

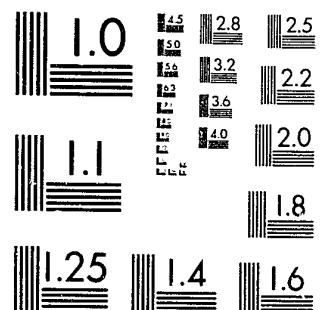
National Criminal Justice Reference Service

ncjrs

CR Sent
2-23-84

Vol. XVII, No. 1

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D.C. 20531

4/9/84

X
CHARACTERISTICS OF
NEW COMMITMENTS - 1982

92246

STATE OF NEW YORK
DEPARTMENT OF CORRECTIONAL SERVICES

THOMAS A. COUGHLIN III

COMMISSIONER

DIVISION OF PROGRAM PLANNING, RESEARCH AND EVALUATION
THE STATE OFFICE BUILDING CAMPUS
ALBANY, N.Y. 12226

CHARACTERISTICS OF NEW COMMITMENTS TO THE FACILITIES
OF THE DEPARTMENT OF CORRECTIONAL SERVICES
1982

Martin F. Horn
Assistant Commissioner

DIVISION OF PROGRAM PLANNING, RESEARCH AND EVALUATION
Frank Tracy, Director

Henry C. Donnelly
Director of Records and Statistical Analysis

U.S. Department of Justice 92246
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by
New York State Dept. of
Correctional Services

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

Report prepared by
William R. Chapman
Program Research Specialist II

TABLE OF CONTENTS

	<u>Page</u>
Contents	i
Introduction and Highlights	ii
Reference Guide to Tables	iv
1. Total 1982 Admissions	1
2. Commitment Offense Type	3
3. Age Distribution	12
4. Ethnic Distribution	16
5. Educational Attainment	19
6. Occupational Status	21
7. Marital Status	25
8. Region/County	29
9. Prior Adult Criminal Record	33
10. Minimum Sentence Length	41
11. Maximum Sentence Length	45
12. Drug Use Among Commitments	53
13. Country of Birth/U.S. Citizenship	61
NCJRS	67

CHARACTERISTICS OF NEW COMMITMENTS TO THE FACILITIES
OF THE DEPARTMENT OF CORRECTIONAL SERVICES DURING
CALENDAR YEAR 1982

Vol. XVII No. 1

This report is one of a series designed to make data available on the inmate population of the New York State Department of Correctional Services. The report presents basic descriptive information on selected characteristics of offenders admitted to Department custody as court commitments. Information on criminal justice system variables is presented (e.g. commitment offense type, prior adult criminal record) as well as information on demographic variables (e.g. age, ethnicity, residence). In addition, at several stages in the report commitments in 1982 are compared with commitments received in each of the four preceding years in order to determine whether any significant shifts have occurred during the period 1978 through 1982.

The information in this report is based on data files that are developed and maintained by the Division of Management Information Services and by the Division of Program Planning, Research and Evaluation.

HIGHLIGHTS

1. There were 12,727 total admissions to DOCS during calendar year 1982. Of these, 10,406 (82%) were new court commitments.
2. Sixty-four percent of 1982 court commitments were convicted of violent felony offenses. Those offenses that make up a large proportion of commitments include Robbery 1st and 2nd (32%), Murder and Manslaughter 1st (9%), Burglary 1st and 2nd (9%), Dangerous Weapons Offenses (6%), and Drug Offenses (12%).
3. Thirty-two percent of 1982 commitments were sentenced as second felony offenders.
4. Ninety-six percent of commitments were males, 4% females.
5. Twenty-four percent of 1982 commitments were ages 16-20, 24% ages 21-24, 22% ages 25-29 and 30% were 30 years of age or older.
6. Blacks made up 52% of new commitments, whites 27%, Puerto Ricans 20% and other ethnic groups 1%.

7. Twenty-three percent of commitments had an educational attainment of junior high school or less, 48% had attended one or two years of high school, 27% were high school graduates and 2% had attended college.
8. Thirty percent of new commitments were unemployed or had no occupation when committed, 32% were service workers or laborers, 28% had worked as skilled workers or operators, and 10% had worked in professional occupations.
9. Fifty-seven percent of commitments were single, 16% married, 17% common law marriage, and 10% were divorced, widowed or separated.
10. Sixty-seven percent of commitments are from the five New York City counties (Kings, Queens, New York, Richmond, Bronx), 14% from Suburban New York City counties (Nassau, Rockland, Suffolk, and Westchester) and 19% from the remaining upstate counties.
11. Twenty-four percent of 1982 commitments had no prior adult conviction, 17% had a prior adult conviction but no incarceration, 33% had a prior jail incarceration, and 26% had served a prior prison term.
12. The median minimum sentence for 1982 commitments was 24 months.
13. The median maximum sentence for 1982 commitments was 60 months.
14. Sixty-two percent of commitments admitted that they had used drugs at some time.
15. Sixty percent of 1982 admissions were born in New York State, 18% in other states, 12% in Puerto Rico and other U.S. Possessions, and 8% in foreign countries.
16. Seven percent of 1982 commitments were either aliens or persons of unclear U.S. citizenship.

TABLE REFERENCE GUIDE

The following chart is provided as an aid to location of particular tables in the report. The list of variables on the left hand margin are the row variables, the list across the top identifies the column variables. The numbers in the columns of the table are the page numbers in the report where the table can be found. The table which presents information on commitment crime type by sex is, for instance, located on page 8. Commitment crime type by age is located on page 13, etc.

-V-

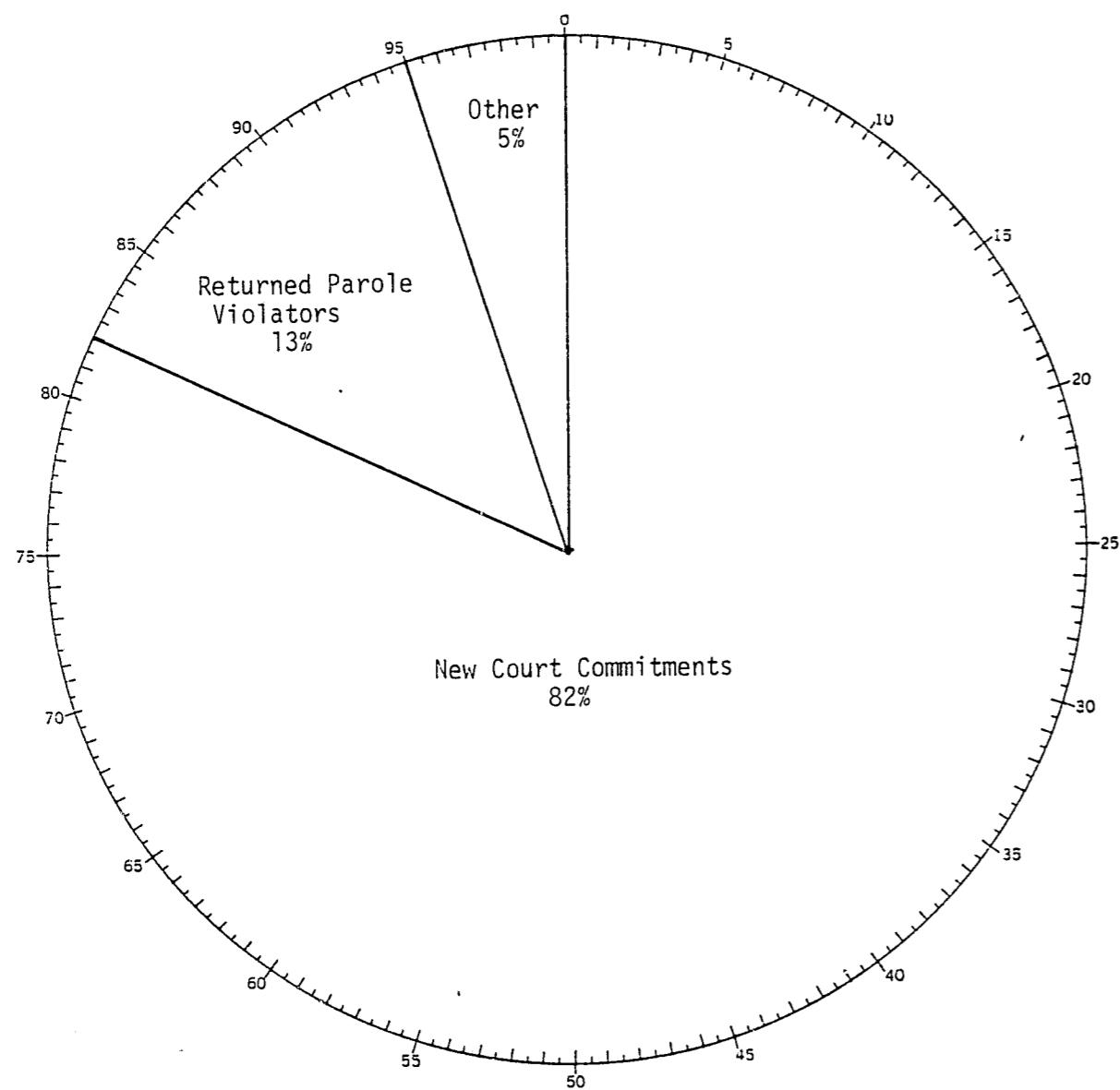
TABLE REFERENCE GUIDE

Row Variables		Column Variable																	
Specific Crime Type	General Crime Categories	Sex	1st or 2nd Felony Offender	Age	Ethnicity	Education	Occupation	Marital Status	Region of State	County	Prior Adult Criminal Record	Minimum Sentence	Maximum Sentence	Drug Use	Country of Birth	United States Citizenship	1982 Citizenship	Distribution Among Commitments 1978-82	Over
Specific Crime Type	8	10	13	17	22	26	30		42	46	54	62			5	5			
General Crime Categories	8	10	14	18	23	27	31	36	43			63			5	5			
Sex			15	19						39						7	7		
1st or 2nd Felony Offender										37						10	10		
Age					19											13	15		
Ethnicity																16	20		
Education																21	24		
Occupation																25	28		
Marital Status																29	32		
Region of the State																33	40		
County	34									34						34			
Prior Criminal Record										38						41	44		
Minimum Sentence	47															45	50		
Maximum Sentence	55															53	60		
Drug Use					65	65				66						61	66		
Country of Birth	68															67	70		
U.S. Citizenship	68															68	70		
Felony Class											49	56				49			

-A-

FIGURE I

DEPARTMENT OF CORRECTIONAL SERVICES
TOTAL ADMISSIONS DURING 1982



	<u>Number</u>	<u>Percent</u>
Total Admissions	12,727	100.0%
New Court Commitments	10,406	81.8%
Returned Parole Violators	1,674	13.1%
Return of Persons Transferred to Department of Mental Hygiene	446	3.5%
Returned Escapees and Absconders from Temporary Release	140	1.1%
Returned by Affirmation of Sentence	61	.5%

1. Total Admissions to DOCS during 1982

There were several different types of admissions to the Department of Correctional Services during the calendar year. The largest group (82%) is made up of persons committed to state prison following conviction and sentencing in a New York County Court (see figure 1 and the table below). The new court commitments group also includes 848 persons who were on parole at the time they were committed to DOCS for conviction of a new crime.

Another 13% of the total admissions population is made up of persons returned to state prison due to violation of parole regulations. The parole violators group contains 1,229 persons returned to state prison following release to parole supervision by the Board of Parole, and, 445 persons returned to state prison following release to parole supervision after having passed their conditional release date. The conditional release date is set at two-thirds of the maximum sentence and inmates are required by law to be released to parole supervision on this date unless they have lost good time while incarcerated.

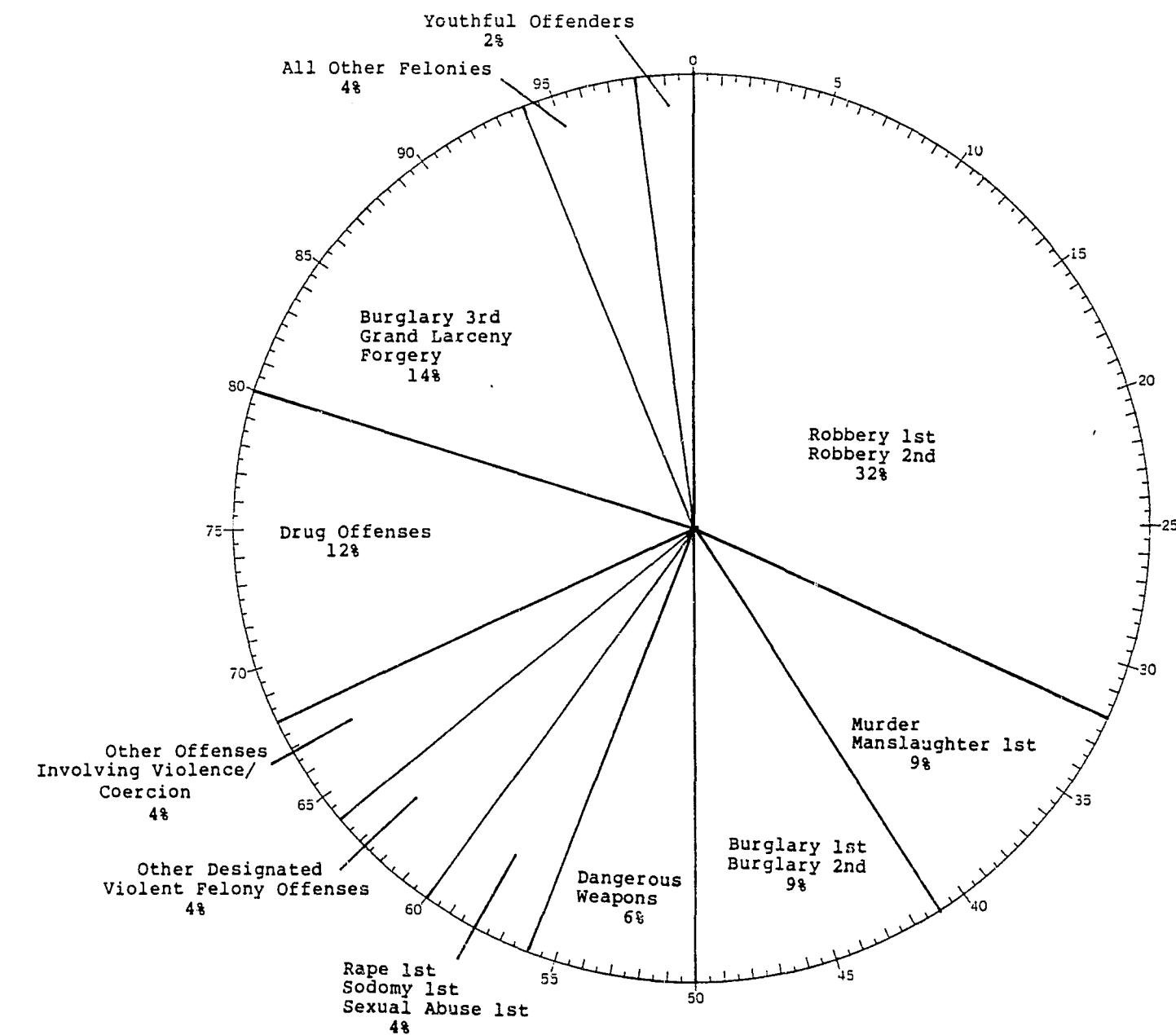
Four hundred and forty-six inmates were returned to DOCS custody following a previous transfer to the Department of Mental Hygiene. Each year a number of inmates are transferred to the custody of the Department of Mental Hygiene in order to receive mental health services. Admissions in this category are made up of persons who received mental health services and are then returned to the custody of the Department of Correctional Services.

One percent of admissions in 1982 was made up of returned escapees and absconders. Thirty seven admissions were returned escapees. One hundred and three were returned to DOCS custody after having absconded from the Temporary Release Program.

Finally, 61 persons were admitted during 1982 following affirmation of sentence. During the year a number of persons are transferred from DOCS to a county court jurisdiction for further legal proceedings. Admissions in this category are persons who have been transferred out to court for additional court proceedings and are then returned to DOCS with an affirmed sentence.

The information on Characteristics of New Commitments that is contained in the following sections of the report is restricted to the 10,406 persons who were newly committed to DOCS custody during 1982 after having been convicted of a crime and sentenced to state prison by a county court. It excludes those 1982 admissions made up of persons returned to DOCS custody as a result of violation of parole, transfer to Mental Hygiene, escape or absconcence, and out to court.

FIGURE 2
COMMITMENT CRIME TYPE
1982 COMMITMENTS



Commitment Crime Type	Number	Percent
TOTAL	10,405	A/ 100%
Violent Felony Crimes		
Robbery 1st and 2nd	3,378	32%
Murder, Manslaughter 1st	899	9%
Burglary 1st and 2nd	951	9%
Dangerous Weapons	587	6%
Rape 1st, Sodomy 1st, Sexual Abuse 1st	372	4%
Other Violent Felony Offenses	428	4%
Other Felony Crimes		
Other Offenses involving Violence or Coercion	377	4%
Drug Offenses	1,243	12%
Burglary 3rd, Grand Larceny, Forgery	1,432	14%
All Other Felonies	473	4%
Youthful Offenders	265	2%

A/Information on 1 case was missing at the time
the computer runs were done.

I. COMMITMENT OFFENSE TYPE

During a 1978 special session the New York State legislature enacted new laws designed to provide for more severe penalties for certain violent felony crimes. The legislature designated certain crimes as violent felony offenses. At several places in our description of the 1982 new court commitment population we have grouped together these violent felony offenses and treat them as a separate category. Those offenses not designated as violent crimes are broken into two general groupings: offenses that involve some element of violence or coercion and offenses that involve theft of property or use of drugs. Youthful offenders are treated as a separate group. This breakdown of the different types of offenses for which defendants are committed to state prison is presented in Tables 2A and 2B. Although the legislature did not identify murder as a designated violent felony offense (primarily because the existing penalties for murder crimes are already quite severe) we have, due to the violent nature of this crime, included it in the violent felony offenses grouping.

Figure 1 presents a graphic display of the distribution of offenses among 1982 commitments. Those crimes designated as violent felony offenses make up 64% of all commitments to state prison during 1982. Of these violent felony crimes Robbery 1st and 2nd represent 32% of all commitments, followed by burglary 1st and 2nd at 9%, murder and manslaughter 1st at 9% and weapons offenses at 6%. Other large categories include commitments for drug offenses (12%) and for property crimes such as Grand Larceny, Forgery and Burglary 3rd (14%).

A. Five Year Comparison of Commitment Offense Type

We have also elected to present information that allows us to compare 1982 commitments with commitments to state prison in previous years. Table 2A contains a numeric distribution of the commitment population by offense type for each of the commitment years 1978 through 1982. Table 2B contains a percent distribution by offense type.

There were 10,406 new commitments to DOCS during 1982. This figure is similar to the number received in 1981 (10,314) but the number of commitments received in 1981 and 1982 is substantially higher (by more than 2,000 cases) than in the commitment years 1978 to 1980. The number of defendants committed to DOCS for violent felony crimes has increased from 3,360 in 1978 to 6,615 in 1982. In addition to the numeric increase, commitments for violent felony offenses have steadily increased as a percent of total commitments over the years 1978 through 1982. In 1978 commitments for violent felony crimes made up 47% of total commitments, by 1982 they represent 64% of total commitments (see Table 2B). Much of the increase in violent

TABLE 2A

NUMBER OF COURT COMMITMENTS TO DOCS
BY COMMITMENT OFFENSE TYPE
1978-1982

<u>Commitment Offense</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>
TOTAL	7,222	7,586	7,955	10,314	10,405
A. Violent Felony Offenses (as defined by law)	3,360	4,127	4,551	6,237	6,615
Murder	231	262	339	424	507
Manslaughter 1st	301	339	353	448	392
Rape 1st	183	216	230	204	220
Robbery 1st	850	992	1,149	1,794	1,870
Robbery 2nd	893	1,166	1,207	1,620	1,508
Assault 1st	129	167	145	200	168
Assault 2nd	159	186	172	177	174
Burglary 1st	22	35	38	74	94
Burglary 2nd	148	213	300	459	857
Arson 2nd	14	46	50	50	64
Sodomy 1st	47	76	61	97	83
Sexual Abuse 1st	57	64	68	76	69
Dangerous Weapons	304	346	422	594	587
Kidnapping	22	19	17	20	22
B. Other Felony Offenses	3,447	3,082	3,095	3,760	3,525
1. Offenses Involving Violence/coercion	853	563	446	439	377
Manslaughter 2nd	135	114	86	76	71
Crim. Neg. Hom.	26	27	23	24	27
Rape 2nd, 3rd	30	12	9	13	18
Robbery 3rd	591	355	282	270	198
Att. Assault 2nd	71	55	46	56	63
2. Property, Drug and Other Offenses	2,594	2,519	2,649	3,321	3,148
Burglary 3rd	1,007	951	1,178	1,359	956
Grand Larceny	277	218	253	334	312
Drugs	845	879	886	1,038	1,243
Forgery	90	111	109	128	164
All Other Felonies	375	360	323	462	473
C. Youthful Offenders	415	377	309	317	265

TABLE 2B

PERCENT OF COMMITMENTS BY COMMITMENT OFFENSE TYPE
1978-1982

<u>Commitment Offense</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%
A. Violent Felony Offenses (as defined by law)	46.5%	54.4%	57.2%	60.5%	63.6%
Murder	3.2%	3.4%	4.3%	4.1%	4.9%
Manslaughter 1st	4.2%	4.5%	4.4%	4.3%	3.8%
Rape 1st	2.5%	2.8%	2.9%	2.0%	2.1%
Robbery 1st	11.8%	13.1%	14.4%	17.4%	18.0%
Robbery 2nd	12.4%	15.4%	15.2%	15.7%	14.5%
Assault 1st	1.8%	2.2%	1.8%	1.9%	1.6%
Assault 2nd	2.2%	2.4%	2.2%	1.7%	1.7%
Burglary 1st	.3%	.5%	4%	.7%	.9%
Burglary 2nd	2.0%	2.8%	3.8%	4.5%	8.2%
Arson 2nd	.2%	.6%	.6%	.5%	.6%
Sodomy 1st	.6%	1.0%	.8%	1.0%	.8%
Sexual Abuse 1st	.8%	.8%	.9%	.7%	.7%
Dangerous Weapons	4.2%	4.6%	5.3%	5.8%	5.6%
Kidnapping	.3%	.3%	.2%	.2%	.2%
B. Other Felony Offenses	47.7%	40.6%	38.9%	36.4%	33.9%
1. Offenses Involving Violence/coercion	11.8%	7.4%	5.6%	4.2%	3.6%
Manslaughter 2nd	1.9%	1.5%	1.1%	.7%	.7%
Crim. Neg. Hom.	.3%	.3%	.2%	.2%	
Rape 2nd, 3rd	.4%	.2%	.1%	.1%	
Robbery 3rd	8.2%	4.7%	3.5%	2.6%	1.9%
Att. Assault 2nd	1.0%	.7%	.6%	.6%	.6%
2. Property, Drug and Other Offenses	35.9%	33.2%	33.3%	32.2%	30.2%
Burglary 3rd	13.9%	12.5%	13.5%	13.2%	9.2%
Grand Larceny	3.8%	2.9%	3.2%	3.2%	3.0%
Drugs	11.7%	11.6%	11.1%	10.1%	11.9%
Forgery	1.3%	1.5%	1.4%	1.2%	1.6%
All Other Felonies	5.2%	4.7%	4.1%	4.5%	4.5%
C. Youthful Offenders	5.8%	5.0%	3.9%	3.1%	2.6%

felony commitments as a proportion of total commitments is due to the plea negotiation restrictions in the 1978 violent felony offender legislation which limit the ability of a defendant indicted for violent felony crime to negotiate a plea to an offense that falls outside the violent felony offense category^{1/}. The effect of these plea restrictions may account for the decline in the percent of commitments for crimes that could serve as a lesser offense that a defendant would negotiate a plea to. For instance, the percent of commitments made up by crimes such as manslaughter 2nd, robbery 3rd, burglary 3rd and Youthful Offender show, overall, a decline from 1978 to 1982.

In general, the number of commitments to DOCS has increased in each commitment year from 1978 to 1982 and the percent of total commitments made up by violent felony offenders has increased in each commitment year from 1978 to 1982.

B. Commitment Offense Type by Sex

Males make up 96.4% (N = 10,029) of 1982 commitments; females 3.6% (N = 377). Over the last few years females constitute approximately 3.7% of commitments to state prison (see Table 2C below).

TABLE 2C

SEX BY YEAR, 1978-1982

SEX	COUNT	YEAR					ROW TOTAL	
		ROW PCT	1978 1979 1980 1981 1982					
			COL PCT	1.I	2.I	3.I	4.I	5.I
MALE	1.	1.	6967	I 7314	I 7676	I 9909	I 10029	I 41895
		I	16.6	I 17.5	I 18.3	I 23.7	I 23.9	I 96.3
		I	96.4	I 96.3	I 96.4	I 96.1	I 96.4	I
FEMALE	2.	2.	259	I 279	I 284	I 405	I 377	I 1604
		I	16.1	I 17.4	I 17.7	I 25.2	I 23.5	I 3.7
		I	3.6	I 3.7	I 3.6	I 3.9	I 3.6	I
		COLUMN TOTAL	7226	I 7593	I 7960	I 10314	I 10406	I 43499
			16.6	I 17.5	I 18.3	I 23.7	I 23.9	I 100.0

In Table 2D we compare males and females according to commitment offense type. Males are proportionately more likely to be committed to state prison for violent felony crimes (64%) than are females (45%). Females are proportionately more likely to be committed for property crimes such as Grand Larceny or Forgery and drug crimes (46% for females, 29% for males; see Table 2D).

^{1/} See "Violent Felony Commitments to Department of Correctional Services 1976-81" Division of Program Planning Research and Evaluation, New York State Department of Correctional Services, 1983.

TABLE 2D

1982 NEW COURT COMMITMENTS
CRIME TYPE BY SEX

<u>Commitment Offense</u>	<u>Male</u>	<u>Female</u>
TOTAL	10,028 100.0%	377 100.0%
A. Violent Felony Offenses (as defined by law)	6,444 64.3%	171 45.4%
Murder	497 5.0%	10 2.7%
Manslaughter 1st	355 3.6%	37 9.8%
Rape 1st	220 2.2%	0 .0%
Robbery 1st	1,834 18.3%	36 9.6%
Robbery 2nd	1,474 14.7%	34 9.0%
Assault 1st	160 1.6%	8 2.1%
Assault 2nd	160 1.6%	14 3.7%
Burglary 1st	94 .9%	0 .0%
Burglary 2nd	846 8.4%	11 2.9%
Arson 2nd	58 .6%	6 1.6%
Sodomy 1st	83 .8%	0 .0%
Sexual Abuse 1st	69 .7%	0 .0%
Dangerous Weapons	574 5.7%	13 3.5%
Kidnapping	20 .2%	2 .5%
B. Other Felony Offenses	3,324 33.1%	201 53.3%
1. Offenses Involving Violence/coercion	348 3.5%	29 7.7%
Manslaughter 2nd	58 .6%	13 3.5%
Crim. Neg. Hom.	25 .2%	2 .5%
Rape 2nd, 3rd	18 .2%	0 .0%
Robbery 3rd	190 1.9%	8 2.1%
Att. Assault 2nd	57 .6%	6 1.6%
2. Property, Drug and Other Offenses	2,976 29.6%	172 45.6%
Burglary 3rd	951 9.5%	5 1.3%
Grand Larceny	270 2.7%	42 11.1%
Drugs	1,176 11.7%	67 17.8%
Forgery	131 1.3%	33 8.8%
All Other Felonies	448 4.4%	25 6.6%
C. Youthful Offenders	260 2.6%	5 1.3%

C. Commitments as a First or Second Felony Offender

Each year roughly one third of the population of new court commitments is made up of defendants who have been sentenced as second felony offenders. The minimum and maximum sentences are more severe for defendants who have a prior felony conviction. Table 2E presents the number of defendants sentenced to state prison as a first or second felony offender for each of the years 1978 through 1982. Table 2F presents, within each crime category, the percent of defendants sentenced as a first or second felony offender for each of the commitment years 1978 through 1982.

All of those commitments in the columns (in Tables 2E and 2F) identified as second felony offenders are defendants who were sentenced by the trial court judge as a second felony offender. Some of those commitments listed in the first felony commitments column have been convicted of prior felony crimes and some have previous sentences to state prison. This occurs because the statutes for certain A-Felony crimes (e.g. several types of drug offenses) do not contain provisions for sentencing as a second felony offender. Also, certain defendants may have served a prior state prison term as a Youthful Offender; this status does require that the defendant be sentenced under second felony offender statutes. Additionally, a small percentage (less than 1%) of commitments to state prison are sentenced as persistent (third time) felony offenders. We have included these commitments with the second felony group.

Looking at the percent of first and second felony offenders among total commitments in Table 2F it can be seen that defendants sentenced as second felony offenders make up 37% of new commitments in 1982 and in 1981. This figure is higher than that observed during 1978 to 1980 where second felony commitments made up about 32% of new commitments. Among those committed for violent felony offenses roughly 32% are second felony offenders over the five year period. Among commitments in the property/drug offense category the percent of second felony offenders is 50% during 1981 and 1982. This is an increase over the 39% second felony offenders observed during 1978 through 1980 among commitments in this category. The increase in the percent of second felony offenders among total commitments in 1981 and 1982 appears to be largely due to the increase in the proportion of drug offenders who are sentenced as second felony offenders (see Table 2E) and the fact that drug commitments make up a relatively large proportion of total commitments (12%, 1,239 cases in 1982). The 1980 legislative revisions in the drug laws which reclassified certain A-III Felony drug crimes as Class B Felony drug crimes increased the percent of drug offenders liable to sentencing as a second felony offender. As is reflected in Table 2F a higher percent of drug commitments in 1981 and 1982 were sentenced as second felony offenders when compared to drug commitments in previous years.

TABLE 2E

NUMBER OF COMMITMENTS SENTENCED AS FIRST AND SECOND
FELONY OFFENDERS
1978-1982

<u>Commitment Offense</u>	1978		1979		1980		1981		1982	
	First Felony	Second Felony								
TOTAL	4,799	2,423	5,142	2,444	5,426	2,529	6,468	3,846	6,509	3,896
A. Violent Felony Offenses (as defined by law)	2,278	1,082	2,872	1,255	3,249	1,302	4,231	2,006	4,480	2,135
Murder	203	28	232	30	308	31	361	63	470	37
Manslaughter 1st	239	62	269	70	308	45	381	67	321	71
Rape 1st	127	56	157	59	176	54	142	62	163	57
Robbery 1st	566	284	703	289	823	326	1,213	581	1,334	536
Robbery 2nd	613	280	838	328	878	329	1,155	465	1,040	468
Assault 1st	103	26	127	40	105	40	152	48	130	38
Assault 2nd	107	52	124	62	114	58	109	68	113	61
Burglary 1st	16	6	21	14	33	5	48	26	57	37
Burglary 2nd	84	64	117	96	166	134	255	204	446	411
Arson 2nd	11	3	38	8	38	12	35	15	53	11
Sodomy 1st	34	13	57	19	47	14	66	31	64	19
Sexual Abuse 1st	42	15	49	15	44	24	58	18	51	18
Dangerous Weapons	114	190	125	221	197	225	246	348	223	364
Kidnapping	19	3	15	4	12	5	10	10	15	7
B. Other Felony Offenses	2,107	1,340	1,893	1,189	1,868	1,227	1,921	1,839	1,764	1,761
1. Offenses Involving Violence/coercion	511	342	332	231	265	181	229	210	188	189
Manslaughter 2nd	103	32	19	22	67	19	61	15	61	10
Crim. Neg. Hom.	20	6	23	4	19	4	19	5	17	10
Rape 2nd, 3rd	20	10	5	7	7	2	11	2	13	5
Robbery 3rd	335	256	191	164	150	132	117	153	83	115
Att. Assault 2nd	33	38	21	34	22	24	21	35	14	49
2. Property, Drug and Other Offenses	1,596	998	1,561	958	1,603	1,046	1,692	1,629	1,576	1,572
Burglary 3rd	451	556	414	537	497	581	517	842	342	614
Grand Larceny	124	153	90	128	111	142	142	192	129	183
Drugs	780	65	814	65	776	110	757	281	814	429
Forgery	31	59	48	63	46	63	46	82	56	108
All Other Felonies	210	165	195	165	173	150	230	232	235	238
C. Youthful Offenders	414	1	377	0	309	0	316	1	265	0

TABLE 2F

PERCENT SENTENCED AS FIRST OR SECOND FELONY OFFENDER BY
COMMITMENT OFFENSE TYPE
1978-1982

Commitment Offense	1978		1979		1980		1981		1982	
	First Felony	Second Felony								
TOTAL	66.4%	33.6%	67.8%	32.2%	68.2%	31.8%	62.7%	37.3%	62.6%	37.4%
A. Violent Felony Offenses (as defined by law)	67.8%	32.2%	69.6%	30.4%	71.4%	28.6%	67.8%	32.2%	67.7%	32.3%
Murder	87.9%	12.1%	88.5%	11.5%	90.9%	9.1%	85.1%	14.9%	92.7%	7.3%
Manslaughter 1st	79.4%	20.6%	79.4%	20.6%	87.3%	12.7%	85.0%	15.0%	81.9%	18.1%
Rape 1st	69.4%	30.6%	72.7%	27.3%	76.5%	23.5%	69.6%	30.4%	74.1%	25.9%
Robbery 1st	66.6%	33.4%	70.9%	29.1%	71.6%	28.4%	67.6%	32.4%	71.3%	28.7%
Robbery 2nd	68.6%	31.4%	71.9%	28.1%	72.7%	27.3%	71.3%	28.7%	69.0%	31.0%
Assault 1st	79.8%	20.2%	76.0%	24.0%	72.4%	27.6%	76.0%	24.0%	77.4%	22.6%
Assault 2nd	67.3%	32.7%	66.7%	33.3%	66.3%	33.7%	61.6%	38.4%	64.9%	35.1%
Burglary 1st	72.7%	27.3%	60.0%	40.0%	86.8%	13.2%	64.9%	35.1%	60.6%	39.4%
Burglary 2nd	56.8%	43.2%	54.9%	45.1%	55.3%	44.7%	55.6%	44.4%	52.0%	48.0%
Arson 2nd	78.6%	21.4%	82.6%	17.4%	76.0%	24.0%	70.0%	30.0%	82.8%	17.2%
Sodomy 1st	72.3%	27.7%	75.0%	25.0%	77.0%	23.0%	68.0%	32.0%	77.1%	22.9%
Sexual Abuse 1st	73.7%	26.3%	76.6%	23.4%	64.7%	35.3%	76.3%	23.7%	73.9%	26.1%
Dangerous Weapons	37.5%	62.5%	36.1%	63.9%	46.7%	53.3%	41.4%	58.6%	38.0%	62.0%
Kidnapping	86.4%	13.6%	78.9%	21.1%	70.6%	29.4%	50.0%	50.0%	68.2%	31.8%
B. Other Felony Offenses	61.1%	38.9%	61.4%	38.6%	60.4%	39.6%	51.1%	48.9%	50.0%	50.0%
1. Offenses Involving Violence/coercion	59.9%	40.1%	59.0%	41.0%	59.4%	40.6%	52.2%	47.8%	49.9%	50.1%
Manslaughter 2nd	76.3%	23.7%	80.7%	19.3%	77.9%	22.1%	80.3%	19.7%	85.9%	14.1%
Crim. Neg. Hom.	76.9%	23.1%	85.2%	14.8%	82.6%	17.4%	79.2%	20.8%	63.0%	37.0%
Rape 2nd, 3rd	66.7%	33.3%	41.7%	58.3%	77.8%	22.2%	84.6%	15.4%	72.2%	27.8%
Robbery 3rd	56.7%	43.3%	53.8%	46.2%	53.2%	46.8%	43.3%	56.7%	41.9%	58.1%
Att. Assault 2nd	46.5%	53.5%	38.2%	61.8%	47.8%	52.2%	37.5%	62.5%	22.2%	77.8%
2. Property, Drug and Other Offenses	61.5%	38.5%	62.0%	38.0%	60.5%	39.5%	50.9%	49.1%	50.1%	49.9%
Burglary 3rd	44.8%	55.2%	43.5%	56.5%	46.1%	53.9%	38.0%	62.0%	35.8%	64.2%
Grand Larceny	44.8%	55.2%	41.3%	58.7%	43.9%	56.1%	42.5%	57.5%	41.3%	58.7%
Drugs	92.3%	7.7%	92.6%	7.4%	87.6%	12.4%	72.9%	27.1%	65.5%	34.5%
Forgery	34.4%	65.6%	43.2%	56.8%	42.2%	57.8%	35.9%	64.1%	34.1%	65.9%
All Other Felonies	56.0%	44.0%	54.2%	45.8%	53.6%	46.4%	49.8%	50.2%	49.7%	50.3%
C. Youthful Offenders	99.8%	.2%	100.0%	.0%	00.0%	0.0%	99.7%	.3%	100.0%	.0%

CRIME	COUNT	AGE										ROW PCT	COL PCT	OVER	TOTAL
		16-18 YR	19-20 YR	21-24 YR	25-29 YR	30-34 YR	35-39 YR	40-44 YR	45-49 YR	50-64 YR	65 YR &				
MURDER	1.	41	63	135	131	51	31	34	11	10	0	507	4.9		
	2.	8.1	12.4	26.6	25.8	10.1	6.1	6.7	2.2	2.0	0.				
	3.	3.8	4.5	5.3	5.8	4.5	3.9	4.5	1.6	5.0	0.				
MANSLAUGHTER 1ST	1.	24	44	77	71	44	47	44	11	28	2	392	3.8		
	2.	6.1	11.2	19.6	18.1	11.2	12.0	11.2	2.8	7.1	0.5				
	3.	2.2	3.1	3.0	3.1	3.9	5.9	5.9	13.9	13.9	28.6				
RAPE 1ST	1.	30	32	56	50	18	13	15	6	2	0.	220	2.1		
	2.	13.6	14.5	25.5	22.7	8.2	5.9	6.8	1.8	0.9	0.				
	3.	2.8	2.3	2.2	2.2	1.6	1.6	2.0	1.0	1.0	0.				
ROBBERY 1ST	1.	261	337	535	372	165	92	87	13	7	1	1870	18.0		
	2.	14.0	18.0	28.6	19.9	8.8	4.9	4.7	0.7	0.4	0.1				
	3.	24.1	24.0	20.9	16.5	14.5	11.5	11.6	6.5	3.5	14.3				
ROBBERY 2ND	1.	229	299	459	269	114	61	62	7	8	0	1508	14.5		
	2.	15.2	19.8	30.4	17.8	7.6	4.0	4.1	0.5	0.5	0.				
	3.	21.2	21.3	18.0	11.9	10.0	7.6	8.3	3.5	4.0	0.				
ASSAULT 1ST	1.	12	20	35	39	22	14	12	4	10	0	168	1.6		
	2.	7.1	11.9	20.8	23.2	13.1	8.3	7.1	2.4	6.0	0.				
	3.	1.1	1.4	1.4	1.7	1.9	1.6	2.0	5.0	0.					
ASSAULT 2ND	1.	12	7	38	51	24	15	14	8	5	0	174	1.7		
	2.	6.9	4.0	21.8	29.3	13.8	8.6	8.0	4.6	2.9	0.				
	3.	1.1	0.5	1.5	2.3	2.1	1.9	1.9	4.0	2.5	0.				
BURGLARY 1ST	1.	10	13	22	20	15	6	7	0	1.1	0.	94	0.9		
	2.	10.6	13.8	23.4	21.3	16.0	6.4	7.4	0.5	0.5	0.				
	3.	0.9	0.9	0.9	0.9	1.3	0.7	0.9	0.	0.5	0.				
BURGLARY 2ND	1.	96	132	224	198	91	51	53	10	2	0	857	8.2		
	2.	11.2	15.4	26.1	23.1	10.6	6.0	6.2	1.2	0.2	0.				
	3.	8.9	9.4	8.8	8.8	6.4	7.1	5.0	1.0	1.0	0.				
ARSON 2ND	1.	2	13	18	8	7	5	5	2	4	0	64	0.6		
	2.	3.1	20.3	28.1	12.5	10.9	7.8	7.8	3.1	6.3	0.				
	3.	0.2	0.9	0.7	0.4	0.6	0.6	0.7	2.0	0.					
SODOMY 1ST	1.	10	8	17	16	9	6	7	4	6	0	83	0.8		
	2.	12.0	9.6	20.5	19.3	10.8	7.2	8.4	4.8	7.2	0.				
	3.	0.9	0.6	0.7	0.7	0.8	0.7	0.9	2.0	3.0	0.				
SEXUAL ABUSE 1ST	1.	6	8	17	14	2	10	6	4	2	0	69	0.7		
	2.	8.7	11.6	24.6	20.3	2.9	14.5	8.7	5.8	2.9	0.				
	3.	0.6	0.6	0.7	0.6	0.2	1.2	0.8	2.0	1.0	0.				
DANGEROUS WEAPON	1.	16	40	151	157	75	69	50	20	9	0	587	5.6		
	2.	2.7	6.8	23.7	26.7	12.8	11.8	8.5	3.4	1.5	0.				
	3.	1.5	2.8	5.9	6.9	6.6	8.6	6.7	10.1	4.5	0.				
KIDNAPPING	1.	0	0	6	5	3	1	4	0	3	0	22	0.2		
	2.	0	0	27.3	22.7	13.6	4.5	18.2	0.	13.6	0.				
	3.	0	0	0.2	0.2	0.3	0.1	0.5	1.5	0.					
MANSLAUGHTER 2ND	1.	1	9	16	13	11	6	4	4	0	0	71	0.7		
	2.	1.4	12.7	22.5	18.3	15.5	9.9	8.5	5.6	5.6	0.				
	3.	0.1	0.6	0.6	1.0	0.9	0.8	2.0	2.0	0.					
NEGLIGENCE HOMICIDE	1.	0	1	4	8	4	5	4	1	0	0	27	0.3		
	2.	0	3.7	14.8	29.6	14.8	18.5	14.8	3.7	0.	0.				
	3.	0	0.1	0.2	0.4	0.4	0.6	0.5	0.5	0.	0.				
RAPE 2ND AND 3RD	1.	0	1	3	1	3	5	3	0	2	0	18	0.2		
	2.	0	5.4	16.7	5.6	16.7	27.8	16.7	11.1	0.	0.				
	3.	0	0.1	0.1	0.0	0.3	0.6	0.4	1.0	1.0	0.				
ROBBERY 3RD	1.	17	21	60	55	19	10	14	0	2	0	198	1.9		
	2.	8.6	10.6	30.3	27.8	9.6	5.1	7.1	1.0	1.0	0.				
	3.	1.6	1.5	2.3	2.4	1.7	1.2	1.9	1.0	1.0	0.				
ATT ASSAULT 2ND	1.	1	7	15	17	8	3	1	3	4	0	63	0.6		
	2.	1.6	11.1	23.8	27.0	12.7	12.7	4.8	1.6	4.8	0.				
	3.	0.1	0.5	0.6	0.8	0.7	1.0	0.4	0.5	1.5	0.				
BURGLARY 3RD	1.	72	134	258	214	114	83	67	10	4	0	956	9.2		
	2.	7.5	14.0	27.0	22.4	11.9	8.7	7.0	1.0	0.4	0.				
	3.	6.7	9.5	10.1	9.5	10.0	10.3	8.9	5.0	2.0	0.				
GRAND LARCENY	1.	11	34	60	73	50	31	28	8	16	1	312	3.0		
	2.	3.5	10.9	19.2	23.4	16.0	9.9	9.0	2.6	5.1	1				
	3.	1.0	2.4	2.3	3.2	4.4	3.9	3.7	4.0	7					

3. Age on Commitment

As is indicated in Figure 3, 24% of all commitments to DOCS are 16-20 years of age, another 24% are 21-24 years of age and 22% are ages 25-29.

Table 3A presents a crosstabulation of crime type by age on commitment.

Table 3B below presents the commitment crime distribution for commitments in several age categories.

TABLE 3B

GENERAL CRIME CATEGORY BY AGE

CRIME3	AGE2					ROW TOTAL					
	COUNT	ROW PCT	COL PCT	I16-20 YR	21-24 YR						
	I	I	I	25-29 YR	30 AND OVER						
VIOLENT FELONY	1.	1765	I	1790	I	1401	I	1659	I	6615	I
		26.7	I	27.1	I	21.2	I	25.1	I	63.6	I
		70.9	I	70.1	I	62.0	I	53.5	I		
OTHER COERCIVE	2.	58	I	98	I	94	I	127	I	377	I
		15.4	I	26.0	I	24.9	I	33.7	I	3.6	I
		2.3	I	3.8	I	4.2	I	4.1	I		
PROPERTY DRUG OTH	3.	408	I	660	I	765	I	1315	I	3148	I
		13.0	I	21.0	I	24.3	I	41.8	I	50.3	I
		16.4	I	25.8	I	33.8	I	42.4	I		
YOUTHFUL OFFENDR	4.	257	I	7	I	1	I	0	I	265	I
		97.0	I	2.6	I	0.4	I	0.	I	2.5	I
		10.3	I	0.3	I	0.0	I	0.	I		
	COLUMN	2488	I	2555	I	2261	I	3101	I	10405	I
	TOTAL	23.9	I	24.6	I	21.7	I	29.8	I	100.0	I

NUMBER OF MISSING OBSERVATIONS = 1

As is reflected in Table 3B younger commitments are more likely to be convicted of violent crimes than are older commitments; and, older persons committed to state prison are more likely than younger persons to be committed for property/drug crimes. Among commitments age 16-20 71% are convicted of violent felony crimes but only 16% are convicted for property/drug and other crimes. Among commitments 30 years and older 54% are convicted for violent felony crimes and 42% for property/drug crimes.

TABLE 3C

SEX BY AGE, 1982 COMMITMENTS

SEX	COUNT	ROW PCT	AGE2				ROW TOTAL
			I16-20 YR	21-24 YR	25-29 YR	30 AND OVER	
MALE	1.	I	I	I	I	I	I
		2442	I	2488	I	2158	I
		24.3	I	24.8	I	21.5	I
		98.2	I	97.4	I	95.4	I
							94.8
FEMALE	2.	I	I	I	I	I	I
		45	I	67	I	104	I
		12.2	I	17.8	I	27.6	I
		1.8	I	2.6	I	4.6	I
							5.2
	COLUMN	2483	I	2555	I	2262	I
	TOTAL	23.9	I	24.6	I	21.7	I
							29.8
							100.0

It can be seen from Table 3C that female commitments to DOCS tend to be older than male commitments. Looking at the row percentages in Table 3C indicates that 24% of male commitments are age 16-20 compared to only 12% of female commitments. In the 30 years-and-over age category 29% are males compared to 42% for females.

Table 3D presents the age distribution of commitments to state prison for the years 1978 through 1982. The percent of commitments in each age category is quite stable over the 5 year period.

TABLE 3D

AGE BY COMMITMENT YEAR, 1978-1982

AGE2	COUNT	ROW PCT	YEAR					ROW TOTAL
			I1978	1979	1980	1981	1982	
16-20 YR	1.	I	I	I	I	I	I	I
		1870	I	2041	I	2082	I	2623
		16.8	I	18.4	I	18.8	I	23.6
		25.9	I	26.9	I	26.2	I	22.4
								25.5
21-24 YR	2.	I	I	I	I	I	I	I
		1682	I	1723	I	1855	I	2474
		16.3	I	16.7	I	18.0	I	25.5
		23.3	I	22.7	I	23.3	I	24.0
								24.6
25-29 YR	3.	I	I	I	I	I	I	I
		1618	I	1574	I	1682	I	2223
		17.3	I	16.8	I	18.0	I	23.8
		22.4	I	20.7	I	21.1	I	24.2
								21.5
30 AND OVER	4.	I	I	I	I	I	I	I
		2045	I	2251	I	2337	I	2993
		16.1	I	17.7	I	18.4	I	23.5
		28.3	I	29.7	I	29.4	I	24.4
								29.3
	COLUMN	7215	I	7589	I	7956	I	10313
	TOTAL	16.6	I	17.5	I	18.3	I	23.7
								23.9
								100.0

43479

FIGURE 4

CHARACTERISTICS OF NEW COMMITMENTS - 1982
ETHNIC DISTRIBUTION

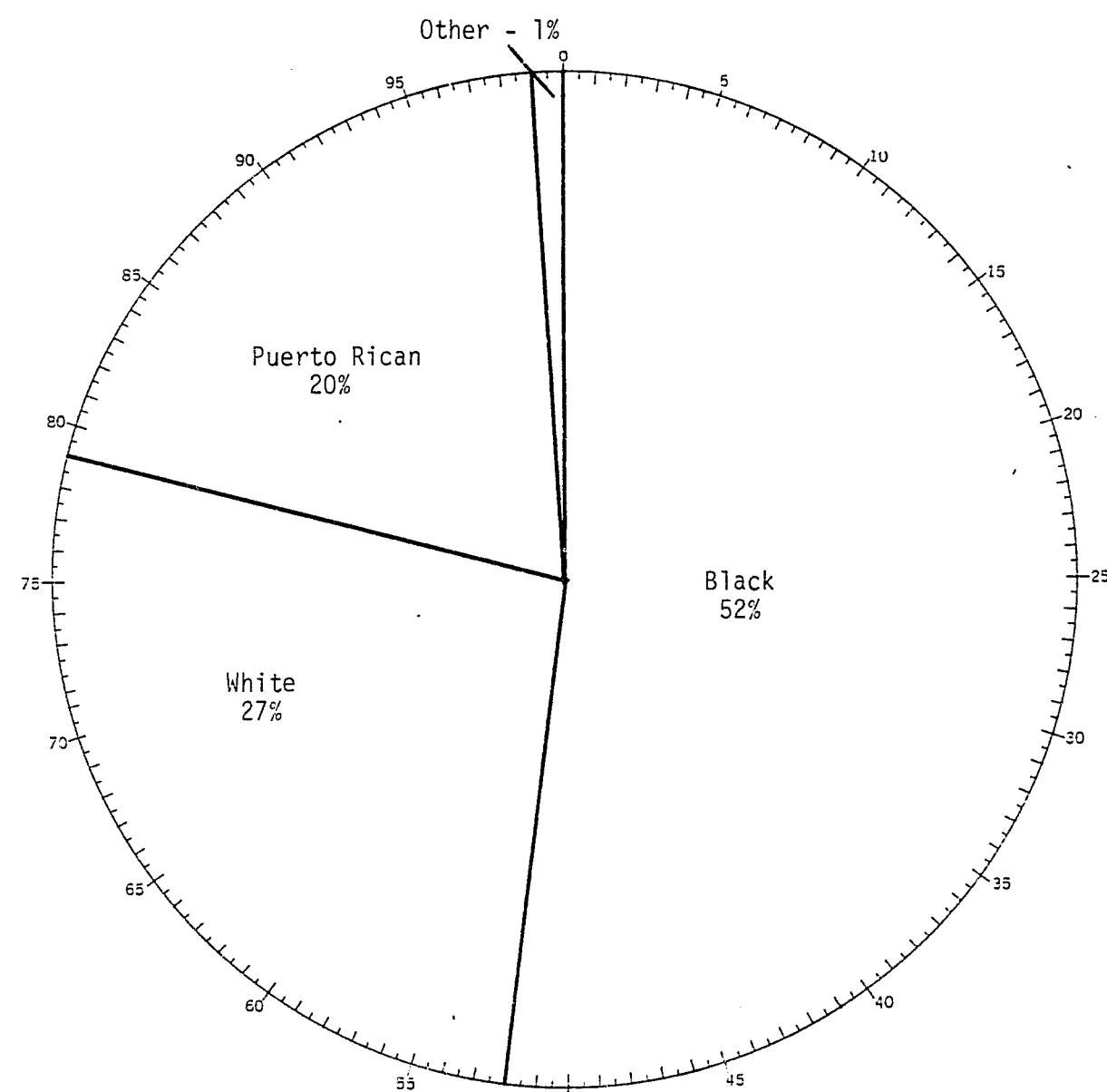


TABLE 4A Commitment Crime Type by Ethnicity

CRIME2	COUNT	ROW PCT	COL PCT	IWHITE	BLACK	PUERTO RICAN	OTHER	ROW TOTAL
	1.	1.1	2.1	3.1	4.1			
MURDER	133	26.2	47.9	125	6	1.2	11.3	507 4.9
MANSLAUGHTER 1ST	75	19.1	55.4	97	3	0.8	5.7	392 3.8
RAPE 1ST	69	31.4	126	25	0	0.	2.4	220 2.1
ROBBERY 1ST	310	16.6	1089	466	5	0.3	11.0	1870 18.0
ROBBERY 2ND	236	15.6	991	270	11	0.7	8.3	1508 14.5
ASSAULT 1ST	46	27.4	80	41	1	0.6	1.6	168 1.6
ASSAULT 2ND	55	31.6	95	23	1	0.6	1.9	174 1.7
BURGLARY 1ST	26	27.7	68	19	1	0.9	0.9	94 0.9
BURGLARY 2ND	321	37.5	322	210	4	0.5	11.3	857 8.2
ARSON 2ND	17	26.6	29	18	0	0.	0.6	64 0.6
SODOMY 1ST	41	49.4	29	12	1	1.2	1.4	83 0.8
SEXUAL ABUSE 1ST	35	50.7	28	5	1	1.4	1.2	69 0.7
DANGEROUS WEAPON	88	15.0	362	134	3	0.5	3.1	587 5.6
KIDNAPPING	13	59.1	6	3	0	0.	0.5	22 0.2
MANSLAUGHTER 2ND	26	36.6	32	13	0	0.	0.9	71 0.7
NEGIGENT HOMICI	18	66.7	6	3	0	0.	0.6	27 0.3
RAPE 2ND AND 3RD	10	55.6	8	0.	0	0.	0.4	18 0.2
ROBBERY 3RD	32	16.2	141	23	2	1.0	1.1	198 1.9
ATT ASSAULT 2ND	23	36.5	35	4	1	1.6	0.8	63 0.6
BURGLARY 3RD	401	41.5	401	158	2	0.2	14.0	956 9.2
GRAND LARCENY	139	44.6	146	22	5	1.6	4.9	312 3.0
DRUGS	335	27.0	552	356	0	0.	11.8	1243 11.9
FORGERY	65	39.6	92	4	3	1.8	2.3	164 1.6
ALL OTHER FELONI	254	53.7	167	50	2	0.4	9.0	473 4.5
YOUTHFUL OFFENDR	68	53.7	152	44	1	0.4	25.7	265 2.5
COLUMN TOTAL	2830	27.2	5397	2125	53	0.5	51.9	10405 100.0
ROW TOTAL	2830	27.2	5397	2125	53	0.5	51.9	10405 100.0

4. Ethnic Distribution of 1982 Commitments

Figure 4 presents a graphic display of the ethnic distribution of 1982 court commitments. Fifty two percent were black, 27% white, and 20% Puerto Rican, and 1% other (i.e. Chinese, Japanese, other Oriental, and American Indian).

Table 4A presents the crosstabulation of commitment offense type by ethnicity. White defendants committed to state prison are somewhat more likely than either black or Puerto Rican commitments to be convicted for burglary offenses, grand larceny, forgery and sex offenses (excluding rape). Black defendants committed to state prison are more likely to be convicted for robbery offenses and for dangerous weapons offenses.

Table 4B presents the ethnic distribution of commitments to state prison within several general categories of commitment offense type. Fifty-two percent of white defendants committed to state prison have been convicted of the legislatively designated violent felony crimes. Sixty-eight percent of black and Puerto Rican commitments have been convicted of these same violent felony offenses. Among whites committed to state prison 42% have been convicted for property/drug offenses as compared to 25% for black commitments and 28% for Puerto Rican commitments.

TABLE 4B
GENERAL CRIME CATEGORY BY ETHNICITY

		ETHNIC							
		COUNT	ROW PCT	COL PCT	IWHITE	BLACK	PUERTO RICAN	OTHER	ROW TOTAL
CRIME3					I	1.I	2.I	3.I	4.I
VIOLENT FELONY	1.	1465	I	I	3665	I	1448	I	37 I 6615
		22.1	I	I	55.4	I	21.9	I	0.6 I 63.6
		51.8	I	I	67.9	I	68.1	I	69.8 I
OTHER	2.	109	I	I	222	I	43	I	3 I 377
		23.9	I	I	58.9	I	11.4	I	0.8 I 3.6
		3.9	I	I	4.1	I	2.0	I	5.7 I
PROPERTY DRUG OTH	3.	1188	I	I	1358	I	590	I	12 I 3148
		37.7	I	I	43.1	I	18.7	I	0.4 I 30.3
		42.0	I	I	25.2	I	27.8	I	22.6 I
YOUTHFUL OFFENDR	4.	68	I	I	152	I	44	I	1 I 265
		25.7	I	I	57.4	I	16.6	I	0.4 I 2.5
		2.4	I	I	2.8	I	2.1	I	1.9 I
	COLUMN	2830	I	I	5397	I	2125	I	53 I 10405
	TOTAL	27.2	I	I	51.9	I	20.4	I	0.5 I 100.0
NUMBER OF MISSING OBSERVATIONS = 1									

Table 4C records the ethnic distribution of inmates committed to DOCS by sex. Males make up the substantial majority of commitments (96% to 97%) within each ethnic group.

TABLE 4C

SEX BY ETHNICITY, 1982 COMMITMENTS

SEX		ETHNIC					ROW TOTAL	
		COUNT	ROW PCT	COL PCT	IWHITE	BLACK	PUERTO RICAN	
MALE	1.	2731	I	I	5178	I	2969	I
		27.2	I	I	51.6	I	20.6	I
		96.5	I	I	95.9	I	97.4	I
						I	96.2	I
FEMALE	2.	99	I	I	220	I	56	I
		26.3	I	I	58.4	I	14.9	I
		3.5	I	I	4.1	I	2.6	I
						I	3.8	I
	COLUMN	2830	I	I	5398	I	2125	I
	TOTAL	27.2	I	I	51.9	I	20.4	I
							0.5	I 100.0

Table 4D presents the age range of defendants committed to DOCS within each ethnic category.

TABLE 4D

AGE BY ETHNICITY, 1982 COMMITMENTS

AGE2		ETHNIC					ROW TOTAL	
		COUNT	ROW PCT	COL PCT	IWHITE	BLACK	PUERTO RICAN	
16-20 YR	1.	527	I	I	1486	I	462	I
		21.2	I	I	59.7	I	18.6	I
		18.6	I	I	27.5	I	21.7	I
						I	24.5	I
21-24 YR	2.	701	I	I	1293	I	544	I
		27.4	I	I	50.6	I	21.3	I
		24.8	I	I	24.0	I	25.6	I
						I	32.1	I
25-29 YR	3.	620	I	I	1163	I	470	I
		27.4	I	I	51.4	I	20.8	I
		21.9	I	I	21.5	I	22.1	I
						I	17.0	I
30 AND OVER	4.	932	I	I	1456	I	649	I
		31.7	I	I	47.0	I	20.9	I
		34.7	I	I	27.0	I	30.5	I
						I	25.4	I
	COLUMN	2830	I	I	5398	I	2125	I
	TOTAL	27.2	I	I	51.9	I	20.4	I
							0.5	I 100.0

Among black defendants committed to state prison a higher percent fall into the 16-20 year age group (27.5%) than is true of either white commitments (18.6%) or Puerto Rican commitments (21.7%). The proportion of each ethnic group is roughly the same in the 21-24 year age category (25%) and the 25-29 year age category (22%). When compared with black and Puerto Rican commitments, a somewhat higher percent of white commitments are 30 years of age or older.

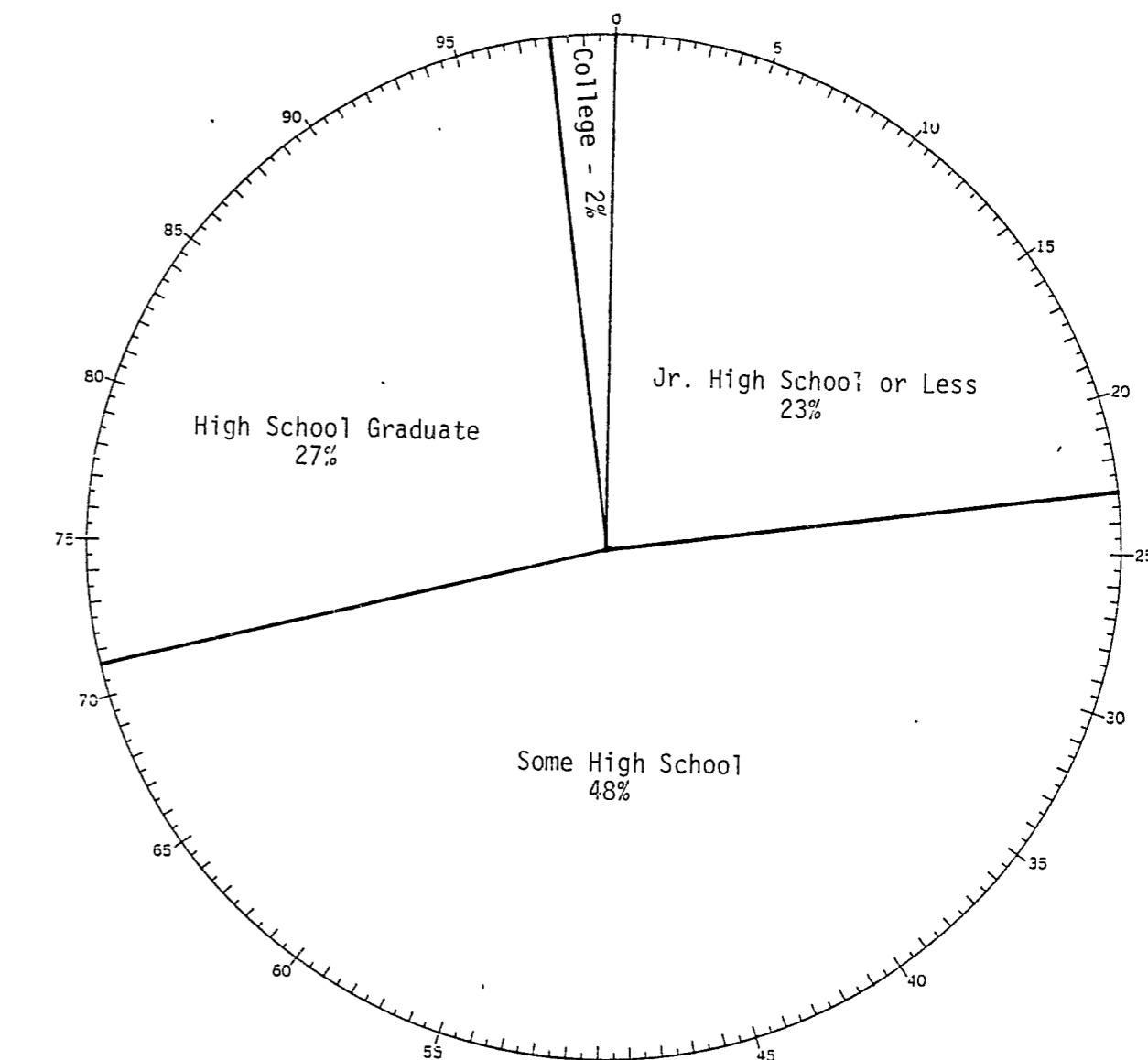
Table 4E presents the ethnic distribution of commitments to DOCS for each of the years 1978 through 1982. Whites make up a slightly smaller proportion of total commitments in 1981 and 1982 (approximately 28%) than they did in the years 1978 through 1980 (approximately 31%). Blacks make up a slightly higher proportion of total commitments in 1981 and 1982 (roughly 51%) compared with 1978 through 1980 (approximately 49%).

TABLE 4E
ETHNIC DISTRIBUTION OF COMMITMENTS 1978-1982

ETHNIC		YEAR					ROW TOTAL					
		COUNT	1978	1979	1980	1981	1982					
		ROW PCT	COL PCT	1. I	2. I	3. I	4. I	5. I				
WHITE	1.	2203	I	2422	I	2412	I	2901	I	2830	I	12768
		17.3	I	19.0	I	18.9	I	22.7	I	22.2	I	29.4
		30.5	I	31.9	I	30.3	I	28.1	I	27.2	I	
BLACK	2.	3583	I	3679	I	3902	I	5209	I	5398	I	21771
		16.5	I	16.9	I	17.9	I	23.9	I	24.8	I	50.0
		49.6	I	48.5	I	49.0	I	50.5	I	51.9	I	
PUERTO RICAN	3.	1402	I	1461	I	1610	I	2142	I	2125	I	8740
		16.0	I	16.7	I	18.4	I	24.5	I	24.3	I	20.1
		19.4	I	19.2	I	20.2	I	20.8	I	20.4	I	
OTHER	4.	38	I	31	I	36	I	62	I	53	I	220
		17.3	I	14.1	I	16.4	I	28.2	I	24.1	I	0.5
		0.5	I	0.4	I	0.5	I	0.6	I	0.5	I	0.5
COLUMN TOTAL		7226		7593		7960		10314		10406		43499
TOTAL		16.6		17.5		18.3		23.7		23.9		100.0

FIGURE 5

CHARACTERISTICS OF NEW COMMITMENTS - 1982
EDUCATION ON COMMITMENT



<u>Education on Commitment</u>	<u>Number</u>	<u>Percent</u>
TOTAL	10,329A/	100%
Jr. High or less	2,413	23%
Some High School	4,964	48%
High School Graduate	2,757	27%
Some College	195	2%

A/ There were 77 cases with missing information on educational achievement.

TABLE 5A Commitment Crime Type by Educational Attainment

	COUNT	EDUCATION							ROW TOTAL
		ROW PCT	IJR	HIGH IOR	SOME LESS H	HIG SCHOOL	HIGH OOL	SCH GRAD	
	COL PCT								
CRIME2				1. I	2. I	3. I	4. I		
MURDER	1.		134	I	208	I	149	I	12 I
			26.6	I	41.4	I	29.6	I	2.4 I
			5.6	I	4.2	I	5.4	I	6.2 I
MANSLAUGHTER	2.	I	129	I	180	I	75	I	3 I
RAPE 1ST	1ST	I	33.3	I	46.5	I	19.4	I	0.8 I
		I	5.3	I	3.6	I	2.7	I	1.5 I
RAPE 1ST	3.	I	46	I	119	I	49	I	4 I
		I	21.1	I	54.6	I	22.5	I	1.8 I
		I	1.9	I	2.4	I	1.8	I	2.1 I
ROBBERY 1ST	4.	I	426	I	1001	I	408	I	22 I
		I	22.9	I	53.9	I	22.0	I	1.2 I
		I	17.7	I	20.2	I	14.8	I	11.3 I
ROBBERY 2ND	5.	I	324	I	841	I	321	I	13 I
		I	21.6	I	56.1	I	21.4	I	0.9 I
		I	13.4	I	16.9	I	11.6	I	6.7 I
ASSAULT 1ST	6.	I	43	I	81	I	37	I	3 I
		I	26.2	I	49.4	I	22.6	I	1.8 I
		I	1.8	I	1.6	I	1.3	I	1.5 I
ASSAULT 2ND	7.	I	40	I	67	I	60	I	3 I
		I	23.5	I	39.4	I	35.3	I	1.8 I
		I	1.7	I	1.3	I	2.2	I	1.5 I
BURGLARY 1ST	8.	I	24	I	47	I	23	I	0 I
		I	25.5	I	50.0	I	24.5	I	0. I
		I	1.0	I	0.9	I	0.8	I	0. I
BURGLARY 2ND	9.	I	217	I	385	I	241	I	7 I
		I	25.5	I	45.3	I	28.4	I	0.8 I
		I	9.0	I	7.8	I	8.7	I	3.6 I
ARSON 2ND	10.	I	19	I	33	I	10	I	2 I
		I	29.7	I	51.6	I	15.6	I	3.1 I
		I	0.8	I	0.7	I	0.4	I	1.0 I
SODOMY 1ST	11.	I	24	I	32	I	22	I	4 I
		I	29.3	I	39.0	I	26.8	I	4.9 I
		I	1.0	I	0.6	I	0.8	I	2.1 I
SEXUAL ABUSE 1ST	12.	I	22	I	31	I	15	I	1 I
		I	31.9	I	44.9	I	21.7	I	1.4 I
		I	0.9	I	0.6	I	0.5	I	0.5 I
DANGEROUS WEAPON	13.	I	135	I	266	I	175	I	10 I
		I	23.0	I	45.4	I	29.9	I	1.7 I
		I	5.6	I	5.4	I	6.3	I	5.1 I
KIDNAPPING	14.	I	4	I	6	I	10	I	2 I
		I	18.2	I	27.3	I	45.5	I	9.1 I
		I	0.2	I	0.1	I	0.4	I	1.0 I
MANSLAUGHTER 2ND	15.	I	19	I	35	I	15	I	2 I
		I	26.8	I	49.3	I	21.1	I	2.8 I
		I	0.8	I	0.7	I	0.5	I	1.0 I
NEGIGENT HOMICI	16.	I	5	I	11	I	10	I	1 I
		I	18.5	I	40.7	I	37.0	I	3.7 I
		I	0.2	I	0.2	I	0.4	I	0.5 I
RAPE 2ND AND 3RD	17.	I	2	I	7	I	9	I	0 I
		I	11.1	I	38.9	I	50.0	I	0. I
		I	0.1	I	0.1	I	0.3	I	0. I
ROBBERY 3RD	18.	I	44	I	101	I	47	I	1 I
		I	22.8	I	52.3	I	24.4	I	0.5 I
		I	1.8	I	2.0	I	1.7	I	0.5 I
ATT ASSAULT 2ND	19.	I	22	I	16	I	22	I	1 I
		I	36.1	I	26.2	I	36.1	I	1.6 I
		I	0.9	I	0.3	I	0.8	I	0.5 I
BURGLARY 3RD	20.	I	213	I	427	I	299	I	8 I
		I	22.5	I	45.1	I	31.6	I	0.8 I
		I	8.8	I	8.6	I	10.8	I	4.1 I
GRAND LARCENY	21.	I	42	I	126	I	119	I	24 I
		I	13.5	I	40.5	I	38.3	I	7.7 I
		I	1.7	I	2.5	I	4.3	I	12.3 I
DRUGS	22.	I	280	I	519	I	395	I	44 I
		I	22.6	I	41.9	I	31.9	I	3.6 I
		I	11.6	I	10.5	I	14.3	I	22.6 I
FORGERY	23.	I	17	I	61	I	75	I	10 I
		I	10.4	I	37.4	I	46.0	I	6.1 I
		I	0.7	I	1.2	I	2.7	I	5.1 I
ALL OTHER FELONI	24.	I	98	I	197	I	157	I	18 I
		I	20.9	I	41.9	I	33.4	I	3.8 I
		I	4.1	I	4.0	I	5.7	I	9.2 I
YOUTHFUL OFFENDR	25.	I	84	I	167	I	14	I	0 I
		I	31.7	I	63.0	I	5.3	I	0. I
		I	3.5	I	3.4	I	0.5	I	0. I

5. Educational Attainment Among 1982 Commitments

As is illustrated in Figure 5 one fourth of all commitments to state prison have an 8th grade education or less, roughly one-half of all commitments drop out of school in the 9th or 10th grade, and roughly one fourth have graduated from high school. Only 2% of 1982 commitments have completed some college course work.

Table 5A presents the commitment offense type distribution within categories of educational attainment. In Table 5B below we have collapsed commitment crime type into four general categories. Commitment crime type is crosstabulated with educational achievement. Those persons who have attended college or who have graduated from high school are more likely than other commitments to have been convicted of a property/drug offense. But, those who have attended college make up only 2% of all commitments in 1982. In general, educational attainment is only weakly related to commitment offense type.

TABLE 5

GENERAL CRIME CATEGORY BY EDUCATION

NUMBER OF MISSING OBSERVATIONS = 71

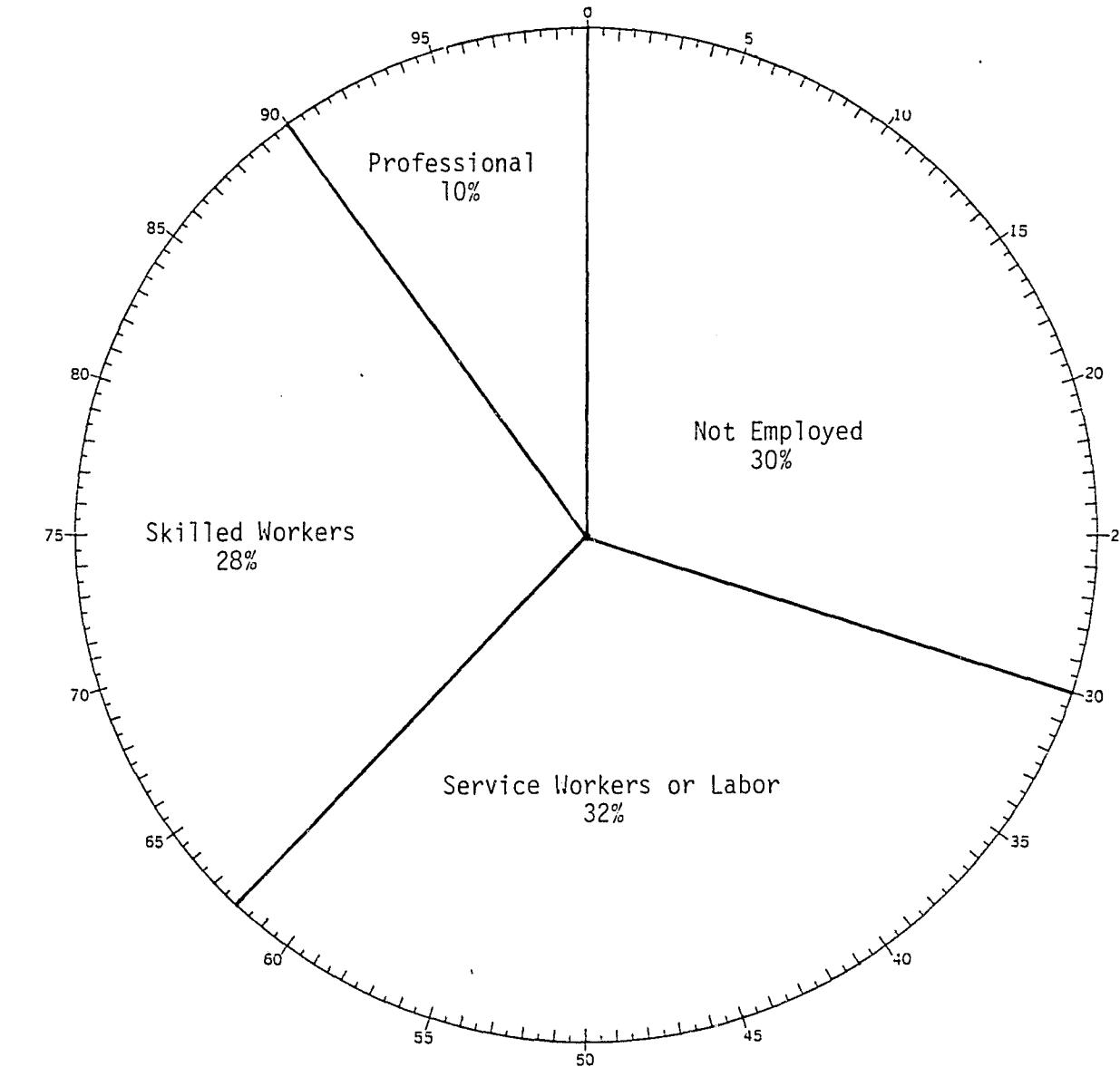
TABLE 5C
EDUCATIONAL ATTAINMENT BY COMMITMENT YEAR, 1978-1982

EDUCATION	COUNT	YEAR					ROW TOTAL
		1. I	2. I	3. I	4. I	5. I	
		1978	1979	1980	1981	1982	
JR HIGH OR LESS	1847	1860	1962	2509	2413	10591	24.6
	17.4	17.6	18.5	23.7	22.8		
	25.9	24.7	24.9	24.5	23.4		
SOME HIGH SCHOOL	3398	3739	3952	4866	4964	20919	48.5
	16.2	17.9	18.9	23.3	23.7		
	47.6	49.7	50.1	47.5	48.1		
HIGH SCHOOL GRAD	1359	1674	1737	2644	2757	10171	23.6
	13.4	16.5	17.1	26.0	27.1		
	19.0	22.3	22.0	25.8	26.7		
SOME COLLEGE	541	244	240	228	195	1448	3.4
	37.4	16.9	16.6	15.7	13.5		
	7.6	3.2	3.0	2.2	1.9		
COLUMN TOTAL	7145	7517	7891	10247	10329	43129	100.0
	16.6	17.4	18.3	23.8	23.9		

There has been a slight decline in the proportion of commitments who have attended college over the last 5 years. In 1978 8% of new court commitments had completed some college course work, in 1982 only 2% of court commitments had completed some college work. While the percent of commitments with college course work has declined, the percent with a high school diploma has slightly increased from 19% in 1978 to 27% in 1982. The proportion of commitments with a junior high education or less and the proportion with some high school (usually completion of 9th or 10th grade) has only slightly changed over the past five years.

FIGURE 6

OCCUPATION ON COMMITMENT
1982 COURT COMMITMENTS TO DOCS



Occupation on Commitment	Number	Percent
TOTAL	10,405A/	100%
Not Employed	3,106	30%
Service Workers or Labor	3,314	32%
Skilled Workers	2,973	28%
Professional	1,012	10%

A/Occupational status was missing for 1 case

-26- TABLE 6A Commitment Crime Type by Occupational Status

CRIME2	COUNT	ROW PCT	INOT	SERVICE	SKILLED	PROFESSIONAL	ROW TOTAL			
	I	I	I	I	I	I	I			
MURDER	1.	139	I	161	I	143	I	64	I	507
		27.4	I	31.8	I	28.2	I	12.6	I	4.9
		4.5	I	4.9	I	4.8	I	6.3	I	
MANSLAUGHTER	2.	89	I	127	I	138	I	38	I	392
1ST		22.7	I	32.4	I	35.2	I	9.7	I	3.8
		2.9	I	3.8	I	4.6	I	3.3	I	
RAPE	3.	74	I	74	I	57	I	15	I	220
1ST		33.6	I	33.6	I	25.9	I	6.8	I	2.1
		2.4	I	2.2	I	1.9	I	1.5	I	
ROBBERY	4.	703	I	515	I	527	I	125	I	1870
1ST		37.6	I	27.5	I	28.2	I	6.7	I	18.9
		22.6	I	15.5	I	17.7	I	12.4	I	
ROBBERY	5.	646	I	439	I	336	I	87	I	1508
2ND		42.8	I	29.1	I	22.3	I	5.8	I	14.5
		20.8	I	13.2	I	11.3	I	8.6	I	
ASSAULT	6.	38	I	53	I	56	I	21	I	168
1ST		22.6	I	31.5	I	33.3	I	12.5	I	1.6
		1.2	I	1.6	I	1.9	I	2.1	I	
ASSAULT	7.	29	I	68	I	58	I	19	I	174
2ND		16.7	I	39.1	I	33.3	I	10.9	I	1.7
		0.9	I	2.1	I	2.0	I	1.9	I	
BURGLARY	8.	31	I	31	I	26	I	6	I	94
1ST		33.0	I	33.0	I	27.7	I	6.4	I	0.9
		1.0	I	0.9	I	0.9	I	0.6	I	
BURGLARY	9.	274	I	294	I	226	I	63	I	857
2ND		32.0	I	34.3	I	26.4	I	7.4	I	8.2
		8.8	I	8.9	I	7.6	I	6.2	I	
ARSON	10.	14	I	18	I	29	I	3	I	64
2ND		21.9	I	28.1	I	45.3	I	4.7	I	0.6
		0.5	I	0.5	I	1.0	I	0.3	I	
SODOMY	11.	22	I	33	I	17	I	11	I	83
1ST		26.5	I	39.8	I	20.5	I	13.3	I	0.8
		0.7	I	1.0	I	0.6	I	1.1	I	
SEXUAL ABUSE	12.	20	I	22	I	21	I	6	I	69
1ST		29.0	I	31.9	I	30.4	I	8.7	I	0.7
		0.6	I	0.7	I	0.7	I	0.6	I	
DANGEROUS WEAPON	13.	105	I	198	I	204	I	80	I	587
		17.9	I	33.7	I	34.8	I	13.6	I	5.6
		3.4	I	6.0	I	6.9	I	7.9	I	
KIDNAPPING	14.	1	I	8	I	6	I	7	I	22
		4.5	I	36.4	I	27.3	I	31.8	I	0.2
		0.0	I	0.2	I	0.2	I	0.7	I	
MANSLAUGHTER	15.	16	I	17	I	33	I	5	I	71
2ND		22.5	I	23.9	I	46.5	I	7.0	I	0.7
		0.5	I	0.5	I	1.1	I	0.5	I	
NEGLIGENCE HOMICIDE	16.	4	I	4	I	13	I	6	I	27
		14.8	I	14.8	I	48.1	I	22.2	I	0.3
		0.1	I	0.1	I	0.4	I	0.6	I	
RAPE 2ND AND 3RD	17.	1	I	4	I	9	I	4	I	18
		5.6	I	22.2	I	50.0	I	22.2	I	0.2
		0.0	I	0.1	I	0.3	I	0.4	I	
ROBBERY 3RD	18.	54	I	86	I	48	I	10	I	198
		27.3	I	43.4	I	24.2	I	5.1	I	1.9
		1.7	I	2.6	I	1.6	I	1.0	I	
ATT ASSAULT	19.	13	I	25	I	18	I	7	I	63
2ND		20.6	I	39.7	I	28.6	I	11.1	I	0.6
		0.4	I	0.8	I	0.6	I	0.7	I	
BURGLARY 3RD	20.	269	I	364	I	252	I	71	I	956
		28.1	I	38.1	I	26.4	I	7.4	I	9.2
		8.7	I	11.0	I	8.5	I	7.0	I	
GRAND LARCENY	21.	62	I	85	I	102	I	63	I	312
		19.9	I	27.2	I	32.7	I	20.2	I	3.0
		2.0	I	2.6	I	3.4	I	6.2	I	
DRUGS	22.	159	I	446	I	449	I	189	I	1243
		12.8	I	35.9	I	36.1	I	15.2	I	11.9
		5.1	I	13.5	I	15.1	I	18.7	I	
FORGERY	23.	20	I	62	I	52	I	30	I	164
		12.2	I	37.8	I	31.7	I	18.3	I	1.6
		0.6	I	1.9	I	1.7	I	3.0	I	
ALL OTHER FELONIES	24.	81	I	165	I	145	I	82	I	473
		17.1	I	34.9	I	30.7	I	17.3	I	4.5
		2.6	I	5.0	I	4.9	I	8.1	I	
YOUTHFUL OFFENDR	25.	242	I	15	I	8	I	0	I	265
		91.3	I	5.7	I	3.0	I	0.	I	2.5
		7.8	I	0.5	I	0.3	I	0.	I	
COLUMN TOTAL		3106	I	3314	I	2973	I	1012	I	10405
NUMBER OF MISSING OBSERVATIONS		1								
TOTAL		29.9	I	31.9	I	28.6	I	9.7	I	100.0

-27-

6. Occupation on Commitment

Thirty percent of commitments to state prison were not employed on or about the time they were arrested for the offense that resulted in a state prison term (this category includes students) (see Figure 6). Another 30% were employed as service workers or laborers (e.g. cooks, waiters, maintenance men, farm labor, factory labor). Twenty-eight percent of commitments were skilled workers including such occupations as drivers, plumbers, painters, metal workers, repairmen, machine operators, etc. Ten percent of commitments held professional jobs or were self employed such as teachers, musicians, farmers, managers, buyers etc.

Table 6A presents a crosstabulation of commitments according to crime type and occupation prior to commitment. Table 6B below presents a similar crosstabulation in which commitment offenses have been grouped into four categories. Among 1982 commitments to state prison, those persons who were not employed were more likely than those employed as laborers, skilled workers or professionals to have been committed to state prison for a violent felony crime. Those employed in a professional occupation were least likely to be committed for a violent felony crime. Among those commitments who were not employed 19% were committed for a property/drug crime, 34% of service or labor and skilled workers were committed for a property/drug crime and 43% of those in a professional occupation were committed for a property/drug offense. Among those defendants committed to state prison, as occupational status increases the less likely is it that a person will be committed for a violent felony offense and the more likely it is that a person will be committed for a property/drug crime.

TABLE 6B
GENERAL CRIME CATEGORY BY OCCUPATIONAL STATUS

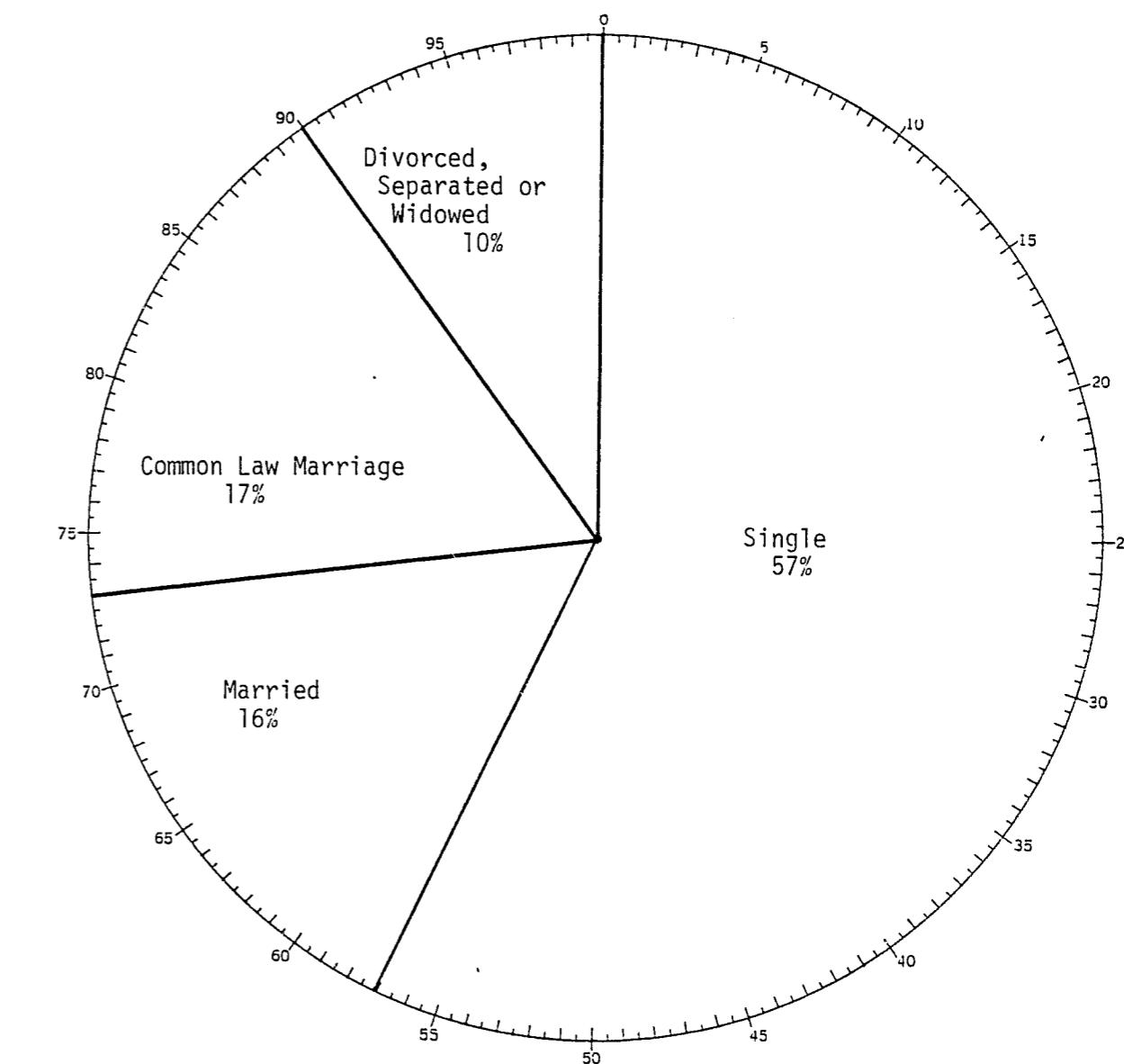
CRIME3	COUNT	ROW PCT	INOT	SERVICE	SKILLED	PROFESSIONAL	ROW TOTAL			
	I	I	I	I	I	I	I			
VIOLENT FELONY	1.	2185	I	2041	I	1344	I	545	I	6615
		33.0	I	30.9	I	27.9	I	8.2	I	63.6
		70.3	I	61.6	I	62.0	I	53.9	I	
OTHER COERCIVE	2.	88	I	136	I	121	I	32	I	377
		23.3	I	36.1	I	32.1	I	8.5	I	3.6
		2.3	I	4.1	I	4.1	I	3.2	I	
PROPERTY DRUG OTH	3.	591	I	1122	I	1000	I	435	I	3148

In Table 6C below the proportion of commitments in each of the occupational categories is presented over the five year period 1978 to 1982. As the column percentages for each year indicate, there appears to be little change over the past five years in the percent of commitments in each occupational grouping.

TABLE 6C
OCCUPATIONAL STATUS BY YEAR, 1978-1982

OCCUPATN		YEAR					ROW TOTAL	
		COUNT	1978	1979	1980	1981	1982	
		ROW PCT						
COL PCT			1. I	2. I	3. I	4. I	5. I	
NOT EMPLOYED	1.	2006	I 15.9	I 17.4	I 17.7	I 24.3	I 24.6	I 29.0
			I 27.3	I 29.0	I 28.1	I 29.8	I 29.9	I 29.0
SERVICE OR LABOR	2.	2339	I 17.0	I 17.6	I 18.6	I 22.8	I 24.1	I 31.6
			I 32.4	I 31.8	I 32.1	I 30.4	I 31.9	I 31.6
SKILLED WORKERS	3.	2313	I 17.5	I 17.7	I 18.1	I 24.1	I 22.6	I 30.3
			I 32.0	I 30.7	I 30.0	I 30.8	I 28.6	I 30.3
PROFESSIONAL	4.	564	I 14.4	I 16.3	I 19.9	I 23.6	I 25.8	I 9.0
			I 7.8	I 8.4	I 9.8	I 9.0	I 9.7	I 9.0
	COLUMN TOTAL	7222	16.6	17.4	18.3	23.7	23.9	100.0
		7586						43482
		7955						
		10314						
		10405						
		43482						

FIGURE 7
MARITAL STATUS OF 1982 COMMITMENTS TO DOCS



Marital Status on Commitment	Number	Percent
TOTAL	10,328A/	100%
Single	5,906	57%
Married	1,667	16%
Common Law Marriage	1,746	17%
Divorced, Separated, Widowed	1,009	10%

A/ Information on marital status was missing for 78 cases.

TABLE 7A Commitment Crime Type by Marital Status

CRIME2	COUNT	ROW PCT	COL PCT	SINGLE	MARRIED	COMMON LAW MAR	DIV-SEP	WIDOWED	ROW TOTAL
	1.	0.1	1.1	2.1	3.1				
MURDER	263	52.4	4.5	105	16.5	83	10.2	51	502
MANSLAUGHTER 1ST	178	46.1	3.0	65	16.8	79	16.6	64	386
RAPE 1ST	131	60.1	2.2	44	20.2	22	9.6	21	218
ROBBERY 1ST	1167	62.8	19.8	250	13.5	327	17.6	113	1857
ROBBERY 2ND	1062	70.7	18.0	143	9.5	203	13.5	94	1502
ASSAULT 1ST	92	55.8	1.6	28	17.0	22	13.3	23	165
ASSAULT 2ND	86	50.0	1.5	25	14.5	31	18.0	30	172
BURGLARY 1ST	54	57.4	0.9	20	21.3	14	14.9	6	94
BURGLARY 2ND	516	60.8	8.7	111	13.1	147	17.3	75	849
ARSON 2ND	39	60.9	0.7	8	12.5	9	14.1	8	64
SODOMY 1ST	34	41.5	0.6	14	17.1	13	15.9	21	82
SEXUAL ABUSE 1ST	38	55.1	0.6	15	21.7	3	4.3	18.8	69
DANGEROUS WEAPON	246	42.3	4.2	107	18.4	166	28.6	62	581
KIDNAPPING	8	36.4	0.1	6	27.3	3	13.6	22.7	22
MANSLAUGHTER 2ND	31	44.3	0.5	15	21.4	8	11.4	22.9	70
NEGLIGENT HOMICI	9	33.3	0.2	9	0.5	6	0.3	11.1	27
RAPE 2ND AND 3RD	4	22.2	0.1	9	50.0	0	0.5	27.8	18
ROBBERY 3RD	145	73.6	2.5	18	9.1	22	11.2	6.1	197
ATT ASSAULT 2ND	37	58.7	0.6	13	20.6	2	3.2	17.5	63
BURGLARY 3RD	589	62.1	10.0	135	14.2	138	14.6	86	948
GRAND LARCENY	148	47.6	2.5	69	22.2	47	15.1	47	311
DRUGS	481	39.0	8.1	300	24.3	312	25.3	141	1234
FORGERY	72	44.2	1.2	41	25.2	18	11.0	32	163
ALL OTHER FELONI	217	3.7	1.2	114	2.5	69	14.7	69	469
YOUTHFUL OFFENDR	259	97.7	4.4	3	1.1	2	0.8	1	265
COLUMN	5906	57.2		1667	16.1	1746	16.9	1009	10328
TOTAL	57.2			16.1	16.9	9.8	10.0	9.8	100.0

7. Marital Status on Commitment

As is reflected in Figure 7, 57% of 1982 commitments had never been married. Sixteen percent were married and another 17% claimed to have a regular living arrangement with some other party. Ten percent had been married at some time in the past but when committed they were divorced, separated or widowed.

Table 7A contains a crosstabulation of offense type by marital status. Table 7B below presents offense type in general categories by marital status. Those commitments who are single are slightly more likely to be committed for a violent felony and slightly less likely to be committed for a property/drug felony than are those who are currently married or who have been married at some time in the past. Younger commitments are, however, more likely to commit violent crime and are more likely to be single than are older commitments.

TABLE 7B
GENERAL CRIME CATEGORY BY MARITAL STATUS

CRIME3	MARITAL								
	COUNT	ROW PCT	COL PCT	SINGLE	MARRIED	COMMON LAW MAR	DIV-SEP	WIDOWED	ROW TOTAL
	1.	0.1	1.1	2.1	3.1				
VIOLENT FELONY	3914	59.6	4.2	941	14.3	1122	17.1	586	6563
OTHER COERCIVE	226	60.3	0.1	64	17.1	38	10.1	47	375
PROPERTY DRUG OTH	1507	48.2	0.1	659	21.1	534	18.7	12.0	3125
YOUTHFUL OFFENDR	259	97.7	4.4	3	1.1	2	0.8	0.4	265
COLUMN	5906	57.2		1667	16.1	1746	16.9	1009	10328
TOTAL	57.2			16.1	16.9	9.8	10.0	9.8	100.0

NUMBER OF MISSING OBSERVATIONS = 78

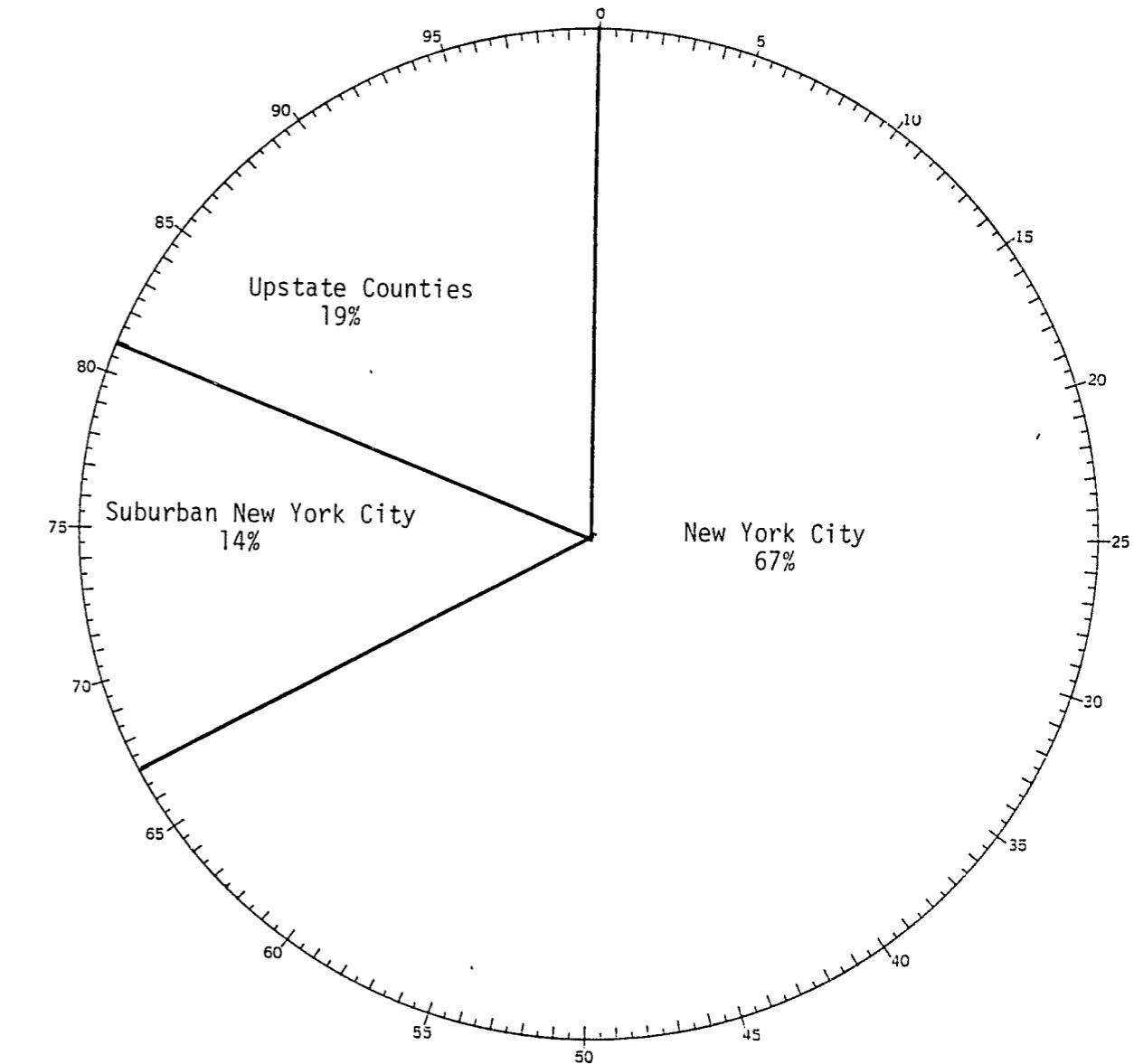
TABLE 7C
MARITAL STATUS BY YEAR
1978-1982 COURT COMMITMENTS

MARITAL	COUNT	YEAR	1978 1979 1980 1981 1982					ROW TOTAL					
			ROW PCT	1. I 2. I 3. I 4. I 5. I									
				COL PCT	1. I	2. I	3. I	4. I	5. I				
SINGLE	0.	I	4110	I	4357	I	4513	I	5906	I	5906	I	24792
		I	16.6	I	17.6	I	18.2	I	23.8	I	23.8	I	57.4
		I	57.3	I	57.8	I	57.1	I	57.6	I	57.2	I	
MARRIED	1.	I	1240	I	1296	I	1408	I	1749	I	1667	I	7360
		I	16.8	I	17.6	I	19.1	I	23.8	I	22.6	I	17.0
		I	17.3	I	17.2	I	17.8	I	17.1	I	16.1	I	
COMMON LAW MAR	2.	I	1020	I	1046	I	1145	I	1607	I	1746	I	6564
		I	15.5	I	15.9	I	17.4	I	24.5	I	26.6	I	15.2
		I	14.2	I	13.9	I	14.5	I	15.7	I	16.9	I	
DIV-SEP-WIDOWED	3.	I	809	I	834	I	841	I	986	I	1009	I	4479
		I	18.1	I	18.6	I	18.8	I	22.0	I	22.5	I	10.4
		I	11.3	I	11.1	I	10.6	I	9.6	I	9.8	I	
COLUMN TOTAL			7179		7533		7907		10248		10328		43195
			16.6		17.4		18.3		23.7		23.9		100.0

It can be seen from the column percentages in Table 6C that the proportion of commitments in each marital status category shows little or no change over the five year period 1978 to 1982.

FIGURE 8

REGION OF COMMITMENT



^{1/}Kings, Queens, New York, Richmond and Bronx Counties.
^{2/}Includes counties of Nassau, Rockland, Suffolk and Westchester.

Region of Commitment	Number	Percent
TOTAL STATE	10,406	100%
New York City ^{1/}	7,007	67%
Suburban N.Y.C. ^{2/}	1,416	14%
Upstate	1,983	19%

TABLE 8A
Crime Type by County

COUNTY	COUNT	ROW	PCT	IVIOLENT	OTHER	PROPRY	YOUTHFUL	OFFENDR	ROW	TOTAL
	1.I	2.I	3.I	4.I	5.I	6.I	7.I	8.I	9.I	10.I
ALBANY	1.	92	7	127	7	3.0	54.5	3.0	233	2.2
		39.5	3.0	54.5						
ALLEGANY	2.	2	1	5	0	0	0	0	8	0.1
		25.0	12.5	62.5	0.					
BROOME	3.	42	5	20	0	0	29.9	0.	67	0.6
		62.7	7.5	29.9	0.					
CATTARAUGUS	4.	2	0	6	1	1	11.1	1	9	0.1
		22.2	0.	66.7	11.1					
CAYUGA	5.	3	0	6	3	3	25.0	0	12	0.1
		25.0	0.	50.0	25.0					
CHAUTAUQUA	6.	7	0	7	4	4	38.9	0.	18	0.2
		38.9	0.	38.9	22.2					
CHEMUNG	7.	34	2	32	0	0	47.1	0.	68	0.7
		50.0	2.9	47.1	0.					
CHENANGO	8.	3	0	5	0	0	62.5	0.	8	0.1
		37.5	0.	62.5	0.					
CLINTON	9.	10	1	17	1	1	58.6	3.4	29	0.3
		34.5	3.4	58.6	3.4					
COLUMBIA	10.	5	2	8	0	0	53.3	0.	15	0.1
		33.3	13.3	53.3	0.					
CORTLAND	11.	3	1	11	1	1	68.8	6.3	16	0.2
		18.8	6.3	68.8	6.3					
DELAWARE	12.	1	0	3	0	0	75.0	0.	4	0.0
		25.6	0.	75.0	0.					
DUTCHESS	13.	19	1	21	1	1	50.0	2.4	42	0.4
		45.2	2.4	50.0	2.4					
ERIE	14.	133	17	83	5	5	55.9	7.1	238	2.3
		133	17	34.9	2.1					
ESSEX	15.	3	0	5	0	0	62.5	0.	8	0.1
		37.5	0.	62.5	0.					
FRANKLIN	16.	3	0	2	1	1	33.3	16.7	6	0.1
		50.0	0.	33.3	16.7					
FULTON	17.	7	0	6	1	1	42.9	7.1	14	0.1
		50.0	0.	42.9	7.1					
GENESEE	18.	4	1	5	1	1	45.5	9.1	11	0.1
		36.4	9.1	45.5	9.1					
GREENE	19.	4	1	6	0	0	54.5	0.	11	0.1
		36.4	9.1	54.5	0.					
HERKIMER	21.	3	0	1	0	0	25.0	0.	4	0.0
		75.0	0.	25.0	0.					
JEFFERSON	22.	14	1	12	0	0	44.4	0.	27	0.3
		51.9	3.7	44.4	0.					
KINGS	23.	1499	53	337	37	37	77.8	2.8	1926	18.5
		1499	53	337	37					
LEWIS	24.	1	0	2	0	0	66.7	0.	3	0.0
		33.3	0.	66.7	0.					
LIVINGSTON	25.	4	2	8	0	0	57.1	0.	14	0.1
		28.6	14.3	57.1	0.					
MADISON	26.	4	0	3	0	0	42.9	0.	7	0.1
		57.1	0.	42.9	0.					
MONROE	27.	120	15	112	10	10	46.7	5.8	257	2.5
		120	15	112	10					
MONTGOMERY	28.	3	1	3	0	0	42.9	14.3	7	0.1
		42.9	14.3	42.9	0.					
NASSAU	29.	240	12	199	22	22	50.7	2.5	473	4.5
		240	12	199	22					
NEW YORK	30.	1595	101	794	28	28	63.3	4.0	2518	24.2
		1595	101	794	28					
NIAGARA	31.	27	9	46	3	85	31.8	10.6	17	0.8
		27	9	46	3					
ONEIDA	32.	33	1	30	3	67	49.3	1.5	44.8	0.6
		33	1	30	3					

(CONTINUED)

TABLE 8B
County by Prior Record

COUNTY	COUNT	ROW	PCT	INO	PRIOR	PRIOR	PRIOR	PRIOR	ROW	TOTAL
	1.I	2.I	3.I	4.I	CONVICT	INVICT	CO	JAIL	PRISON	10405
	2453	1793	3401	2758	22.7	15.3	30.8	31.2	24.2	10405
COLUMN TOTAL	6615	377	3148	265						10405
TOTAL	63.6	3.6	30.3	2.5						100.0

(CONTINUED)

COUNTY	COUNT	ROW	PCT	CRIME3	IVIOLENT	OTHER	PROPRY	YOUTHFUL	OFFENDR	ROW	TOTAL
	1.I	2.I	3.I	4.I	IFELONY	COERCIVE	DRUG	OTH	OFFENDR	10405	
	33.	108	13	82	4	1	82	4	1	207	
ONONDAGA		52.2	6.3	39.6	1.9						2.0
	34.	9	1	9	0						19
ONTARIO		47.4	5.3	47.4	0.						0.2
	35.	27	6	50	2						85
ORANGE		31.8	7.1	58.8	2.4						85
	36.	11	0	12	0						23
ORLEANS		47.8	0.	52.2	0.						0.2
	37.	10	0	9	1						20
OSWEGO		50.0	0.	45.0	5.0						0.2
	38.	9	2	14	2						27
OTSEGO		33.3	7.4	51.9	7.4						0.3
	39.	2	0	7	0						9
PUTNAM		22.2	0.	77.8	0.						0.1
	40.	763	40	226	48	</					

Region/County of Commitment

The breakdown of commitments to state prison by region of the state is illustrated in Figure 8. Sixty-seven percent of commitments to DOCS are sentenced from the five New York City counties (Kings, New York, Queens, Richmond and Bronx). Another 14% of commitments are from the four counties that surround New York City (Nassau, Rockland, Suffolk and Westchester). The remaining 19% of commitments are sentenced from the Upstate counties.

Tables 8A and 8B contain the number of commitments received by DOCS for each county of the state. Table 8A lists for each county the number of commitments in each of the general crime categories used here. Looking, for instance, at the 233 commitments from Albany county it can be seen that 40% were committed for violent felony crimes, 3% for other coercive crimes, 54% for property/drug/other crimes and 3% were Youthful Offenders. Commitments from Albany county made up 2.2% of all commitments to state prison in 1982. Table 8B lists the number of commitments from each county according to the prior adult record of those committed. Again, for Albany county commitments, 27% had no prior adult conviction, 21% had a prior conviction but no jail or prison term, 31% had a prior jail term and 22% had previously served time in a state or federal prison.

TABLE 8C

GENERAL CRIME CATEGORY BY REGION

CRIME3		REGION					ROW TOTAL
		COUNT COL PCT	ROW PCT I CITY	IN NEW YORK	SUBURBAN NEW YORK	UPSTATE NEW YORK	
		1.I	2.I				
VIOLENT FELONY	1.	4974	I	736	I	905	I
		75.2	I	11.1	I	13.7	I
		71.0	I	52.0	I	45.7	I
OTHER COERCIVE	2.	232	I	42	I	103	I
		61.5	I	11.1	I	27.3	I
		3.3	I	3.0	I	5.2	I
PROPRY DRUG OTH	3.	1648	I	584	I	916	I
		52.4	I	18.6	I	29.1	I
		23.5	I	41.2	I	46.2	I
YOUTHFUL OFFENDR	4.	153	I	54	I	58	I
		57.7	I	20.4	I	21.9	I
		2.2	I	3.8	I	2.9	I
	COLUMN	7007		1416		1982	
	TOTAL	67.3		13.6		19.0	

NUMBER OF MISSING OBSERVATIONS = 1

Table 8C presents a crosstabulation of offense category by region of the state. Commitments from New York City are considerably more likely than are commitments from Suburban New York City or Upstate New York to have been convicted of a violent felony offense. Among commitments from the five New York City counties 71% have been convicted of a violent felony and 24% for a property/drug/other crime. Among Suburban NYC commitments 52% are violent felons and 41% are convicted for property/drug offenses. In Upstate counties 46% of commitments are for violent felonies and 46% are for property/drug/other felonies.

TABLE 8D

AGE BY REGION OF THE STATE

AGE2		REGION			ROW TOTAL			
		COUNT ROW PCT	IN NEW YORK COL PCT	SUBURBAN CITY	UPSTATE NEW YORK			
		I	I	1.I	3.I			
16-20 YR	1.	1705	I	320	I	463	I	2488
		68.5	I	12.9	I	18.6	I	23.9
		24.3	I	22.6	I	23.4	I	
21-24 YR	2.	1671	I	360	I	524	I	2555
		65.4	I	14.1	I	20.5	I	24.6
		23.8	I	25.4	I	26.4	I	
25-29 YR	3.	1534	I	290	I	437	I	2261
		67.8	I	12.8	I	19.3	I	21.7
		21.9	I	20.5	I	22.0	I	
30 AND OVER	4.	2097	I	446	I	558	I	3101
		67.6	I	14.4	I	18.0	I	29.8
		29.9	I	31.5	I	28.2	I	
	COLUMN	7007		1416		1982		10405
	TOTAL	67.3		13.6		19.0		100.0

NUMBER OF MISSING OBSERVATIONS = 1

Table 8D presents the distribution of age groups for each region of the state. Overall, there is very little difference in the percent of commitments in each age category according to different regions of the state.

TABLE 8E

PRIOR ADULT RECORD BY REGION OF THE STATE
1982 COMMITMENTS

ADULTREC	REGION				ROW TOTAL
	COUNT	IN NEW YORK	SUBURBAN	UPSTATE	
	ROW PCT	CITY	NEW YORK	NEW YORK	
NO PRIOR CONVICT	1.	1677	I 347	I 429	I 2453
	I 68.4	I 14.1	I 17.5	I 23.6	
	I 23.9	I 24.5	I 21.6	I	
PRIOR CONVICTION	2.	1234	I 239	I 320	I 1793
	I 68.8	I 13.3	I 17.8	I 17.2	
	I 17.6	I 16.9	I 16.1	I	
PRIOR JAIL	3.	2214	I 510	I 677	I 3401
	I 65.1	I 15.0	I 19.9	I 32.7	
	I 31.6	I 36.0	I 34.2	I	
PRIOR PRISON	4.	1882	I 320	I 556	I 2758
	I 68.2	I 11.6	I 20.2	I 26.5	
	I 26.9	I 22.6	I 28.1	I	
	COLUMN	7007	1416	1982	10405
	TOTAL	67.3	13.6	19.0	100.0

NUMBER OF MISSING OBSERVATIONS = 1

Table 8E presents a crosstabulation of prior adult record by region of the state. There are no large differences in the proportion of commitments in each prior adult record category according to region of the state. For instance, among commitments from New York City 27% have served a prior state or federal prison term, 23% of Suburban NYC commitments have a prior prison term and 28% of commitments from the remaining Upstate New York counties have served a prior state or federal prison term.

TABLE 8F

FIRST OR SECOND FELONY OFFENDER STATUS BY REGION^{a/}

SECFEL	REGION				ROW TOTAL
	COUNT	IN NEW YORK	SUBURBAN	UPSTATE	
	COL PCT	CITY	NEW YORK	NEW YORK	
FIRST FELONY	1.	I 4487	I 869	I 1153	I 6509
	I 68.9	I 13.4	I 17.7	I 62.6	
	I 64.0	I 61.4	I 58.2	I	
SECOND FELONY	2.	I 2520	I 547	I 829	I 3896
	I 64.7	I 14.0	I 21.3	I 37.4	
	I 36.0	I 38.6	I 41.8	I	
	COLUMN	7007	1416	1982	10405
	TOTAL	67.3	13.6	19.0	100.0

NUMBER OF MISSING OBSERVATIONS = 1

^{a/}Less than one percent of commitments to state prison receive sentences as Persistent Felony offenders. These cases have been grouped with those commitments sentenced as Second Felony offenders.

Another indicator of the prior record of persons committed to state prison is the percent of commitments sentenced under second felony offender statutes. In Table 8F we examine the percent of commitments from each region of the state that have been sentenced to state prison as a second felony offender. Table 8F shows that among commitments from the Upstate counties 42% have been sentenced as a second felony offender, among Suburban NYC commitments 39% and among commitments from New York City 36% are sentenced as second felony offenders. Commitments from the Upstate counties were somewhat more likely to be sentenced as second felony offenders than were commitments from New York City or the Suburban New York City counties.

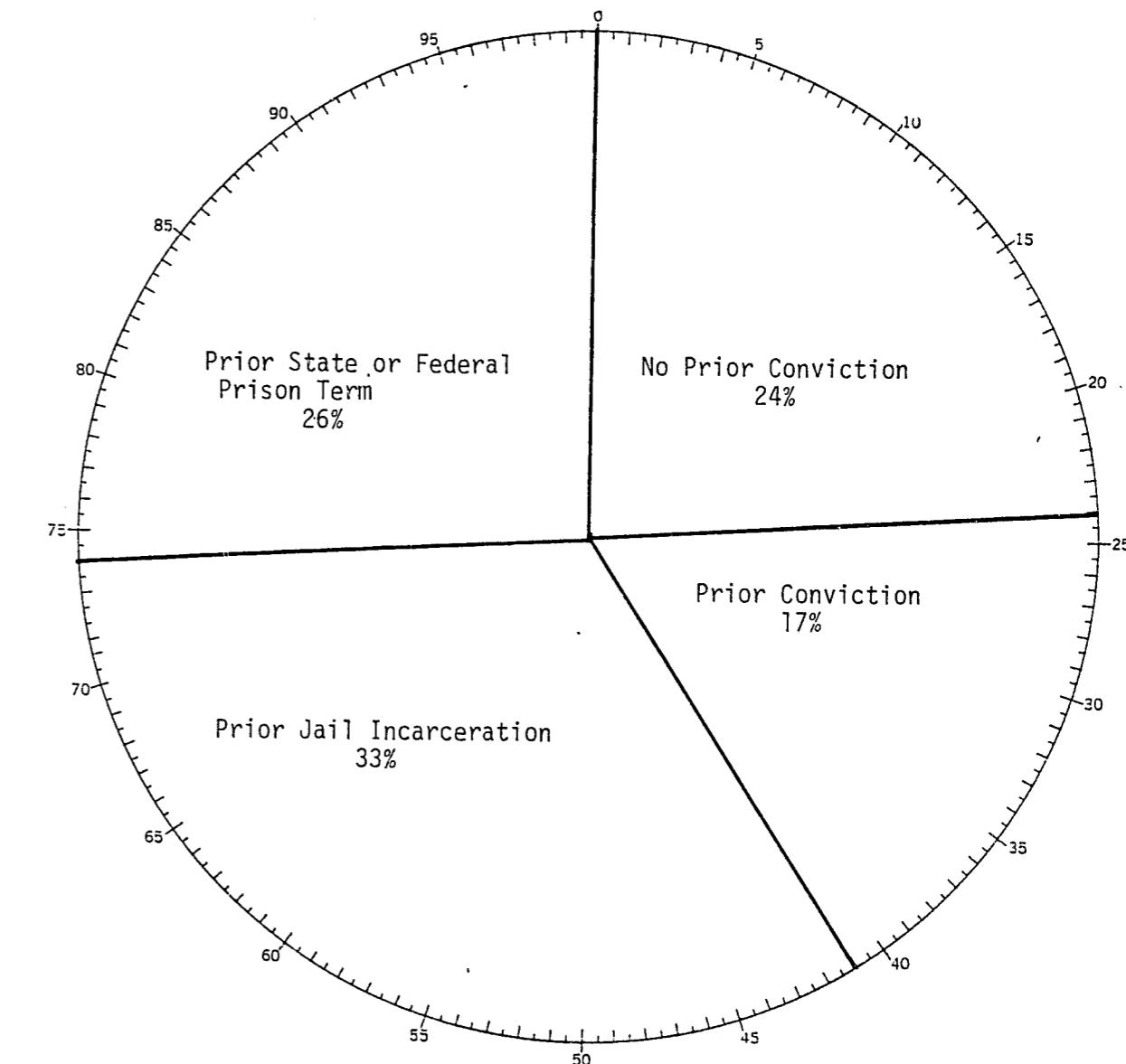
It should also be pointed out that some of those commitments in the first felony category in Table 8F have served prior state or federal prison terms. Persons convicted of Class A felony crimes are not sentenced under second felony offender provisions even though they may have a prior felony conviction and/or a prior prison term. In addition, a portion of those in the first felony category have served a prior state prison term under Youthful Offender status.

TABLE 8G
REGION BY YEAR, 1978-1982

REGION	COUNT	YEAR					ROW TOTAL
		1978	1979	1980	1981	1982	
		COL PCT	1.I	2.I	3.I	4.I	5.I
NEW YORK CITY	1.	4597	4801	5115	6912	7007	28432 65.4
	I	16.2	16.9	18.0	24.3	24.6	
	I	63.7	63.3	64.3	67.0	67.3	
SUBURBAN NEW YORK	2.	956	915	1043	1356	1416	5686 13.1
	I	16.8	16.1	18.3	23.8	24.9	
	I	13.2	12.1	13.1	13.1	13.6	
UPSTATE NEW YORK	3.	1669	1870	1797	2046	1982	9364 21.5
	I	17.8	20.0	19.2	21.8	21.2	
	I	23.1	24.7	22.6	19.8	19.0	
COLUMN TOTAL		7222	7586	7955	10314	10405	43482 100.0
		16.6	17.4	18.3	23.7	23.9	

The figures in Table 8G show that commitments from New York City make up a slightly larger proportion of total commitments in 1981 and 1982 and commitments from the Upstate counties decline slightly as a proportion of total commitments in 1981 and 1982. During 1978-1980 NYC commitments make up 64% of total commitments and this figure rises to 67% during 1981 and 1982. Correspondingly, commitments from the Upstate counties decline from approximately 23% of total commitments in 1978-80 to approximately 19% during 1981 and 1982. While the proportion of commitments has fluctuated by region, it is still true that the number of commitments received by DOCS from each region has increased in 1981 and 1982 when compared with the number of commitments in 1978-1980.

FIGURE 9
PRIOR ADULT CRIMINAL RECORD



^{A/}Information on prior record was missing for 1 case.

Prior Adult Criminal Record	Number	Percent
TOTAL	10,405 ^{A/}	100%
No Prior Adult Conviction	2,453	24%
Prior Conviction	1,793	17%
Prior Jail Incarceration	3,401	33%
Prior State or Federal Prison Term	2,758	26%

TABLE 9A Crime Type by Prior Record

	COUNT	ROW PCT	INO	PRIOR	PRIOR CO	PRIOR JAIL	PRIOR PRISON	ROW TOTAL
	COL PCT	I	CONVICT	NVICTION	JAIL	3. I	4. I	
	I	1. I	2. I	3. I	4. I			
CRIME2								
1.	184	1	98	1	110	1	115	507
MURDER	36.3	I	19.3	I	21.7	I	22.7	4.9
	7.5	I	5.5	I	3.2	I	4.2	
2.	160	I	91	I	76	I	65	392
MANSLAUGHTER 1ST	40.8	I	23.2	I	19.4	I	16.6	3.8
	6.5	I	5.1	I	2.2	I	2.4	
3.	72	I	46	I	60	I	42	220
RAPE 1ST	32.7	I	20.9	I	27.3	I	19.1	2.1
	2.9	I	2.6	I	1.8	I	1.5	
4.	562	I	360	I	527	I	421	1870
ROBBERY 1ST	30.1	I	19.3	I	28.2	I	22.5	18.0
	22.9	I	20.1	I	15.5	I	15.3	
5.	348	I	283	I	562	I	315	1508
ROBBERY 2ND	23.1	I	18.8	I	37.3	I	20.9	14.5
	14.2	I	15.8	I	16.5	I	11.4	
6.	61	I	32	I	43	I	32	168
ASSAULT 1ST	36.3	I	19.0	I	25.6	I	19.0	1.6
	2.5	I	1.8	I	1.3	I	1.2	
7.	43	I	28	I	62	I	41	174
ASSAULT 2ND	24.7	I	16.1	I	35.6	I	23.6	1.7
	1.8	I	1.6	I	1.8	I	1.5	
8.	25	I	10	I	35	I	24	94
BURGLARY 1ST	26.6	I	10.6	I	37.2	I	25.5	0.9
	1.0	I	0.6	I	1.0	I	0.9	
9.	95	I	119	I	375	I	268	857
BURGLARY 2ND	11.1	I	13.9	I	43.8	I	31.3	8.2
	3.9	I	6.6	I	11.0	I	9.7	
10.	23	I	16	I	19	I	6	64
ARSON 2ND	35.9	I	25.0	I	29.7	I	9.4	0.6
	0.9	I	0.9	I	0.6	I	0.2	
11.	32	I	20	I	13	I	13	83
SODOMY 1ST	38.6	I	24.1	I	15.7	I	21.7	0.8
	1.3	I	1.1	I	0.4	I	0.7	
12.	20	I	12	I	29	I	8	69
SEXUAL ABUSE 1ST	29.0	I	17.4	I	42.0	I	11.6	0.7
	0.8	I	0.7	I	0.9	I	0.3	
13.	83	I	97	I	156	I	251	587
DANGEROUS WEAPON	14.1	I	16.5	I	26.6	I	42.8	5.6
	3.4	I	5.4	I	4.6	I	9.1	
14.	7	I	5	I	3	I	7	22
KIDNAPPING	31.8	I	22.7	I	13.6	I	31.8	0.2
	0.3	I	0.3	I	0.1	I	0.3	
15.	39	I	15	I	12	I	5	71
MANSLAUGHTER 2ND	54.9	I	21.1	I	16.9	I	7.0	0.7
	1.6	I	0.8	I	0.4	I	0.2	
16.	9	I	9	I	3	I	6	27
NEGLIGENT HOMICI	33.3	I	33.3	I	11.1	I	22.2	0.3
	0.4	I	0.5	I	0.1	I	0.2	
17.	5	I	6	I	5	I	4	18
RAPE 2ND AND 3RD	27.8	I	22.2	I	27.8	I	22.2	0.2
	0.2	I	0.2	I	0.1	I	0.1	
18.	12	I	21	I	91	I	74	198
ROBBERY 3RD	6.1	I	10.6	I	46.0	I	37.4	1.9
	0.5	I	1.2	I	2.7	I	2.7	
19.	4	I	7	I	21	I	31	63
ATT ASSAULT 2ND	6.3	I	11.1	I	33.3	I	49.2	0.6
	0.2	I	0.4	I	0.6	I	1.1	
20.	49	I	91	I	449	I	367	956
BURGLARY 3RD	5.1	I	9.5	I	47.0	I	38.4	9.2
	2.0	I	5.1	I	13.2	I	13.3	
21.	55	I	46	I	106	I	105	312
GRAND LARCENY	17.6	I	14.7	I	34.0	I	33.7	3.0
	2.2	I	2.6	I	3.1	I	3.8	
22.	321	I	240	I	337	I	345	1243
DRUGS	25.8	I	19.3	I	27.1	I	27.8	11.9
	13.1	I	13.4	I	9.9	I	12.5	
23.	16	I	26	I	67	I	55	164
FORGERY	9.8	I	15.9	I	40.9	I	33.5	1.6
	0.7	I	1.5	I	2.0	I	2.0	
24.	85	I	69	I	166	I	153	473
ALL OTHER FELONI	18.0	I	14.6	I	35.1	I	32.3	4.5
	3.5	I	3.8	I	4.9	I	5.5	
25.	143	I	48	I	74	I	0	265
YOUTHFUL OFFENDR	54.0	I	18.1	I	27.9	I	0	2.5
	5.8	I	2.7	I	2.2	I	0	
COLUMN TOTAL	2453	I	1793	I	3401	I	2758	10405
ROW TOTAL	23.6	I	17.2	I	32.7	I	26.5	100.0

NUMBER OF MISSING OBSERVATIONS = 1

9. Prior Adult Criminal Record

Figure 9 presents a graphic display of the prior adult criminal record of those committed to DOCS during 1982. Roughly one fourth (24%) of 1982 commitments had no prior adult conviction. Another 17% has been convicted and received a sentence of probation, a monetary fine, or some other type of non-incarcerative sentence. Thirty-three percent had a prior conviction for which some part or all of the sentence included a jail term in a local penal facility. Finally, 26% of those committed during 1982 had served a prior prison term in a state or federal institution.

Table 9A contains a crosstabulation of commitment offense type by prior adult criminal record.

Table 9B below presents a crosstabulation of offense type in general categories by prior adult record. Those commitments who have served a prior jail term or a prior prison term are somewhat more likely to have been convicted of a property/drug/other felony and less likely to have been convicted of a violent felony crime than are those commitments with no prior conviction or a prior conviction not involving a jail or prison term. For instance, among those commitments who have served a prior prison term 58% are committed for a violent felony and 37% for a property/drug crime. Among those commitments with no prior adult conviction 70% are convicted of a violent felony and 21% for a property/drug crime.

TABLE 9B**CRIME TYPE BY PRIOR ADULT CRIMINAL RECORD**

	ADULTREC	COUNT	ROW PCT	INO	PRIOR	PRIOR CO	PRIOR JAIL	PRIOR PRISON	ROW TOTAL
		COL PCT	I	CONVICT	NVICTION	JAIL	PRISON		
	I	1. I	2. I	3. I	4. I				
CRIME3									
1.	1715	I	1217	I	2070	I	1613	I	6615
VIOLENT FELONY	25.9	I	18.4	I	31.3	I	24.4	I	63.6
	69.9	I	67.9	I	60.9	I	58.5	I	
2.	69	I	56	I	132	I	120	I	377
OTHER COERCIVE	18.3	I	14.9	I	35.0	I	31.3	I	3.6
	2.8	I	3.1	I	3.9	I	4.4	I	
3.	526	I	472	I	1125	I	1025	I	3148
PROPERTY DRUG OTH	16.7	I	15.0	I	35.7	I	32.6	I	30.3
	21.4	I	26.3	I	33.1	I	37.2	I	
4.	143	I	48	I	74	I	0	I	265
YOUTHFUL OFFENDR</td									

TABLE 9C

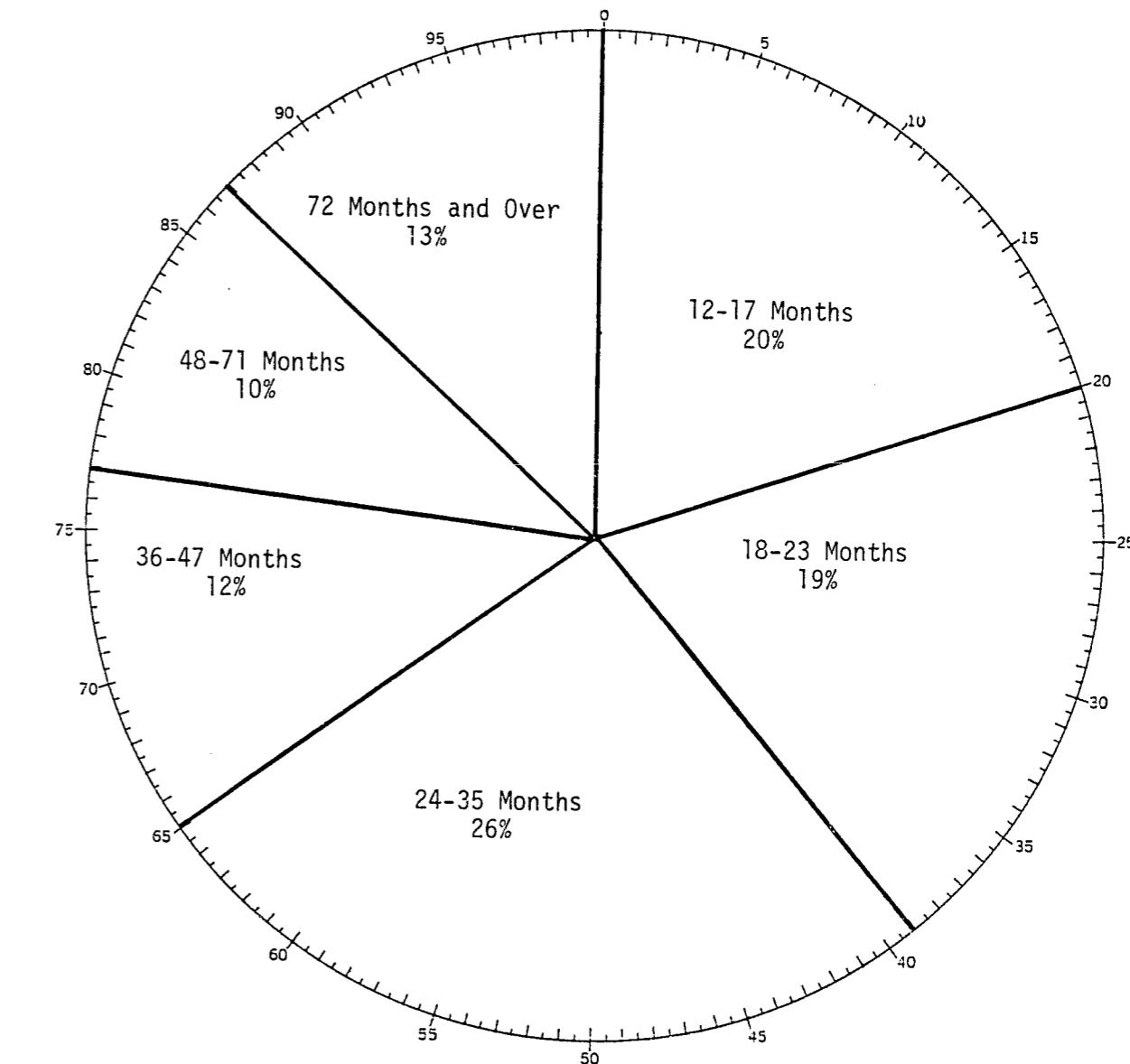
PRIOR CRIMINAL RECORD BY YEAR, 1978-1982

ADULTREC	YEAR	COUNT ROW PCT	1978 1979 1980 1981 1982					ROW TOTAL				
			COL PCT	1.I	2.I	3.I	4.I	5.I				
			I	I	I	I	I	I				
NO PRIOR CONVICT	1.	1866	I	1927	I	2008	I	2396	I	2453	I	10650
		17.5	I	18.1	I	18.9	I	22.5	I	23.0	I	24.5
		26.0	I	25.4	I	25.2	I	23.2	I	23.6	I	
PRIOR CONVICTION	2.	1002	I	1183	I	1392	I	1805	I	1793	I	7175
		14.0	I	16.5	I	19.4	I	25.2	I	25.0	I	16.5
		14.0	I	15.6	I	17.5	I	17.5	I	17.2	I	
PRIOR JAIL	3.	2150	I	2396	I	2419	I	3252	I	3401	I	13618
		15.8	I	17.6	I	17.8	I	23.9	I	25.0	I	31.4
		30.0	I	31.6	I	30.4	I	31.5	I	32.7	I	
PRIOR PRISON	4.	2154	I	2079	I	2136	I	2861	I	2758	I	11988
		18.0	I	17.3	I	17.8	I	23.9	I	23.0	I	27.6
		30.0	I	27.4	I	26.9	I	27.7	I	26.5	I	
COLUMN TOTAL		7172		7585		7955		10314		10405		43431
		16.5		17.5		18.3		23.7		24.0		100.0

Examining the column percentages in Table 9C indicates that the proportion of commitments in each prior criminal record category is relatively unchanged for the commitment years 1978 through 1982.

FIGURE 10

MINIMUM SENTENCES OF 1982 COMMITMENTS



A/Information on minimum sentence was missing for 2 cases.

Minimum Sentence in Months	Number	Percent
TOTAL	10,404A/	100%
12-17 Months	2,012	20%
18-23 Months	2,004	19%
24-35 Months	2,685	26%
36-47 Months	1,274	12%
48-71 Months	1,052	10%
72 Months and over	1,377	13%

TABLE 10A Crime Type by Minimum Sentence

	COUNT	MINSEN	12-17	18-23	24-35	36-47	48-71	72-119	120-179	180-239	240 PLUS	UNSPECIF	IED MIN	ROW TOTAL
	ROW PCT	COL PCT	MONTHS	MONTHS	MONTHS	MONTHS	MONTHS	ROW TOTAL						
CRIME2			1. I	2. I	3. I	4. I	5. I	6. I	7. I	8. I	9. I	10. I		
MURDER	1.	0	0	19	17	27	36	19	125	263	0	0	506	
	0.	0.	0.	3.8	3.4	5.3	7.1	3.8	24.7	52.0	0.	0.	4.9	
	0.	0.	0.7	1.3	2.6	5.4	10.6	71.8	93.6	0.	0.	0.		
MANSLAUGHTER 1ST	2.	1	17	50	61	107	131	24	0	0	0	1	392	
	0.3	4.3	12.8	15.6	27.3	33.4	6.1	0.	0.	0.	0.	0.3	3.8	
	0.0	0.8	1.9	4.8	10.2	19.6	13.3	0.	0.	0.	0.	1.3		
RAPE 1ST	3.	0	12	36	39	51	57	22	2	1	1	0	220	
	0.	5.5	16.4	17.7	23.2	25.9	10.0	0.9	0.5	0.5	0.	0.	2.1	
	0.	0.6	1.3	3.1	4.8	8.5	12.2	1.1	0.4	0.4	0.	0.		
ROBBERY 1ST	4.	9	306	540	290	356	261	89	8	7	4	4	1870	
	0.5	16.4	28.9	15.5	19.0	14.0	4.8	0.4	0.4	0.2	0.	0.2	18.0	
	0.4	15.3	20.1	22.8	33.8	39.1	40.4	4.6	2.5	5.3				
ROBBERY 2ND	5.	278	424	416	181	160	39	3	2	0	0	5	1508	
	18.4	25.1	27.6	12.0	10.6	2.6	0.2	0.1	0.	0.	0.3	0.3	14.5	
	13.8	21.2	15.5	14.2	15.2	5.8	1.7	1.1	0.	0.	6.7			
ASSAULT 1ST	6.	16	43	37	31	27	10	0	0	1	1	3	168	
	9.5	25.6	22.0	18.5	16.1	6.0	0.	0.	0.6	1.8		1.6		
	0.8	2.1	1.4	2.4	1.5	0.	0.	0.	0.4	4.0				
ASSAULT 2ND	7.	58	25	66	23	0	0	0	0	0	0	2	174	
	33.3	14.4	37.9	13.2	0.	0.	0.	0.	0.	0.	1.1	1.1	1.7	
	2.9	1.2	2.5	1.8	0.	0.	0.	0.	0.	0.	2.7			
BURGLARY 1ST	8.	1	6	19	21	23	16	7	1	0	0	0	94	
	1.1	6.4	20.2	22.3	24.5	17.0	7.4	1.1	0.	0.	0.	0.	0.9	
	0.0	0.3	0.7	1.6	2.2	2.4	3.9	0.6	0.	0.				
BURGLARY 2ND	9.	149	159	271	181	79	11	0	4	1	1	2	857	
	17.6	18.6	31.6	21.1	9.2	1.3	0.	0.5	0.1	0.2		0.2	8.2	
	7.4	7.9	10.1	14.2	7.5	1.6	0.	2.3	0.4	2.7				
ARSON 2ND	10.	1	22	22	4	9	4	1	0	0	1	1	64	
	1.6	34.4	34.4	6.3	14.1	6.3	1.6	0.	0.	1.6		0.6		
	0.0	1.1	0.8	0.3	0.9	0.6	0.	0.	0.	1.3				
SODOMY 1ST	11.	0	9	18	17	18	15	6	0	0	0	0	83	
	0.	10.8	21.7	20.5	21.7	18.1	7.2	0.	0.	0.	0.	0.	0.8	
	0.	0.4	0.7	1.3	1.7	2.2	3.3	0.	0.	0.				
SEXUAL ABUSE 1ST	12.	19	8	35	6	0	1	1	0	0	0	0	69	
	27.5	11.6	50.7	8.7	0.	1.4	0.	0.	0.	0.	0.	0.	0.7	
	0.9	0.4	1.3	0.5	0.	0.1	0.	0.	0.	0.				
DANGEROUS WEAPON	13.	110	135	232	72	21	10	1	1	0	0	5	587	
	18.7	23.0	39.5	12.3	3.6	1.7	0.2	0.2	0.	0.	0.9	5.6		
	5.5	6.7	8.6	5.7	2.0	1.5	0.6	0.6	0.	0.	6.7			
KIDNAPPING	14.	0	2	3	1	7	4	2	0	3	0	0	22	
	0.	9.1	13.6	4.5	51.8	18.2	9.1	0.	13.6	0.	0.	0.2		
	0.	0.1	0.1	0.1	0.7	1.1	0.	1.1	0.					
MANSLAUGHTER 2ND	15.	16	6	13	12	17	3	0	0	0	0	4	71	
	22.5	8.5	18.3	16.9	23.9	4.2	0.	0.	0.	0.	5.6	0.7		
	0.8	0.3	0.5	0.9	1.6	0.4	0.	0.	0.	0.	5.3			
NEGLECTFUL HOMICIDE	16.	13	4	6	0	0	0	0	0	0	0	4	27	
	48.1	14.8	22.2	0.	0.	0.	0.	0.	0.	0.	0.	0.3		
	0.6	0.2	0.2	0.	0.	0.	0.	0.	0.	0.	0.	0.3		
RAPE 2ND AND 3RD	17.	9	5	4	0	0	0	0	0	0	0	0	18	
	50.0	27.8	22.2	0.	0.	0.	0.	0.	0.	0.	0.	0.2		
	0.4	0.2	0.1	0.	0.	0.	0.	0.	0.	0.	0.	0.		
ROBBERY 3RD	18.	57	69	59	11	0	0	0	0	0	0	2	198	
	28.8	34.8	29.8	5.6	0.	0.	0.	0.	0.	0.	1.0	1.9		
	2.8	3.4	2.2	0.9	0.	0.	0.	0.	0.	0.	2.7			
ATT ASSAULT 2ND	19.	14	62	7	0	0	0	0	0	0	0	0	63	
	22.2	66.7	11.1	0.	0.	0.	0.	0.	0.	0.	0.	0.	0.6	
	0.7	2.1	0.3	0.	0.	0.	0.	0.	0.	0.	0.	0.		
BURGLARY 3RD	20.	273	281	313	78	0	1	0	1	1	1	8	956	
	28.6	29.4	32.7	8.2	0.	0.1	0.	0.1	0.1	0.1	0.1	0.8	9.2	
	13.6	14.0	11.7	6.1	0.	0.	0.	0.	0.6	0.4	0.4	10.7		
GRAND LARCENY	21.	99	128	70	7	1	0	0	0	0	0	7	312	
	31.7	41.0	22.4	2.2	0.3	0.	0.	0.	0.	0.	0.	2.2	3.0	
	4.9	6.4	2.6	0.5	0.1	0.	0.	0.	0.	0.	0.	9.3		
DRUGS	22.	423	94	294	192	134	62	5	30	4	5	1243		
	34.0	7.6	23.7	15.4	10.8	5.0	0.4	2.4	0.3	0.4	0.4	11.9		
	21.0	4.7	10.9	15.1	12.7</									

property/drug crimes are more likely than violent felony commitments to receive minimum sentences that fall into the shorter minimum term categories. Thirty two percent of property/drug/other commitments received minimum terms of 12-17 months as compared with 10% of violent felony commitments. Another 23% of property/drug commitments received minimum terms of 18-23 months as compared to 18% for violent felony commitments. Those persons committed for crimes that involve some element of coercion but are not classified by the legislature as violent felony crimes are also more likely than violent felony commitments to receive minimum terms that fall in the 12-17 month or 18-23 month range. In general, those persons committed to DOCS for crimes that involve personal injury or weapon use receive minimum sentences that are longer than those received by those committed for other types of crime. It should be pointed out that due to new laws enacted by the legislature in 1978 and in 1980 the sentencing judge is required, for a large percent of those committed to DOCS for a first felony offense, to set the minimum period of imprisonment at one-third the maximum term (for Class B and Class C violent felony offenders) or at some point between one year and one-third the maximum term. Most of those committed to DOCS as a first felony offender receive a minimum period of imprisonment that is set at one-third of the maximum. For most second felony offenders the judge is required to set the minimum period of imprisonment at one-half the maximum term.

Felony criminal offenses in New York State are classified according to five felony class categories (Class A, B, C, D and E felony offenses). For each felony class category the legislature has enacted certain provisions which affect the length of the minimum term of imprisonment and which determine the range of maximum sentences available to the judge (see Article 70 New York State Penal Law). In addition to the felony class category that the offense falls into, the minimum period of imprisonment may differ depending on whether the defendant is a first, second, or persistent felony offender, and/or whether the defendant has been convicted of a legislatively designated violent felony offense. Defendants committed to state prison in New York receive a sentence which specifies both the minimum period of imprisonment and the maximum length of imprisonment. In general, the minimum-maximum sentence range is more severe for those defendants with a prior felony conviction and for those convicted of violent felony crimes.

For first felony offenders sentenced to state prison for a violent felony crime the judge must set (in most cases) the minimum period of imprisonment at one-third the maximum sentence. For first felony offenders sentenced to state prison for other (non-VFO) felony offenses the judge must fix the minimum period of imprisonment at some point between one-year and one-third the maximum term. For second felony offenders committed to state prison the judge must set the minimum period of imprisonment at one-half the maximum sentence. Article 70 of the Penal Law spells out the different sentencing provisions that pertain to armed felony offenders, first, second or persistent felony offenders, and violent felony offenders.

Because there are several factors that can affect the length of the minimum sentence we present the crosstabulation of felony class category by minimum sentence length for each of four different subgroups of the total commitment population. Table 10C presents the crosstabulation of felony class category by minimum sentence length for: (1) First felony offenders convicted of violent felony crimes, (2) First felony offenders convicted of all other felony crimes (3) Second felony offenders convicted of violent felony crimes and (4) Second felony offenders convicted of all other felony offenses. The right hand columns in Table 10C present for each felony class category within each of the four subgroups the median minimum sentence, the average minimum sentence and the percent of total commitments made up by the persons in each specific category. The distribution of minimum sentences as well as the median and average minimum sentence is presented for each of the four subgroups. The median and average minimum sentences for all first felony offenders, all second felony offenders and the total group of court commitments are also listed in Table 10C (see also the discussion and tables in the section on maximum sentence length).

Minimum Sentences Over the Period 1978-1982

In Table 10D we have listed for each year the percent of commitments that fell into each of several minimum sentence categories. In the year 1978 and in the commitment year immediately preceding 1978, approximately two thirds of all first felony commitments (or 45% of total commitments) received a sentence in which the minimum term was left unspecified by the sentencing court judge. For these cases the minimum period of imprisonment was subsequently set by the Board of Parole at a Minimum Period of Imprisonment Hearing. For those persons sentenced for Class A felony crimes or for those sentenced as second or persistent felony offenders the judge is required by law to set a minimum term and specify it in the sentence. Effective September 1, 1978 the legislature required that for those first felony offenders convicted of a Class B or Class C designated violent felony offense the sentencing court judge must fix the minimum period of imprisonment at one-third the maximum term. In subsequent legislation (effective September 1, 1980) the legislature required that for all other felony offenders (i.e. those who are not violent felony offenders, and not second or persistent felony offenders) receiving an indeterminate

Table 10C
Felony Crime Class by Minimum Sentence Length for
First or Second Felony Commitments and for Violent or Other Felony Offenses

1. First Felony Commitments for Violent Felony Offenses

CRCLASS2	COUNT	ROW PCT	MINSEN										ROW TOTAL	Median Minimum (in Months)	Average Minimum (in Months)	Percent of Total Commitments		
			1.12-17 MONTHS	1.18-23 MONTHS	2.1.24-35 MONTHS	3.1.36-47 MONTHS	4.1.48-71 MONTHS	5.1.72-119 MONTHS	6.1.120-179 MONTHS	7.1.180-239 MONTHS	8.1.240 PLUS UNSPECIF	9.1.IED MIN						
CLASS A FELONY	3.	0.0	0	0	0	0	0	2	0	125	262	0	389	242.0	249.2	3.8%		
CLASS B VFO	4.	0.6	0	0	0	0	0	0.5	0	32.1	67.4	0	8.7	1492	33.3	36.2	44.6	14.3%
CLASS C VFO	5.	1.4	0	0	0	0	0	0.8	0	100.0	100.0	0	1.4	38.3	18.1	24.3	16.4%	
CLASS D VFO	6.	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	868	19.4	12.1	15.5	8.3%
CLASS E VFO	7.	2.3	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	16	0.4	12.5	13.6	.2%
COLUMN TOTAL			641	1874	1138	518	444	249	5	125	262	23	4479	100.0	24.0	48.9	43.1%	

2. First Felony Commitments for Other Felony Offenses

CRCLASS	COUNT	ROW PCT	MINSEN										ROW TOTAL	Median Minimum (in Months)	Average Minimum (in Months)	Percent of Total Commitments	
			1.12-17 MONTHS	1.18-23 MONTHS	2.1.24-35 MONTHS	3.1.36-47 MONTHS	4.1.48-71 MONTHS	5.1.72-119 MONTHS	6.1.120-179 MONTHS	7.1.180-239 MONTHS	8.1.240 PLUS UNSPECIF	9.1.IED MIN					
CLASS A FELONY	3.	11.6	30	6	6	98	49	37	29	3	0	0	258	12.7	36.8	60.8	2.5%
CLASS B FELONY	4.	19.5	267	26	49	16	13	10	0	0	0	0	381	18.8	12.5	18.6	3.7%
CLASS C FELONY	5.	7.4	101	28	36	23	20	0	0	0	0	0	214	10.5	18.0	22.8	2.0%
CLASS D FELONY	6.	28.3	388	51	103	0	1	0	0	0	0	0	559	27.6	12.1	16.0	5.4%
CLASS E FELONY	7.	24.5	335	3	0	0	0	0	0	0	0	0	352	17.3	12.1	13.0	3.4%
YOUTHFUL OFFENDR	8.	18.2	249	0	0	0	0	0	0	0	0	0	265	13.1	12.7	13.6	2.5%
COLUMN TOTAL			1370	114	194	137	83	47	29	3	52	100.0	2029	12.0	22.1	19.5%	

Total First Felony (N = 6508) 24.0 40.6 62.6%

Because there are several factors that can affect the length of the minimum sentence we present the crosstabulation of felony class category by minimum sentence length for each of four different subgroups of the total commitment population. Table 10C presents the crosstabulation of felony class category by minimum sentence length for: (1) First felony offenders convicted of violent felony crimes, (2) First felony offenders convicted of all other felony crimes (3) Second felony offenders convicted of violent felony crimes and (4) Second felony offenders convicted of all other felony offenses. The right hand columns in Table 10C present for each felony class category within each of the four subgroups the median minimum sentence, the average minimum sentence and the percent of total commitments made up by the persons in each specific category. The distribution of minimum sentences as well as the median and average minimum sentence is presented for each of the four subgroups. The median and average minimum sentences for all first felony offenders, all second felony offenders and the total group of court commitments are also listed in Table 10C (see also the discussion and tables in the section on maximum sentence length).

Minimum Sentences Over the Period 1978-1982

In Table 10D we have listed for each year the percent of commitments that fell into each of several minimum sentence categories. In the year 1978 and in the commitment year immediately preceding 1978, approximately two thirds of all first felony commitments (or 45% of total commitments) received a sentence in which the minimum term was left unspecified by the sentencing court judge. For these cases the minimum period of imprisonment was subsequently set by the Board of Parole at a Minimum Period of Imprisonment Hearing. For those persons sentenced for Class A felony crimes or for those sentenced as second or persistent felony offenders the judge is required by law to set a minimum term and specify it in the sentence. Effective September 1, 1978 the legislature required that for those first felony offenders convicted of a Class B or Class C designated violent felony offense the sentencing court judge must fix the minimum period of imprisonment at one-third the maximum term. In subsequent legislation (effective September 1, 1980) the legislature required that for all other felony offenders (i.e. those who are not violent felony offenders, and not second or persistent felony offenders) receiving an indeterminate

Table 10C - (Continued)

Median
Minimum
(in
Months)
Average
Minimum
(in
Months)
Percent of
Total
Commitments

3. Second Felony Commitments for Violent Felony Offenses

CRCLASS2	COUNT	MINSEN									ROW TOTAL
		1.1	2.1	3.1	4.1	5.1	6.1	7.1	8.1	9.1	
		ROW PCT	12-17 MONTHS	18-23 MONTHS	24-35 MONTHS	36-47 MONTHS	48-71 MONTHS	72-119 MONTHS	120-179 MONTHS	180-239 MONTHS	240 PLUS
3. CLASS A FELONY	3.	0	0	0	0	0	0	0	0	1	2
4. CLASS B VFO	4.	0	0	0	3	2	142	254	163	11	586
5. CLASS C VFO	5.	0	0	0	6	280	299	89	5	6	687
6. CLASS D VFO	6.	1	4	563	144	0	3	0	1	0	716
7. CLASS E VFO	7.	0.1	0.6	78.6	20.1	0.	0.4	0.	0.1	0.	33.5
	COLUMN TOTAL	0.0	4.3	89.9	33.8	0.	0.9	0.	5.6	0.	100.0
		0.0	4.4	29.3	20.0	20.7	16.2	7.9	0.8	0.7	100.0
											41.7
											54.9
											20.5%

-49B-

4. Second Felony Commitments for Other Felony Offenses

CRCLASS	COUNT	MINSEN									ROW TOTAL
		2.1	3.1	4.1	5.1	6.1	7.1	8.1	9.1		
		ROW PCT	18-23 MONTHS	24-35 MONTHS	36-47 MONTHS	48-71 MONTHS	72-119 MONTHS	120-179 MONTHS	180-239 MONTHS	240 PLUS	
3. CLASS A FELONY	3.	0	0	0	1	4	0	0	1	6	75.0
4. CLASS B FELONY	4.	0	3	2	62	13	6	1	0	87	54.6
5. CLASS C FELONY	5.	0	3.4	2.3	71.3	14.9	6.9	1.1	0.	4.9	64.9
6. CLASS D FELONY	6.	9	581	124	0	1	0	0	1	716	24.7
7. CLASS E FELONY	7.	1.3	81.1	17.3	0.	0.1	0.	0.	0.1	40.7	18.3
	COLUMN TOTAL	713	138	0	0	0	0	1	0	852	23.3
		41.0	41.3	11.0	84	1.4	0.3	0.1	0.1	100.0	26.5
											16.9%

Total Second Felony (N = 3896) 29.8 42.1 37.4%

Total Commitments (N = 10404) 24.0 41.1 100.0%

sentence the court must fix the minimum period of imprisonment at not less than one-year but not more than one-third the maximum term. One of the results of these legislative changes has been that nearly every defendant committed to state prison receives a sentence in which the minimum period of imprisonment as well as the maximum sentence is set by the judge. As is shown in Table 10D the percent of commitments received by DOCS with an unspecified minimum term has declined from 44% of total commitments in 1978 to .7% of total commitments in 1982.

TABLE 10D

MINIMUM SENTENCE LENGTH BY YEAR 1978-1982

	YEAR	COUNT	I	ROW PCT					COL PCT	I	1. I	2. I	3. I	4. I	5. I	ROW TOTAL
				1978	1979	1980	1981	1982								
MINTIME																
0.	UNSPECIFIED MIN	3194	I	2385	I	1418	I	344	I	76	I	7417				
		43.1	I	32.2	I	19.1	I	4.6	I	1.0	I	17.1				
		44.2	I	31.4	I	17.8	I	3.3	I	0.7	I					
12-17	MONTHS	367	I	510	I	832	I	2031	I	2012	I	5752				
		6.4	I	8.9	I	14.5	I	35.3	I	35.0	I	13.2				
		5.1	I	6.7	I	10.5	I	19.7	I	19.3	I					
18-23		816	I	1205	I	1434	I	1986	I	2004	I	7445				
		11.0	I	16.2	I	19.3	I	26.7	I	26.9	I	17.1				
		11.3	I	15.9	I	18.0	I	19.3	I	19.3	I					
24-35		990	I	1343	I	1794	I	2635	I	2685	I	9447				
		10.5	I	14.2	I	19.0	I	27.9	I	28.4	I	21.7				
		13.7	I	17.7	I	22.6	I	25.5	I	25.8	I					
36-47		603	I	732	I	881	I	1127	I	1274	I	4617				
		13.1	I	15.9	I	19.1	I	24.4	I	27.6	I	10.6				
		8.3	I	9.6	I	11.1	I	10.9	I	12.2	I					
48-71		519	I	589	I	716	I	972	I	1052	I	3848				
		13.5	I	15.3	I	18.6	I	25.3	I	27.3	I	8.8				
		7.2	I	7.8	I	9.0	I	9.4	I	10.1	I					
72-119		413	I	463	I	473	I	692	I	667	I	2708				
		15.3	I	17.1	I	17.5	I	25.6	I	24.6	I	6.2				
		5.7	I	6.1	I	5.9	I	6.7	I	6.4	I					
120-179		96	I	101	I	87	I	173	I	180	I	637				
		15.1	I	15.9	I	13.7	I	27.2	I	28.3	I	1.5				
		1.3	I	1.3	I	1.1	I	1.7	I	1.7	I					
180-239		100	I	119	I	136	I	147	I	174	I	676				
		14.8	I	17.6	I	20.1	I	21.7	I	25.7	I	1.6				
		1.4	I	1.6	I	1.7	I	1.4	I	1.7	I					
240-PLUS		124	I	139	I	134	I	207	I	281	I	935				
		13.3	I	14.9	I	19.7	I	22.1	I	30.1	I	2.2				
		1.7	I	1.8	I	2.3	I	2.0	I	2.7	I					
COLUMN		7222		7586		7955		10314		10405		43482				
TOTAL		16.6		17.4		18.3		23.7		23.9		100.0				

NUMBER OF MISSING OBSERVATIONS = 17

In order to get a better idea about any changes that may have occurred in minimum sentence length over the five year period 1978-1982 we have, for those cases that received an unspecified minimum term by the judge, employed the Minimum Period of Imprisonment set by Board of Parole as the minimum sentence. That is, for all those defendants committed to state prison with an unspecified minimum term the Board set MPI is used as the minimum term. Commitments received from 1978 through 1982 are then redistributed into several minimum sentence length categories. This information is presented in Table 10E.

TABLE 10E

MINIMUM SENTENCE LENGTH BY YEAR, 1978-1982

	YEAR	COUNT	I	ROW PCT					COL PCT	I	1. I	2. I	3. I	4. I	5. I	ROW TOTAL
				1978	1979	1980	1981	1982								
MINTIME3																
12-17	MONTHS	645	I	745	I	1001	I	2078	I	2024	I	6493				
		9.9	I	11.5	I	15.4	I	32.0	I	31.2	I	14.9				
		8.9	I	9.8	I	12.6	I	20.1	I	19.5	I					
18-23		2105	I	2323	I	2179	I	2184	I	2044	I	10835				
		19.4	I	21.4	I	20.1	I	20.2	I	18.9	I	24.9				
		29.1	I	30.6	I	27.4	I	21.2	I	19.6	I					
24-35		2147	I	2120	I	2233	I	2724	I	2704	I	11928				
		18.0	I	17.8	I	18.7	I	22.8	I	22.7	I	27.4				
		29.7	I	27.9	I	28.1	I	26.4	I	26.0	I					
36-47		908	I	922	I	931	I	1134	I	1279	I	5174				
		17.5	I	17.8	I	18.0	I	21.9	I	24.7	I	11.9				
		12.6	I	12.2	I	11.7	I	11.0	I	12.3	I					
48-71		672	I	651	I	729	I	975	I	1052	I	4079				
		16.5	I	16.0	I	17.9	I	23.9	I	25.8	I	9.4				
		9.3	I	8.6	I	9.2	I	9.5	I	10.1	I					
72-119		424	I	466	I	474	I	692	I	667	I	2723				
		15.6	I	17.1	I	17.4	I	25.4	I	24.5	I	6.3				
		5.9	I													

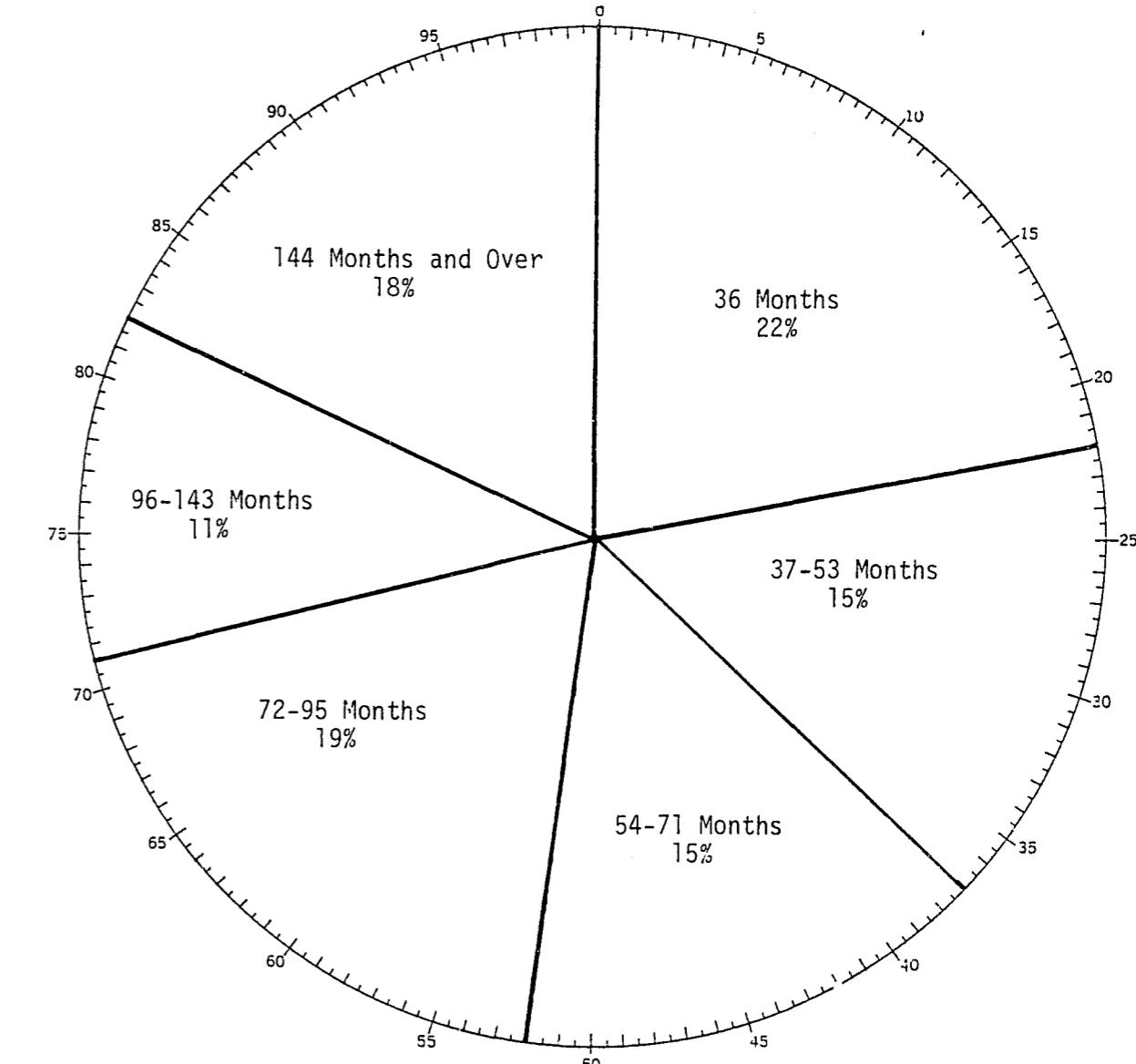
Table 10E shows that marked shifts have occurred over the last five years in the percentage of cases in certain minimum sentence categories. The percent of commitments with minimum sentences between 12 and 17 months increases from 9% among 1978 commitments to 20% among 1981 and 1982 commitments. The percent of commitments in the 18-23 month category declines from 29% in 1978 to 20% among 1982 commitments and the percent in the 24-35 month category declines from 30% in 1978 to 26% among 1982 commitments. At least for those commitments at the low end of the minimum sentence range (i.e. those with minimum terms that are less than 36 months) there has been a downward shift in the length of the minimum sentence over the five year period. Substantially more commitments have received minimum terms that are between 12-17 months and substantially fewer commitments have received minimum terms between 18 and 23 months or between 24 and 35 months during the years 1981 and 1982 as compared to the years 1978 to 1980.

In the legislation enacted in 1978 and in 1980 the Legislature restored to the sentencing court judge the decision to fix the minimum term of imprisonment for all defendants committed to state prison. However, these legislative changes restricted the discretion of the sentencing judge regarding the length of the minimum period of imprisonment. For first felony offenders committed to state prison for a Class B or Class C violent felony offense the minimum sentence must be set at one-third the maximum. For other first felony offenders (not including Class A felony offenders) the minimum period of imprisonment must be at least one year but cannot exceed one-third the maximum term. In a separate report^A we noted that those persons receiving an unspecified minimum term were more heavily concentrated among those with relatively short maximum sentences (e.g. 8 years or less). Consequently, a high proportion of those cases with relatively short maximum terms were affected by the legislation requiring judges to set the minimum sentence. We also noted that the Board of Parole tended to set the Minimum Period of Imprisonment at a figure that was somewhat longer than one-third of the maximum sentence. The increase in the percent of commitments with a minimum term of 12-17 months occurs in part because judges are now required to fix the minimum period of imprisonment for all commitments and because judges cannot set a minimum term (for first felony offender) that exceeds one-third of the maximum term. For those first felony offenders with maximum terms of 8 years or less judges are setting minimum terms (in accordance with new legislation) that are lower than the minimum period of imprisonment that was set by the Board of Parole. These factors account in some part for the increase in the percent of commitments in the 12-17 month category between 1978 and 1982.

^A/"Violent Felony commitments to the Department of Correctional Services 1976-1981" New York State Department of Correctional Services, State Campus, Albany, N.Y.

FIGURE 11

MAXIMUM SENTENCE
1982 COMMITMENTS



Maximum Sentence	Number	Percent
TOTAL	10,405A/	100%
36 Months	2,334	22%
37-53 Months	1,517	15%
54-71 Months	1,547	15%
72-95 Months	1,970	19%
96-143 Months	1,115	11%
144 Months and over	1,922	18%

A/ Missing information on 1 case.

TABLE 11A Crime Type by Maximum Sentence

11. Maximum Sentence of 1982 Commitments

A graphic display of the distribution of maximum sentences among 1982 commitments can be found in Figure 11. A more extensive percentage breakdown of the distribution of maximum sentences is contained in Tables 11A through 11C. Table 11A also provides a crosstabulation of commitment offense type by maximum sentence. The distribution of maximum sentences for each specific crime type can be obtained by examining the raw percentages in Table 11A.

Table 11B below presents a crosstabulation of maximum sentence length by commitment crime type in general categories. A relationship similar to that observed between crime type and minimum sentence occurs among maximum sentence categories as well. Defendants committed for property/drug/other felonies or committed for coercive crimes that are not designated violent

TABLE 11B

MAXIMUM SENTENCE BY GENERAL CRIME CATEGORY

CRIME3											
MAXSEN	COUNT	I	IVIOLENT	OTHER	PROPRTY	YOUTHFUL			ROW		
	ROW	PCT	IFELONY	COERCIVE	DRUG	OTH	OFFENDR		TOTAL		
	COL	PCT	I	2.I	3.I	4.I					
36 MOS	1.	I	617	I	174	I	1397	I	146	I	2334
		I	26.4	I	7.5	I	59.9	I	6.3	I	22.4
		I	9.3	I	46.2	I	44.4	I	55.1	I	
37-53 MONTHS	2.	I	516	I	94	I	788	I	119	I	1517
		I	34.0	I	6.2	I	51.9	I	7.8	I	14.6
		I	7.8	I	24.9	I	25.0	I	44.9	I	
54-71 MONTHS	3.	I	1310	I	32	I	205	I	0	I	1547
		I	84.7	I	2.1	I	13.3	I	0.	I	14.9
		I	19.8	I	8.5	I	6.5	I	0.	I	
72-95 MONTHS	4.	I	1567	I	44	I	359	I	0	I	1970
		I	79.5	I	2.2	I	18.2	I	0.	I	18.9
		I	23.7	I	11.7	I	11.4	I	0.	I	
96-107 MONTHS	5.	I	215	I	6	I	11	I	0	I	232
		I	92.7	I	2.6	I	4.7	I	0.	I	2.2
		I	3.3	I	1.6	I	0.3	I	0.	I	
108-143 MONTHS	6.	I	765	I	13	I	105	I	0	I	883
		I	86.6	I	1.5	I	11.9	I	0.	I	8.5
		I	11.6	I	3.4	I	3.3	I	0.	I	
144-179 MONTHS	7.	I	395	I	7	I	20	I	0	I	422
		I	93.6	I	1.7	I	4.7	I	0.	I	4.1
		I	6.0	I	1.9	I	0.6	I	0.	I	
180 AND OVER	8.	I	786	I	7	I	44	I	0	I	837
		I	93.9	I	0.8	I	5.3	I	0.	I	3.0
		I	11.9	I	1.9	I	1.4	I	0.	I	
LIFE MAX	9.	I	444	I	0	I	219	I	0	I	663
		I	67.0	I	0.	I	33.0	I	0.	I	6.4
		I	6.7	I	0.	I	7.0	I	0.	I	
		I		I		I		I		I	
	COLUMN		6015		377		3143		235		10405
	TOTAL		63.6		3.6		30.3		2.5		100.0

NUMBER OF MISSING OBSERVATIONS = 1

felony offenses tend to receive maximum terms that are shorter than those for violent felony offenders. Table 11B shows that 44% of property/drug commitments and 46% of commitments for other coercive offenses received maximum terms of 36 months. This compares with 9% of violent felony commitments that had maximum terms of 36 months. Twenty five percent of property/drug commitments and 25% of commitments for other coercive crimes had maximum terms that fell between 37 and 53 months. Among commitments for violent felony crime only 8% had maximum terms between 37 and 53 months. Not surprisingly, these defendants committed for violent felony crimes received more severe maximum terms than do commitments for other types of offenses.

Felony criminal offenses in New York State are classified according to five felony class categories. These are Class A, B, C, D and E felony offenses. In general, more serious crimes are classified as Class A, B or C felony crimes and less serious offenses fall into the Class D or E felony categories. For each felony class category the legislature has enacted certain provisions which affect the length of the minimum term of imprisonment and which determine the range of maximum sentences available for the judge. The sentence range available to the judge depends upon the felony class category of the crime, whether the defendant was a first or second felony offender and whether the crime was a designated violent felony offense. In New York State most persons committed to state prison receive an indeterminate sentence. That is, the maximum sentence is set by the judge within a certain legislatively prescribed range. The minimum period of imprisonment is also specified by the judge when the defendant is sentenced and is, for most cases, set (according to law) at one-third the maximum sentence for first felony offenders and one-half the maximum sentence for second felony offenders. The Board of Parole is authorized to release to parole supervision those defendants who have served the minimum period of imprisonment and who meet the requirements for parole set by the Board. Except for persons who have lost good time, all of those inmates still in custody when they have reached their conditional release date (a date set at two-thirds the maximum sentence) must be released to parole supervision.

As mentioned, the range of sentences available to the judge for each felony class category differs depending on whether the defendant is a first felony offender, a second felony offender or a persistent (three time) felony offender. Those persons with prior felony convictions are subject to more severe sentences. In addition, the 1978 laws which designated certain crimes as violent felony offenses also increased the range of minimum and maximum sentences for those sentenced to prison for Class B and Class C violent felony crimes (see New York Penal Law 70.02). The range of minimum and maximum sentences is, for instance, more severe for a Class B violent felony offender than it is for all other Class B felony offenders.

In Table 11C we have presented for commitments in each felony class category the distribution of maximum sentence terms. The crosstabulation of felony class category according to maximum sentence length is presented for each of four different subgroups of the total commitment population. These four subgroups are (1)First felony offenders convicted of violent felony crimes, (2)First felony offenders convicted of all other felony crimes (3)Second felony offenders convicted of violent felony crimes^A/ and (4)Second felony offenders convicted of all other felony crimes. The right hand columns in Table 11C present, for each felony class category within each of the four subgroups, the median maximum sentence^B/, the average maximum sentence and the percent of total commitments made up by the persons in the category. The distribution of maximum sentences as well as the median and average maximum sentence is presented for each subgroup. The median and average maximum sentences for all first felony offenders, all second felony offenders and the total group of court commitments are also listed.

^A/This group contains those second felony offenders convicted of violent felony crimes and for whom the predicate felony is not a violent felony crime. It also contains all those second felony offenders for whom both the instant offense and the predicate offense were violent felony crimes (i.e. "Second Violent Felony" offenders). A small percentage of commitments have been sentenced as Persistent Felony Offenders. These persons have been grouped with those sentenced as second felony offenders.

^B/The median is a measure of central tendency which represents the value of the middle case (i.e., the 50th percentile) in a distribution of cases. It is less subject to distortion by extreme cases than is the average.

Table 11D
Felony Crime Class by Maximum Sentence Length for
First or Second Felony Commitments and for Violent or Other Felony Offenses

1. First Felony Commitments for Violent Felony Offenses

CRCLASS2	COUNT	ROW PCT	COL PCT	MAXSEN									ROW TOTAL	Median Maximum (in Months)	Average Maximum (in Months)	Percent of Total Commitments	
				1. I	2. I	3. I	4. I	5. I	6. I	7. I	8. I	9. I					
				36 MOS MONTHS	37-53 MONTHS	54-71 MONTHS	72-95 MONTHS	96-107 MONTHS	108-143 MONTHS	144-179 MONTHS	180 AND OVER	LIFE MAX					
CLASS A FELONY	3.	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	390	8.7	300.0 ^{1/}	300.0 ^{1/}	3.8%
CLASS B VFO	4.	9.0	0.0	0.0	580	16	305	156	426	0	0	0	1492	33.3	108.8	133.1	14.3%
CLASS C VFO	5.	12.0	13.0	953	412	12	205	59	48	0	0	0	1714	38.3	55.2	72.9	16.4%
CLASS D VFO	6.	490	107	125	146	0	0	0	0	0	0	0	868	19.4	38.3	47.1	8.3%
CLASS E VFO	7.	12.0	4.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	16	0.4	36.2	39.1	.2%
COLUMN TOTAL		523	124	1078	1138	28	510	215	475	389	4480	100.0		72.1	107.7	43.1%	

2. First Felony Commitments for Other Felony Offenses

CRCLASS	COUNT	ROW PCT	COL PCT	MAXSEN									ROW TOTAL	Median Maximum (in Months)	Average Maximum (in Months)	Percent of Total Commitments	
				1. I	2. I	3. I	4. I	6. I	7. I	8. I	9. I						
				36 MOS MONTHS	37-53 MONTHS	54-71 MONTHS	72-95 MONTHS	108-143 MONTHS	144-179 MONTHS	180 AND OVER	LIFE MAX						
CLASS A FELONY	3.	26.0	0.0	2.6	6	4	3	3	210	0	0	258		300.0	257.6	2.5%	
CLASS B FELONY	4.	243.0	12.0	34.0	49	19	7	17	0	0	0	381		37.7	57.8	3.7%	
CLASS C FELONY	5.	81.0	11.0	31.0	42	28	8	13	0	0	0	214		54.9	70.7	2.0%	
CLASS D FELONY	6.	255.0	129.0	61.0	113	0	1	0	0	0	0	559		47.0	49.9	5.4%	
CLASS E FELONY	7.	252.0	98.0	2	0	0	0	0	0	0	0	352		37.2	39.4	3.4%	
YOUTHFUL OFFENDER	8.	146.0	119.0	0	0	0	0	0	0	0	0	265		37.6	41.4	2.5%	
COLUMN TOTAL		1003	369	134	210	51	19	33	210	100.0	2029			47.5	77.1	19.5%	

^{1/}A Life maximum sentence is treated as 25 years. Total First Felony (N = 6509) 71.5 98.2 62.6%

Table 11C - (Continued)

3. Second Felony Commitments for Violent Felony Offenders

	COUNT	MAXSEN	ROW PCT	136 MOS	37-53 MONTHS	54-71 MONTHS	72-95 MONTHS	96-107 MONTHS	108-143 MONTHS	144-179 MONTHS	180 AND OVER	LIFE MAX	ROW TOTAL	Median Maximum (in Months)	Average Maximum (in Months)	Percent of Total Commitments	
	1.	2.	3.	4.	5.	6.	7.	8.	9.								
CRCLASS2																	
3. CLASS A FELONY	0	0	0	0	0	0	0	0	0	0	1	1	1	0.2	--	--	.0%
4. CLASS B VFO	0	0	0	0	5	6	137	145	264	29	586	168.5	189.2	5.6%			
5. CLASS C VFO	0	2	4	280	181	118	35	46	21	687	94.9	104.8	6.6%				
6. CLASS D VFO	5	336	227	144	0	0	0	0	0	4	716	58.3	58.9	6.9%			
7. CLASS E VFO	89	54	1	0	0	0	0	0	0	0	144	37.8	40.6	1.4%			
COLUMN TOTAL	94	392	232	429	187	255	180	311	55	2135	83.7	108.4	20.5%				
	4.4	18.4	10.9	20.1	8.8	11.9	8.4	14.6	2.6	100.0							

4. Second Felony Commitments for Other Felony Offenses

	COUNT	MAXSEN	ROW PCT	136 MOS	37-53 MONTHS	54-71 MONTHS	72-95 MONTHS	96-107 MONTHS	108-143 MONTHS	144-179 MONTHS	180 AND OVER	LIFE MAX	ROW TOTAL	Median Maximum (in Months)	Average Maximum (in Months)	Percent of Total Commitments	
	1.	2.	3.	4.	5.	6.	7.	8.	9.								
CRCLASS																	
3. CLASS A FELONY	0	0	0	0	0	0	1	0	0	5	6	281.7	268.8	.0%			
4. CLASS B FELONY	0	3	0	2	2	60	8	11	1	87	108.2	129.2	.8%				
5. CLASS C FELONY	0	4	1	67	15	6	0	7	0	100	75.0	85.6	1.0%				
6. CLASS D FELONY	9	479	102	124	0	0	0	0	0	716	49.4	55.3	6.9%				
7. CLASS E FELONY	1.3	66.9	14.2	17.3	0	0	0	0	0	40.7	36.6	38.3	8.2%				
COLUMN TOTAL	714	632	103	193	17	67	8	18	9	1761	47.8	53.2	16.9%				
	40.5	35.9	5.8	11.0	1.0	3.8	0.5	1.0	0.5	100.0							

1/ A life maximum sentence is treated as 25 years. Total Second Felony (N = 3896) 59.8 83.5 37.4% Total Commitments 60.0 92.6 100.0% (N = 10405)

TABLE 11D

PERCENT OF COURT COMMITMENTS IN EACH MAXIMUM
SENTENCE CATEGORY BY YEAR
1978-1982

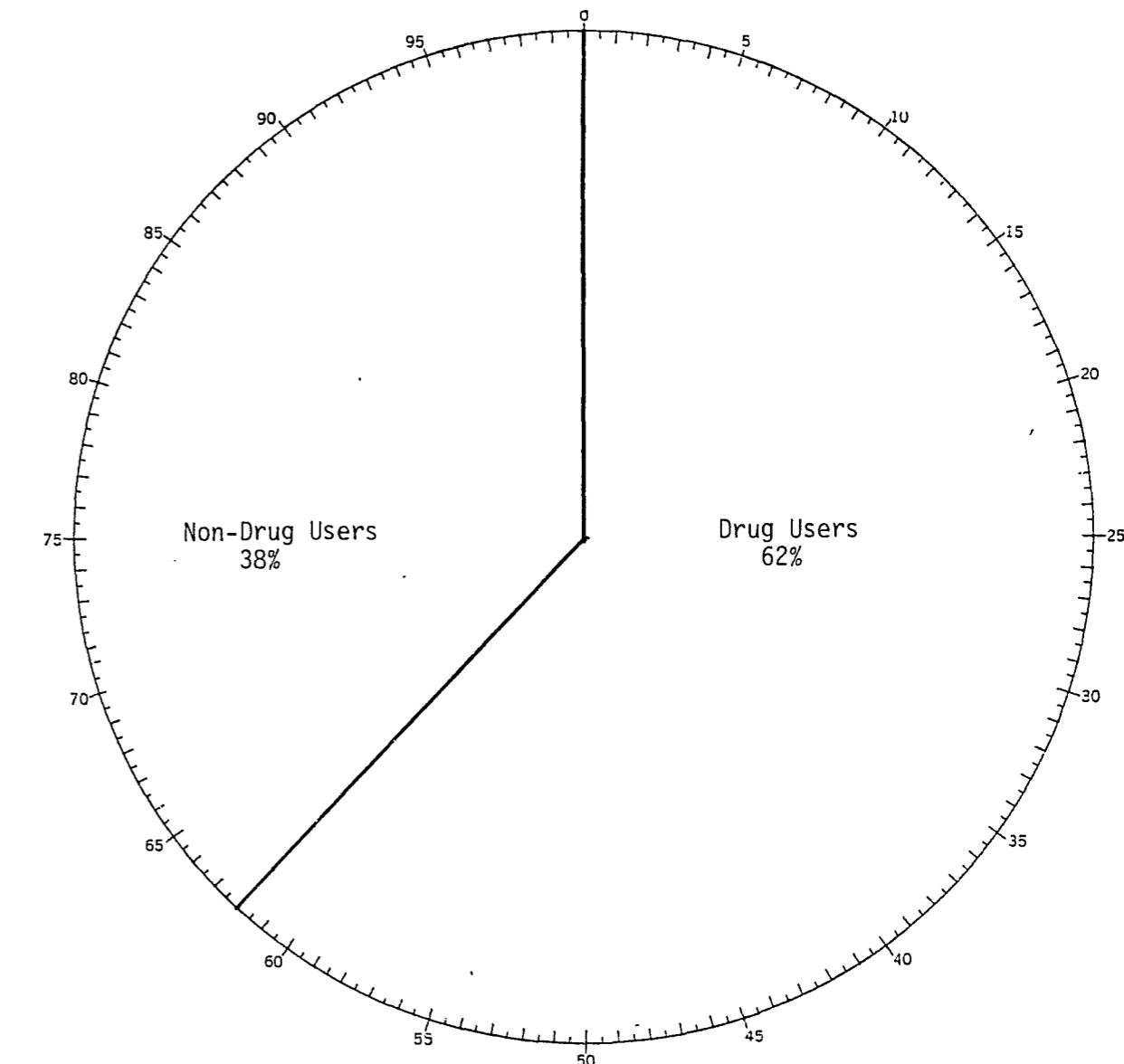
Maximum Term in Months	COMMITMENT YEAR				
	1978	1979	1980	1981	1982
36 Months	28.5%	28.1%	27.6%	25.2%	22.4%
37-53	21.2%	17.0%	16.6%	16.5%	14.6%
54-71	7.2%	11.0%	12.2%	13.5%	14.9%
72-95	12.7%	14.3%	16.9%	17.4%	18.9%
96-107	1.7%	1.5%	2.1%	1.7%	2.2%
108-143	6.3%	6.8%	7.5%	7.3%	8.5%
144-179	6.4%	7.0%	7.0%	8.1%	4.1%
180 plus	4.3%	4.1%	3.9%	4.7%	8.0%
Life	11.6%	10.1%	6.2%	5.5%	6.4%
Median	59.5	54.5	54.3	54.4	60.1
Total Number	7,222	7,586	7,955	10,314	10,405

It can be seen from Table 11D that there have been shifts in the percent of court commitments in each maximum sentence category over the five year period 1978-1982. The percent of cases with Life maximum sentences has declined from approximately 12% in 1978 to roughly 6% during 1980-1982. In 1979 the Legislature eliminated the Class A-III drug felony category and reclassified the crimes in this category as Class B felonies. The reclassification of these Class A-III drug crimes, which carried a Life maximum sentence, as Class B felony crimes which carry a maximum sentence range of 3-25 years has resulted in a decline in the percent of cases in the Life maximum sentence category.

The percent of cases in the 36 month and 37-53 month category have declined over the 1978-1982 period. At the same time the percent of cases in the 54-71 month and 72-95 month categories have increased. This upward shift in maximum sentence length is in some part due to the legislative increases in maximum sentence length enacted in the 1978 violent felony offender legislation.

FIGURE 12

COMMITMENTS WITH PRIOR HISTORY OF DANGEROUS DRUG USAGE
1982 COMMITMENTS



<u>Commitments with Prior Dangerous Drug Usage</u>	<u>Number</u>	<u>Percent</u>
TOTAL COMMITMENTS	10,332A/	100%
Prior History of Drug Usage	6,434	62%
No Prior History of Drug Usage	3,898	38%

A/Information on drug use was missing for 74 cases.

TABLE 12A Crime Type by Drug Use

CRIME2	COUNT	DRUGUSE		ROW TOTAL
		ROW PCT	I HAS USED	
	COL PCT	I DRUGS	1. I	2. I
MURDER	1.	255	248	503
		50.7	49.3	4.9
		4.0	6.4	
MANSLAUGHTER 1ST	2.	168	224	392
		42.9	57.1	3.8
		2.6	5.7	
RAPE 1ST	3.	117	98	215
		54.4	45.6	2.1
		1.8	2.5	
ROBBERY 1ST	4.	1159	695	1854
		62.5	37.5	17.9
		18.0	17.8	
ROBBERY 2ND	5.	978	522	1500
		65.2	34.8	14.5
		15.2	13.4	
ASSAULT 1ST	6.	84	83	167
		50.3	49.7	1.6
		1.3	2.1	
ASSAULT 2ND	7.	80	93	173
		46.2	53.8	1.7
		1.2	2.4	
BURGLARY 1ST	8.	62	32	94
		66.0	34.0	0.9
		1.0	0.8	
BURGLARY 2ND	9.	661	187	848
		77.9	22.1	8.2
		10.3	4.8	
ARSON 2ND	10.	30	33	63
		47.6	52.4	0.6
		0.5	0.8	
SODOMY 1ST	11.	44	39	83
		53.0	47.0	0.8
		0.7	1.0	
SEXUAL ABUSE 1ST	12.	28	41	69
		40.6	59.4	0.7
		0.4	1.1	
DANGEROUS WEAPON	13.	271	311	582
		46.6	53.4	5.6
		4.2	8.0	
KIDNAPPING	14.	8	14	22
		36.4	63.6	0.2
		0.1	0.4	
MANSLAUGHTER 2ND	15.	19	51	70
		27.1	72.9	0.7
		0.3	1.3	
NEGLIGENT HOMICI	16.	6	21	27
		22.2	77.8	0.3
		0.1	0.5	
RAPE 2ND AND 3RD	17.	2	16	18
		11.1	88.9	0.2
		0.0	0.4	
ROBBERY 3RD	18.	138	59	197
		70.1	29.9	1.9
		2.1	1.5	
ATT ASSAULT 2ND	19.	30	32	62
		48.4	51.6	0.6
		0.5	0.8	
BURGLARY 3RD	20.	714	233	947
		75.4	24.6	9.2
		11.1	6.0	
GRAND LARCENY	21.	162	148	310
		52.3	47.7	3.0
		2.5	3.8	
DRUGS	22.	899	341	1240
		72.5	27.5	12.0
		14.0	8.7	
FORGERY	23.	96	67	163
		58.9	41.1	1.6
		1.5	1.7	
ALL OTHER FELONI	24.	228	243	471
		48.4	51.6	4.6
		3.5	6.2	
YOUTHFUL OFFENDR	25.	195	67	262
		74.4	25.6	2.5
		3.0	1.7	
	COLUMN	6434	3898	10332
	TOTAL	62.3	37.7	100.0

12. Drug Use

This section contains information on the prior drug use of persons committed to DOCS custody. During reception/classification procedures new commitments are asked whether they currently use drugs or whether they have at some time in the past used drugs. The comparisons in this section are based on the response of new commitments to this question. This item is only a crude indicator of drug usage, it does not take into consideration what type of drugs were used, how often they were used, or over what time period drug usage occurred.

Table 12A crosstabulates commitment crime type by admitted drug use. Table 12B below crosstabulates commitment offense type in general categories by drug use. Those commitments who have used drugs are slightly less likely than are non drug users to be committed for violent felony crimes and slightly more likely to be committed for property/drug felony crimes.

TABLE 12B

GENERAL CRIME CATEGORY BY ADMITTED DRUG USE

CRIME3	COUNT	DRUGUSE		ROW TOTAL
		ROW PCT	I HAS USED	
	COL PCT	I DRUGS	1. I	2. I
VIOLENT FELONY	1.	3945	2620	6565
		60.1	39.9	63.5
		61.3	67.2	
OTHER COERCIVE	2.	195	179	374
		52.1	47.9	3.6
		3.0	4.6	
PROPERTY DRUG OTH	3.	2099	1032	3131
		67.0	33.0	30.3
		32.6	26.5	
YOUTHFUL OFFENDR	4.	195	67	262
		74.4	25.6	2.5
		3.0	1.7	
	COLUMN	6434	3898	10332
	TOTAL	62.3	37.7	100.0

NUMBER OF MISSING OBSERVATIONS = 74

TABLE 12C
DRUG COMMITMENT CRIME BY DRUG USE

DRUGCRIM	DRUGUSE			ROW TOTAL
	COUNT	ROW PCT	COL PCT	
	I HAS USED DRUGS	I NO DRUG USE	I TOTAL	
1.	I 899	I 341	I 1240	
DRUG CRIME	I 72.5	I 27.5	I 12.0	
	I 14.0	I 8.7	I	
2.	I 5535	I 3557	I 9092	
NON-DRUG CRIME	I 60.9	I 39.1	I 88.0	
	I 86.0	I 91.3	I	
COLUMN	I 6434	I 3898	I 10332	
TOTAL	I 62.3	I 37.7	I 100.0	

NUMBER OF MISSING OBSERVATIONS = 74

The above table crosstabulates commitments for a drug crime or other crime by admitted drug use. Among those commitments who claim to have used drugs 14% were sentenced to prison for a drug crime. Among those commitments who claim no drug use, 9% are committed for a drug crime. Those committed for drug crimes are slightly more likely to have used drugs. However, even among those persons committed for non-drug crimes 61% claim to have used drugs of some type.

TABLE 12D
ADMITTED DRUG USE BY AGE

DRUGUSE	AGE2					ROW TOTAL
	COUNT	ROW PCT	COL PCT	I 16-20 YR	I 21-24 YR	
	I	I	I	I	I	
1.	I 1882	I 1454	I 1376	I 1722	I	I 6434
HAS USED DRUGS	I 29.3	I 22.6	I 21.4	I 26.8	I	I 62.3
	I 75.9	I 57.4	I 61.3	I 56.0	I	I
2.	I 597	I 1080	I 868	I 1353	I	I 3898
NO DRUG USE	I 15.3	I 27.7	I 22.3	I 34.7	I	I 37.7
	I 24.1	I 42.6	I 38.7	I 44.0	I	I
COLUMN	I 2479	I 2534	I 2244	I 3075	I	I 10332
TOTAL	I 24.0	I 24.5	I 21.7	I 29.8	I	I 100.0

NUMBER OF MISSING OBSERVATIONS = 74

Among commitments age 16-20 years 76% claim current or prior drug usage. Among commitments 21 years of age or older roughly 58% claim to have used drugs.

TABLE 12E
ADMITTED DRUG USE BY ETHNIC STATUS

DRUGUSE	ETHNIC					ROW TOTAL
	COUNT	ROW PCT	COL PCT	I WHITE	I BLACK	
	I	I	I	I	I PUERTO RICAN	
1.	I 1740	I 3182	I 1486	I 26	I	I 6434
HAS USED DRUGS	I 27.0	I 49.5	I 23.1	I 0.4	I	I 62.3
	I 61.7	I 59.4	I 70.6	I 49.1	I	I
2.	I 1078	I 2173	I 620	I 27	I	I 3898
NO DRUG USE	I 27.7	I 55.7	I 15.9	I 0.7	I	I 37.7
	I 38.3	I 40.6	I 29.4	I 50.9	I	I
COLUMN	I 2818	I 5355	I 2106	I 53	I	I 10332
TOTAL	I 27.3	I 51.8	I 20.4	I 0.5	I	I 100.0

NUMBER OF MISSING OBSERVATIONS = 74

As is shown in Table 12E Puerto Rican commitments are slightly more likely to have used drugs (70%) than are either white (62%) or black commitments (59%).

TABLE 12E
ADMITTED DRUG USE BY REGION

DRUGUSE	REGION					ROW TOTAL
	COUNT ROW PCT	1. NEW YORK	2. SUBURBAN	3. UPSTATE	4. CITY	
HAS USED DRUGS	1.	4250	866	1318	20.5	6434
	I	66.1	I	13.5	I	62.3
	I	61.2	I	61.6	I	66.6
NO DRUG USE	2.	2699	539	660	16.9	3898
	I	69.2	I	13.8	I	37.7
	I	38.8	I	38.4	I	33.4
COLUMN TOTAL		6949	1405	1978		10332
		67.3	13.6	19.1		100.0

NUMBER OF MISSING OBSERVATIONS = 74

Commitments from the Upstate counties are slightly more likely to claim drug use (66%) than are commitments from New York City (61%) or commitments from Suburban New York Counties (62%).

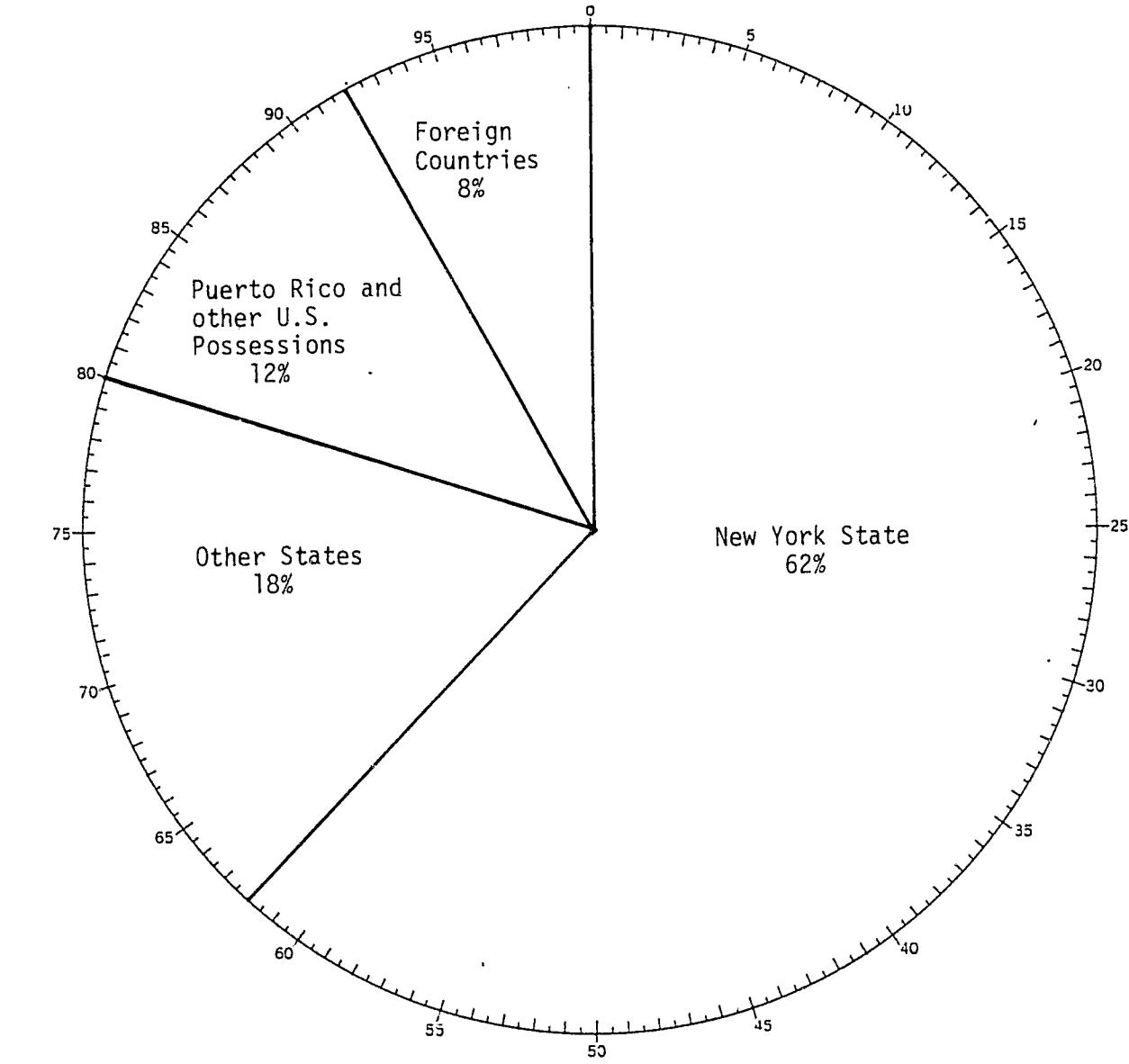
TABLE 12G
ADMITTED DRUG USE BY YEAR, 1978-1982

DRUGUSE	YEAR					ROW TOTAL
	COUNT ROW PCT	1. 1978	2. 1979	3. 1980	4. 1981	
HAS USED DRUGS	1.	4346	4546	4709	5934	6434
	I	16.7	I	17.5	I	25969
	I	60.6	I	60.2	I	60.3
NO DRUG USE	2.	2831	3001	3195	4157	3898
	I	16.6	I	17.6	I	17082
	I	39.4	I	39.8	I	39.7
COLUMN TOTAL		7177	7547	7904	10091	10332
		16.7	17.5	18.4	23.4	24.0

As is reflected in Table 12G commitments to state prison who admit drug use make up approximately 60% of total commitments for each of the commitment years 1978 through 1982.

FIGURE 13

COUNTRY OF BIRTH



A/Information on Country at birth was missing for 5 cases.

TABLE 13A Country of Birth by Crime Type

COUNTRY	CRIMES					ROW TOTAL	
	COUNT	ROW PCT	VIOLENT	OTHER	PROPERTY	YOUTHFUL	
			1. I	2. I	3. I	4. I	
NEW YORK STATE	0.	4067	1	225	1940	200	6432
		63.2	3.5	30.2	3.1	61.8	
OTHER STATES	1.	1154	1	93	623	35	1905
		60.6	4.9	32.7	1.8	18.3	
U.S. POSSESSIONS	2.	17	1	0	4	1	22
		77.3	0.	18.2	4.5	0.2	
PUERTO RICO	3.	782	1	28	382	12	1204
		65.0	2.3	31.7	1.0	11.6	
CUBA	12.	135	1	4	20	0	159
		84.9	2.5	12.6	0.	1.5	
WEST INDIES	13.	50	1	7	11	1	69
		72.5	10.1	15.9	1.4	0.7	
DOMINICAN REP.	14.	103	1	9	46	3	161
		64.0	5.6	28.6	1.9	1.5	
JAMAICA	15.	110	1	2	11	5	128
		85.9	1.6	8.6	3.9	1.2	
HAITI	16.	15	1	3	2	1	21
		71.4	14.3	9.5	4.8	0.2	
MEXICO	18.	3	1	0	0	0	3
		100.0	0.	0.	0.	0.0	
COLUMBIA	19.	20	1	1	30	1	52
		38.5	1.9	57.7	1.9	0.5	
CENTRAL AMERICA	20.	42	1	2	10	0	54
		77.8	3.7	18.5	0.	0.5	
CANADA	21.	6	1	1	4	0	11
		54.5	9.1	36.4	0.	0.1	
SOUTH AMERICA	22.	33	1	1	13	1	48
		68.8	2.1	27.1	2.1	0.5	
GREAT BRITAIN	40.	12	0	5	5	1	18
		66.7	0.	27.8	5.6	0.2	
GERMANY	50.	7	0	0	12	0	19
		36.8	0.	63.2	0.	0.2	
POLAND	51.	1	0	1	1	1	3
		33.3	0.	33.3	33.3	0.0	
CENTRAL EUROPE	52.	2	0	3	0	0	5
		40.0	0.	60.0	0.	0.0	
BALKAN	53.	15	1	5	5	1	22
		68.2	4.5	22.7	4.5	0.2	
ITALY	55.	12	0	8	1	1	21
		57.1	0.	38.1	4.8	0.2	
SPAIN-PORTUGAL	56.	1	0	1	0	0	2
		50.0	0.	50.0	0.	0.0	
RUSSIA	57.	0	0	2	0	0	2
		0.	0.	100.0	0.	0.0	
OTHER EUROPE	58.	3	0	1	0	0	4
		75.0	0.	25.0	0.	0.0	
CHINA	60.	14	0	4	6	1	18
		77.8	0.	22.2	0.	0.2	
OTHER ASIATIC	62.	4	0	7	1	1	12
		33.3	0.	58.3	8.3	0.1	
AFRICA	70.	1	0	3	0	4	4
		25.0	0.	75.0	0.	0.0	
PHILLIPINES	80.	1	0	1	0	2	2
		50.0	0.	50.0	0.	0.0	
NOT STATED	99.	3	0	0	0	3	4
		100.0	0.	0.	0.	0.0	
COLUMN TOTAL		6613	377	3149	265	10404	
TOTAL		63.6	3.6	30.3	2.5	100.0	

NUMBER OF MISSING OBSERVATIONS = 1

TABLE 13B Country of Birth by U.S. Citizenship

COUNTRY	NATURAL					ROW TOTAL	
	COUNT	ROW PCT	U.S. CITIZEN	NATURAL- IZED	ALIEN		
			1. I	2. I	3. I	4. I	
NEW YORK STATE	0.	6432	1	0	0	0	6432
		100.0	0.	0.	0.	0.	61.8
OTHER STATES	1.	1905	1	0	0	0	1905
		100.0	0.	0.	0.	0.	18.3
U.S. POSSESSIONS	2.	90.9	1	4.5	4.5	0	22
		90.9	0.	0.	0.	0.	0.2
PUERTO RICO	3.	1204	1	0	0	0	1204
		100.0	0.	0.	0.	0.	11.6
CUBA	12.	0	7	62	90	90	159
		0.	4.4	39.0	56.6	56.6	1.5
WEST INDIES	13.	0	6	41	22	22	69
		0.	8.7	59.4	31.9	31.9	0.7
DOMINICAN REP.	14.	0	11	75	75	75	161
		0.	6.8	46.6	46.6	46.6	1.5
JAMAICA	15.	0	13	79	45	45	128
		0.	10.2	54.7	35.2	35.2	1.2
HAITI	16.	0	4	12	5	21	21
		0.	19.0	57.1	23.8	23.8	0.2
MEXICO	18.	0	0	2	1	1	3
		0.	0.	66.7	33.3	33.3	0.0
COLUMBIA	19.	0	2	34	16	16	52
		0.	3.8	65.4	30.8	30.8	0.5
CENTRAL AMERICA	20.	0	4	33	17	54	54
		0.	7.4	61.1	31.5	31.5	0.5
CANADA	21.	0	1	4	6	11	11
		0.	9.1	36.4	54.5	54.5	0.1
SOUTH AMERICA	22.	0	8	27	13	48	48
		0.	16.7	56.3	27.1	27.1	0.5
GREAT BRITAIN	40.	2	1	7	8	18	18
		11.1	5.6	38.9	44.4	44.4	0.2
GERMANY	50.	5	1	4	9	19	19
		26.3	5.3	21.1	47.4	47.4	0.2
POLAND	51.	0	2	0	1	3	3
		0.	66.7	0.	33.3	33.3	0.0
CENTRAL EUROPE	52.	0	3	0	2	5	5
		0.	60.0	0.	40.0	40.0	0.0
BALKAN	53.	0	4	11	7	22	22
		0.	18.2	50.0	31.8	31.8	0.2
ITALY	55.	0	9	9	3	21	21
		0.	42.9	42.9	14.3	14.3	0.2
SPAIN-PORTUGAL	56.	0	0	0	2	2	2
		0.	0.	0.	100.0	100.0	0.0
RUSSIA	57.	0	2	0	0	2	2
		0.	100.0	0.	0.	0.	0.0
OTHER EUROPE	58.	1	1	0	2	4	4
		25.0	25.0	0.	50.0	50.0	0.0
CHINA	60.	0	5	7	6	18	18
		0.	27.8	38.9	33.3	33.3	0.2
OTHER ASIATIC	62.	0	0	6	6	12	12
		0.	0.	50.0	50.0	50.0	0.1
AFRICA	70.	0	0	1	3	4	4
		0.	75.0	0.	0.	0.	0.0
PHILLIPINES	80.	1	0	0	1	2	2
		50.0	0.	0.	50		

TABLE 13C

COUNTRY OF BIRTH BY COMMITMENT YEAR, 1978-1982

COUNTRY2	YEAR					ROW TOTAL	
	COUNT	1978	1979	1980	1981		
	ROW PCT						
COL PCT	I	1.I	2.I	3.I	4.I	5.I	
NEW YORK STATE	1.	4428	I 4710	I 4376	I 6575	I 6432	I 27021
	I	16.4	I 17.4	I 18.0	I 24.3	I 23.8	I 62.2
	I	61.4	I 62.1	I 61.3	I 63.8	I 61.8	I
OTHER STATES	2.	1561	I 1521	I 1635	I 1885	I 1905	I 8507
	I	18.3	I 17.9	I 19.2	I 22.2	I 22.4	I 19.6
	I	21.6	I 20.1	I 20.6	I 18.3	I 18.3	I
PUERTO RICO	3.	878	I 942	I 948	I 1209	I 1226	I 5203
	I	16.9	I 18.1	I 18.2	I 23.2	I 23.6	I 12.0
	I	12.2	I 12.4	I 11.9	I 11.7	I 11.8	I
FOREIGN COUNTRY	4.	350	I 410	I 493	I 643	I 838	I 2734
	I	12.8	I 15.0	I 18.0	I 23.5	I 30.7	I 6.3
	I	4.8	I 5.4	I 6.2	I 6.2	I 8.1	I
COLUMN TOTAL		7217	I 7583	I 7952	I 10312	I 10401	I 43465
TOTAL		16.6	I 17.4	I 18.3	I 23.7	I 23.9	I 100.0

Table 13D presents the citizenship status of commitments received by DOCS over the years 1978 through 1982. Adding together those commitments who are aliens with those commitments whose U.S. citizenship status is unclear or not stated we find that 4.7% of 1978 commitments (339 persons) are either known aliens or of unclear citizenship status. In 1982, 7.2% of total commitments (or 750 persons) are either known aliens or of unclear U.S. citizenship. We can also note that the number of those persons committed to New York State prison who are either aliens or of unclear U.S. citizenship has more than doubled between 1978 (N = 339) and 1982 (N = 750).

TABLE 13D

U.S. CITIZENSHIP STATUS BY COMMITMENT YEAR

COUNTRY	YEAR					ROW TOTAL	
	COUNT	1978	1979	1980	1981		
	ROW PCT						
COL PCT	I	1.I	2.I	3.I	4.I	5.I	
NATURAL	1.	6347	I 7169	I 7463	I 9663	I 9570	I 40717
U.S. CITIZEN	I	16.3	I 17.6	I 18.3	I 23.7	I 23.5	I 93.6
	I	94.8	I 94.4	I 93.8	I 93.8	I 92.0	I
NATURALIZED	2.	39	I 41	I 52	I 79	I 85	I 296
	I	13.2	I 13.9	I 17.6	I 26.7	I 28.7	I 0.7
	I	0.5	I 0.5	I 0.7	I 0.3	I 0.3	I
ALIEN	3.	154	I 203	I 270	I 62	I 406	I 1395
	I	11.9	I 14.6	I 19.4	I 25.9	I 29.1	I 3.2
	I	2.1	I 2.7	I 3.4	I 3.5	I 3.9	I
NOT STATED	4.	135	I 179	I 174	I 203	I 344	I 1035
	I	17.1	I 16.5	I 16.0	I 18.7	I 31.7	I 2.5
	I	2.6	I 2.4	I 2.2	I 2.0	I 3.3	I
COLUMN TOTAL		7225	I 7592	I 7959	I 10312	I 10405	I 43493
TOTAL		16.6	I 17.5	I 18.3	I 23.7	I 23.9	I 100.0

Table 13E, on the following page, presents the number of commitments received by DOCS according to country of birth for each of the commitment years 1978 through 1982. Over the period 1978 through 1982 commitments to DOCS that were born in countries in the Caribbean, in South America, and in Central America have increased. For instance, the number of commitments that were born in Cuba increases from 36 in 1978 to 159 in 1982. During the years 1978 and 1979 commitments that were born in Jamaica, Haiti and the Dominican Republic were included in the West Indies category. In 1980 a separate category was provided for Jamaica, Haiti and the Dominican Republic. The West Indies category currently contains commitments from Bermuda, Trinidad, Nassau, and Aruba. However, if commitments from Jamaica, Haiti, the Dominican Republic and the West Indies are lumped together for each commitment year it can be seen that the number of commitments to DOCS who were born in these countries steadily increases from 1978 to 1982 (i.e. 1978 = 146, 1979 = 184, 1980 = 244, 1981 = 311, and 1982 = 379). The number of commitments born in Central America and in South America has also risen somewhat during the period 1978-1982. In general, the number of commitments to DOCS born in European, Central European, Asian and African nations is unchanged over the five year period 1978 to 1982 (see table 13E).

TABLE 13E COUNTRY OF BIRTH BY COMMITMENT YEAR

COUNTRY	COUNT	YEAR					ROW TOTAL
		1. I 1978	2. I 1979	3. I 1980	4. I 1981	5. I 1982	
NEW YORK STATE	0.	4428	4710	4876	6575	6432	27021
		16.4	17.4	18.0	24.3	23.8	62.1
OTHER STATES	1.	1561	1521	1635	1885	1905	8507
		18.3	17.9	19.2	22.2	22.4	19.6
U.S. POSSESSIONS	2.	15	13	18	31	22	99
		15.2	13.1	18.2	31.3	22.2	0.2
PUERTO RICO	3.	863	929	930	1178	1204	5104
		16.9	18.2	18.2	23.1	23.6	11.7
CUBA	12.	36	25	36	69	159	325
		11.1	7.7	11.1	21.2	48.9	0.7
WEST INDIES	13.	146	183	153	61	69	612
		23.9	29.9	25.0	10.0	11.3	1.4
DOMINICAN REP.	14.	0	1	52	142	161	356
		0.	0.3	14.6	39.9	45.2	0.8
JAMAICA	15.	0	0	35	88	128	251
		0.	0.	13.9	35.1	51.0	0.6
HAITI	16.	0	0	4	20	21	45
		0.	0.	8.9	44.4	46.7	0.1
MEXICO	18.	2	8	2	7	3	22
		9.1	36.4	9.1	31.8	13.6	0.1
COLUMBIA	19.	21	25	35	35	52	168
		12.5	14.9	20.8	20.8	31.0	0.4
CENTRAL AMERICA	20.	20	37	33	50	54	194
		10.3	19.1	17.0	25.8	27.8	0.4
CANADA	21.	6	5	6	9	11	37
		16.2	13.5	16.2	24.3	29.7	0.1
SOUTH AMERICA	22.	16	23	25	38	48	150
		10.7	15.3	16.7	25.3	32.0	0.3
AUSTRALIA-NEW ZE	30.	1	0	0	1	0	2
		50.0	0.	0.	50.0	0.	0.0
GREAT BRITAIN	40.	5	15	8	13	18	59
		8.5	25.4	13.6	22.0	30.5	0.1
IRELAND	41.	2	0	0	1	0	3
		66.7	0.	0.	33.3	0.	0.0
GERMANY	50.	18	12	13	7	19	69
		26.1	17.4	18.8	10.1	27.5	0.2
POLAND	51.	7	4	3	4	3	21
		33.3	19.0	14.3	19.0	14.3	0.0
CENTRAL EUROPE	52.	2	3	2	0	5	12
		16.7	25.0	16.7	0.	41.7	0.0
BALKAN	53.	18	17	28	19	22	100
		18.0	17.0	24.0	19.0	22.0	0.2
SCANDINAVIAN	54.	0	1	1	1	0	3
		0.	33.3	33.3	33.3	0.	0.0
ITALY	55.	11	18	23	19	21	92
		12.0	19.6	25.0	20.7	22.8	0.2
SPAIN-PORTUGAL	56.	2	4	3	5	2	16
		12.5	25.0	18.8	31.3	12.5	0.0
RUSSIA	57.	2	2	1	6	2	13
		15.4	15.4	7.7	46.2	15.4	0.0
OTHER EUROPE	58.	4	3	3	5	4	19
		21.1	15.8	15.8	26.3	21.1	0.0
CHINA	60.	12	5	14	18	18	67
		17.9	7.5	20.9	26.9	26.9	0.2
JAPAN	61.	2	1	4	0	0	7
		28.6	14.3	57.1	0.	0.	0.0
OTHER ASIATIC	62.	12	12	8	19	12	63
		19.0	19.0	12.7	30.2	19.0	0.1
AFRICA	70.	3	4	4	6	4	21
		14.3	19.0	19.0	28.6	19.0	0.0
PHILLIPINES	80.	2	2	1	0	2	7
		28.6	28.6	14.3	0.	28.6	0.0
NOT STATED	99.	8	9	7	0	4	28
		28.6	32.1	25.0	0.	14.3	0.1
COLUMN TOTAL		7225	7592	7959	10312	10405	43493
TOTAL		16.6	17.5	18.3	23.7	23.9	100.0

END