 P.M.). Almost one half of the 1480 larcenies occurred during the afternoon, 12:01 P.M. to 6:00 P.M., with nearly one fourth occurring during the evening rush hour (between 4:01 P.M. and 6:00 P.M.).

The robbery distribution noted above differed from that found by the Rand researchers for January through March 1965 and for January through April 1970 and 1971. For the 1965 sample period, the average number of incidents per hour was greatest from 2:00 A.M. to 4:00 A.M., followed by the 10:00 P.M. to 12:00 midnight and 2:00 P.M. to 4:00 P.M. periods.<sup>1</sup> For the 1970 and 1971 sample periods, the time period from 10:00 A.M. to 8:00 P.M. showed the highest average number of robberies per hour with the hour from 3:00 P.M. to 4:00 P.M. having the highest rate for any period.

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<sup>1</sup>See, p.35, of the study cited in footnote 1 of the Introduction.



On average, larceny complainants were older than robbery complainants: for robbery incidents, the average complainant age was 34.9 years; for larcenies, it was 37.3 years. Complainants 50 years or older comprised just over one fifth of both the robbery and larceny victims. There were considerable differences in the proportions of male and female robbery and larceny complainants. Victims of robbery incidents were most often male (71.2%), while female complainants were more prevalent among larcenies (65.7%). Males comprised ninety percent of the robbery complainants under 16 years of age.

Incident rates were calculated from turnstile registration figures provided by the Transit Authority. Because these figures can only record the point at which a person enters the system and do not reflect persons who entered the system illegally or with a valid pass, this measure is necessarily only an estimate of the number of persons present and thus at risk at a particular time or location. The average daily incident rates per million registered passengers<sup>2</sup> varied greatly according to two-hour time intervals. The interval from 2:01 A.M. to 4:00 A.M., although it had relatively few incidents, showed the highest incident rates for both robberies and larcenies. The period from 12:01 A.M. to 2:00 A.M. had the second highest incident rates for both crime types. The lowest weekday incident

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<sup>2</sup>These rates were 7.0 robberies and 6.8 larcenies per million passengers for the entire sample period.

rate for robbery and larceny incidents was that for the early morning rush-hour period, 6:01 A.M. to 8:00 A.M. For the evening rush hour (4:01 P.M. to 6:00 P.M.), the robbery incident rate was relatively low and the larceny rate relatively high. Incident rates were also calculated for the 25 stations with the highest passenger entry volume. Stations with the greatest daily passenger volume or largest number of incidents per day were not necessarily the ones with the highest incident rates.

Nearly one fifth of all robbery and larceny incidents in the 84 days of the sample period were subsequently cleared by an arrest or linked to a defendant arrested for another crime ("exceptional clearance"). The overall percentage of robbery incidents cleared (17.1%) was four percentage points lower than the overall percentage of larcenies cleared (21.1%). The New York City Police Department (NYPD) citywide clearance rates for all of 1982 varied greatly for robberies and larcenies. Citywide (excluding Richmond County), clearance rates were 20.7% for robberies (slightly higher than for transit robberies) and only 7.0% for grand larcenies (substantially lower than for transit larcenies). This large difference between the two larceny clearance rates may be related to the type of larceny found most often in each group. For instance, the vast majority of subway larcenies were crimes where property was taken from a person, such as a jewelry or purse snatch or a bag opener larceny. The NYPD figures may include large numbers of

other types of larcenies, especially those where there was not a direct confrontation between the perpetrator and a victim.

Transit robbery and larceny clearance rates varied greatly by location and type of incident. For robberies, the clearance rate was highest for incidents which occurred in the mezzanine and lowest for those which occurred on stairways and in passageways or on ramps. Among larcenies, the clearance rates were roughly equivalent for incidents which occurred on stairways, mezzanines, and platforms, but lower for those which occurred on trains, where over one half of the larcenies occurred. For larceny incidents, the "level of intrusion" of the taking of property was related to the likelihood that the incident was cleared. For instance, incidents with comparatively minimal lengths of time of physical contact necessary for completion of the crime, such as purse and jewelry snatches, had substantially lower percentages of cleared incidents than those involving a more intrusive taking, such as those classified as bag opener, pickpocket, and lush worker larcenies.

Robbery incidents which occurred in the sample period were more likely to involve more than one arrestee than larceny incidents from the same period. For robbery incidents with arrest(s), the data show that incidents which occurred during the time period 12:01 P.M. to 4:00 P.M., were more likely to involve co-defendants. For larcenies, co-defendant arrests

were most likely for incidents occurring during the period from 4:01 P.M. to 8:00 P.M. It is not possible with this dataset to determine whether more robberies and larcenies were committed in particular time periods by individuals acting alone or in groups, nor is it possible to determine whether the number of persons arrested for an incident was a result of different police arrest or patrol practices during certain time periods.

Among incidents with arrest(s), larcenies were much more likely to result in immediate arrest(s), than robberies. Jewelry and purse snatches had higher percentages of arrests after the passage of some time than other types of larcenies. Lush worker, bag opener, and pickpocket larcenies, which had relatively high clearance rates, had the highest percentages of immediate arrests. With these larcenies, suspected perpetrators appear likely to be "caught in the act" or not caught at all.

Overall, about one third of the 562 incidents with arrest(s) involved defendants 16 to 19 years of age. However, robbery incidents with an arrest had a greater percentage of arrestees in younger age categories than larceny incidents. Incidents with defendants 16 to 19 and 20 to 24 years were more likely to involve bodily force than incidents involving either younger or older defendants. Robbery incidents with defendants under 16 years showed the highest percentage of gun use; overall, one quarter of all incidents involved the use of a gun or alleged gun.

There were 1255 arrests made from December 1981 through June 1982 for robbery incidents which occurred on the subway system. Part II presented information for the 705 incidents for which these arrests were made. Almost three tenths of the incidents in which the number of participants as available involved a single perpetrator and a single victim. Over half involved more than one perpetrator but only one victim; one tenth involved multiple participants and multiple victims.

Three fifths of the robbery incidents for which an arrest was made in the seven months of the sample period did not report any injury to the victim in connection with the robbery. This is in contrast to the Rand finding that "passenger robbers often subjected their victims to considerable physical violence."<sup>3</sup> The Rand findings on characteristics of subway robbers were based on an examination of complaint and arrest reports for 183 passenger robberies. It is difficult to assess the reasons for these differences since the two studies are based upon different types of samples and the Rand study did not quantify this particular finding.

The number of victims involved in the incident did not seem to have been a factor in the threat or use of force in the robbery incidents in this sample. The number of participants, on the other hand, did seem to be related to the use of force.

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<sup>3</sup>See, p. 49, of the study cited in footnote 1 of the Introduction.

Generally, the percentage of incidents where force was used increased as the number of participants increased.

Over one half of the incidents in the robbery arrest sample reported no use, display, or threat of a weapon in connection with the robbery incident. The Rand researchers found that three fourths of the incidents in their sample involved no weapon other than a fist.<sup>4</sup> Only 7.3% of the incidents involved weapon use; a weapon was displayed in one quarter of the incidents. In contrast to the use of physical force, the percentage of incidents in which a weapon was used, displayed, or threatened was higher among multiple-victim incidents than among incidents with only one victim.

Almost two thirds of the 1255 defendants arrested for robbery in the seven months of the sample period were under 19 years of age at the time of arrest. The mean defendant age was 18.3 years; the median age was 17.2 years. Only three percent of the defendants in the sample were female. Almost one half of the defendants reported that they were students, and nine percent reported that they were employed at the time of arrest. Finally, almost two thirds of the defendants with reported addresses lived in the county in which the incident occurred.

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<sup>4</sup>Ibid.

Overall, two fifths of the defendants were arrested for robbery 2 while just over one fourth were arrested for robbery 1. The number of participants, the seriousness of the injury to the victim, and whether property was actually taken in the robbery incident were all related to the arrest charge reported by the Transit Police Department. For instance, the percentage of defendants charged with robbery 1 rose as the seriousness of the victim injury reported for the incident increased. These three factors can, under the Penal Law, affect the severity of the robbery offense charged.

The residency of the victim(s) within the county of the crime incident was a factor hypothesized as related to the likelihood of indictment and conviction. Dismissal rates in Criminal Court were higher and plea rates lower among the defendants arrested for robberies with at least one residence-out-of-county victim than among those accused of crimes where all victims were residents of the incident county. However, Supreme Court outcomes were very similar whether any victims lived outside the county of incident. This suggests that any effect which victim residency may have had on the prosecution of these defendants occurred prior to the presentation of the case to the Grand Jury.

The comparison of Criminal and Supreme Court outcomes for transit and non-transit robbery arrests, contrary to expectations, showed no dramatic differences between the two groups.

However, there were some differences observed in arrest and defendant characteristics as well as court outcomes. For instance, transit defendants were more likely to be charged at arrest with robbery 2 while the non-transit group showed a higher percentage of robbery 1 charges.

Transit defendants tended to be younger than non-transit arrestees. The median ages for the two groups differed by 2.6 years - 17.8 years among transit defendants and 20.4 years among non-transit defendants. Nearly one half of all transit defendants were in the 16-to-18-years age category compared to less than one third of the non-transit group. Overall, the prior criminal histories of the two groups were fairly similar, considering the age differences between them. Transit defendants were slightly more likely not to have been arrested before and to have no prior convictions but open cases pending against them, while non-transit defendants had a higher percentage of defendants with prior felony convictions.

In general, transit and non-transit defendants had very similar rates of transfer to Supreme Court, dismissal, and plea. Some differences between the groups were observed, however, when Criminal Court outcome was examined in relation to factors such as arrest charge, defendant age, and defendant prior criminal history.



Transit robbery arrests resulting in a Criminal Court conviction were much more likely to receive a sentence of probation than non-transit defendants. Criminal Court sentences of fine or imprisonment and imprisonment alone were slightly more common among non-transit arrests. This difference in the probation sentencing for transit and non-transit defendants was found among those arrested for robbery 1 and robbery 2, arrestees aged 16 to 18 years, and among defendants with no prior convictions and no pending cases and among those with no convictions but with cases pending against them.

Among the cases transferred to Supreme Court for whom a disposition was known, the percentage of defendants who pled guilty or were tried and found guilty was higher for those arrested for transit robberies, while non-transit defendants were slightly more likely to have had their cases sealed or dismissed. These differences occurred particularly among defendants who were 16 to 18 and 19 to 24 years old. Transit defendants had higher conviction rates across all criminal history categories, especially among defendants with only open cases pending against them. This difference across criminal history categories was found among those indicted for robbery 2, but not among those indicted for robbery 1.

Supreme Court sentencing patterns were similar to those found in Criminal Court; convicted transit defendants were more likely to receive probation while imprisonment sentences were

more common among the non-transit groups. These sentencing differences were noted among Kings County arrestees, defendants with a most severe indictment charge of robbery 1, among defendants aged 16 to 24 years, and among defendants with open cases pending against them but with no prior convictions.

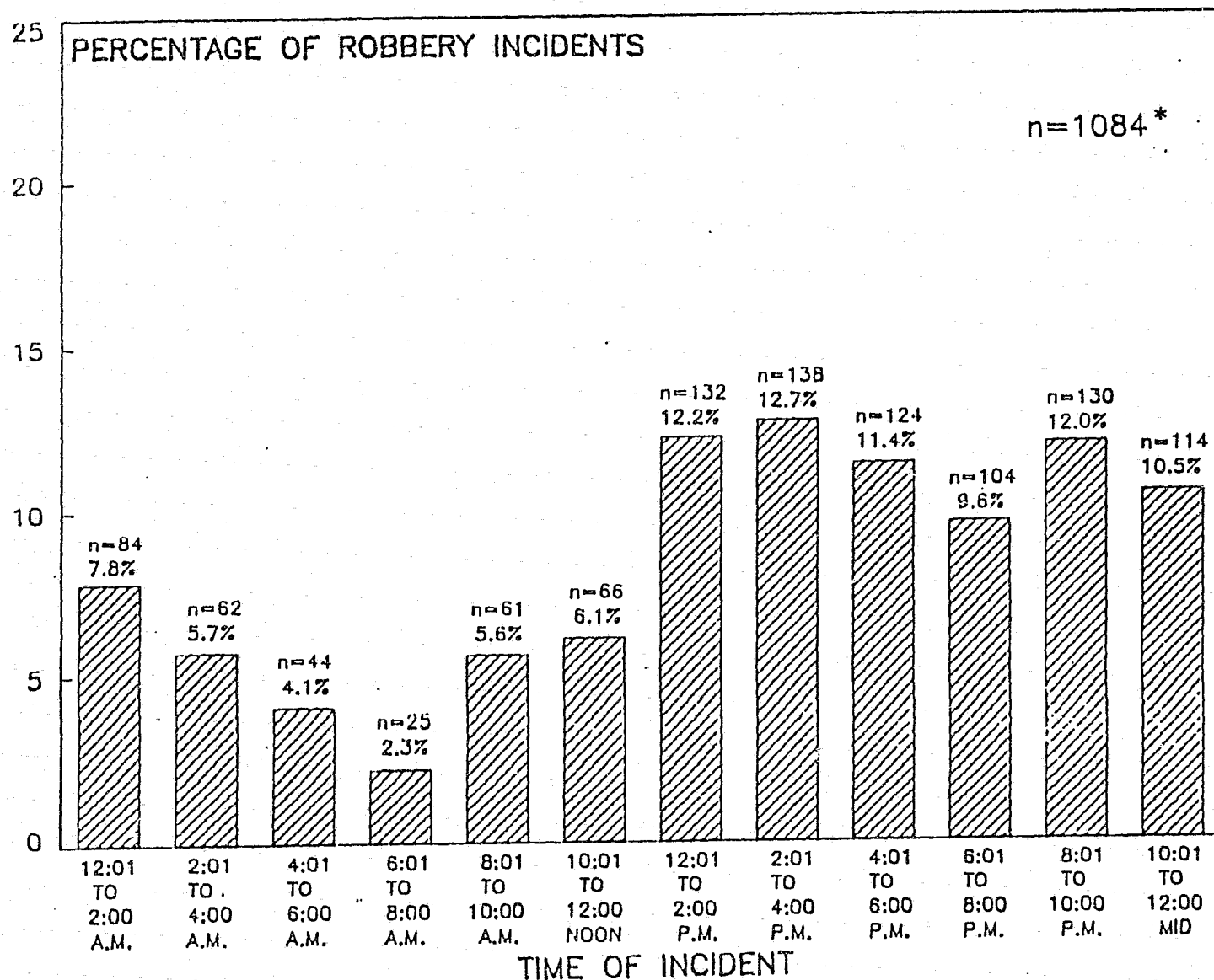
It is possible that the higher Supreme Court plea rates for transit defendants may be related to the higher probation rates among that arrest group. For instance, the prospect of receiving a sentence of probation as part of a plea bargaining agreement might provide an incentive for certain defendants to plead guilty and not risk the possibility of being tried and found guilty and then sentenced to imprisonment.

Finally, non-transit defendants tended to receive longer minimum prison terms, in general, than transit defendants. In addition, within both groups, prior felons were much more likely to receive a higher minimum sentence than defendants without prior felony convictions. The sentence length data were not examined, however, in relation to defendant age or conviction charge.

In sum, the data provide a varied and diverse picture of robbery and larceny crime incidents in the subway system and of those arrested for these crimes and of those arrested and prosecuted for transit and non-transit robberies. They point out the importance of looking at county differences, the physical layout of stations, and ridership patterns in the development of crime fighting strategies. In addition, with further analyses of these data, it is hoped that the City's policymakers and law enforcement officials can use this study to achieve two different, albeit related, goals. These two goals are: (1) the reduction of the number of incidents occurring at particular times and locations and (2) the increased probability of apprehension of suspects once a crime has occurred. The development of strategies for achieving these goals could involve police deployment practices, improving the physical environment of the subways in particular areas, and public education campaigns. Success in these areas might also affect the public perception of crime in the system and ridership patterns.

# APPENDIX I

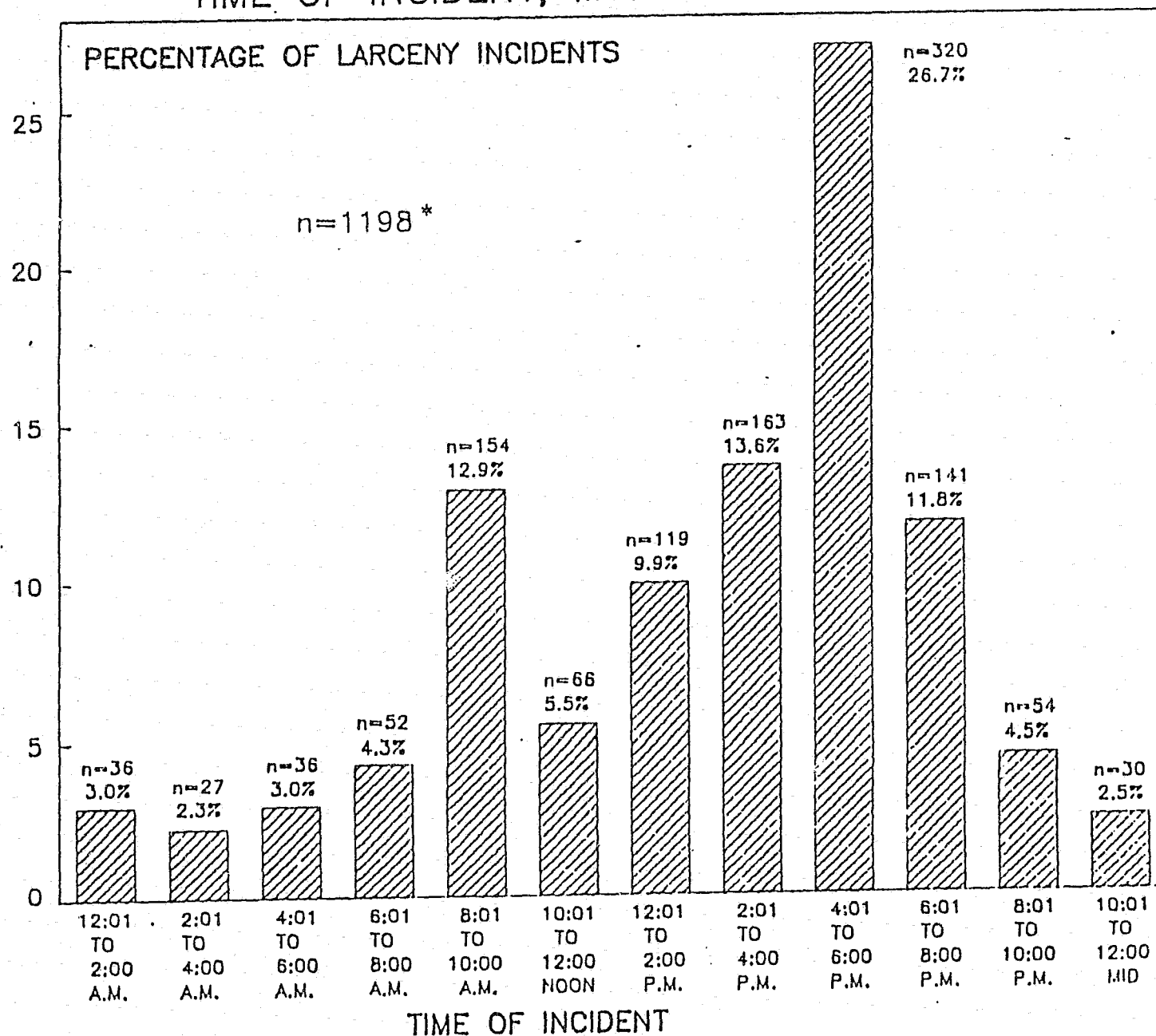
TRANSIT ROBBERY INCIDENTS REPORTED TO THE TRANSIT POLICE  
DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:  
TIME OF INCIDENT, MONDAY-FRIDAY



\* TIME OF INCIDENT NOT AVAILABLE FOR ONE CASE.

APPENDIX I  
Figure 1

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE  
DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982;  
AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:  
TIME OF INCIDENT, MONDAY-FRIDAY



\* TIME OF INCIDENT NOT AVAILABLE FOR TWO CASES.

APPENDIX I - TABLE I

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE  
TRANSIT POLICE DEPARTMENT AS OCCURRING FEBRUARY 1-21, 1982;  
MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

TIME PERIOD OF INCIDENT BY TPD CRIME CLASSIFICATION

TIME PERIOD OF INCIDENT

<u>TPD CRIME CLASSIFICATION</u>	<u>February 1-21</u>		<u>May 1-21</u>		<u>August 1-21</u>		<u>October 2-22</u>		<u>TOTAL</u>	
<u>WEEKDAY</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Purse Snatch	58	22.5%	61	19.2%	59	17.7%	65	22.3%	243	20.3%
Jewelry Snatch	20	7.8	93	29.2	122	36.5	64	22.0	299	24.9
Pickpocket	41	16.0	50	15.7	45	13.4	48	16.5	184	15.3
Bag Opener	93	36.2	68	21.4	61	18.3	63	21.7	285	23.7
Lush Worker	14	5.4	18	5.7	19	5.7	24	8.2	75	6.3
Other Type <sup>1</sup>	<u>31</u>	<u>12.1</u>	<u>28</u>	<u>8.8</u>	<u>28</u>	<u>8.4</u>	<u>27</u>	<u>9.3</u>	<u>114</u>	<u>9.5</u>
TOTAL WEEKDAY	257	100.0%	318	100.0%	334	100.0%	291	100.0%	1200	100.0%
<u>WEEKEND</u>										
Purse Snatch	26	43.3%	17	28.8%	18	19.0%	16	24.3%	77	27.5%
Jewelry Snatch	4	6.7	13	22.0	21	22.1	10	15.2	48	17.1
Pickpocket	4	6.7	5	8.5	10	10.5	2	3.0	21	7.5
Bag Opener	8	13.3	7	11.9	4	4.2	7	10.6	26	9.3
Lush Worker	14	23.3	12	20.3	32	33.7	22	33.3	80	28.6
Other Type <sup>1</sup>	<u>4</u>	<u>6.7</u>	<u>5</u>	<u>8.5</u>	<u>10</u>	<u>10.5</u>	<u>9</u>	<u>13.6</u>	<u>28</u>	<u>10.0</u>
TOTAL WEEKEND	60	100.0%	59	100.0%	95	100.0%	66	100.0%	280	100.0%
<u>ALL DAYS</u>										
Purse Snatch	84	26.5%	78	20.7%	77	17.9%	81	22.7%	320	21.6%
Jewelry Snatch	24	7.6	106	28.1	143	33.3	74	20.7	347	23.4
Pickpocket	45	14.2	55	14.6	55	12.8	50	14.0	205	13.9
Bag Opener	101	31.9	75	19.9	65	15.2	70	19.6	311	21.0
Lush worker	28	8.8	30	8.0	51	11.9	46	12.9	155	10.5
Other Type <sup>1</sup>	<u>35</u>	<u>11.0</u>	<u>33</u>	<u>8.7</u>	<u>38</u>	<u>8.9</u>	<u>36</u>	<u>10.1</u>	<u>142</u>	<u>9.6</u>
TOTAL ALL DAYS	317	100.0%	377	100.0%	429	100.0%	357	100.0%	1480	100.0%

<sup>1</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

APPENDIX I - TABLE 2

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

DAY OF OCCURRENCE BY CLEARANCE (EXCLUDING LUSH WORKER LARCENIES)

DAY OF OCCURRENCE

	<u>Sunday</u>		<u>Monday</u>		<u>Tuesday</u>		<u>Wednesday</u>		<u>Thursday</u>		<u>Friday</u>		<u>Saturday</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Clearance	13	16.7%	33	17.6%	40	17.7%	58	24.3%	33	14.4%	49	20.1%	28	23.0%	254	19.2%
No Clearance	65	83.3	154	82.4	186	82.3	181	75.7	196	85.6	195	79.9	94	77.0	1071	80.8
<b>TOTAL</b>	<b>78</b>	<b>100.0%</b>	<b>187</b>	<b>100.0%</b>	<b>226</b>	<b>100.0%</b>	<b>239</b>	<b>100.0%</b>	<b>229</b>	<b>100.0%</b>	<b>244</b>	<b>100.0%</b>	<b>122</b>	<b>100.0%</b>	<b>1325</b>	<b>100.0%</b>



APPENDIX I - TABLE 3

TRANSIT GRAND LARCENY INCIDENTS REPORTED TO THE TRANSIT POLICE DEPARTMENT  
AS OCCURRING FEBRUARY 1-21, 1982; MAY 1-21, 1982; AUGUST 1-21, 1982; OR OCTOBER 2-22, 1982:

AGE OF COMPLAINANT BY TPD CRIME CLASSIFICATION

TPD CRIME CLASSIFICATION	AGE OF COMPLAINANT																
	Under		16-19 Years		20-29 Years		30-39 Years		40-49 Years		50-59 Years		Over		Not Available	TOTAL	
	16 Years										59 Years						
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	
Jewelry Snatch	6	35.3%	26	37.7%	86	19.3%	68	21.7%	56	29.3%	30	18.8%	48	30.0%	27	347	23.4%
Purse Snatch	2	11.8	10	14.5	97	21.7	76	24.3	40	21.0	47	29.4	26	16.2	22	320	21.6
Bag Opener	3	17.6	14	20.3	121	27.1	68	21.7	33	17.3	26	16.2	18	11.2	28	311	21.0
Pickpocket	1	5.9	6	8.7	44	9.8	33	10.5	30	15.7	32	20.0	47	29.4	12	205	13.9
Lush Worker	-	-	5	7.2	65	14.5	44	14.1	18	9.4	13	8.1	7	4.4	3	155	10.5
Other Type <sup>1</sup>	5	29.4	8	11.6	34	7.6	24	7.7	14	7.3	12	7.5	14	8.8	31	142	9.6
TOTAL LARCENY	17	100.0%	69	100.0%	447	100.0%	313	100.0%	191	100.0%	160	100.0%	160	100.0%	123	1480	100.0%

<sup>1</sup>Includes larcenies classified by the TPD as a hat snatch, a larceny involving TA property, or a larceny not falling into one of the designated classes.

## APPENDIX II

APPENDIX II - TABLE 1

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH  
JUNE 1982 AND NON-TRANSIT ROBBERY ARRESTS MADE  
DECEMBER 1981 OR APRIL 1982 WHO WERE INTERVIEWED  
BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

NUMBER OF DAYS FROM GRAND JURY INDICTMENT TO SUPREME COURT  
DISPOSITION FOR TRANSIT AND NON-TRANSIT DEFENDANTS WHO PLED  
GUILTY OR WERE TRIED AND FOUND GUILTY IN SUPREME COURT  
AS OF AUGUST 29, 1984

<u>NUMBER OF DAYS</u>	<u>Transit</u>		<u>Non-Transit</u>		<u>TOTAL</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
0- 30 days	52	17.9%	32	10.6%	84	14.2%
31- 60 days	31	10.7	22	7.3	53	9.0
61-120 days	45	15.5	47	15.6	92	15.5
121-180 days	50	17.1	49	16.3	99	16.7
181-270 days	45	15.5	58	19.3	103	17.4
271-365 days	50	17.1	58	19.3	108	18.2
More than 1 year	18	6.2	35	11.6	53	9.0
SUBTOTAL	291	100.0%	301	100.0%	592	100.0%
Not Available <sup>1</sup>	21		36		57	
TOTAL	312		337		649	

<sup>1</sup>Includes cases where the date of the Grand Jury action or the date of the conviction (or both dates) were not available.

APPENDIX II - TABLE 2

TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 THROUGH JUNE 1982 WHO  
WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE INDICTMENT CHARGE BY SUPREME COURT STATUS AS OF AUGUST 29, 1984,  
FOR DEFENDANTS TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

MOST SEVERE INDICTMENT CHARGE

<u>SUPREME COURT STATUS</u>	<u>Robbery 1<sup>1</sup></u>		<u>Robbery 2<sup>2</sup></u>		<u>Robbery 3<sup>3</sup></u>		<u>SUBTOTAL ROBBERY</u>		<u>Other Felony</u>		<u>Misdemeanor</u>		<u>Charge Not Available</u>	<u>TOTAL</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
No Public Record <sup>4</sup>	13	8.9%	8	4.8%	1	5.3%	22	6.7%	-	-	-	-	46	68	16.8%
Dismissed	1	0.7	8	4.8	1	5.3	10	3.0	-	-	-	-	1	11	2.7
Pled Guilty	119	81.0	138	83.7	16	84.2	273	82.5	6	100.0%	2	100.0%	18	299	74.1
Tried and Found Guilty	5	3.4	8	4.8	-	-	13	3.9	-	-	-	-	-	13	3.2
Other <sup>5</sup>	3	2.0	1	0.6	-	-	4	1.2	-	-	-	-	-	4	1.0
<b>SUBTOTAL COMPLETED</b>	<b>141</b>	<b>96.0%</b>	<b>163</b>	<b>98.8%</b>	<b>18</b>	<b>94.7%</b>	<b>322</b>	<b>97.3%</b>	<b>6</b>	<b>100.0%</b>	<b>2</b>	<b>100.0%</b>	<b>65</b>	<b>395</b>	<b>97.8%</b>
<u>PENDING</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
Continued	3	2.0	-	-	-	-	3	0.9	-	-	-	-	-	3	0.7
Warrant Ordered	3	2.0	2	1.2	1	5.3	6	1.8	-	-	-	-	-	6	1.5
<b>SUBTOTAL PENDING</b>	<b>6</b>	<b>4.0%</b>	<b>2</b>	<b>1.2%</b>	<b>1</b>	<b>5.3%</b>	<b>9</b>	<b>2.7%</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>9</b>	<b>2.2%</b>
<b>TOTAL TRANSFERRED TO SUPREME COURT</b>	<b>147</b>	<b>100.0%</b>	<b>165</b>	<b>100.0%</b>	<b>19</b>	<b>100.0%</b>	<b>331</b>	<b>100.0%</b>	<b>6</b>	<b>100.0%</b>	<b>2</b>	<b>100.0%</b>	<b>65</b>	<b>404</b>	<b>100.0%</b>
Returned by Grand Jury to Criminal Court	-	-	-	-	-	-	-	-	-	-	4	-	2	6	-
Status Not Available	1	-	-	-	-	-	1	-	-	-	-	-	27	28	-

<sup>1</sup>Includes attempted robbery 1.

<sup>2</sup>Includes attempted robbery 2.

<sup>3</sup>Includes attempted robbery 3.

<sup>4</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

<sup>5</sup>Includes two cases abated by the deaths of the defendants, one case subsumed by another indictment and one case transferred to Family Court.

APPENDIX II - TABLE 3

NON-TRANSIT ROBBERY ARRESTS MADE DECEMBER 1981 OR APRIL 1982 WHO  
WERE INTERVIEWED BY CJA AND HAD A MOST SEVERE ARREST CHARGE OF ROBBERY:

MOST SEVERE INDICTMENT CHARGE BY SUPREME COURT STATUS AS OF AUGUST 29, 1984,  
FOR A FIFTY PERCENT RANDOM SAMPLE OF DEFENDANTS  
TRANSFERRED TO SUPREME COURT AS OF AUGUST 29, 1984

MOST SEVERE INDICTMENT CHARGE

<u>SUPREME COURT STATUS</u>	<u>Robbery 1<sup>1</sup></u>		<u>Robbery 2<sup>2</sup></u>		<u>Robbery 3<sup>3</sup></u>		<u>SUBTOTAL ROBBERY</u>		<u>Other Felony</u>		<u>Misdemeanor</u>		<u>Charge Not Available</u>	<u>TOTAL</u>	
<u>COMPLETED</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>N</u>	<u>%</u>
No Public Record <sup>4</sup>	10	4.5%	9	8.7%	1	4.3%	20	5.7%	2	7.1%	-	-	75	97	20.7%
Dismissed	2	0.9	5	4.9	-	-	7	2.0	1	3.6	-	-	1	9	1.9
Pled Guilty	165	73.7	76	73.8	17	73.9	258	73.7	21	75.0	-	-	16	295	62.8
Tried and Found Guilty	29	12.9	7	6.8	4	17.4	40	11.4	2	7.1	-	-	-	42	8.9
Other <sup>5</sup>	3	1.3	-	-	-	-	3	0.9	-	-	-	-	-	3	0.6
 SUBTOTAL COMPLETED	 209	 93.3%	 97	 94.2%	 22	 95.7%	 328	 93.7%	 26	 92.9%	 -	 -	 92	 446	 94.9%
<u>PENDING</u>															
Continued	3	1.3	2	1.9	1	4.3	6	1.7	-	-	-	-	-	6	1.3
Warrant Ordered	12	5.4	4	3.9	-	-	16	4.6	2	7.1	-	-	-	18	3.8
 SUBTOTAL PENDING	 15	 6.7%	 6	 5.8%	 1	 4.3%	 22	 6.3%	 2	 7.1%	 -	 -	 -	 24	 5.1%
 Returned by Grand Jury to Criminal Court	 224	 100.0%	 103	 100.0%	 23	 100.0%	 350	 100.0%	 28	 100.0%	 -	 -	 92	 470	 100.0%
Status Not Available	-		-		-		-		-		10		-	10	
	-		-		-		-		-		-		35	35	
 TOTAL TRANSFERRED TO SUPREME COURT	 224		 103		 23		 350		 28		 10		 127	 515	

<sup>1</sup>Includes attempted robbery 1.

<sup>2</sup>Includes attempted robbery 2.

<sup>3</sup>Includes attempted robbery 3.

<sup>4</sup>The term "No Public Record" is used by OCA to designate cases which have been sealed.

<sup>5</sup>Includes two cases subsumed by other indictments and one case abated by the death of the defendant.