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THE STATE OFFICE BUILDING CAMPUS  
ALBANY, N.Y. 12226

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DIVISION OF PROGRAM PLANNING, RESEARCH AND EVALUATION

Review of Department of Correctional Services'  
Research on Female Commitments

116595

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## REVIEW OF DEPARTMENT OF CORRECTIONAL SERVICES' RESEARCH ON FEMALE COMMITMENTS

The Department receives numerous questions on female offender issues. These questions include:

1. How have the characteristics of female inmates changed over time?
2. What is the profile of female inmates?
3. How do women under custody compare to men under custody?
4. What percentage of women recidivate?
5. What percentage of the women under custody are mothers?
6. What crimes did the female inmates commit?

The Division of Program Planning, Research and Evaluation has addressed these issues in a series of reports on women under the Department's custody. The purpose of this review is to briefly discuss these reports to facilitate readers' requests for the actual reports. This review provides a general picture of the kind of research the Department has done in this area.

### A. TRENDS IN THE FEMALE INMATE POPULATION

These reports contain extensive information designed to reflect changes which have occurred in the female inmate population over several years.

#### 1. Female New Court Commitments, 1976 through 1987

This report examines trends in the demographic and legal history characteristics of female offenders committed to the New York State Department of Correctional Services over the period 1976 through 1987. The study also presents comparative data on commitment offense type for male and female admissions.

#### 2. Characteristics of Female Inmates Held Under Custody, 1975 through 1985

This report provides a statistical profile of the changes in the Department's female inmate population during the 11 year period 1975 through 1985. Information is provided on variables such as crime of commitment, first or second felony offender status, prior adult record, minimum and maximum sentence length, age ethnic status, years of education, marital status, region of commitment, and occupational status.

3. **An Examination of the Trend of Female New Commitments, 1976 through 1984**

This report provides information on female new commitments to Department custody over the nine year period 1976 through 1984. The focus of this report is changes in the number of women committed, the crime of commitment, and the impact of second and persistent felony offender legislation.

B. **COMPARISON AND PROFILE REPORTS**

4. **Sample of 1986 Female New Commitments for Controlled Substance Convictions Involving "Crack"**

In response to legislative, law enforcement, and public inquiries, this brief survey examined a sample of 1986 female new commitments for drug crimes to determine the percentage involving cocaine, especially in the crystalline form known as "crack".

5. **Comparison of Male and Female Inmates Under the Department's Custody: June 1, 1983**

This report compares males and females under the Department's custody in terms of county of commitment, ethnic background, education, commitment age, conviction crime, and prior record.

6. **A Comparison of Women Under Custody: 1912 and 1982**

The second comparison report concerns women under custody in 1912 and 1982. The 1912 information was obtained from the Annual Report of the Superintendent of State Prisons, a publication put out yearly as part of the budget request to the state legislature. The women under custody in 1912 were housed at the State Prison at Auburn, comprising two percent of the under custody population as opposed to three percent in 1982.

7. **An Examination of the Trend of Female New Commitments: 1960 to 1982**

This report researches the trend of female new commitments for crime from 1960 to 1982. Examined are the number of commitments for felony versus non-felony and violent versus non-violent offenses.

8. Trend in Female Offenders Under the Department's Custody: 1978 through 1984

This paper examines the trend in the number of female offenders under the Department's custody from 1978 through 1984. This analysis considers the impact of new commitments, second felony and violent felony laws, and number of releases.

9. Profile of Women Under Custody: March 1985

This report provides a profile of women under the Department's custody as of March 1985. Information on the offense, sentence, family background, and demographics are presented.

C. DOMESTIC VIOLENCE

10. Domestic Violence and Incarcerated Women: Survey Results

In July of 1985, a survey on domestic violence was administered to the female inmate population at Bedford Hills Correctional Facility. The purpose of this survey was to gather information on the issue of domestic violence and incarcerated women. This report presents the data from the survey results.

D. RECIDIVISM RESEARCH

11. Analysis of Low Return Rate Among Female Offenders

The purpose of this report is to analyze the recurring findings of Department research that a lower percentage of female offenders are returned to the Department's custody than male offenders. The cohort used to examine recidivism was the 1975 release group. Conviction crime, prior record, and age upon commitment are compared for male and female offenders.

E. REPORTS ON WOMEN COMMITTED FOR HOMICIDE

12. 1986 Female Homicide Commitments

This report presents information on the characteristics of 78 female offenders committed to the Department of Correctional Services during 1986 for a homicide offense. This study is based on the analysis of information in individual case file folders includes data on such factors as prior criminal involvement, accomplice involvement, victim characteristics and evidence of domestic violence.

13. Survey of 1980 New Commitments for Murder/Homicide Involving Family Members

This report examines male and female new commitments in 1980 for all homicide cases in order to develop an estimate of the number of victims who are related to the offender. Approximately 13 percent of male homicide commitments in 1980 involved family members as victims. However, 44 percent of the female new commitments for homicide involved family members. "Family members" are defined as legal or common-law spouse, paramour, children of the offender or spouse, parents and grandparents.

14. 1981 Female New Commitments for Homicide

This report focuses solely on the 60 female new commitments in 1981 for murder, manslaughter, and criminally negligent homicide. Topics discussed include the offender's role, the offender's relationship to the victim, as well as the type of weapon used.

F. INMATE MOTHERS

15. Bedford Hills Nursery Mothers Follow-Up

This report is a follow-up study of the 28 women who had babies born in 1981 and 1982 and participated in the Nursery Program at Bedford Hills Correctional Facility. The focus is on the custody of the infant and other children following release.

16. Survey of Nursery Programs in Ten States

This report describes a survey done in ten states to see what kind of nursery programs exist for women who have babies while incarcerated. States with a female under custody population of 250 or more were included. None of the surveyed states had a nursery program where the infants return to the prison.

G. TIME SERVED

17. Time Served Among Female Releases, 1978 through 1983

This report examines the average time served for female offenders in state prison over the release years 1978 through 1983. Although this study shows a moderate increase in average time served over these years for women, it also shows that in comparable offense categories, female commitments serve less time than male commitments.

## **H. BEDFORD HILLS CLASSIFICATION DATA**

The data used in preparing this series of reports is the Classification Questionnaire, a comprehensive self-report survey which was distributed at Bedford Hills Correctional Facility during reception. All women who were committed to the Department's custody were processed through that facility, spending their first few weeks in a classification process where educational, medical, and psychological tests were administered. The Classification Questionnaire covered a wide range of topics including family, offense, victims, drugs and alcohol, and prior record.

### **18. Female Commitments 1982: The Family**

This report examines the data collected on the family for the women committed to the Department in 1982. Two different aspects of the family are discussed. Childhood background and current family situation. Specific areas include women as mothers, physical and sexual abuse, custody of children and prior employment.

### **19. Female Commitments 1982: The Offense**

As in the preceding report, this data is based on 1982 female commitments to the Department. However, the focus in this report is the offender's perception of the current offense, including their role in the crime, co-offender, influence of drugs and alcohol, relationship to victim and factors leading to crime.

### **20. Family Situations of Selected 1981 Female Commitments**

This is the first of three reports written on 1981 female commitments to the Department. The purpose of this report is to discuss the family situations of the women prior to the current incarceration. Particular attention is given to incarcerated women with respect to the number, age, and custody of her children. Employment and financial history, as reported by the offenders, is also presented.

### **21. Family Histories of Selected Female 1981 Commitments**

This second report on 1981 female commitments examines the childhood family of the women. Topics include their attitudes towards their parents and siblings, as well as who had custody of them as children and whether they were abused as children.

22. The Commitment Offenses of Selected 1981 Female Commitments

This is the final report written on the 1981 female commitments to Bedford Hills. The type of offense, sentence length, offender's role, relationship to victim, and the offender's rationale for the offense are discussed.

All of the above cited research reports are available upon request. Please include the following checklist with your written requests.

Requests for these reports should be forwarded to:

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Program Research Specialist II  
New York State Department  
of Correctional Services  
Division of Program Planning,  
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State Office Campus, Building 2  
Albany, NY 12226

Questions concerning this report series may be directed to Ms. Elaine S. Humphrey at (518) 457-3005.



**CHECKLIST**  
**REPORTS ON FEMALE COMMITMENTS**

**A. TRENDS IN THE FEMALE INMATE POPULATION**

- \_\_\_\_\_ 1. Female New Court Commitments, 1976 through 1987
- \_\_\_\_\_ 2. Characteristics of Female Inmates Held Under Custody, 1975 through 1985
- \_\_\_\_\_ 3. An Examination of the Trend of Female New Commitments, 1976 through 1984

**B. COMPARISON AND PROFILE REPORTS**

- \_\_\_\_\_ 4. Sample of 1986 Female New Commitments for Controlled Substance Convictions Involving "Crack"
- \_\_\_\_\_ 5. Comparison of Male and Female Inmates Under the Department's Custody: June 1, 1983
- \_\_\_\_\_ 6. A Comparison of Women Under Custody: 1912 and 1982
- \_\_\_\_\_ 7. An Examination of the Trend of Female New Commitments: 1960 to 1982
- \_\_\_\_\_ 8. Trend in Female Offenders Under the Department's Custody: 1978 through 1984
- \_\_\_\_\_ 9. Profile of Women Under Custody: March 1985

**C. DOMESTIC VIOLENCE**

- \_\_\_\_\_ 10. Domestic Violence and Incarcerated Women: Survey Results  
NOTE: See Also 1986 Female Homicide Commitments

**D. RECIDIVISM RESEARCH**

- \_\_\_\_\_ 11. Analysis of Low Return Rate Among Female Offenders

E.           REPORTS ON WOMEN COMMITTED FOR HOMICIDE

- \_\_\_\_\_ 12.   1986 Female Homicide Commitments
- \_\_\_\_\_ 13.   Survey of 1980 New Commitments for Murder/Homicide  
          Involving Family Members
- \_\_\_\_\_ 14.   1981 Female New Commitments for Homicide

F.           INMATE MOTHERS

- \_\_\_\_\_ 15.   Bedford Hills Nursery Mothers Follow-Up
- \_\_\_\_\_ 16.   Survey of Nursery Programs in Ten States

G.           TIME SERVED

- \_\_\_\_\_ 17.   Time Served Among Female Releases, 1978 through  
          1983

H.           BEDFORD HILLS CLASSIFICATION DATA

- \_\_\_\_\_ 18.   Female Commitments 1982:   The Family
- \_\_\_\_\_ 19.   Female Commitments 1982:   The Offense
- \_\_\_\_\_ 20.   Family Situations of Selected 1981 Female  
          Commitments
- \_\_\_\_\_ 21.   Family Histories of Selected Female 1981  
          Commitments
- \_\_\_\_\_ 22.   The Commitment Offenses of Selected 1981 Female  
          Commitments

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✓  
**FEMALE NEW COURT COMMITMENTS**  
**1976-1987** ✓

This report examines trends in the demographic and legal history characteristics of female offenders committed to the New York State Department of Correctional Services over the period 1976 to 1987. The study also presents comparative data on commitment offense type for male and female admissions. The report is preceded by a brief summary of the main findings.

NCJRS

APR 17 1989

ACQUISITIONS

October 1988

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# FEMALE NEW COURT COMMITMENTS

1976 TO 1987

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## SUMMARY

1. The number of female new court commitments increased from 283 in 1976 to 802 in 1987. The 802 females admitted in 1987 is higher than the number received in 1986 (N=721) and 1985 (N=495) (see Table 1.1, p. 2).
2. The average age at admission increased from 28.3 years in 1976 to 30.1 years in 1987 (see Table 2.2, p. 6). Women incarcerated for crimes of violence and coercion are generally younger than those committed for other offenses. Age at admission is not greatly influenced by ethnic status.
3. Black women continue to constitute the largest ethnic group committed to DOCS, averaging 51% of the yearly female admission population for the years 1985 to 1987. In recent years, the proportion of Hispanics admitted (approximately 29%) surpassed that of Whites (approximately 20%) (see Table 3.1, p. 12). Commitments for violent, property, and drug offenses vary somewhat with ethnic status.
4. Women claiming to have never married comprise the largest proportion (approximately 58%) of the admission population (see Table 4.1, p. 17).
5. For the period 1976 to 1987, the majority of admissions (approximately 63%) were committed from New York City (see Table 5.1, p. 19).
6. On average, 42% of female commitments had no previous criminal convictions. Approximately 11% of female admissions had served a prior state or federal prison term (see Table 6.1, p. 21).
7. Commitments for legislatively designated violent felonies were approximately 38% of admissions in 1985 and 1986, but declined to 33% in 1987. Commitments for drug offenses accounted for 26% of admissions in 1985, 29% in 1986, and increased sharply to 42% in 1987 (see Table 8.2, p. 27).
8. The proportion of female commitments who were sentenced as second felony offenders increased from 15% of admissions in 1976 to 33% in 1987. Second felony offenders are most prevalent in commitments for property and drug offenses (see Tables 9.1 through 9.3 on pp. 29-31).

9. Among 1987 new court commitments, the percentage of cases in each felony class category is as follows: class A-I (2%), class A-II (7%), class B (23%), class C (20%), class D (28%), class E (19%), and youthful offenders (1%) (see Table 10.1, p. 34).
10. The average minimum sentence increased from 28.6 months in 1976 to 31.0 months in 1987. Average minimum sentences increased for drug and property offenses, while decreasing for violent felony offenses (see Tables 11.1 through 11.4, pp. 39-42).
11. The average maximum sentence decreased from 146.3 months in 1976 to 84.6 months in 1987. Drug offenses experienced a dramatic decline in average maximum sentence from 273.6 months in 1976 to 98.6 months in 1987. This is due largely to the abolition of the class A-III felony drug category, which carried a Life maximum term (see Tables 12.1 through 12.4, pp. 45-48).
12. Comparing the offense type distribution of females with that of males, females are less heavily concentrated among violent felony offenses (in 1987, 33% of women were committed for violent felonies compared with 45% for men) and more heavily concentrated among drug offenses (in 1987, 42% of female admissions were for drug offenses compared with 32% for men) (see Table 13.2, pp. 52-53).

## ACKNOWLEDGMENT

My thanks to William R. Chapman, Program Research Specialist III, for his insightful comments on this report. Special recognition is due Grace Tambasco, Keyboard Specialist, for her persistence in the preparation of the manuscript.

## INTRODUCTION

This report presents information concerning female admissions to the New York State Department of Correctional Services (DOCS) for the years 1976 through 1987. The majority of admissions to DOCS are women newly committed by county court judges. Returned parole violators and other types of commitments account for the remainder of total female admissions. Statistical data in this report are based on women who are new court commitments to DOCS.<sup>1</sup>

Six topics concerning female new court commitments are examined in this report: demographic characteristics, prior criminal history, legislative revisions to New York State penal law, changes in the number and percentage distribution of commitment offenses, sentencing information, and finally, a comparison of the commitment offense types for males and females.

The report begins with an examination of trends in the size of the female admission population.

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<sup>1</sup>Data presented in this report were obtained from a cumulative computer file containing information on admissions to DOCS for the years 1976 through 1987.



## Section 1

### SIZE OF THE FEMALE NEW COURT COMMITMENT POPULATION

Table 1.1 indicates substantial growth in female new court commitments. In 1976, 283 women were committed to DOCS, contrasted to 802 in 1987. Growth has not been totally linear, with declines in 1978 (the largest), 1982, and 1985. The greatest gain (226) appeared in 1986, when commitments rose 46% from the previous year. The commitment population grew 183% between 1976 and 1987.

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TABLE 1.1

#### NUMBER OF FEMALE NEW COURT COMMITMENTS BY YEAR

<u>Year</u>	<u>Number</u>
1976	283
1977	301
1978	259
1979	279
1980	284
1981	405
1982	377
1983	438
1984	523
1985	495
1986	721
1987	802

---

Factors which may account for increases in female commitments are considered below.

## Section 2

### AGE AT ADMISSION

Table 2.1 presents the age distribution of female new court commitments for the years 1976 through 1987. In this table, age refers to the age of the inmate at admission to DOCS.

Table 2.1 reveals a noticeable decline in the proportion of women admitted to DOCS in the younger age categories. In particular, women comprising the combined age categories of 16 through 24 declined from 43% of new commitments in 1976 to 28% in 1987. More dramatically, those under 21 decreased from a high of 19.1% of the admission population for 1976 to a low of 8.5% in 1987. Conversely, the 30 through 34 age group experienced the greatest growth, increasing from 11% of the admission population in 1976 to 24% in 1987. Taken together, this latter age category and those falling within the age group of 25 through 29 accounted for 52% of female commitments in 1987. Although there was a slight decrease for those over 40, particularly for those 50 and older, there was minimal overall change in the proportion of the admission population for these age categories.

Women admitted to DOCS were, on average, 1.8 years older in 1987 as compared with their counterparts in 1976. The average age at admission for six offense types is displayed in 2.2.<sup>1</sup> The category, Violent Felony Offenses consists primarily of legislatively designated violent felonies. Three offenses: murder 2nd, kidnapping 1st and arson 1st, are included in this category because of their severe sentences, although they were not contained in the 1978 violent felony offender legislation. In the second category are the remaining felonies having some element of violence or coercion.<sup>2</sup> Offenses such as grand larceny, forgery, criminal possession of stolen property and burglary 3rd constitute the Property Offenses category. A third general category contains drug offenses. Finally, all felonies not previously categorized appear in All Other Felony Offenses.

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<sup>1</sup>Women sentenced as youthful offenders are included in this table although this is a necessarily age restrictive sentencing status. Offenders must be at least 14 and no older than 18 at the time the offense was committed. However, to be eligible for admission to a state prison, offenders must be at least sixteen when the offense was committed.

<sup>2</sup>A more complete breakdown of the offenses included in the Violent Offenses and Other Coercive/Violent Offenses categories may be found in Table 8.1.

As can be seen, women incarcerated for crimes of violence and coercion are generally younger (on average 27 to 28 years of age) than those committed for property, drug and all remaining felony offenses (on average 31 years of age).

A breakdown of the nine age categories by ethnic status appears in Table 2.3. Examination of the table reveals that regardless of ethnic status, the 25 through 29 age category generally represents the largest proportion of females admitted for any year. The second largest group of female admissions is comprised of those 21 to 24 years in age.

TABLE 2.1 AGE AT ADMISSION BY YEAR, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

<u>Age in Years</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>
16-20	54 (19.1)	44 (14.7)	29 (11.2)	34 (12.2)	37 (13.0)	61 (15.1)	46 (12.2)	47 (10.7)	61 (11.7)	46 (9.3)	67 (9.3)	68 (8.5)
21-24	67 (23.7)	75 (24.9)	52 (20.1)	69 (24.7)	62 (21.8)	79 (19.5)	68 (18.0)	87 (19.9)	89 (17.0)	82 (16.6)	142 (19.7)	149 (18.6)
25-29	70 (24.7)	82 (27.2)	79 (30.5)	80 (28.7)	77 (27.1)	123 (30.4)	103 (27.3)	119 (27.2)	135 (25.8)	128 (25.9)	213 (29.5)	227 (28.3)
30-34	31 (11.0)	50 (16.6)	37 (14.3)	46 (16.5)	43 (15.1)	72 (17.8)	78 (20.7)	95 (21.7)	108 (20.7)	124 (25.1)	136 (18.9)	190 (23.7)
35-39	23 (8.1)	18 (6.0)	20 (7.7)	19 (6.8)	28 (9.9)	36 (8.9)	41 (10.9)	45 (10.3)	63 (12.0)	49 (9.9)	80 (11.1)	85 (10.6)
40-44	17 (6.0)	18 (6.0)	23 (8.9)	16 (5.7)	16 (5.6)	18 (4.4)	24 (6.4)	31 (7.1)	32 (6.1)	28 (5.7)	37 (5.1)	44 (5.5)
45-49	9 (3.2)	8 (2.7)	15 (5.8)	7 (2.5)	12 (4.2)	6 (1.5)	6 (1.6)	9 (2.1)	22 (4.2)	19 (3.8)	23 (3.2)	22 (2.7)
50-59	10 (3.5)	5 (1.6)	4 (1.6)	7 (2.5)	7 (2.5)	8 (2.0)	11 (3.0)	5 (1.2)	10 (1.9)	12 (2.4)	19 (2.6)	16 (1.9)
60+	2 (.8)	1 (.3)	0	1 (.4)	2 (.7)	2 (.5)	0	0	3 (.6)	7 (1.4)	4 (.6)	1 (.1)
TOTAL	283 (100%)	301 (100%)	259 (100%)	279 (100%)	284 (100%)	405 (100%)	377 (100%)	438 (100%)	523 (100%)	495 (100%)	721 (100%)	802 (100%)

TABLE 2.2 OFFENSE TYPE BY AVERAGE AGE AT ADMISSION, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Offense Type	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
Violent Felony Offenses	26.4 (92)	26.6 (92)	29.4 (98)	27.4 (113)	28.3 (141)	27.6 (201)	27.7 (171)	28.0 (219)	28.8 (231)	30.3 (192)	27.9 (270)	28.3 (269)
Other Coercive/ Violent Offenses	30.5 (50)	28.8 (58)	28.1 (37)	28.7 (29)	29.2 (29)	27.4 (29)	28.6 (32)	30.7 (28)	29.1 (29)	30.3 (27)	30.1 (48)	26.7 (33)
Property Offenses	29.3 (35)	28.1 (39)	30.3 (58)	30.1 (61)	30.3 (47)	28.8 (87)	30.1 (93)	29.6 (109)	30.0 (119)	30.2 (134)	30.1 (159)	31.1 (130)
Drug Offenses	29.2 (95)	29.2 (95)	30.2 (56)	30.0 (65)	30.7 (58)	30.1 (69)	32.6 (67)	31.4 (67)	32.7 (124)	31.1 (127)	31.8 (210)	30.5 (340)
All Other Felony Offenses	27.6 (7)	33.6 (9)	29.2 (6)	31.0 (3)	37.2 (4)	37.9 (9)	31.9 (9)	28.7 (7)	34.0 (7)	37.2 (9)	31.0 (23)	31.0 (22)
Youthful Offenders	17.2 (4)	18.4 (8)	18.2 (4)	18.2 (8)	16.8 (5)	17.7 (10)	18.6 (5)	18.5 (8)	18.6 (13)	17.7 (6)	19.3 (11)	18.0 (8)
Total	28.3 (283)	28.0 (301)	29.4 (259)	28.5 (279)	29.2 (284)	28.2 (405)	29.2 (377)	28.9 (438)	29.9 (523)	30.9 (495)	30.1 (721)	30.1 (802)

TABLE 2.3 AGE AT ADMISSION BY ETHNIC STATUS,<sup>1</sup> FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Age in Years	1976			1977			1978			1979		
	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic
16-20	18 (24)	29 (17)	7 (18)	16 (22)	18 (11)	10 (18)	5 (8)	21 (13)	3 (8)	14 (17)	18 (12)	2 (4)
21-24	21 (28)	38 (23)	8 (20)	17 (24)	43 (25)	14 (25)	8 (14)	38 (23)	6 (17)	10 (12)	42 (28)	16 (36)
25-29	16 (21)	43 (26)	10 (25)	11 (15)	49 (29)	20 (36)	16 (27)	54 (33)	9 (25)	24 (29)	42 (28)	14 (31)
30-34	10 (13)	17 (10)	4 (10)	11 (15)	31 (18)	8 (14)	10 (17)	21 (13)	6 (17)	13 (16)	26 (17)	7 (16)
35-39	4 (5)	15 (9)	4 (10)	8 (11)	9 (5)	1 (2)	7 (12)	10 (6)	3 (8)	9 (11)	8 (5)	2 (4)
40-44	1 (1)	12 (7)	4 (10)	5 (7)	11 (6)	2 (4)	8 (14)	10 (6)	5 (14)	10 (12)	4 (3)	2 (4)
45-49	2 (3)	6 (4)	1 (2)	2 (3)	6 (4)	0	4 (7)	8 (5)	3 (8)	3 (4)	4 (3)	0
50-59	4 (5)	4 (2)	2 (5)	2 (3)	2 (1)	1 (2)	1 (2)	2 (1)	1 (3)	1 (1)	4 (3)	2 (4)
60+	0	2 (1)	0	0	1 (1)	0	0	0	0	0	1 (1)	0
TOTAL	76 (100%)	166 (100%)	40 (100%)	72 (100%)	170 (100%)	56 (100%)	59 (100%)	164 (100%)	36 (100%)	84 (100%)	149 (100%)	45 (100%)

<sup>1</sup>Excludes Native Americans and those of Oriental descent.

TABLE 2.3 AGE AT ADMISSION BY ETHNIC STATUS,<sup>1</sup> FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Age in Years	1980			1981			1982			1983		
	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic
16-20	10 (12)	22 (13)	5 (14)	19 (16)	37 (16)	5 (8)	15 (15)	26 (12)	5 (9)	14 (11)	26 (11)	7 (10)
21-24	22 (26)	35 (21)	5 (14)	21 (18)	44 (20)	14 (23)	15 (15)	41 (19)	11 (20)	17 (14)	53 (22)	17 (23)
25-29	13 (16)	49 (30)	15 (40)	30 (26)	76 (34)	16 (26)	22 (22)	66 (30)	15 (27)	31 (25)	66 (28)	21 (29)
30-34	12 (14)	28 (17)	3 (8)	18 (15)	35 (16)	19 (31)	15 (15)	51 (23)	11 (20)	20 (16)	60 (25)	15 (20)
35-39	8 (10)	17 (10)	3 (8)	12 (10)	19 (8)	5 (8)	15 (15)	18 (8)	8 (14)	18 (14)	16 (7)	10 (14)
40-44	8 (10)	5 (3)	3 (8)	7 (6)	9 (4)	1 (2)	12 (12)	7 (3)	5 (9)	18 (14)	11 (5)	2 (3)
45-49	4 (5)	6 (4)	2 (5)	3 (3)	2 (1)	1 (2)	3 (3)	3 (1)	0	4 (3)	4 (2)	1 (1)
50-59	5 (6)	1 (1)	1 (3)	6 (5)	2 (1)	0	2 (2)	8 (4)	1 (2)	2 (2)	3 (1)	0
60+	1 (1)	1 (1)	0	1 (1)	1 (1)	0	0	0	0	0	0	0
TOTAL	83 (100%)	164 (100%)	37 (100%)	117 (100%)	225 (100%)	61 (100%)	99 (100%)	220 (100%)	56 (100%)	124 (100%)	239 (100%)	73 (100%)

<sup>1</sup>Excludes Native Americans and those of Oriental descent.

TABLE 2.3 AGE AT ADMISSION BY ETHNIC STATUS,<sup>1</sup> FOR FEMALE NEW COURT COMMITMENTS 1976-1987<sup>2</sup>

Age in Years	1984			1985			1986			1987		
	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic
16-20	13 (10)	33 (12)	15 (12)	6 (6)	33 (13)	6 (5)	9 (7)	31 (8)	26 (13)	12 (7)	35 (9)	20 (8)
21-24	22 (16)	49 (18)	18 (15)	22 (21)	38 (15)	21 (16)	22 (17)	77 (20)	42 (20)	29 (18)	77 (20)	41 (17)
25-29	32 (24)	79 (30)	24 (20)	26 (25)	61 (24)	39 (30)	41 (32)	121 (32)	50 (24)	48 (30)	109 (28)	70 (29)
30-34	26 (19)	58 (22)	24 (20)	23 (22)	73 (29)	27 (21)	22 (17)	76 (20)	38 (18)	40 (25)	94 (24)	55 (22)
35-39	13 (10)	27 (10)	23 (19)	4 (4)	21 (8)	23 (18)	20 (16)	43 (11)	17 (8)	17 (10)	43 (11)	25 (10)
40-44	14 (10)	9 (3)	9 (7)	105 (10)	13 (5)	5 (4)	7 (6)	17 (4)	13 (6)	8 (5)	18 (5)	17 (7)
45-49	8 (6)	10 (4)	4 (3)	5 (5)	9 (4)	5 (4)	5 (4)	7 (2)	11 (5)	3 (2)	10 (3)	9 (4)
50-59	5 (4)	1 (1)	4 (3)	6 (6)	4 (2)	2 (2)	2 (2)	7 (2)	10 (5)	4 (2)	5 (1)	7 (3)
60+	1 (1)	2 (1)	0	3 (3)	3 (1)	1 (1)	0	4 (1)	0	1 (1)	0	0
TOTAL	134 (100%)	268 (100%)	121 (100%)	105 (100%)	255 (100%)	129 (100%)	128 (100%)	383 (100%)	207 (100%)	162 (100%)	391 (100%)	244 (100%)

<sup>1</sup>Excludes Native Americans and those of Oriental descent.

<sup>2</sup>There were 5 uncoded cases in 1985 and 1 each for the years 1986 and 1987.



### Section 3

#### ETHNIC STATUS

The ethnic distribution of the new court commitment population for the years 1976 through 1987 is found in Table 3.1. Prior to 1983, the Hispanic category was limited to those of Puerto Rican birth or parentage. In 1983, this category was expanded to include those born in Mexico and certain Caribbean, Central and South American countries. Until then, individuals born in these countries were classified as either Black or White. Some increase in the Hispanic population and a corresponding decrease in the White and Black population is, therefore, the result of the redefinition of this category.

Although Black women continue to constitute the largest ethnic group committed to DOCS, their representation in the admission population has generally decreased. In 1976, Black women accounted for 58.7% of new court commitments, but by 1987 this figure had dropped to 48.9 percent.

There has also been a reduction in the proportion of White women, particularly since 1983; however, the decline has not been as consistent as that for Black women. Overall, White female commitments decreased 6.7% since 1976.

Beginning in 1985, and continuing through 1987, Hispanics surpassed the number of Whites admitted to DOCS. By 1987, females classified as Hispanic represented 30.4% of the admission population, more than doubling their 1976 figure of 14.1 percent.

Native Americans and those of Oriental descent constitute the Other ethnic category. Their numbers and relative contributions to the admission population remained consistently small throughout the time period covered by this report. These cases are included in Table 3.1, but excluded in Table 3.2.

The ethnic group distribution for six offense types is displayed in Table 3.2. Regardless of year, Black women are more likely to be committed for violent felony offenses than for any other offense type. During the twelve year period from 1976 through 1987, on average, 55% of Black women were committed for crimes of violence or coercion.<sup>1</sup> Twenty-three percent were admitted for property offenses and 19% for drug offenses. The rest (3%), for the remaining felony offenses or as youthful offenders.

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<sup>1</sup>Reference to crimes of violence or coercion includes both legislatively designated violent felony offenses and offenses in the category, Other Coercive/Violent Felony Offenses.

Hispanic women were just as likely to be committed for violent felony offenses as they were for drug offenses. Overall, 47% of Hispanics were admitted for crimes of violence or coercion, while 44% were for drug offenses. In 1976, 52% of Hispanics were committed for drug offenses but this figure steadily declined to 21% in 1981. This trend began reversing in 1982, and by 1987, 71% of Hispanic women were admitted for drug offenses.

For the time period examined, only 6% of Hispanic women were committed for property offenses, a substantial difference from the proportion of Black and White women committed for offenses in this category.

Beginning in 1978 and continuing through 1984, a higher percentage of White women were committed for violent felony offenses (approximately 40%) than they were for any other offense type. A slight disruption of this trend occurred in 1985 and 1986, when those committed for property offenses dominated. But by 1987, more White women were once again admitted for violent felony offenses. However, among Black, Hispanic and White women, White women at 44%, have the lowest overall rate of commitment for crimes of violence or coercion.

A greater proportion of the White admission population (26%), was committed for property offenses from 1976 through 1987, than was the case for either Hispanics or Blacks. White women at 22%, were only half as likely as Hispanic women to be committed for drug offenses and only 3% more likely than Blacks.

TABLE 3.1 ETHNIC STATUS BY YEAR, FOR NEW FEMALE COURT COMMITMENTS 1976-1987<sup>1</sup>

<u>Ethnic Status</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>
White	76 (26.9)	72 (23.9)	59 (22.8)	84 (30.1)	83 (29.2)	117 (28.9)	99 (26.3)	124 (28.3)	134 (25.6)	105 (21.2)	128 (17.8)	162 (20.2)
Black	166 (58.7)	170 (56.5)	164 (63.3)	149 (53.4)	164 (57.7)	225 (55.6)	220 (58.4)	239 (54.6)	268 (51.2)	255 (51.6)	383 (53.1)	392 (48.9)
Hispanic	40 (14.1)	56 (18.6)	36 (13.9)	45 (16.1)	37 (13.0)	61 (15.1)	56 (14.9)	73 (16.7)	121 (23.2)	129 (26.1)	208 (28.8)	244 (30.4)
Other <sup>2</sup>	1 (.4)	3 (1.0)	0	1 (.4)	0	2 (.5)	2 (.5)	2 (.5)	0	1 (.2)	2 (.3)	4 (.5)
TOTAL	283 (100%)	301 (100%)	259 (100%)	279 (100%)	284 (100%)	405 (100%)	377 (100%)	438 (100%)	523 (100%)	494 (100%)	721 (100%)	802 (100%)

<sup>1</sup>There were 5 uncoded cases in 1985.

<sup>2</sup>Includes Native Americans and those of Oriental descent.

TABLE 3.2 OFFENSE TYPE BY ETHNIC STATUS<sup>1</sup>, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Offense Type	1976			1977			1978			1979		
	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic
Violent Felony Offenses	22 (29)	58 (35)	12 (30)	18 (25)	55 (32)	19 (34)	25 (42)	59 (36)	14 (39)	29 (34)	66 (44)	18 (40)
Other Coercive/ Violent Offenses	11 (14)	35 (21)	4 (10)	10 (14)	39 (23)	7 (12)	6 (10)	28 (17)	3 (8)	4 (5)	20 (13)	5 (11)
Property Offenses	12 (16)	20 (12)	3 (8)	15 (21)	21 (12)	2 (4)	18 (30)	38 (23)	2 (6)	27 (32)	30 (20)	4 (9)
Drug Offenses	24 (32)	49 (30)	21 (52)	22 (31)	45 (26)	28 (50)	8 (14)	32 (20)	16 (44)	17 (20)	29 (20)	18 (40)
Other Felony Offenses	5 (7)	2 (1)	0 (0)	3 (4)	6 (4)	0 (0)	1 (2)	4 (2)	1 (3)	3 (4)	0 (0)	0 (0)
Youthful Offenders	2 (3)	2 (1)	0 (0)	4 (6)	4 (2)	0 (0)	1 (2)	3 (2)	0 (0)	4 (5)	4 (3)	0 (0)
TOTAL	76 (100%)	166 (100%)	40 (100%)	72 (100%)	170 (100%)	56 (100%)	59 (100%)	164 (100%)	36 (100%)	84 (100%)	149 (100%)	45 (100%)

<sup>1</sup>Table excludes Native Americans and those of Oriental descent.

TABLE 3.2. OFFENSE TYPE BY ETHNIC STATUS<sup>1</sup>, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Offense Type	1980			1981			1982			1983		
	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic
Violent Felony Offenses	28 (34)	90 (55)	23 (62)	45 (38)	117 (52)	38 (62)	31 (31)	112 (51)	27 (48)	55 (44)	125 (52)	38 (52)
Other Coercive/ Violent Offenses	9 (11)	18 (11)	2 (5)	7 (6)	19 (8)	3 (5)	10 (10)	19 (9)	3 (5)	10 (8)	16 (7)	2 (3)
Property Offenses	22 (26)	25 (15)	0 (0)	35 (30)	48 (21)	4 (7)	29 (29)	59 (27)	4 (7)	28 (23)	73 (30)	7 (10)
Drug Offenses	17 (20)	29 (18)	12 (32)	21 (18)	34 (15)	13 (21)	21 (21)	25 (11)	21 (38)	22 (18)	20 (8)	25 (34)
Other Felony Offenses	4 (5)	0 (0)	0 (0)	6 (5)	1 (1)	2 (3)	6 (6)	3 (1)	0 (0)	5 (4)	1 (1)	1 (1)
Youthful Offenders	3 (4)	2 (1)	0 (0)	3 (3)	6 (3)	1 (2)	2 (2)	2 (1)	1 (2)	4 (3)	4 (2)	0 (0)
TOTAL	83 (100%)	164 (100%)	37 (100%)	117 (100%)	225 (100%)	61 (100%)	99 (100%)	220 (100%)	56 (100%)	124 (100%)	239 (100%)	73 (100%)

<sup>1</sup>Table excludes Native Americans and those of Oriental descent.

TABLE 3.2 OFFENSE TYPE BY ETHNIC STATUS<sup>1</sup>, FOR FEMALE NEW COURT COMMITMENTS 1976-1987<sup>2</sup>

Offense Type	<u>1984</u>			<u>1985</u>			<u>1986</u>			<u>1987</u>		
	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic	White	Black	Hispanic
Violent Felony Offenses	63 (47)	116 (43)	52 (43)	30 (29)	109 (43)	51 (40)	34 (27)	168 (44)	67 (32)	57 (35)	159 (41)	50 (20)
Other Coercive/ Violent Offenses	4 (3)	23 (9)	2 (2)	9 (9)	17 (7)	1 (1)	16 (12)	27 (7)	5 (2)	8 (5)	21 (5)	4 (2)
Property Offenses	36 (27)	75 (28)	8 (7)	34 (32)	90 (35)	8 (6)	39 (30)	109 (28)	11 (5)	36 (22)	87 (22)	7 (3)
Drug Offenses	23 (17)	47 (18)	54 (45)	26 (25)	33 (13)	66 (51)	30 (23)	64 (17)	115 (55)	46 (28)	119 (30)	174 (71)
Other Felony Offenses	4 (3)	2 (1)	1 (1)	5 (5)	3 (1)	1 (1)	8 (6)	11 (3)	4 (2)	12 (7)	2 (1)	8 (3)
Youthful Offenders	4 (3)	5 (2)	4 (3)	1 (1)	3 (1)	2 (2)	1 (1)	4 (1)	6 (3)	3 (2)	4 (1)	1 (1)
TOTAL	134 (100%)	268 (100%)	121 (100%)	105 (100%)	255 (100%)	129 (100%)	128 (100%)	383 (100%)	208 (100%)	162 (100%)	392 (100%)	244 (100%)

<sup>1</sup>Table excludes Native Americans and those of Oriental descent.

<sup>2</sup>There were 5 uncoded cases in 1985.

## Section 4

### MARITAL STATUS

Marital status at time of admission for female new court commitments is presented in Table 4.1. An inmate's marital status is largely self-reported. The category, Married, includes only those women who reported being legally married at admission. Women claiming common-law marital status are placed in the Never Married category.

The proportion of commitments who had never married fluctuated somewhat between 1976 and 1987. The percentage decreased from 59% in 1976 to 50% in 1979. A reversal began in 1980, and by 1983, a record 69% reported that they had never been married. A decline occurred after 1983, with the proportion of never marrieds returning to the 1976 level.

The overall proportion of women claiming they were married at admission is 18 percent. The figure is the same for those divorced or separated. In 1976, 15% of the admission population was classified as married. Only minor increases and decreases resulted until 1986, when the proportion suddenly increased from 16% in 1985 to 28% in 1986, remaining at this rate for 1987. Similarly, there were only slight changes in the percentage of those divorced or separated prior to 1985; subsequently a 12% decrease occurred.

The percentage of women who are widowed has remained fairly stable over time, with this category representing on average, only 4% of the admission population.

TABLE 4.1 MARITAL STATUS BY YEAR, FOR NEW FEMALE COURT COMMITMENTS 1976-1987

<u>Marital Status</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>
Never Married	167 (59)	169 (56)	146 (56)	141 (50)	154 (54)	253 (62)	240 (64)	303 (69)	276 (53)	294 (59)	400 (55)	476 (59)
Married	43 (15)	61 (20)	36 (14)	56 (20)	55 (19)	70 (17)	59 (16)	54 (12)	63 (12)	79 (16)	203 (28)	226 (28)
Divorced/Separated	62 (22)	53 (18)	54 (21)	66 (24)	58 (20)	69 (17)	63 (17)	69 (16)	73 (14)	102 (21)	86 (12)	69 (9)
Uncoded/Missing	10 (4)	18 (6)	20 (8)	10 (4)	10 (4)	10 (2)	14 (4)	11 (2)	21 (4)	19 (4)	22 (3)	29 (4)
Missing	1 (0)	0 (0)	3 (1)	6 (2)	7 (2)	3 (1)	1 (0)	1 (0)	90 (17)	1 (0)	10 (1)	2 (0)
TOTAL	283 (100%)	301 (100%)	259 (100%)	279 (100%)	284 (100%)	405 (100%)	377 (100%)	438 (100%)	523 (100%)	495 (100%)	721 (100%)	802 (100%)



## Section 5

### REGION OF COMMITMENT

The distribution of the female new court commitment population by region of commitment is found in Table 5.1. New York's 62 counties are categorized into four regions. New York City is comprised of the following counties: Bronx, Kings, New York, Queens, and Richmond. Nassau, Rockland, Suffolk and Westchester, counties in close geographic proximity to New York City, constitute the category, Suburban New York. Upstate Urban includes counties having cities with populations of at least 50,000 according to 1980 U.S. Census figures. These counties are: Albany, Broome, Erie, Monroe, Oneida, Onondaga, Rensselaer, and Schenectady. Upstate Rural contains the remaining counties.

Women committed from New York City have always comprised the largest proportion of the admission population, averaging 63% a year. Although their contribution to the admission population began falling in 1977, growth has occurred during the three most recent admission years (i.e. 67% in 1985 and 1986, and 72% in 1987).

The proportion of commitments from Suburban New York is largely unchanged. The percentage of women from counties categorized as Upstate Urban decreased from 17% in 1976 to approximately 12% for the years 1985 to 1987.

Minor, although variable growth occurred in the proportion of women committed from Upstate Rural counties, resulting in a 2% overall increase from 1976 through 1987. Averaging only 8% of the admission population, this category consistently contains the least number of commitments.

TABLE 5.1 REGION OF COMMITMENT BY YEAR, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Region of Commitment	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
New York City <sup>1</sup>	187 (66)	191 (64)	163 (63)	157 (56)	173 (61)	234 (58)	229 (61)	257 (59)	324 (62)	332 (67)	484 (67)	578 (72)
Suburban New York <sup>2</sup>	35 (12)	34 (11)	35 (14)	33 (12)	40 (14)	60 (15)	65 (17)	65 (15)	81 (16)	73 (15)	89 (12)	85 (11)
Upstate Urban <sup>3</sup>	47 (17)	53 (18)	44 (17)	59 (21)	46 (16)	68 (17)	49 (13)	81 (18)	78 (15)	59 (12)	86 (12)	86 (11)
Upstate Rural <sup>4</sup>	14 (5)	23 (8)	17 (6)	30 (11)	25 (9)	43 (11)	34 (9)	35 (8)	40 (8)	31 (6)	62 (9)	53 (7)
TOTAL	283 (100%)	301 (100%)	259 (100%)	279 (100%)	284 (100%)	405 (100%)	377 (100%)	438 (100%)	523 (100%)	495 (100%)	721 (100%)	802 (100%)

<sup>1</sup>Includes Bronx, Kings, New York, Queens, and Richmond counties.

<sup>2</sup>Includes Nassau, Rockland, Suffolk, and Westchester counties.

<sup>3</sup>Upstate Urban includes counties having cities with a population of 50,000 or more.  
These counties are: Albany, Broome, Erie, Monroe, Oneida, Onondaga, Rensselaer, and Schenectady.

<sup>4</sup>Upstate Rural contains all remaining counties.

## Section 6

### PRIOR CRIMINAL RECORD

The prior adult criminal history for female new court commitments has been categorized and is displayed in Table 6.1. Information concerning the current commitment offense is not included and all categories are mutually exclusive, with women being classified according to most serious prior record. Women with no previous felony or misdemeanor arrests appear in the no prior record category. Those with arrest records but no convictions, constitute the second category. The third category represents women convicted of a crime, but whose sentences do not include incarceration (e.g. unconditional or conditional discharges, fines, restitution, community service, or straight probation). Local Jail, the fourth category, contains women sentenced to incarceration in city and local jails, including those who received a split sentence of jail and probation. The last category, is composed of women who served a state or federal prison term.

The percentage of women with no previous criminal record dropped 6 percentage points between 1976 (30%) and 1987 (24%). The decline was erratic, with the largest decrease occurring between 1976 (30%) and 1977 (24%). Women within this category account for, on average, almost a quarter of the admission population.

There was a noticeable downward trend in the proportion of women admitted between 1976 and 1984 with arrests, but no convictions. After 1984, this situation reverses. Over the period of 1976 to 1987, women with no prior convictions (i.e. combining those women who had no prior arrest with those who had an arrest, but no conviction), averaged 42% of the population.

The proportion of women in the conviction with no incarceration category remained fairly stable throughout the time period examined, at approximately 17% of admissions.

Generally, women with prior jail sentences constitute the largest percentage (29%) of the admission population. The smallest category, representing approximately 11% of the admission population, is comprised of women with prior state or federal terms of imprisonment.

TABLE 6.1 PRIOR ADULT CRIMINAL RECORD BY YEAR, FOR FEMALE NEW COURT COMMITMENTS 1976-1987<sup>1</sup>

<u>Prior Adult Criminal Record</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>
No Prior Record	84 (30)	70 (24)	45 (18)	66 (24)	69 (24)	88 (22)	93 (25)	98 (22)	91 (26)	110 (23)	189 (26)	192 (24)
No Prior Conviction	69 (24)	65 (22)	56 (22)	51 (18)	54 (19)	61 (15)	50 (13)	34 (8)	26 (7)	136 (29)	153 (22)	167 (21)
Conviction, With no Incarceration	45 (16)	58 (20)	42 (16)	51 (18)	48 (17)	64 (16)	66 (18)	78 (18)	78 (22)	60 (13)	117 (16)	148 (18)
Local Jail	59 (21)	74 (25)	79 (31)	76 (27)	83 (29)	144 (36)	128 (34)	182 (42)	123 (35)	106 (22)	165 (23)	208 (26)
State or Federal Prison	26 (9)	30 (10)	35 (14)	35 (12)	30 (11)	48 (12)	40 (11)	46 (10)	37 (10)	58 (12)	84 (12)	87 (11)
TOTAL	283 (100%)	297 (100%)	257 (100%)	279 (100%)	284 (100%)	405 (100%)	377 (100%)	438 (100%)	355 (100%)	470 (100%)	708 (100%)	802 (100%)

<sup>1</sup>This table excludes any missing or uncoded cases.

## Section 7

### LEGAL FACTORS AFFECTING COMMITMENT TRENDS

Amendments to the New York State Penal and Criminal Procedure Laws affected new court commitments during the years under investigation. Relevant amendments are discussed in this section so that later commitment trends may be interpreted in light of them.

In New York State, persons convicted of a second felony offense within a ten year time period face mandatory state prison incarceration (N.Y.S. Penal Law 70.06). Before this legislation, those convicted of a second felony offense were eligible to receive jail or probation sentences.

Additionally, minimum sentences for these offenders are greater. A first felony offender receives a minimum sentence which is set between one year and one-third of the maximum sentence. For second felony offenders, the minimum sentence is set at one-half of the maximum sentence.

During the Special Session of the New York State Legislature in 1978, more severe penalties were enacted for certain violent felony offenses (N.Y.S. Penal Law 70.02). Incarceration for offenders convicted of class B or C violent felony offenses became mandatory. For those convicted of a class D offense, which includes as an element weapon usage, a sentence of state imprisonment must be given, unless mitigating circumstances exist.

Minimum sentences for individuals convicted of violent felony offenses were increased as well. The minimum period of incarceration was raised from one to two years for class B offenses. For class C offenses, the minimum was changed from one year to 18 months. Those convicted of class B or C violent felony offenses, and designated as second violent felony offenders, saw their minimums increase from four and one-half to six years and three to four years, respectively.

Accompanying the violent felony offender legislation were restrictions on plea bargaining. Before indictment, judges are prohibited from reducing A-I felonies (excluding drug offenses) or armed felonies (N.Y.S. CPL 180.50 and CPL 180.70). After indictment, defendants charged with class A felonies (once again, excluding drug offenses) or armed class B felonies may plead no lower than a class C violent felony offense. Defendants charged with class B or C violent offenses are permitted to plead down only to a class D violent felony offense. Those charged with some class D weapon offenses, and possessing previous weapon convictions, can plead no lower than a class E violent felony offense.

Basically, these plea bargaining limitations insure that those charged with violent felony offenses cannot plead to an offense outside the violent felony offense range or to a misdemeanor. This not only increases the severity of penalties faced by those convicted of certain violent offenses, but also the probability of being designated a second violent felony offender.

The violent felony offender legislation was also indicative of a trend to remove from the parole board the power to determine a first felony offender's minimum period of imprisonment. Minimum sentences for violent felony offenders were now set by judges in accordance with the legislation's guidelines. The practice of judicially set minimum sentences was expanded in 1980 to include all remaining felonies (Penal Law 70.00). The switch from parole board set minimums, to judicially set minimums, resulted in inmates receiving shorter minimum sentences if their maximum sentences were also low, for example, only 36 months. Conversely, for inmates with long maximum sentences, minimum periods of incarceration tended to increase, since the minimum was generally set at sentencing to one-third of the maximum sentence.

A potential for longer minimum and maximum terms of incarceration resulted from a 1978 amendment to the penal law which dealt with consecutive sentences (Penal Law 70.30). Before this amendment, the penal law required an offender sentenced consecutively to serve the longest minimum sentence (of all multiple sentences) before becoming eligible for parole. Afterwards, an offender's minimum sentences were aggregated, forming a new minimum sentence equal to the sum of all consecutive minimum terms of incarceration. The same computational method is applicable to maximum sentences, although there is a ceiling imposed on the length of the maximum sentence.

Even though a great deal of the above legislation tends to increase the severity of penalties, the New York State Legislature in 1979 revised existing laws to lessen the severity of penalties confronting drug offenders. Offense weights for the possession of controlled substances were doubled for A-I and A-II felonies. For sale of controlled substances, offense weights were quadrupled. Additionally, the A-III felony offense category was dropped, and offenses assigned to this category were reclassified as class B felonies.

Sentencing practices dealing with drug offenses were also altered. The minimum period of incarceration for a class A-II offense decreased from six years to three years. Finally, defendants accused of drug offenses were given more opportunities to plead to lesser offenses.

## Section 8

### COMMITMENT OFFENSE TYPE

Commitment offenses for the female admission population are categorized and presented in Table 8.1 as raw numbers, and in Table 8.2, as a percentage of the yearly population.

The first category contains legislatively designated violent felony offenses. Three class A-I offenses: murder 2nd, kidnapping 1st, and arson 1st, are included in this category because of the crimes' violent natures and accompanying severe sentences, although they were not contained in the 1978 violent felony offender legislation.

The remaining felony offenses, excluding youthful offenders, are found in the Other Felony Offenses category. Comprising this category are three subcategories. In the first are offenses having some element of violence or coercion, but not legislatively designated as violent felony offenses. Drug offenses constitute the second offense type subcategory. Finally, property crimes and all remaining felonies appear.

The last subcategory contains only those women granted the special sentencing status of youthful offender. To be eligible, an offender must be at least 14 and no older than 18 at the time her offense was committed. However, an offender must be at least 16 when the offense was committed in order to be admitted to state prison.

In 1976 and 1977, approximately one-third of the female admission population were committed for violent felony offenses (see Table 8.2). Starting in 1978, the proportion of violent felony offenders began to increase, leveling off at approximately 50% of the admission population for the early eighties. A great deal of this growth is attributable to the larger number of women committed for robbery 1st and 2nd, although manslaughter 1st, burglary 2nd, and assault 1st and 2nd also contributed slightly. By 1987, violent felony offenses once again accounted for only one-third of the admission population.

The steadiest decline occurred among the group of offenses involving violence or coercion. In 1976, they represented 15.9% of the admission population, but this figure dropped to 4.2% in 1987. The decrease was greatest in the proportion of women admitted for manslaughter 2nd and robbery 3rd. We believe the decline of offenders in this category resulted from plea bargain restrictions associated with the violent felony offender legislation.<sup>1</sup>

Drug offenses, like violent felony offenses, accounted for approximately one-third of the admission population in 1976. However, as the proportion of women committed for violent felony offenses increased, the proportion committed for drug offenses decreased. A reversal of this trend began in 1984 and resulted in drug offenses representing 42.4% of the admission population in 1987.

The proportion of female commitments in the Property and Other offenses category is erratic across the 12 year period, averaging 22% of the admission population.

Finally, the proportion of youthful offenders in the admission population has remained fairly stable and small, averaging less than two percent.

Recalling the 1978 violent felony offender legislation with its components of mandatory imprisonment and restrictions on plea bargaining, it is not surprising that more women were committed for violent felony offenses immediately following its enactment. This is particularly evident in the growth of robbery 1st and 2nd, with a corresponding decrease in commitments for robbery 3rd. Comparably, commitments for burglary 2nd increased, while those for burglary 3rd diminished. This pattern is not as clear for manslaughter 1st and 2nd. There was some growth in manslaughter 1st following the legislation, but the decline in admission for manslaughter 2nd began prior to 1978.

Softening of the severe "Rockefeller Drug Laws" in 1979 corresponded with an earlier downward trend in drug admissions making it difficult to assess the true extent of the revision's impact. Regardless of the legislative revision, commitments for drug offenses began rising in 1984, undoubtedly due in part to recent increases in police allocation of resources directed toward activities involving drug sales and possession.

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<sup>1</sup>See "Violent Felony Commitments to the New York State Department of Correctional Services 1976-1981," New York State Department of Correctional Services, Albany, New York, 12226, June 1983.



TABLE 8.1 COMMITMENT OFFENSE BY YEAR, FOR FEMALE NEW COURT COMMITMENTS 1976 TO 1987

Commitment Offense	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
A. Violent Felony Offenses (as defined by law)	97	96	102	116	142	205	177	223	236	192	270	269
Murder	9	4	6	7	12	11	7	7	8	6	14	13
Attempted Murder	0	0	2	2	0	4	3	5	7	6	3	4
Manslaughter 1st	23	24	14	31	33	35	37	36	42	35	47	31
Rape 1st	3	1	0	1	0	0	0	2	1	1	2	0
Robbery 1st	16	18	18	20	21	35	36	58	31	30	53	42
Robbery 2nd	20	20	27	26	36	64	34	51	48	45	85	69
Assault 1st	4	3	8	10	12	11	8	9	17	14	11	21
Assault 2nd	12	13	15	7	8	16	20	12	19	16	12	20
Burglary 1st	0	0	0	1	0	1	0	8	3	6	5	6
Burglary 2nd	0	4	4	1	5	12	11	18	39	18	22	38
Arson 1st, 2nd	1	2	2	4	8	4	6	7	4	6	3	9
Sodomy 1st	1	0	0	1	0	3	0	0	4	0	3	1
Sexual Abuse 1st	0	0	1	0	0	0	0	0	1	0	0	0
Dangerous Weapons	6	7	3	4	6	9	13	9	8	8	7	12
Kidnapping 1st, 2nd	2	0	2	1	1	0	2	1	4	1	3	3
B. Other Felony Offenses	182	197	153	155	137	190	195	207	274	297	440	525
1. Offenses Involving Violence/Coercion	45	54	33	26	28	25	26	24	24	27	48	33
Manslaughter 2nd	27	25	12	8	13	10	13	12	12	8	14	7
Rape 2nd, 3rd	0	0	0	0	0	0	0	0	0	0	2	0
Robbery 3rd	15	20	13	10	7	6	8	6	9	9	20	12
Attempted Assault 2nd	0	0	0	0	0	0	0	0	0	4	2	7
Other Coercive/Violent	3	9	8	8	8	9	5	6	3	6	10	7
2. Drug Offenses	95	95	56	65	58	69	67	67	124	127	210	340
3. Property and Other Offenses	42	48	64	64	51	96	102	116	126	143	182	152
Burglary 3rd	7	9	8	15	9	20	5	8	8	8	6	6
Grand Larceny	16	18	32	22	22	26	42	37	58	88	76	63
Forgery	8	9	8	18	12	35	33	50	39	26	53	32
Poss. Stolen Property	4	3	10	6	4	6	13	14	14	12	24	29
All Other Felonies	7	9	6	3	4	9	9	7	7	9	23	22
C. Youthful Offenders	4	8	4	8	5	10	5	8	13	6	11	8
TOTAL	283	301	259	279	284	405	377	438	523	495	721	802

TABLE 8.2 COMMITMENT OFFENSE (IN PERCENT) BY YEAR, FOR FEMALE NEW COURT COMMITMENTS 1976 TO 1987

Commitment Offense	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
A. Violent Felony Offenses (as defined by law)	34.0	31.8	39.4	41.7	50.0	50.5	46.8	50.8	45.2	38.7	37.5	33.4
Murder	3.2	1.3	2.3	2.5	4.2	2.7	1.9	1.6	1.5	1.2	1.9	1.6
Attempted Murder	0.0	0.0	0.8	0.7	0.0	1.0	0.8	1.1	1.3	1.2	0.4	0.5
Manslaughter 1st	8.1	8.0	5.4	11.1	11.6	8.6	9.8	8.2	8.0	7.1	6.5	3.9
Rape 1st	1.1	0.3	0.0	0.4	0.0	0.0	0.0	0.5	0.2	0.2	0.3	0.0
Robbery 1st	5.7	6.0	6.9	7.2	7.4	8.6	9.5	13.2	5.9	6.1	7.4	5.2
Robbery 2nd	7.1	6.6	10.4	9.3	12.7	15.8	9.0	11.6	9.2	9.1	11.8	8.6
Assault 1st	1.4	1.0	3.1	3.6	4.2	2.7	2.1	2.1	3.3	2.8	1.5	2.6
Assault 2nd	4.2	4.3	5.8	2.5	2.8	4.0	5.3	2.7	3.6	3.2	1.7	2.5
Burglary 1st	0.0	0.0	0.0	0.4	0.0	0.2	0.0	1.8	0.6	1.2	0.7	0.7
Burglary 2nd	0.0	1.3	1.5	0.4	1.8	3.0	2.9	4.1	7.5	3.6	3.1	4.7
Arson 1st, 2nd	0.0	0.7	0.8	1.4	2.8	1.0	1.6	1.6	0.8	1.2	0.4	1.1
Sodomy 1st	0.4	0.0	0.0	0.4	0.0	0.7	0.0	0.0	0.8	0.0	0.4	0.1
Sexual Abuse 1st	0.0	0.0	0.4	0.0	0.0	0.0	0.0	0.0	0.2	0.0	0.0	0.0
Dangerous Weapons	2.1	2.3	1.2	1.4	2.1	2.2	3.4	2.1	1.5	1.6	1.0	1.5
Kidnapping 1st, 2nd	0.7	0.0	0.8	0.4	0.4	0.0	0.5	0.2	0.8	0.2	0.4	0.4
B. Other Felony Offenses	64.4	65.5	59.1	55.8	48.2	46.8	51.6	47.2	52.4	60.0	61.0	65.5
1. Offenses Involving Violence/Coercion	15.9	17.9	12.7	9.4	9.9	6.2	6.8	5.5	4.6	5.4	6.7	4.2
Manslaughter 2nd	9.5	8.3	4.6	2.9	4.6	2.5	3.4	2.7	2.3	1.6	1.9	0.9
Rape 2nd, 3rd	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.0
Robbery 3rd	5.3	6.6	5.0	3.6	2.5	1.5	2.1	1.4	1.7	1.8	2.8	1.5
Attempted Assault 2nd	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.8	0.3	0.9
Other Coercive/Violent	1.1	3.0	3.1	2.9	2.8	2.2	1.3	1.4	0.6	1.2	1.4	0.9
2. Drug Offenses	33.6	31.6	21.6	23.3	20.4	17.0	17.8	15.3	23.7	25.7	29.1	42.4
3. Property and Other Offenses	14.9	16.0	24.8	23.1	17.9	23.6	27.0	26.4	24.1	28.9	25.2	18.9
Burglary 3rd	2.5	3.0	3.1	5.4	3.2	4.9	1.3	1.8	1.5	1.6	0.8	0.7
Grand Larceny	5.7	6.0	12.4	7.9	7.7	6.4	11.1	8.4	11.1	17.8	10.5	7.9
Forgery	2.8	3.0	3.1	6.5	4.2	8.6	8.8	11.4	7.5	5.3	7.4	4.0
Poss. Stolen Property	1.4	1.0	3.9	2.2	1.4	1.5	3.4	3.2	2.7	2.4	3.3	3.6
All Other Felonies	2.5	3.0	2.3	1.1	1.4	2.2	2.4	1.6	1.3	1.8	3.2	2.7
C. Youthful Offenders	1.4	2.7	1.5	2.9	1.8	2.5	1.3	1.8	2.5	1.2	1.5	1.0
TOTAL	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

## Section 9

### FIRST AND SECOND FELONY OFFENDERS<sup>1</sup>

The proportion of the yearly female admission population sentenced as second felony offenders appears in Table 9.1. Although second felony offender statutes were re-enacted in 1973, prior to the time period covered in this report, significant increases in the percentage of second felony offenders did not occur until 1982. By 1987, second felony offenders accounted for one-third of the admission population, as compared with only 15% in 1976. The percentage of second felony offenders was highest for the years 1984 (38%) and 1985 (39%).

The number and percentage of first and second felony offenders according to commitment offense is presented in Table 9.2 and Table 9.3. Overall, the Violent Felony Offenses category contains the fewest second felony offenders and increased by only 7 percentage points from 1976 to 1987.

In the Other Felony Offenses category, the group of offenses involving violence or coercion, is still dominated by first felony offenders. However, in more recent years, there has been a shift toward a more equal distribution of first and second felony offenders, particularly for the crime of robbery 3rd.

The greatest increase in the proportion of women sentenced as second felony offenders occurred in the Drug Offenses category. Only 2% of the drug offenders in 1976 were sentenced as second felons in contrast to 32% in 1987.

The yearly admission population is most evenly distributed between first and second felony offenders in the Property and Other Offenses category. However, beginning in 1983, the majority of commitments in this category have been sentenced as second felony offenders, with commitments for grand larceny, forgery, and criminal possession of stolen property responsible for this trend.

For female admissions, the proportion who are committed for violent offenses, and who are also second felons, is relatively small. The influence of second felony offender statutes is demonstrated most dramatically then, among women committed for drug and property crimes. These offenses have shown the most consistent growth in recent years and now account for the majority of new female commitments. As a result, it can be anticipated that the number of second felony offenders admitted to DOCS will at least remain stable; and perhaps continue to increase.

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<sup>1</sup>Persistent felony offenders, those convicted of and sentenced for three or more felonies (sentenced for each on a separate occasion), do not appear among female new court commitments until 1984. There have been small numbers of persistent felons since, but as they total less than one percent of the yearly admission population, their numbers are included with those for second felony offenders.

TABLE 9.1 FEMALE COMMITMENTS SENTENCED AS FIRST OR SECOND FELONY OFFENDER BY YEAR,  
FOR FEMALE NEW COURT COMMITMENTS 1976 TO 1987

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>
First Felony Offenders	240 85%	255 85%	204 79%	229 82%	234 82%	314 78%	276 73%	307 70%	323 62%	301 61%	474 66%	536 67%
Second Felony Offenders	43 15%	46 15%	55 21%	50 18%	50 18%	91 22%	101 27%	131 30%	200 38%	194 39%	247 34%	266 33%
TOTAL	283 100%	301 100%	259 100%	279 100%	284 100%	405 100%	377 100%	438 100%	523 100%	495 100%	721 100%	802 100%

TABLE 9.2 FEMALE COMMITMENTS SENTENCED AS FIRST FELONY OR SECOND FELONY OFFENDER BY YEAR, FOR FEMALE NEW COURT COMMITMENTS 1976 to 1987

Commitment Offense	1976		1977		1978		1979		1980		1981		1982		1983		1984		1985		1986		1987	
	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd
<b>A. Violent Felony Offenses</b>																								
(as defined by law)	83	14	86	10	87	15	102	14	121	21	177	28	143	34	184	39	183	53	150	42	209	61	216	53
Murder	9	0	4	0	6	0	7	0	12	0	11	0	7	0	8	0	6	0	14	0	14	0	13	0
Attempted Murder	0	0	0	0	2	0	2	0	0	0	4	0	3	0	5	0	5	2	4	2	2	1	4	0
Manslaughter 1st	21	2	23	1	13	1	27	4	30	3	34	1	37	0	35	1	41	1	31	4	42	5	30	1
Rape 1st	3	0	1	0	0	0	1	0	0	0	0	0	0	0	2	0	1	0	1	0	2	0	0	0
Robbery 1st	15	1	17	1	16	2	18	2	17	4	31	4	32	4	49	9	30	1	26	4	42	11	38	4
Robbery 2nd	18	2	19	1	21	6	21	5	30	6	56	8	29	5	42	9	28	20	31	14	58	27	54	15
Assault 1st	1	3	3	0	8	0	10	0	12	0	10	1	8	0	6	3	14	3	10	4	9	2	15	6
Assault 2nd	10	2	11	2	11	4	6	1	5	3	11	5	11	9	8	4	15	4	13	3	9	3	14	6
Burglary 1st	0	0	0	0	0	0	1	0	0	0	1	0	0	0	7	1	3	0	5	1	4	1	5	1
Burglary 2nd	0	0	3	1	4	0	0	1	1	4	8	4	6	5	11	7	21	18	11	7	13	9	25	13
Arson 1st, 2nd	1	0	2	0	2	0	4	0	8	0	4	0	6	0	7	0	4	0	5	1	3	0	8	1
Sodomy 1st	1	0	0	0	0	0	1	0	0	0	3	0	0	0	0	0	4	0	0	0	3	0	1	0
Sexual Abuse 1st	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Dangerous Weapons	2	4	3	4	1	2	3	1	5	1	4	5	2	11	4	5	5	3	6	2	5	2	6	6
Kidnapping 1st, 2nd	2	0	0	0	2	0	1	0	1	0	0	0	2	0	1	0	3	1	1	0	3	0	3	0
<b>B. Other Felony Offenses</b>	153	29	161	36	113	40	119	36	108	29	127	63	128	67	115	92	127	147	145	152	254	186	312	213
1. Offenses Involving Violence/Coercion	36	9	47	7	26	7	20	6	24	4	22	3	21	5	21	3	19	5	18	9	33	15	19	14
Manslaughter 2nd	24	3	23	2	11	1	7	1	12	1	9	1	13	0	12	0	10	2	7	1	14	0	6	1
Rape 2nd, 3rd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0
Robbery 3rd	10	5	16	4	7	6	5	5	5	2	4	2	4	4	4	2	6	3	3	6	7	13	7	5
Attempted Assault 2nd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	0	2	1	6
Other Coercive/Violent	2	1	8	1	8	0	8	0	7	1	9	0	4	1	5	1	3	0	6	0	10	0	5	2
2. Drug Offenses	93	2	91	4	55	1	63	2	55	3	61	8	53	14	47	20	67	57	73	54	140	70	232	108
3. Property and Other Offenses	24	18	23	25	32	32	36	28	29	22	44	52	54	48	47	69	41	85	54	89	81	101	61	91
Burglary 3rd	4	3	5	4	5	3	11	4	6	3	12	8	5	0	6	2	5	3	3	5	3	3	1	5
Grand Larceny	9	7	8	10	15	17	13	9	9	13	11	15	20	22	11	26	14	44	35	53	32	44	21	42
Forgery	4	4	1	8	3	5	8	10	8	4	15	20	15	18	22	28	16	23	5	21	18	35	8	24
Poss. Stolen Property	2	2	1	2	4	6	2	4	2	2	1	5	8	5	4	10	4	10	4	8	8	16	14	15
All Other Felonies	5	2	8	1	5	1	2	1	4	0	5	4	6	3	4	3	2	5	7	2	20	3	17	5
<b>C. Youthful Offenders</b>	4	0	8	0	4	0	8	0	5	0	10	0	5	0	8	0	13	0	6	0	11	0	8	0
<b>TOTAL</b>	240	43	255	46	204	55	229	50	234	50	314	91	276	101	307	131	323	200	301	194	474	247	536	266

TABLE 9.3 COMMITMENT OFFENSE (IN PERCENT) AS FIRST FELONY OR SECOND FELONY FOR FEMALE NEW COURT COMMITMENTS 1976 TO 1987

Commitment Offense	1976		1977		1978		1979		1980		1981		1982		1983		1984		1985		1986		1987	
	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd
<b>A. Violent Felony Offenses</b>																								
(as defined by law)	87	13	90	10	85	15	88	12	85	15	86	14	81	19	82	18	78	22	78	22	77	23	80	20
Murder	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0
Attempted Murder	0	0	0	0	100	0	100	0	0	0	100	0	100	0	100	0	71	29	67	33	67	33	100	0
Manslaughter 1st	91	9	96	4	93	7	87	13	91	9	97	3	100	0	97	3	98	2	89	11	89	11	97	3
Rape 1st	100	0	100	0	0	0	100	0	0	0	0	0	0	0	100	0	100	0	100	0	100	0	100	0
Robbery 1st	94	6	94	6	89	11	90	10	81	19	89	11	89	11	84	16	97	3	87	13	79	21	90	10
Robbery 2nd	90	10	95	5	78	22	81	19	83	17	88	12	85	15	82	18	58	42	69	31	68	32	78	22
Assault 1st	25	75	100	0	100	0	100	0	100	0	91	9	100	0	67	33	82	18	71	29	82	18	71	29
Assault 2nd	83	17	85	15	73	27	86	14	62	38	69	31	55	45	67	33	79	21	81	19	75	25	70	30
Burglary 1st	0	0	0	0	0	0	100	0	0	0	100	0	0	0	88	12	100	0	83	17	80	20	83	17
Burglary 2nd	0	0	75	25	100	0	0	100	20	80	67	33	54	46	61	39	54	46	61	39	59	41	66	34
Arson 1st, 2nd	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	83	17	100	0	89	11
Sodomy 1st	100	0	0	0	0	0	100	0	0	0	100	0	0	0	0	0	100	0	0	0	100	0	100	0
Sexual Abuse 1st	0	0	0	0	100	0	0	0	0	0	0	0	0	0	0	0	100	0	0	0	0	0	0	0
Dangerous Weapons	33	67	43	57	33	67	75	25	83	17	44	56	15	85	44	56	62	38	75	25	71	29	50	50
Kidnapping 1st, 2nd	100	0	0	0	100	0	100	0	100	0	0	0	100	0	100	0	75	25	100	0	100	0	100	0
<b>B. Other Felony Offenses</b>	84	16	82	18	74	26	77	23	79	21	67	33	66	34	56	44	46	54	49	51	58	42	59	41
<b>1. Offenses Involving Violence/Coercion</b>	80	20	87	13	79	21	77	23	86	14	88	12	81	19	88	12	79	21	66	33	69	31	58	42
Manslaughter 2nd	89	11	92	8	92	8	88	12	92	8	90	10	100	0	100	0	83	17	88	12	100	0	86	14
Rape 2nd, 3rd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	100	0	0	0
Robbery 3rd	67	33	80	20	54	46	50	50	71	29	67	33	50	50	67	33	67	33	33	67	35	65	58	42
Attempted Assault 2nd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	50	50	0	100	14	86
Other Coercive/Violent	67	33	89	11	100	0	100	0	88	12	100	0	80	20	83	17	100	0	100	0	100	0	71	29
<b>2. Drug Offenses</b>	98	2	96	4	98	2	97	3	95	5	88	12	79	21	70	30	54	46	58	42	67	33	68	32
<b>3. Property and Other Offenses</b>	57	43	48	52	50	50	56	44	57	43	46	54	53	47	40	60	33	67	38	62	45	55	40	60
Burglary 3rd	57	43	56	44	62	38	73	27	67	33	60	40	100	0	75	25	62	38	38	62	50	50	17	83
Grand Larceny	56	44	44	56	47	53	59	41	41	59	42	58	48	52	30	70	24	76	40	60	42	58	33	67
Forgery	50	50	11	89	38	62	44	56	67	33	43	57	46	54	44	56	41	59	19	81	34	66	25	75
Poss. Stolen Property	50	50	33	67	40	60	33	67	50	50	17	83	62	38	29	71	29	71	33	67	33	67	48	52
All Other Felonies	71	29	89	11	83	17	67	33	100	0	56	44	67	33	57	43	29	71	78	22	87	13	77	23
<b>C. Youthful Offenders</b>	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0	100	0
<b>TOTAL</b>	<b>85%</b>	<b>15%</b>	<b>85%</b>	<b>15%</b>	<b>79%</b>	<b>21%</b>	<b>82%</b>	<b>18%</b>	<b>82%</b>	<b>18%</b>	<b>78%</b>	<b>22%</b>	<b>73%</b>	<b>27%</b>	<b>70%</b>	<b>30%</b>	<b>62%</b>	<b>38%</b>	<b>61%</b>	<b>39%</b>	<b>66%</b>	<b>34%</b>	<b>67%</b>	<b>33%</b>

## Section 10

### FELONY CLASS OF COMMITMENT OFFENSE

Felonies in New York State are classified for purposes of sentencing into five categories. The categories are ranked according to severity of offense and sentence. Class A felonies, the most serious, are subclassified into class A-I and class A-II felonies. From 1973 to 1979, there were class A-III drug offenses, but this subclass was abolished with the revision of the Rockefeller drug laws. Table 10.1 presents the felony class category of commitment offense for the yearly admission population.

The percentage of women committed for A-I felony offenses remained fairly stable over the twelve year period (at approximately 3%), while A-II felony commitments expanded from 2.1% in 1976 to 7.4% in 1987. The loosening of plea restrictions for drug offenses in 1979 may account for some of the increase, as those accused of A-I felonies plead to A-II offenses.

Most of the class A-III drug offenses were reclassified to class B felony offenses. As commitments for class A-III drug offenses tapered off, the class B felony category grew, although not proportionately. In 1987, commitments for class B felonies represented about one quarter of the admission population.

Females committed for class C felonies averaged 20% of yearly commitments, and this figure changed relatively little over the twelve year period.

The effects of changes in the penal law appear to be reflected in the growth of class D offenses. The violent felony offender legislation prohibited those charged with class B or C violent felonies from pleading lower than a class D violent felony offense. It also required mandatory incarceration for certain offenders convicted of class D armed felony offenses. Altogether, class D offenses increased 12.5% from 1976 to 1987. In 1976, females committed for class D offenses accounted for 15.2% of the admission population, but by 1987 the proportion had increased to 27.7 percent.

Conceivably, class E felony commitments might have been influenced by the plea restriction component to the violent felony offender legislation, but there is little evidence to suggest this. Growth in this felony class has been sporadic and is most likely indicative of fluctuations in commitments for property offenses, many of which are class E felonies.

Felony class category according to first or second felony offense status is displayed in Table 10.2. Since the penalty structure attached to class A offenses is already quite severe, those convicted of crimes in this category are not sentenced as second felony offenders. This does not mean, however, that they have no prior felony convictions, they may. The percentage of second felony offenders among class B felony commitments varied little over time, averaging only 8% of the yearly admission population.

Until 1983, the percentage of second felony offenders among women committed for class C felonies also averaged only 8%; afterwards this figure jumped to 20 percent. This sudden shift resulted from the increase of second felony offenders among those committed for assault 1st, burglary 2nd, robbery 2nd (violent felony offenses), drug offenses, and property offenses.

Gradually, the numbers of second felony offenders admitted for class D offenses have grown until they now slightly exceed first felony offenders. Once again, the growth of second felons among drug and property offenses accounts for this trend.

The proportion of first and second felons in the class E felony category was about equally distributed until 1981. From 1981 to 1987 the percentage of second felony offenders increased, and in 1987, they represented 75% of women admitted for this crime class. Property offenses dominate Class E felony offenses.



TABLE 10.1 FELONY CLASS CATEGORY OF COMMITMENT OFFENSE, BY YEAR, FOR FEMALE NEW COURT COMMITMENTS 1976-1987<sup>1</sup>

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Felony Class Category	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
A-1 Felony	11 (3.9)	7 (2.3)	8 (3.1)	10 (3.6)	14 (4.9)	13 (3.2)	8 (2.1)	10 (2.3)	22 (4.2)	11 (2.2)	16 (2.2)	20 (2.5)
A-11 Felony	6 (2.1)	8 (2.7)	6 (2.3)	5 (1.8)	8 (2.8)	10 (2.5)	15 (4.0)	13 (3.0)	30 (5.7)	24 (4.8)	50 (7.0)	59 (7.4)
A-111 Felony	76 (26.9)	66 (21.9)	41 (15.8)	44 (15.8)	30 (10.6)	9 (2.2)	3 (.8)	0	0	0	0	0
Class B Felony	46 (16.3)	44 (14.6)	38 (14.7)	52 (18.6)	53 (18.7)	96 (23.7)	89 (23.6)	113 (25.8)	104 (19.9)	103 (20.8)	160 (22.3)	186 (23.2)
Class C Felony	54 (19.1)	64 (21.3)	58 (22.4)	57 (20.4)	69 (24.3)	86 (21.2)	77 (20.4)	91 (20.8)	92 (17.6)	73 (14.7)	123 (17.1)	157 (19.6)
Class D Felony	43 (15.2)	53 (17.6)	41 (15.8)	54 (19.4)	69 (24.3)	115 (28.4)	94 (24.9)	118 (26.9)	158 (30.2)	146 (29.5)	222 (30.9)	222 (27.7)
Class E Felony	43 (15.2)	51 (16.9)	63 (24.3)	49 (17.6)	36 (12.7)	66 (16.3)	86 (22.8)	85 (19.4)	104 (19.9)	132 (26.7)	136 (18.9)	149 (18.6)
Youthful Offender	4 (1.4)	8 (2.7)	4 (1.5)	8 (2.9)	5 (1.8)	10 (2.5)	5 (1.3)	8 (1.8)	13 (2.5)	6 (1.2)	11 (1.5)	8 (1.0)
TOTAL	283 (100%)	301 (100%)	259 (100%)	279 (100%)	284 (100%)	405 (100%)	377 (100%)	438 (100%)	523 (100%)	495 (100%)	718 (100%)	801 (100%)

<sup>1</sup>There were 3 uncoded cases in 1986 and 1 in 1987.

TABLE 10.2 FELONY CLASS CATEGORY OF COMMITMENT OFFENSE BY FIRST OR SECOND FELONY OFFENDER STATUS,  
FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Felony Class Category	1976		1977		1978		1979		1980		1981	
	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd
A-1 Felony	11 (100)	0	7 (100)	0	8 (100)	0	10 (100)	0	14 (100)	0	13 (100)	0
A-11 Felony	6 (100)	0	8 (100)	0	6 (100)	0	5 (100)	0	8 (100)	0	10 (100)	0
A-111 Felony	76 (100)	0	66 (100)	0	41 (100)	0	44 (100)	0	30 (100)	0	9 (100)	0
Class B Felony	43 (94)	3 (6)	43 (98)	1 (2)	35 (92)	3 (8)	46 (88)	6 (12)	47 (89)	6 (11)	87 (91)	9 (9)
Class C Felony	47 (89)	6 (11)	58 (91)	6 (9)	53 (91)	5 (9)	53 (93)	4 (7)	62 (90)	7 (10)	80 (93)	6 (7)
Class D Felony	31 (72)	12 (28)	39 (74)	14 (26)	31 (76)	10 (24)	39 (72)	15 (28)	48 (70)	21 (30)	82 (71)	33 (29)
Class E Felony	22 (51)	21 (49)	26 (51)	25 (49)	26 (41)	37 (59)	24 (49)	25 (51)	20 (56)	16 (44)	23 (35)	43 (65)
Youthful Offender	4 (100)	0	8 (100)	0	4 (100)	0	8 (100)	0	5 (100)	0	10 (100)	0
TOTAL	240 (85%)	42 (15%)	255 (85%)	46 (15%)	204 (79%)	55 (21%)	229 (82%)	50 (18%)	234 (82%)	50 (18%)	314 (78%)	91 (22%)

TABLE 10.2 FELONY CLASS CATEGORY OF COMMITMENT OFFENSE BY FIRST OR SECOND FELONY OFFENDER STATUS,  
FOR FEMALE NEW COURT COMMITMENTS 1976-1987<sup>1</sup>

Felony Class Category	1982		1983		1984		1985		1986		1987	
	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd
A-1 Felony	8 (100)	0	10 (100)	0	22 (100)	0	11 (100)	0	16 (100)	0	20 (100)	0
A-11 Felony	15 (100)	0	13 (100)	0	30 (100)	0	24 (100)	0	50 (100)	0	59 (100)	0
A-111 Felony	3 (100)	0	0	0	0	0	0	0	0	0	0	0
Class B Felony	84 (94)	5 (6)	103 (91)	10 (9)	98 (94)	6 (6)	92 (89)	11 (11)	141 (88)	19 (12)	179 (96)	7 (4)
Class C Felony	70 (91)	7 (9)	72 (79)	19 (21)	73 (79)	19 (21)	59 (81)	14 (19)	102 (83)	21 (17)	126 (80)	31 (20)
Class D Felony	60 (64)	34 (36)	72 (61)	46 (39)	72 (46)	86 (54)	69 (47)	77 (53)	110 (50)	112 (50)	107 (48)	115 (52)
Class E Felony	31 (36)	55 (64)	29 (34)	56 (66)	31 (30)	73 (70)	40 (30)	92 (70)	41 (30)	95 (70)	37 (25)	112 (75)
Youthful Offender	5 (100)	0	8 (100)	0	13 (100)	0	6 (100)	0	11 (100)	0	8 (100)	0
TOTAL	276 (73%)	101 (27%)	307 (70%)	131 (30%)	339 (65%)	184 (35%)	301 (61%)	194 (39%)	471 (66%)	247 (34%)	536 (67%)	265 (33%)

## Section 11

### MINIMUM SENTENCE LENGTH

It is not possible in this report to accurately evaluate trends in minimum sentence length for the entire time period under consideration. This limitation is the result of revisions to the penal code, particularly the initiation of judicially determined minimum sentences for violent felony offenses in 1978, and again in 1980, for the remaining felony offenses. Prior to these legislative revisions, parole boards set minimum periods of imprisonment for most first felony offenders. (The courts set the minimum term for those sentenced as second or persistent felony offenders.) Unfortunately, the parole board determined minimum period of imprisonment is not readily available on computer files, and therefore, cannot be included in this report. We are, however, able to estimate the board set minimum period of imprisonment (in order to calculate statistics on average minimum sentence) based on separate data containing a large number of cases for which the parole board set minimum period of imprisonment is available. In addition to the violent felony offender legislation, changes in the computation of consecutive sentences also occurred in 1978.

Minimum sentence length in months, divided into nine categories, appears in Table 11.1. Parole board set minimums are included in the Unspecified Minimum category, and as would be expected, this category declines sharply after 1980.

There was apparent growth in the proportion of women who received minimum sentences less than 36 months, particularly in the 12-17 months range. However, much of this growth occurs between 1980 and 1981, and is most likely the result of the addition of those who had previously received parole board set minimums. Afterwards, the percentage of women receiving minimum sentences of less than 24 months begins to decline slightly, while those with minimums ranging from 24 to 71 months grow somewhat. The small proportion of women (averaging 7%) with relatively long minimum sentences (over 72 months) changed little between 1976 and 1987.

The average minimum sentence (in months) according to offense type appears in Table 11.2. The yearly average minimum sentence was 28.6 months in 1976, and in 1987, with irregular growth, it was 31.0 months.

Table 11.2 shows the average minimum sentence for women admitted as violent felons has decreased ten months for the time period reported. Examination of Table 11.3, which displays average minimum sentence according to crime class for violent felony offenses, provides a possible explanation for this decline. With the exception of class B violent felony offenses, average minimum sentence length diminished from 1976 to 1987. A good deal of this decline can be traced to class A-I violent offenses (these offenses were not part of the violent felony offender legislation) where average minimum sentence was 210 months in 1976 but only 187 months in 1987.

The decrease in average minimum sentence for class C and D violent offenses (4.1 and 2.9 months respectively), although not as great, is perhaps more significant, as admissions for these crime class categories represent the majority of commitments for violent felony offenses.

Decreased minimum sentence length might also be indicative of the switch to judicially determined minimums for violent felony offenders in 1978. In addition, as only a small proportion of women committed for violent felony offenses are second felons (see Table 9.3), growth in minimum sentence is further suppressed, compared with non-violent felony offenses.

Steady growth in the average minimum sentence for class B violent offenses did not occur until 1983, considerably after the violent felony offender legislation (see Table 11.3). Altogether, average minimum sentence length increased 9.3 months for class B violent felonies.

Referring back to Table 11.2, the greatest increase in average minimum sentence (13.5 months) is found in the Other Coercive/Violent Offenses category. The initiation of judicially determined minimums may have influenced sentences differently for this group of offenses, in contrast to violent felonies, as sentence length began to increase after 1980.

Property and drug offenses experienced growth in average minimum sentences also. In 1976, the average minimum sentence was 16.0 months for property offenses, and 22.8 months for drug offenses. By 1987, these figures were 19.6 and 29.8 months respectively. Longer minimum sentences for these offenses may be the result of the greater number of second felony offenders committed for these crimes.

Women committed as youthful offenders or for crimes in the All Other Felony Offenses category, had average minimum sentences which diminished over the twelve year period.

Average minimum sentence according to felony class category, for all offenses not legislatively designated as violent offenses, appears in Table 11.4.

Reading across the table, a slight decline in sentence length is apparent for all but class A-I offenses. However, examination of yearly total average minimum sentences reveals a minor increase in sentence length. In 1976, the average minimum sentence was 24.3 months; after irregular growth in the intervening years, it was 26.3 months in 1987.

TABLE 11.1 MINIMUM SENTENCE IN MONTHS BY YEAR, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

<u>Minimum Sentences</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>
12-17 Months	61 (21.5)	44 (14.6)	33 (12.7)	37 (13.3)	45 (15.8)	121 (29.9)	109 (29.0)	120 (27.4)	114 (21.8)	125 (25.3)	180 (25.0)	214 (26.7)
18-23 Months	58 (20.5)	74 (24.6)	78 (30.1)	86 (30.8)	82 (28.9)	104 (25.7)	85 (22.5)	99 (22.6)	122 (23.3)	125 (25.3)	179 (24.8)	196 (24.4)
24-35 Months	58 (20.5)	62 (20.6)	58 (22.4)	57 (20.4)	60 (21.1)	90 (22.2)	88 (23.3)	104 (23.7)	137 (26.2)	137 (27.7)	178 (24.7)	203 (25.3)
36-47 Months	24 (8.5)	22 (7.3)	25 (9.6)	25 (9.0)	27 (9.5)	35 (8.6)	44 (11.7)	45 (10.3)	62 (11.9)	40 (8.1)	76 (10.5)	74 (9.2)
48-71 Months	14 (4.9)	14 (4.6)	10 (3.9)	17 (6.1)	19 (6.7)	26 (6.4)	27 (7.2)	35 (8.0)	49 (9.4)	38 (7.7)	57 (7.9)	61 (7.6)
72-119 Months	11 (3.9)	14 (4.6)	9 (3.5)	12 (4.3)	8 (2.8)	9 (2.2)	13 (3.4)	23 (5.2)	24 (4.6)	15 (3.0)	29 (4.0)	31 (3.9)
120-179 Months	0 (.3)	1 (.3)	0	1 (.4)	1 (.4)	0	0	1 (.2)	0	4 (.8)	1 (.1)	2 (.2)
180-239 Months	7 (2.5)	5 (1.7)	6 (2.3)	3 (1.1)	5 (1.8)	9 (2.2)	5 (1.3)	5 (1.1)	8 (1.5)	9 (1.8)	8 (1.1)	15 (1.9)
240+ Months	3 (1.1)	2 (.7)	3 (1.6)	5 (1.8)	9 (3.2)	3 (.7)	3 (.8)	4 (.9)	7 (1.3)	2 (.4)	8 (1.1)	5 (.6)
Unspecified Minimum/Missing	47 (16.6)	63 (20.9)	37 (14.3)	36 (12.9)	28 (9.9)	8 (2.0)	3 (.8)	2 (.4)	0	0	5 (.7)	1 (.1)
TOTAL	283 (100%)	301 (100%)	259 (100%)	274 (100%)	284 (100%)	405 (100%)	377 (100%)	438 (100%)	438 (100%)	495 (100%)	721 (100%)	802 (100%)

TABLE 11.2 OFFENSE TYPE BY AVERAGE MINIMUM SENTENCE IN MONTHS, FOR FEMALE NEW COURT COMMITMENTS 1976-1987<sup>1</sup>

Offense Type	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
Violent Felony Offenses	50.0 (92)	43.9 (92)	47.3 (98)	48.7 (113)	51.0 (141)	37.4 (201)	38.6 (171)	39.9 (219)	41.2 (231)	41.8 (192)	44.6 (270)	40.4 (269)
Other Coercive/ Violent Offenses	9.9 (50)	7.8 (58)	10.6 (37)	14.8 (29)	12.6 (29)	17.9 (29)	22.1 (32)	23.4 (28)	23.0 (29)	25.4 (27)	22.0 (48)	23.4 (33)
Property Offenses	16.0 (35)	17.2 (39)	16.6 (58)	15.3 (61)	16.2 (47)	17.4 (87)	16.6 (93)	18.1 (109)	19.6 (119)	18.5 (134)	19.0 (159)	19.6 (130)
-40- Drug Offenses	22.8 (95)	26.7 (94)	27.8 (56)	22.6 (65)	23.1 (58)	24.5 (69)	29.1 (67)	30.2 (67)	35.0 (124)	30.1 (127)	27.9 (210)	29.8 (340)
All Other Felony Offenses	26.1 (7)	12.7 (9)	7.0 (6)	14.0 (3)	32.4 (4)	15.8 (9)	21.6 (9)	15.4 (7)	23.1 (7)	17.1 (9)	15.8 (23)	19.5 (22)
Youthful Offenders	21.0 (4)	20.6 (8)	18.4 (4)	21.0 (8)	21.3 (5)	13.5 (10)	12.8 (5)	13.1 (7)	13.5 (13)	13.3 (6)	13.8 (11)	13.5 (8)
TOTAL	28.6 (283)	26.5 (300)	29.6 (259)	30.6 (279)	34.8 (284)	28.4 (405)	29.4 (377)	31.1 (437)	32.9 (523)	30.8 (495)	31.2 (721)	31.0 (802)

<sup>1</sup>There was 1 uncoded case for the years 1977 and 1983.

TABLE 11.3 AVERAGE MINIMUM SENTENCE IN MONTHS FOR VIOLENT FELONY OFFENSES DISPLAYED  
BY CRIME CLASS, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Felony Class Category	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
Class A-I	210.0 (8)	225.0 (4)	230.0 (6)	257.1 (7)	259.0 (12)	201.8 (11)	231.4 (7)	240.0 (7)	160.9 (15)	169.4 (13)	206.6 (17)	187.0 (17)
Class B	42.8 (41)	46.6 (37)	49.8 (33)	46.4 (47)	44.7 (46)	40.7 (62)	44.8 (61)	47.0 (87)	49.5 (72)	50.2 (59)	54.4 (82)	52.1 (60)
Class C	31.4 (23)	30.1 (30)	29.0 (39)	27.4 (42)	24.9 (49)	23.9 (67)	24.4 (56)	28.9 (72)	27.0 (67)	26.0 (45)	25.6 (87)	27.3 (99)
Class D	23.0 (16)	26.2 (15)	25.0 (17)	21.7 (17)	23.6 (34)	19.2 (58)	18.8 (40)	16.9 (52)	23.1 (71)	20.1 (63)	21.8 (79)	20.1 (86)
Class E	18.3 (4)	19.2 (6)	18.4 (3)	0	0	20.0 (3)	20.1 (7)	18.0 (1)	17.0 (6)	15.7 (6)	25.0 (5)	18.6 (7)
TOTAL	50.0 (92)	43.9 (92)	47.3 (98)	48.7 (113)	51.0 (141)	37.4 (201)	38.6 (171)	39.9 (219)	41.2 (231)	40.1 (186)	44.6 (270)	40.4 (269)



TABLE 11.4 AVERAGE MINIMUM SENTENCE IN MONTHS FOR NON-VIOLENT FELONY OFFENSES DISPLAYED  
BY CRIME CLASS, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Felony Class Category	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
Class A-I	124.0 (3)	180.0 (3)	180.0 (2)	92.0 (3)	180.0 (2)	96.0 (2)	180.0 (1)	148.0 (3)	168.0 (7)	180.0 (4)	210.0 (2)	186.0 (7)
Class A-II	76.0 (6)	72.0 (8)	72.0 (6)	55.2 (5)	33.8 (8)	39.6 (10)	37.6 (15)	44.3 (13)	45.0 (30)	41.9 (24)	40.8 (50)	55.2 (59)
Class A-III	16.9 (76)	19.6 (65)	17.7 (41)	19.6 (44)	16.4 (30)	17.6 (9)	48.0 (3)	0	0	0	0	0
Class B	41.0 (5)	24.5 (7)	27.2 (5)	19.4 (5)	18.1 (7)	22.4 (34)	24.5 (28)	17.3 (26)	20.0 (32)	17.4 (34)	21.2 (72)	17.8 (118)
Class C	27.8 (31)	32.4 (34)	31.6 (19)	28.0 (15)	26.6 (20)	21.5 (19)	24.8 (21)	30.9 (19)	26.6 (25)	29.6 (26)	29.2 (32)	25.1 (60)
Class D	23.4 (27)	23.1 (38)	24.2 (24)	23.0 (37)	20.7 (35)	18.7 (57)	19.5 (54)	20.2 (66)	21.6 (87)	22.1 (75)	21.3 (144)	23.0 (133)
Class E	19.3 (39)	19.3 (45)	18.8 (60)	19.1 (49)	20.8 (36)	16.7 (63)	16.9 (79)	16.7 (84)	17.9 (98)	17.9 (132)	17.6 (135)	17.9 (144)
Youthful Offender	21.0 (4)	20.6 (8)	18.4 (4)	21.0 (8)	21.3 (5)	13.5 (10)	12.8 (5)	13.1 (7)	13.5 (13)	13.3 (6)	13.8 (11)	13.5 (8)
TOTAL	24.3 (191)	25.8 (208)	25.1 (161)	23.8 (166)	23.5 (143)	20.4 (204)	22.1 (206)	22.4 (218)	26.2 (292)	23.9 (301)	26.6 (446)	26.3 (529)

## Section 12

### MAXIMUM SENTENCE LENGTH

As with minimum sentences, only one maximum sentence for an offense is reported. When an offender has concurrent sentences, the longest maximum term is regarded as the controlling sentence, and hence, the one used for reporting purposes. For offenders with consecutive sentences, maximum sentences are aggregated to create a single maximum term, which however, may not exceed certain statutory limitations associated with the felony class of the conviction offense.

Maximum sentence length in months, arranged into ten categories, is found in Table 12.1. In 1976, 28% of the women admitted to DOCS received 36 month maximum sentences and another 33%, were given Life maximums. This situation, where the majority of new commitments fell into the two extreme maximum sentence categories, continued through 1979. Revisions to the Rockefeller drug laws, particularly the elimination of class A-III felony drug offenses with their corresponding Life maximum sentences, were responsible for the sharp drop off in new commitments with Life sentences after 1979.

New commitments with maximum sentences ranging from 96 to -240+ months remained fairly stable, altogether accounting for 13% of the yearly admission population. The percentage of women with the lowest maximum sentence, 36 months, increased the most, representing 37% of the admission population in 1987. The remaining categories, 37 through 95 months, experienced growth as well.

The expected result of the implementation of violent felony offender legislation, more severe maximum sentences, is not readily apparent in Table 12.1. This expectation may be more fully explored in Table 12.2, presenting the average maximum sentence (in months) for six offense types, or in Table 12.3, displaying sentence length for violent felonies by felony class category. Life maximum sentences are calculated at 25 years (300 months) to avoid skewing averages through extreme sentences.

The most reliable and discernible trends in Table 12.3, a decrease in sentence length for class A-I offenses (301.0 months in 1976 to 251.4 months in 1987), and an increase for class B offenses (130.2 months in 1976 to 151.0 months in 1987), appeared after 1983. Average maximum sentences for the remaining felony class categories fluctuated during the twelve years, resulting in slightly longer maximum sentences overall.

Referring once again to Table 12.2, it can be seen that in keeping with the demise of class A-III drug offenses, the average maximum sentence for drug crimes decline dramatically from 226.1 months in 1979 to 103.6 months in 1980. Although there was a slight rise in average maximum sentences after 1980, sentences in 1987 were 175 months less than in 1976.

Average maximum sentences for the category of All Other Felony Offenses decreased significantly, even if somewhat erratically. In 1976, the average maximum sentence was 96.0 months, compared with 54.0 months in 1987.

Sentence length increased the most (5.1 months) for those crimes in the Other Coercive/Violent Offenses category. The average maximum sentence for property offenses was fairly stable, increasing only 2.3 months from 1976 to 1987. Although youthful offenders are included in this table, their maximum sentences may not exceed four years, and must be at least three years.

In Table 12.4 which presents average maximum sentence by felony class category for all offenses not legislatively designated as violent felonies, the class A felony categories consist entirely of drug offenses.

The decrease in average maximum sentence for drug offenses mentioned above did not occur for class A-I or A-II felonies. Table 12.4 reveals that sentence length for class A-I offenses remained stable, and only minor, inconsistent change appeared in the class A-II offense category. Legislative revisions to the Rockefeller drug laws eliminated the class A-III offense category. Offenses with the class A-III designation became class B felonies. The increase in class B commitments after 1980 is indicative of the revision. Furthermore, the decrease in average maximum sentence for class B felonies is attributable to the inclusion of large numbers of drug offenses in this crime class category.

Although there was much yearly variation in average maximum sentence length for the remaining crime class categories (see Table 12.4), there was little overall change.

Finally, the total average maximum sentence for all offenses decreased from 146.3 months in 1976 to 84.6 months in 1987 (see Table 12.2). Once again, the shift toward lower maximum sentences can be traced principally to revisions in existing drug laws in 1979.

TABLE 12.1 MAXIMUM SENTENCE IN MONTHS BY YEAR, FOR FEMALE NEW COURT COMMITMENTS 1976-1987<sup>1</sup>

<u>Maximum Sentences</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>
36 Months	80 (28)	93 (31)	89 (34)	91 (33)	97 (34)	142 (35)	125 (33)	149 (34)	157 (30)	181 (37)	247 (34)	297 (37)
37-53 Months	38 (13)	44 (15)	37 (14)	43 (15)	37 (13)	63 (16)	64 (17)	69 (16)	103 (20)	98 (20)	116 (16)	126 (16)
54-71 Months	12 (4)	19 (6)	22 (8)	25 (9)	44 (16)	58 (14)	52 (14)	53 (12)	64 (12)	52 (10)	103 (14)	102 (13)
72-95 Months	23 (8)	25 (8)	20 (8)	29 (10)	34 (12)	63 (16)	49 (13)	67 (15)	65 (12)	66 (13)	92 (13)	112 (14)
96-119 Months	7 (2)	9 (3)	4 (2)	9 (3)	18 (6)	23 (6)	26 (7)	22 (5)	30 (6)	14 (3)	30 (4)	31 (4)
120-143 Months	6 (2)	7 (2)	13 (5)	7 (2)	9 (3)	7 (2)	8 (2)	11 (2)	9 (2)	10 (2)	9 (1)	15 (2)
144-179 Months	9 (3)	6 (2)	5 (2)	9 (3)	8 (3)	9 (2)	11 (3)	11 (2)	16 (3)	15 (3)	17 (2)	12 (2)
180-239 Months	7 (2)	11 (4)	10 (4)	10 (4)	5 (2)	11 (3)	12 (3)	21 (5)	22 (4)	12 (2)	25 (4)	16 (2)
240+ Months	8 (3)	7 (2)	3 (1)	3 (1)	6 (2)	5 (1)	7 (2)	12 (3)	10 (2)	13 (3)	15 (2)	11 (1)
Life Maximum	93 (33)	80 (27)	56 (22)	53 (19)	25 (9)	24 (6)	23 (6)	23 (5)	47 (9)	34 (7)	66 (9)	80 (10)
TOTAL	283 (100%)	301 (100%)	259 (100%)	279 (100%)	283 (100%)	405 (100%)	377 (100%)	438 (100%)	523 (100%)	495 (100%)	720 (100%)	802 (100%)

<sup>1</sup>There was 1 uncoded case for the years 1980 and 1986.

TABLE 12.2 OFFENSE TYPE BY AVERAGE MAXIMUM SENTENCE IN MONTHS, FOR FEMALE NEW COURT COMMITMENTS 1976-1987<sup>1</sup>

Offense Type	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
Violent Felony Offenses	113.1 (92)	102.7 (92)	100.9 (98)	101.4 (113)	101.7 (140)	90.4 (201)	94.6 (171)	98.2 (219)	100.9 (231)	98.7 (192)	102.8 (270)	93.7 (269)
Other Coercive/ Violent Offenses	54.7 (50)	61.6 (58)	54.3 (37)	49.9 (29)	55.4 (29)	55.6 (29)	62.4 (32)	68.8 (28)	62.7 (29)	67.2 (27)	59.4 (48)	59.8 (33)
Property Offenses	41.1 (35)	39.4 (39)	39.9 (58)	42.3 (61)	41.2 (47)	41.7 (87)	43.4 (93)	41.9 (109)	43.1 (119)	41.7 (134)	42.6 (159)	43.4 (130)
-46- Drug Offenses	273.6 (95)	249.9 (95)	271.5 (56)	226.1 (65)	103.6 (58)	102.8 (69)	116.7 (67)	108.9 (67)	123.9 (124)	104.2 (127)	112.2 (210)	98.6 (340)
All Other Felony Offenses	96.0 (7)	62.7 (9)	94.0 (6)	60.0 (3)	111.0 (4)	42.7 (9)	57.3 (9)	37.7 (7)	65.1 (7)	45.3 (9)	63.5 (22)	54.0 (22)
Youthful Offenders	42.0 (4)	40.5 (8)	39.0 (4)	42.0 (8)	43.2 (5)	42.0 (10)	38.4 (5)	42.0 (8)	41.5 (13)	40.0 (6)	41.4 (11)	42.0 (8)
Total	146.3 (283)	130.2 (301)	116.4 (259)	110.0 (279)	86.4 (283)	77.3 (405)	81.6 (377)	81.9 (438)	89.1 (523)	81.3 (495)	87.2 (720)	84.6 (802)

<sup>1</sup>There was 1 uncoded case for the years 1980 and 1986.

TABLE 12.3 AVERAGE MAXIMUM SENTENCE IN MONTHS FOR VIOLENT FELONY OFFENSES DISPLAYED  
BY CRIME CLASS, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Felony Class Category	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
Class A-I	301.0 (8)	301.0 (4)	301.0 (6)	301.0 (7)	301.0 (11)	301.0 (11)	301.0 (7)	301.0 (7)	238.6 (15)	261.3 (13)	277.5 (17)	251.4 (17)
Class B	130.2 (41)	137.7 (37)	137.8 (33)	124.6 (47)	125.7 (46)	118.9 (62)	132.4 (61)	134.3 (87)	146.2 (72)	137.7 (59)	152.2 (82)	151.0 (60)
Class C	79.0 (23)	69.8 (30)	65.5 (39)	65.6 (42)	67.1 (49)	67.6 (67)	68.2 (56)	74.1 (72)	72.4 (67)	71.3 (45)	67.8 (87)	72.3 (99)
Class D	43.5 (16)	55.2 (15)	51.2 (17)	43.8 (17)	54.7 (34)	49.0 (58)	47.4 (40)	45.0 (52)	57.7 (71)	49.5 (63)	55.8 (79)	51.4 (86)
Class E	36.0 (4)	38.0 (6)	36.0 (3)	0	0	40.0 (3)	40.3 (7)	36.0 (1)	42.0 (6)	42.0 (6)	52.8 (5)	41.1 (7)
TOTAL	113.1 (92)	102.7 (92)	100.9 (98)	101.4 (113)	101.7 (140)	90.4 (201)	94.6 (171)	98.2 (219)	100.9 (231)	97.3 (186)	102.8 (270)	93.7 (269)

TABLE 12.4 AVERAGE MAXIMUM SENTENCE IN MONTHS FOR NON-VIOLENT FELONY OFFENSES DISPLAYED  
BY CRIME CLASS, FOR FEMALE NEW COURT COMMITMENTS 1976-1987

Felony Class Category	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
Class A-I	301.0 (3)	301.0 (3)	301.0 (2)	301.0 (3)	301.0 (2)	301.0 (2)	301.0 (1)	301.0 (3)	301.0 (7)	301.0 (4)	301.0 (2)	301.0 (7)
Class A-II	301.0 (6)	301.0 (8)	301.0 (6)	301.0 (5)	267.9 (8)	301.0 (10)	286.5 (15)	301.0 (13)	301.0 (30)	293.0 (24)	295.7 (50)	301.0 (59)
Class A-III	301.0 (76)	296.5 (66)	301.0 (41)	267.6 (44)	81.7 (30)	80.1 (9)	160.3 (3)	0	0	0	0	0
Class B	127.2 (5)	68.6 (7)	88.8 (5)	50.4 (5)	48.8 (7)	59.8 (34)	68.6 (28)	47.8 (26)	57.9 (32)	52.0 (34)	57.8 (72)	51.6 (118)
Class C	58.8 (31)	74.6 (34)	76.7 (19)	54.8 (15)	63.9 (20)	70.1 (19)	78.8 (21)	87.2 (19)	70.3 (25)	78.7 (26)	82.3 (32)	64.8 (60)
Class D	48.4 (27)	46.4 (38)	50.2 (24)	47.7 (37)	43.5 (35)	46.0 (57)	48.4 (54)	47.6 (66)	48.3 (87)	50.3 (75)	48.9 (144)	51.1 (133)
Class E	38.2 (39)	38.9 (45)	37.3 (60)	38.4 (49)	46.0 (36)	38.1 (63)	39.3 (79)	38.0 (84)	38.9 (98)	38.9 (132)	38.3 (135)	38.4 (144)
Youthful Offenders	42.0 (4)	40.5 (8)	39.0 (4)	42.0 (8)	43.2 (5)	42.0 (10)	38.4 (5)	42.0 (8)	41.5 (13)	40.0 (6)	41.4 (11)	42.0 (8)
TOTAL	162.3 (191)	142.3 (209)	126.6 (160)	115.9 (166)	71.8 (143)	62.4 (204)	70.7 (206)	65.7 (219)	79.8 (292)	70.4 (301)	78.7 (446)	80.3 (529)

## Section 13

### SEX DIFFERENCES IN COMMITMENT OFFENSES

Comparisons in the pattern of commitment offenses between males and females are presented in Tables 13.1 and 13.2. As is readily apparent in Table 13.1, the number of males admitted yearly to DOCS far exceeds the number of females, regardless of offense type. It is more informative then to examine the proportion of males and females admitted yearly for specific commitment offense types. The percentages reported in Table 13.2 are computed separately for each sex.

The yearly percentage of males committed for violent felony offenses consistently surpasses that of females. There is, nevertheless, variation within the violent felony offense category. In particular, males dominate the offenses of murder, robbery 1st, burglary 1st and 2nd, dangerous weapons and sex crimes. Higher proportions of females in contrast, are committed for manslaughter 1st, assault 2nd, arson, kidnapping, and after 1979, assault 1st. It can be seen, however, that since 1983, the proportion of new commitments who are violent felony offenders is declining for both males and females.

The proportion of females and males committed for crimes involving violence or coercion is about equal. In this grouping of offenses, females are primarily committed for manslaughter 2nd, whereas higher percentages of males are admitted for robbery 3rd, rape 2nd and rape 3rd.

After 1977 (with the exception of 1980), a higher percentage of females were admitted for property offenses when compared with males. From 1980 to 1986, the gap between males and females in this offense category grew significantly; however, it diminished greatly in 1987. Grand larceny, forgery and to a lesser extent criminal possession of stolen property, are crimes for which a greater proportion of females are admitted. Few females are committed for burglary 3rd, but a substantial number of males are (approximately 10% of total male commitments).

Generally, a higher percentage of males than females are admitted as youthful offenders. After 1980, most likely as the result of the violent felony offender legislation prohibiting youthful offender status to those convicted of armed felonies, the percentage of males admitted as youthful offenders declined. Since then, the proportion of males and females committed as youthful offenders has remained about equal.

Regardless of sex, admissions for drug offenses rose sharply in 1987. During the twelve year period, the average proportion of females admitted for drug offenses exceeded that of males by 10 percent. It is only for this group of offenses that the percentage of females is consistently higher. Females, then, dominate the Drug Offenses category as do males, the Violent Felony Offenses category.



TABLE 13.1 COMMITMENT OFFENSE TYPE BY YEAR, FOR MALE AND FEMALE NEW COURT COMMITMENTS 1976 TO 1987

Commitment Offense	1976		1977		1978		1979		1980		1981	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
<b>A. Violent Felony Offenses</b>												
(as defined by law)	3646	97	3942	96	3347	102	4079	116	4467	142	6104	205
Murder	215	9	200	4	167	6	192	7	261	12	288	11
Attempted Murder	45	0	67	0	56	2	61	2	66	0	121	4
Manslaughter 1st	443	23	377	24	287	14	308	31	320	33	413	35
Rape 1st	195	3	179	1	183	0	215	1	230	0	204	0
Robbery 1st	880	16	1100	18	833	18	973	20	1128	21	1759	35
Robbery 2nd	970	20	984	20	866	27	1141	26	1171	36	1556	64
Assault 1st	107	4	152	3	122	8	156	10	133	12	191	11
Assault 2nd	204	12	179	13	215	15	234	7	210	8	217	16
Burglary 1st	23	0	28	0	22	0	34	1	38	0	73	1
Burglary 2nd	87	0	132	4	144	4	212	1	295	5	447	12
Arson 1st, 2nd	17	1	18	2	12	2	42	4	42	8	46	4
Sodomy 1st	39	1	53	0	47	0	75	1	61	0	94	3
Sexual Abuse 1st	58	0	68	0	72	1	76	0	80	0	90	0
Dangerous Weapons	340	6	391	7	301	3	342	4	416	6	585	9
Kidnapping 1st, 2nd	23	2	14	0	20	2	18	1	16	1	20	0
<b>B. Other Felony Offenses</b>	3615	182	3710	197	3215	153	2869	155	2905	137	3497	190
1. Offenses Involving Violence/Coercion	1153	45	1089	54	859	33	577	26	442	28	452	25
Manslaughter 2nd	230	27	167	25	123	12	106	8	73	13	66	10
Rape 2nd, 3rd	28	0	29	0	30	0	12	0	9	0	13	0
Robbery 3rd	787	15	746	20	578	13	346	10	275	7	264	6
Attempted Assault 2nd	0	0	0	0	0	0	0	0	0	0	0	0
Other Coercive/Violent	108	3	147	9	128	8	113	8	85	8	109	9
2. Drug Offenses	1108	95	1028	95	790	56	815	65	828	58	968	69
3. Property and Other Offenses	1354	42	1593	48	1566	64	1477	64	1635	51	2077	96
Burglary 3rd	786	7	986	9	1000	8	936	15	1069	9	1334	20
Grand Larceny	221	16	250	18	245	32	196	22	231	22	308	26
Forgery	95	8	89	9	82	8	93	18	97	12	93	35
Poss. Stolen Property	115	4	141	3	127	10	138	6	122	4	215	6
All Other Felonies	137	7	127	9	112	6	114	3	116	4	122	9
<b>C. Youthful Offenders</b>	520	4	483	8	412	4	369	8	304	5	30	10
<b>TOTAL</b>	<b>7781</b>	<b>283</b>	<b>8135</b>	<b>301</b>	<b>6974</b>	<b>259</b>	<b>7317</b>	<b>279</b>	<b>7676</b>	<b>284</b>	<b>9908</b>	<b>405</b>

TABLE 13.1 COMMITMENT OFFENSE TYPE BY YEAR, FOR MALE AND FEMALE NEW COURT COMMITMENTS 1976 TO 1987

Commitment Offense	1982		1983		1984		1985		1986		1987	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
A. Violent Felony Offenses												
(as defined by law)	6521	177	7778	223	7189	236	6802	192	7489	270	6670	269
Murder	383	7	329	7	334	8	318	6	333	14	312	13
Attempted Murder	114	3	141	5	163	7	151	6	173	3	147	4
Manslaughter 1st	355	37	353	36	361	42	358	35	368	47	303	31
Rape 1st	220	0	239	2	255	1	278	1	308	2	257	0
Robbery 1st	1834	36	2154	58	1846	31	1615	30	1719	53	1491	42
Robbery 2nd	1474	34	1792	51	1531	48	1373	45	1717	85	1432	69
Assault 1st	164	8	180	9	190	17	228	14	239	11	212	21
Assault 2nd	217	20	211	12	286	19	240	16	217	12	219	20
Burglary 1st	94	0	170	8	133	3	134	6	153	5	135	6
Burglary 2nd	846	11	1220	18	1163	39	1128	18	1264	22	1172	38
Arson 1st, 2nd	61	6	58	7	52	4	48	6	60	3	41	9
Sodomy 1st	83	0	75	0	103	4	126	0	145	3	136	1
Sexual Abuse 1st	82	0	114	0	120	1	115	0	123	0	144	0
Dangerous Weapons	574	13	709	9	624	8	669	8	642	7	635	12
Kidnapping 1st, 2nd	20	2	33	1	28	4	21	1	28	3	34	3
B. Other Felony Offenses	3248	195	4049	207	4304	274	4852	297	6441	440	7990	525
1. Offenses Involving Violence/Coercion	380	26	506	24	552	24	630	27	852	48	809	33
Manslaughter 2nd	58	13	63	12	67	12	64	8	88	14	68	7
Rape 2nd, 3rd	18	0	17	0	25	0	36	0	41	2	30	0
Robbery 3rd	190	8	308	6	316	9	297	9	384	20	452	12
Attempted Assault 2nd	0	0	0	0	0	0	70	4	107	2	77	7
Other Coercive/Violent	114	5	118	6	144	3	163	6	232	10	182	7
2. Drug Offenses	1176	67	1558	67	1751	124	2091	127	3018	210	4766	340
3. Property and Other Offenses	1692	102	1985	116	2001	126	2131	143	2571	182	2415	152
Burglary 3rd	951	5	975	8	874	8	862	8	948	6	968	6
Grand Larceny	270	42	382	37	444	58	515	88	682	76	240	63
Forgery	131	33	149	50	169	39	162	26	165	53	155	32
Poss. Stolen Property	212	13	304	14	349	14	379	12	496	24	156	29
All Other Felonies	128	9	175	7	165	7	213	9	280	23	896	22
C. Youthful Offenders	260	5	272	8	226	13	270	6	283	11	243	8
TOTAL	10029	377	12099	438	11719	523	11924	495	14213	721	14903	802

TABLE 13.2 COMMITMENT OFFENSE TYPE (IN PERCENT) BY YEAR, FOR MALE AND FEMALE NEW COURT COMMITMENTS 1976 TO 1987

Commitment Offense	1976		1977		1978		1979		1980		1981	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
<b>A. Violent Felony Offenses</b>												
(as defined by law)	46.9	34.0	48.4	31.8	47.9	39.4	55.6	41.7	58.1	50.0	61.6	50.5
Murder	2.8	3.2	2.5	1.3	2.4	2.3	2.6	2.5	3.4	4.2	2.9	2.7
Attempted Murder	.6	0	.8	0	.8	.8	.8	.7	.9	0	1.2	1.0
Manslaughter 1st	5.7	8.1	4.6	8.0	4.1	5.4	4.2	11.1	4.2	11.6	4.2	8.6
Rape 1st	2.5	1.1	2.2	.3	2.6	0	2.9	.4	3.0	0	2.1	0
Robbery 1st	11.3	5.7	13.5	6.0	11.9	6.9	13.3	7.2	14.7	7.4	17.8	8.6
Robbery 2nd	12.5	7.1	12.1	6.6	12.4	10.4	15.6	9.3	15.3	12.7	15.7	15.8
Assault 1st	1.4	1.4	1.9	1.0	1.7	3.1	2.1	3.6	1.7	4.2	1.9	2.7
Assault 2nd	2.6	4.2	2.2	4.3	3.1	5.8	3.2	2.5	2.7	2.8	2.2	4.0
Burglary 1st	.3	0	.3	0	.3	0	.5	.4	.5	0	.7	.2
Burglary 2nd	1.1	0	1.6	1.3	2.1	1.5	2.9	.4	3.8	1.8	4.5	3.0
Arson 1st, 2nd	.2	0	.2	.7	.2	.8	.6	1.4	.5	2.8	.5	1.0
Sodomy 1st	.5	.4	.7	0	.7	0	1.0	.4	.8	0	.9	.7
Sexual Abuse 1st	.7	0	.8	0	1.0	.4	1.0	0	1.0	0	.9	0
Dangerous Weapons	4.4	2.1	4.8	2.3	4.3	1.2	4.7	1.4	5.4	2.1	5.9	2.2
Kidnapping 1st, 2nd	.3	.7	.2	0	.3	.8	.2	.4	.2	.4	.2	0
<b>B. Other Felony Offenses</b>	46.5	64.4	45.7	65.5	46.0	59.1	39.2	55.8	37.9	48.2	35.3	46.8
1. Offenses Involving												
Violence/Coercion	14.9	15.9	13.5	17.9	12.3	12.7	7.8	9.4	5.8	9.9	4.6	6.2
Manslaughter 2nd	3.0	9.5	2.1	8.3	1.8	4.6	1.4	2.9	1.0	4.6	.7	2.5
Rape 2nd, 3rd	.4	0	.4	0	.4	0	.2	0	.1	0	.1	0
Robbery 3rd	10.1	5.3	9.2	6.6	8.3	5.0	4.7	3.6	3.6	2.5	2.7	1.5
Attempted Assault 2nd	0	0	0	0	0	0	0	0	0	0	0	0
Other Coercive/Violent	1.4	1.1	1.8	3.0	1.8	3.1	1.5	2.9	1.1	2.8	1.1	2.2
2. Drug Offenses	14.2	33.6	12.6	31.6	11.3	21.6	11.1	23.3	10.8	20.4	9.8	17.0
3. Property and Other Offenses	17.4	14.9	19.6	16.0	22.4	24.8	20.3	23.1	21.3	17.9	20.9	23.6
Burglary 3rd	10.1	2.5	12.1	3.0	14.3	3.1	12.8	5.4	13.9	3.2	13.5	4.9
Grand Larceny	2.8	5.7	3.1	6.0	3.5	12.4	2.7	7.9	3.0	7.7	3.1	6.4
Forgery	1.2	2.8	1.1	3.0	1.2	3.1	1.3	6.5	1.3	4.2	.9	8.6
Poss. Stolen Property	1.5	1.4	1.7	1.0	1.8	3.9	1.9	2.2	1.6	1.4	2.2	1.5
All Other Felonies	1.8	2.5	1.6	3.0	1.6	2.3	1.6	1.1	1.5	1.4	1.2	2.2
<b>C. Youthful Offenders</b>	6.7	1.4	5.9	2.7	5.9	1.5	5.0	2.9	4.0	1.8	3.1	2.5
<b>TOTAL</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

TABLE 13.2 COMMITMENT OFFENSE TYPE (IN PERCENT) BY YEAR, FOR MALE AND FEMALE NEW COURT COMMITMENTS 1976 TO 1987

Commitment Offense	1982		1983		1984		1985		1986		1987	
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
A. Violent Felony Offenses												
(as defined by law)	64.8	46.8	64.3	50.8	61.3	45.2	57.1	38.7	52.7	37.5	44.8	33.4
Murder	3.8	1.9	2.7	1.6	2.9	1.5	2.7	1.2	2.3	1.9	2.1	1.6
Attempted Murder	1.1	.8	1.2	1.1	1.4	1.3	1.3	1.2	1.2	0.4	1.0	0.5
Manslaughter 1st	3.5	9.8	2.9	8.2	3.1	8.0	3.0	7.1	2.6	6.5	2.0	3.9
Rape 1st	2.2	0	2.0	.5	2.2	.2	2.3	0.2	2.2	0.3	1.7	0.0
Robbery 1st	18.3	9.5	17.8	13.2	15.8	5.9	13.5	6.1	12.1	7.4	10.0	5.2
Robbery 2nd	14.7	9.0	14.8	11.6	13.1	9.2	11.5	9.1	12.1	11.8	9.6	8.6
Assault 1st	1.6	2.1	1.5	2.1	1.6	3.3	1.9	2.8	1.7	1.5	1.4	2.6
Assault 2nd	2.2	5.3	1.7	2.7	2.4	3.6	2.0	3.2	1.5	1.7	1.5	2.5
Burglary 1st	.9	0	1.4	1.8	1.1	.6	1.1	1.2	1.1	0.7	.9	0.7
Burglary 2nd	8.4	2.9	10.1	4.1	9.9	7.5	9.5	3.6	8.9	3.1	7.9	4.7
Arson 1st, 2nd	.6	1.6	.5	1.6	.4	.8	.4	1.2	.4	0.4	.3	1.1
Sodomy 1st	.8	0	.6	0	.9	.8	1.1	0.0	1.0	0.4	.9	0.1
Sexual Abuse 1st	.8	0	.9	0	1.0	.2	1.0	0.0	.9	0.0	1.0	0.0
Dangerous Weapons	5.7	3.4	5.9	2.1	5.3	1.5	5.6	1.6	4.5	1.0	4.3	1.5
Kidnapping 1st, 2nd	.2	.5	.3	.2	.2	.8	.2	0.2	.2	0.4	.2	0.4
B. Other Felony Offenses	32.4	51.6	33.4	47.2	36.7	52.4	40.7	60.0	45.4	61.0	53.5	65.5
1. Offenses Involving												
Violence/Coercion	3.8	6.8	4.1	5.5	4.7	4.6	5.3	5.4	6.0	6.7	5.4	4.2
Manslaughter 2nd	.6	3.4	.5	2.7	.6	2.3	.5	1.6	.6	1.9	.5	0.9
Rape 2nd, 3rd	.2	0	.1	0	.2	0	.3	0.0	.3	0.3	.2	0.0
Robbery 3rd	1.9	2.1	2.5	1.4	2.7	1.7	2.5	1.8	2.7	2.8	3.0	1.5
Attempted Assault 2nd	0	0	0	0	0	0	.6	0.8	.8	0.3	.5	0.9
Other Coercive/Violent	1.1	1.3	1.0	1.4	1.2	.6	1.4	1.2	1.6	1.4	1.2	0.9
2. Drug Offenses	11.7	17.8	12.9	15.3	14.9	23.7	17.5	25.7	21.2	29.1	32.0	42.4
3. Property and Other Offenses	16.9	27.0	16.4	26.4	17.1	24.1	17.9	28.9	18.2	25.2	16.1	18.9
Burglary 3rd	9.5	1.3	8.1	1.8	7.5	1.5	7.2	1.6	6.7	0.8	6.5	0.7
Grand Larceny	2.7	11.1	3.2	8.4	3.8	11.1	4.3	17.8	4.8	10.5	1.6	7.9
Forgery	1.3	8.8	1.2	11.4	1.4	7.5	1.4	5.3	1.2	7.4	1.0	4.0
Poss. Stolen Property	2.1	3.4	2.5	3.2	3.0	2.7	3.2	2.4	3.5	3.3	1.0	3.6
All Other Felonies	1.3	2.4	1.4	1.6	1.4	1.3	1.8	1.8	2.0	3.2	6.0	2.7
C. Youthful Offenders	2.6	1.3	2.2	1.8	1.9	2.5	2.3	1.2	2.0	1.5	1.6	1.0
TOTAL	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

## Section 14

### -CONCLUSION-

Among the demographic characteristics presented, the most noticeable trend is the increase in the percentage of Hispanics admitted yearly. Further, 71% of Hispanics in 1987 were committed for drug offenses.

Drug offenders, regardless of ethnic status, increased significantly after 1984 accounting for approximately 42% of the admission population. Additionally, they represented 40% of the second felons admitted in 1987. As a result, the second felony offender population, which doubled in the years from 1976 to 1987, will probably continue to grow if commitments for drug offenses remain high.

Legislative revisions to the Rockefeller drug laws substantially affected sentence length for drug offenders. The initiation in 1978 and 1980 of legislation mandating more severe penalties for violent felons, did not influence sentence length as clearly. Only for class B violent offenses did average maximum sentences increase significantly, and then not until 1984. For the remaining felony class categories, average maximum sentences increased only slightly, with the exception of sentences for class A-I offenses, which decreased.