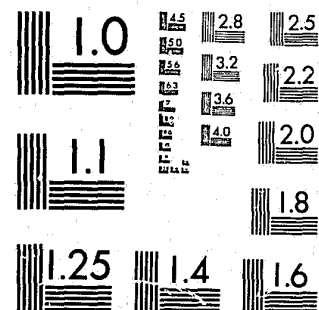


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10/30/86

**CHARACTERISTICS OF  
NEW COMMITMENTS - 1983**

U.S. Department of Justice  
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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  
1983

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TABLE OF CONTENTS

<u>TOPIC</u>		<u>PAGE</u>
Contents		i
Table of Figures		ii
Table of Tables		iii
Introduction		vii
Highlights		viii
Total 1983 Admissions	NCJRS	1
Commitment Offense Type		3
Sentencing Issues	MAY 8 1985	10
Age Distribution	ACQUISITIONS	25
Ethnic Distribution		30
Educational Attainment		35
Occupational Status		40
Prior Adult Criminal Record		47
Region of Commitment		52
First and Second Felony Offenders		58
Drug Use Among Commitments		64
Marital Status		71
Country of Birth		77

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TABLE OF FIGURES

<u>FIGURE NUMBER</u>	<u>PAGE NUMBER</u>	<u>DESCRIPTION</u>
I	1	Total Admissions During 1983
II	3	Offense Types of 1983 Commitments
III	9	Minimum Sentences of 1983 Commitments
IV	10	Maximum Sentences of 1983 Commitments
V	25	Ages of 1983 Commitments
VI	30	Ethnicity of 1983 Commitments
VII	35	Educational Status of 1983 Commitments
VIII	40	Occupational Status of 1983 Commitments
IX	47	Prior Adult Record of 1983 Commitments
X	52	Region of Commitment for 1983 Commitments
XI	64	Drug Use of 1983 Commitments
XII	71	Marital Status of 1983 Commitments
XIII	77	Country of Birth for 1983 Commitments

TABLE OF TABLES

(Unless Otherwise Indicated Tables Are For 1983 Commitments)

<u>TABLE NUMBER</u>	<u>PAGE NUMBER</u>	<u>DESCRIPTION</u>
1	5 . . .	NUMBER OF COMMITMENTS TO DOCS BY OFFENSE 1978-1983
2	6 . . .	PERCENT OF COMMITMENTS TO DOCS BY OFFENSE 1978-1983
3	7 . . .	GENDER BY YEAR 1978-1983
4	7 . . .	GENDER BY CRIME GROUP
5	8 . . .	CRIMES BY GENDER
6	12 . . .	MINIMUM SENTENCE BY YEAR 1978-1983
7	13 . . .	MAXIMUM SENTENCE BY YEAR 1978-1983
8	16 . . .	MEAN AND MEDIAN SENTENCES BY CRIME CLASS 1st FELONY NON-VFO
9	16 . . .	MEAN AND MEDIAN SENTENCE BY CRIME CLASS FOR 1st FELONY VFO
10	17 . . .	MEAN AND MEDIAN SENTENCE BY CRIME CLASS FOR 2nd FELONY NON-VFO
11	17 . . .	MEAN AND MEDIAN SENTENCE BY CRIME CLASS FOR 2nd FELONY VFO
12	18 . . .	1st FELONY NON-VFO BY MINIMUM SENTENCE
13	18 . . .	1st FELONY VFO BY MINIMUM SENTENCE
14	19 . . .	2nd FELONY NON-VFO BY MINIMUM SENTENCE
15	19 . . .	2nd FELONY VFO BY MINIMUM SENTENCE
16	20 . . .	1st FELONY NON-VFO BY MAXIMUM SENTENCE
17	20 . . .	1st FELONY VFO BY MAXIMUM SENTENCE
18	21 . . .	2nd FELONY VFO BY MAXIMUM SENTENCE
19	21 . . .	2nd FELONY NON-VFO BY MAXIMUM SENTENCE
20	22 . . .	MEAN AND MEDIAN SENTENCES BY CRIME GROUP



<u>TABLE NUMBER</u>	<u>PAGE NUMBER</u>	<u>DESCRIPTION</u>
21	24 . . .	MINIMUM SENTENCE BY GENDER
22	24 . . .	MAXIMUM SENTENCE BY GENDER
23	26 . . .	AGE DISTRIBUTION
24	26 . . .	AGE BY GENDER
25	27 . . .	AGE BY YEAR 1978-1983
26	28 . . .	AGE BY CRIME GROUP
27	29 . . .	MEAN AND MEDIAN AGES BY CRIME CATEGORY
28	31 . . .	ETHNICITY BY YEAR 1978-1983
29	32 . . .	ETHNICITY BY AGE
30	32 . . .	MEAN AND MEDIAN AGES BY ETHNICITY
31	33 . . .	ETHNICITY BY GENDER
32	34 . . .	ETHNICITY BY CRIME GROUP
33	36 . . .	EDUCATIONAL LEVEL BY YEAR 1978-1983
34	37 . . .	EDUCATIONAL LEVEL BY CRIME GROUP
35	38 . . .	MEAN AND MEDIAN EDUCATIONAL LEVEL BY CRIME GROUP
36	39 . . .	EDUCATIONAL LEVEL BY GENDER
37	39 . . .	EDUCATIONAL LEVEL BY ETHNICITY
38	41 . . .	OCCUPATIONAL STATUS
39	42 . . .	OCCUPATIONAL STATUS BY YEAR 1978-1983
40	43 . . .	OCCUPATIONAL STATUS BY CRIME GROUP
41	44 . . .	PROPORTIONAL OCCUPATIONAL STATUS BY CRIME
42	45 . . .	OCCUPATIONAL STATUS BY GENDER
43	46 . . .	MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM, AND MAXIMUM SENTENCES BY OCCUPATION
44	48 . . .	CRIME GROUP BY PRIOR ADULT RECORD

<u>TABLE NUMBER</u>	<u>PAGE NUMBER</u>	<u>DESCRIPTION</u>
45	49 . . .	PRIOR ADULT RECORD BY YEAR 1978-1983
46	50 . . .	MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM, AND MAXIMUM SENTENCES BY ADULT RECORD
47	50 . . .	MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM, AND MAXIMUM SENTENCES BY ADULT RECORD FOR VFO COMMITMENTS
48	51 . . .	PRIOR ADULT RECORD BY GENDER
49	53 . . .	REGION OF COMMITMENT BY YEAR 1978-1983
50	54 . . .	REGION OF COMMITMENT BY CRIME GROUP
51	55 . . .	REGION OF COMMITMENT BY AGE
52	56 . . .	MEAN AND MEDIAN EDUCATION, AGE, MINIMUM, AND MAXIMUM SENTENCES BY REGION
53	56 . . .	MEAN AND MEDIAN EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES BY REGION FOR VFO's WITH NO PRIOR COMMITMENTS
54	57 . . .	REGION OF COMMITMENT BY PRIOR ADULT RECORD
55	57 . . .	REGION OF COMMITMENT BY GENDER
56	59 . . .	NUMBER OF FIRST AND SECOND FELONY OFFENDERS BY YEAR 1978-1983
57	60 . . .	PERCENT OF FIRST AND SECOND FELONY OFFENDERS BY YEAR 1978-1983
58	61 . . .	FIRST AND SECOND FELONY OFFENDERS BY REGION OF COMMITMENT
59	62 . . .	MEAN AND MEDIAN EDUCATION, AGE, MINIMUM, AND MAXIMUM SENTENCES BY 1st AND 2nd FELONY STATUS
60	63 . . .	MEAN AND MEDIAN EDUCATION, AGE, MINIMUM, AND MAXIMUM SENTENCES BY 1st AND 2nd FELONY STATUS FOR 1983 VFO'S WITH NO PRIOR FELONIES
61	63 . . .	FIRST AND SECOND FELONY STATUS BY GENDER
62	66 . . .	DRUG USE BY YEAR 1978-1983

<u>TABLE NUMBER</u>	<u>PAGE NUMBER</u>	<u>DESCRIPTION</u>
63	66	. . . DRUG USE BY ETHNIC STATUS
64	67	. . . DRUG USE BY AGE
65	67	. . . DRUG USE BY GENDER
66	68	. . . DRUG USE BY CRIME GROUP
67	68	. . . DRUG USE BY INVOLVEMENT IN DRUG CRIME
68	69	. . . DRUG USE BY REGION OF COMMITMENT
69	70	. . . MEAN AND MEDIAN EDUCATION, AGE, MINIMUM, AND MAXIMUM SENTENCES BY DRUG USE
70	72	. . . MARITAL STATUS BY YEAR 1978-1983
71	73	. . . MARITAL STATUS BY CRIME GROUP
72	74	. . . MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES BY MARITAL STATUS
73	75	. . . MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES FOR 1983 VFO'S WITH NO PRIOR CONVICTIONS
74	76	. . . MARITAL STATUS BY GENDER
75	78	. . . COUNTRY OF BIRTH BY YEAR 1978-1983
76	79	. . . COUNTRY OF BIRTH BY ETHNIC STATUS
77	80	. . . COUNTRY OF BIRTH BY FELONY STATUS
78	81	. . . COUNTRY OF BIRTH BY REGION OF COMMITMENT
79	82	. . . COUNTRY OF BIRTH BY CRIME GROUP
80	82	. . . COUNTRY OF BIRTH BY CRIME GROUP FOR SPECIFIC BIRTH LOCATIONS
81	83	. . . COUNTRY OF BIRTH BY CRIMES
82	84	. . . COUNTRY OF BIRTH BY GENDER

## INTRODUCTION

Each year the Department of Correctional Services (DOCS) provides information about the New York State inmate population. This report presents descriptive data on a variety of attributes describing the characteristics of offenders admitted to DOCS custody as court commitments in calendar year 1983.

A variety of legal variables (e.g. commitment offense or prior criminal record) and extra legal variables (e.g. age or ethnicity) are examined for each inmate in this study. In addition, information is presented in order to compare the aggregate characteristics of the 1983 commitments with the inmate commitments of previous years.

This report is based on data files developed and maintained by the Department's Division of Program Planning, Research and Evaluation, and the Division of Management Information Services.

H I G H L I G H T S

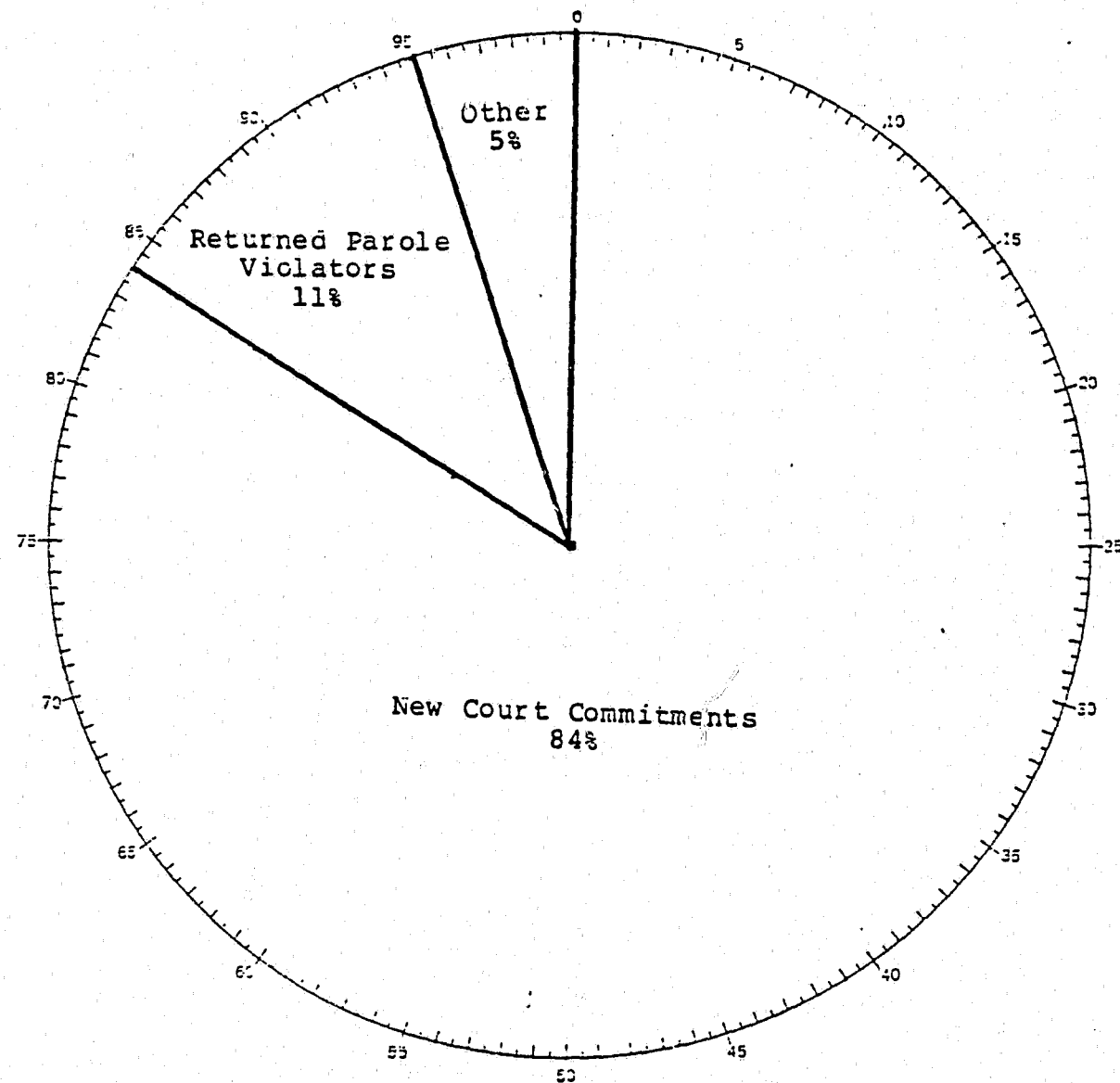
1. There were 14,855 total admissions to the DOCS in calendar year 1983. Of these, 12,537, eighty-four percent (84%) were new court commitments.
2. Sixty-three percent (63%) of the new court commitments were convicted of legislatively mandated "violent felony offenses." These included crimes such as Robbery 1<sup>st</sup> and Robbery 2<sup>nd</sup>, thirty-two percent (32%), Murder, Attempted Murder and Manslaughter 1<sup>st</sup>, seven percent (7%), Burglary 1<sup>st</sup> and Burglary 2<sup>nd</sup>, eleven percent (11%), and, Dangerous Weapons, six percent (6%).
3. Thirteen percent (13%) of the new court commitments were convicted of drug related offenses while only two percent (2%) were convicted as Youthful Offenders.
4. Forty-three percent (43%) of the new court commitments were sentenced as second felony offenders.
5. Ninety-six percent (96%) of the new court commitments were males.
6. The age range for the new court commitments was as follows:

16-20 = 23%	25-29 = 22%	40 and over = 12%
21-24 = 24%	30-39 = 19%	
7. Blacks comprised fifty-two percent (52%) of the new court commitments while twenty-six percent (26%) were white and twenty-two percent (22%) were of Puerto Rican birth or parentage.
8. Twenty-one percent (21%) of the new court commitments had only attended grades K-6 while another forty-eight percent (48%) had been to at least grade seven but had not completed high school. Twenty-seven percent (27%) of the group were high school graduates while three percent (3%) had some post high school education (i.e. college or technical school.)
9. Twenty-two percent (22%) of the new court commitments were either unemployed or had listed no occupation upon commitment while nine percent (9%) held managerial, professional or semi-professional jobs. Thirty-one percent (31%) were skilled workers such as clerical workers, sales workers, craftsmen, operators, and drivers. The remaining thirty-eight percent (38%) of these inmates were reported to be service workers or laborers.
10. Fifty-six percent (56%) of the new court commitments had never been married, another nineteen percent (19%) were involved in common-law marriages, while sixteen percent (16%) were legally married. Four percent (4%) were divorced and another five percent (5%) were widowed or separated.

11. The five N.Y.C. counties accounted for seventy one (71%) of the new court commitments. Another twelve percent (12%) were committed from the four suburban N.Y.C. counties while seventeen percent (17%) were committed from the remaining upstate counties.
12. Twenty-one percent (21%) of the new court commitments had no prior adult conviction, seventeen percent (17%) had prior convictions which did not result in their being incarcerated. Thirty-four percent (34%) had experienced convictions which resulted in local jail terms while twenty-eight percent (28%) had prior convictions which led to prison terms.
13. The median minimum sentence for new court commitments was 24 months.
14. The median maximum sentence for new court commitments was 60 months.
15. Seventy percent (70%) of the new court commitments who reported information about substance abuse admitted to the use of illegal drugs.
16. Sixty-four percent (64%) of the new court commitments were born in New York State, fifteen percent (15%) were born in the other states, twelve percent (12%) in Puerto Rico, and nine percent (9%) in foreign countries.

FIGURE I

TOTAL ADMISSIONS DURING 1983



	<u>Number</u>	<u>Percent</u>
TOTAL ADMISSIONS	14,855	100%
New Court Commitments	12,537	84%
Returned Parole Violators	1,653	11%
Return of Persons Transferred to Department of Mental Hygiene	487	3%
Returned Escapees and Absconders From Temporary Release	128	1%
Returned by Affirmation of Sentence	50	a/

a/Less than one percent.

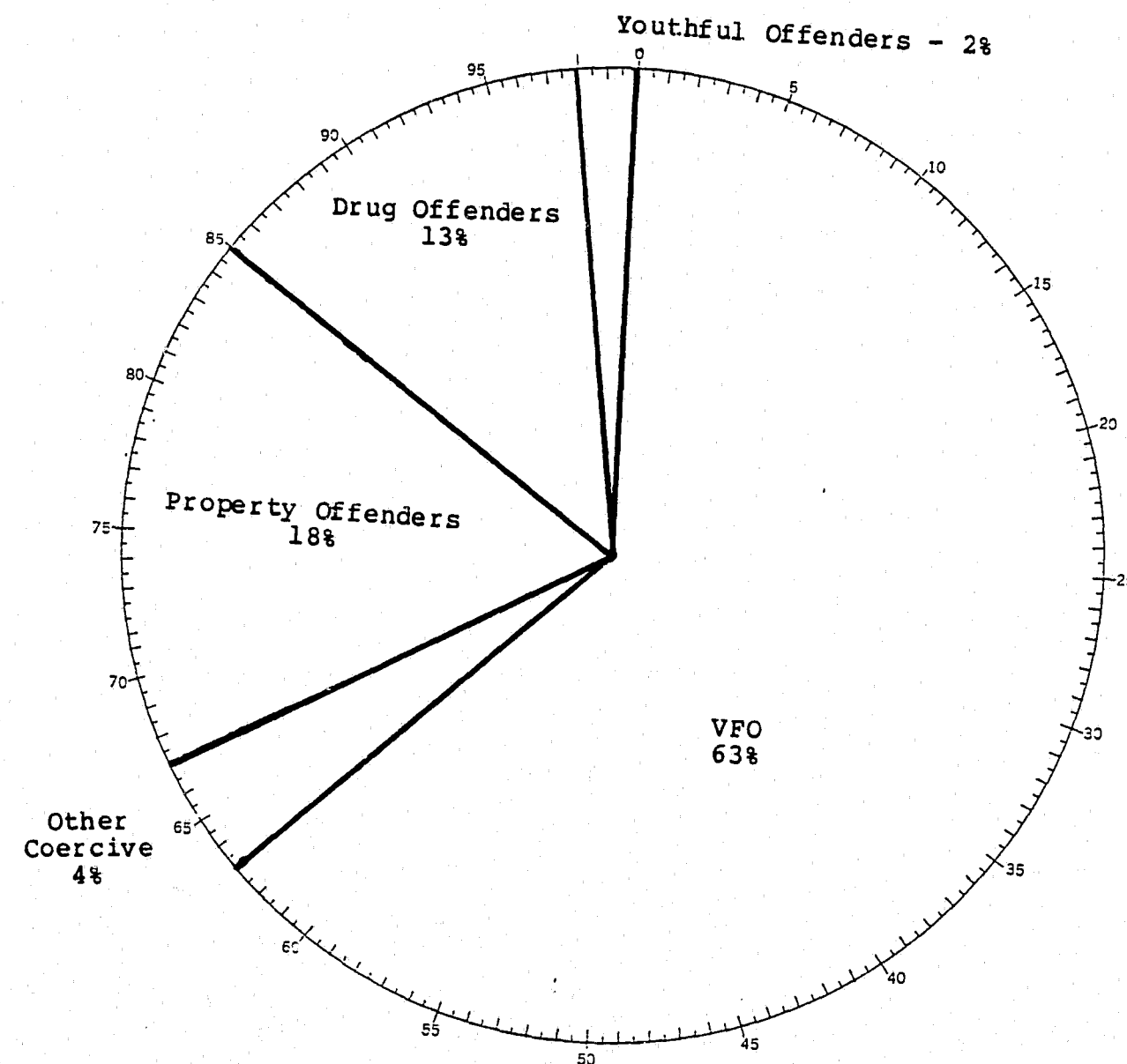
# TOTAL ADMISSIONS

There are numerous sets of circumstances under which a convicted felon can be admitted to the custody of the Department of Correctional Services. In 1983 the majority of the 14,855 admissions were persons newly convicted of felonies by New York State courts. This group constituted 84% (12,537) of the total admissions. Of this group, 2,081 were also under parole supervision at the time of this new conviction while eight were classified as absconders from temporary release at the time of the new conviction. It is the characteristics of this group of 12,537 inmates which is examined in further detail in the body of this report.

In addition to the new court commitments received in 1983, the Department admitted 1,653 inmates who had violated the terms of their parole or conditional release. This constituted an additional 12% of the total admissions. There were also 487 inmates transferred back into the Department from the New York Central Psychiatric Center after receiving services provided by the Department of Mental Hygiene. An additional 128 inmates were returned after escaping from Department facilities or absconding from temporary release programs. Fifty inmates were returned by the courts with reaffirmations of sentence.

FIGURE II

## COMMITMENT OFFENSE TYPE 1983 COMMITMENTS



	Number	Percent
TOTAL	12,537	100%
Violent Felony Offenders	7,925	63%
Other Coercive Offenders	481	4%
Property Offenders	2,226	18%
Drug Offenders	1,625	13%
Youthful Offenders	280	2%



# COMMITMENT OFFENSE TYPE

In 1978 the New York State Legislature enacted new laws designed to provide more severe penalties for certain violent felonies. Thus the legislature designated certain crimes as "violent felony offenses". In this description of the 1983 new court commitment population the violent felony offenses were grouped together and treated as a separate category. Offenses not designated as violent felony crimes were broken into two other general groupings, offenses that involved some element of violence or coercion and offenses that involved theft of property or use of drugs. Youthful offenders were also treated as a separate group. Although the legislature did not identify Murder as a designated "violent felony offense" (primarily because the existing penalties for murder crimes were already quite severe) this analysis has included Murder in the violent felony offense grouping because of its inherently violent nature. Thus, there are fifteen crime categories that come under the heading of violent felony offenses (VFO) ranging from Murder to Burglary 2nd to the Possession of Dangerous Weapons. This VFO crime category (N=7,925) accounted for 63% of the offenses for which new court commitments were incarcerated. The crimes of Robbery 1st and 2nd accounted for 51% (N=4,055) of the VFO offenses as well as 32% of all of the offenses, thus making those crimes the most frequently occurring offenses.

There are six crimes that are cataloged under the "other coercive" crime category. These are offenses which are less serious degrees of some of the VFO crimes. They include Robbery 3rd; Assault 2nd; Rape 2nd and Rape 3rd; Manslaughter 2nd; and Criminally Negligent Homicide. Together these crimes account for approximately 4% of the total offenses attributed to new commitments.

A third group of crimes come under the heading of property offenses. They include Burglary 3rd, Grand Larceny, Forgery, Stolen Property, and All Other Felony crimes. As a group these property offenses constitute 18% of all new commitments in 1983. Drug related offenses are broken out as a separate crime category and these offenses account for 13% of the total of inmate offenses. The final category of offenses include Youthful Offenses and they made up 2% of the total crimes committed by new commitments.

The volume of commitments has increased annually over the 1978-1983 period. This increase has been most pronounced among VFO commitments which rose by 136% over the six-year period. Commitments for other offenses involving violence or coercion dropped, down 44%, apparently reflecting the restrictions in plea bargaining for VFO crimes. Property and drug crimes rose by 48%. In this group, commitments for drug crimes rose by 92% and Forgery by 121% while Burglary 3rd dropped by 2%. The Burglary 3rd decline appears to be related to the plea bargaining restrictions of the VFO law.

TABLE 1

NUMBER OF COURT COMMITMENTS  
TO DOCS BY OFFENSE TYPE  
1978-1983

Commitment Offense	Year of Commitment					
	1978	1979	1980	1981	1982	1983
TOTAL	7,232	7,594	7,959	10,311	10,403	12,537
A. Violent Felony Offenses	3,362	4,126	4,550	6,236	6,615	7,925
Murder	173	199	273	299	390	336
Attempted Murder	58	63	66	125	117	146
Manslaughter 1st	301	339	353	448	392	389
Rape 1st	183	216	230	204	220	241
Robbery 1st	851	991	1,148	1,794	1,870	2,212
Robbery 2nd	893	1,167	1,207	1,620	1,508	1,843
Assault 1st	130	166	145	200	168	187
Assault 2nd	159	186	172	176	174	171
Burglary 1st	22	35	38	74	94	179
Burglary 2nd	148	213	300	459	857	1,238
Arson 2nd	14	46	50	50	64	59
Sodomy 1st	47	76	61	97	83	75
Sexual Abuse 1st	57	64	68	76	69	98
Dangerous Weapons	304	346	422	594	587	718
Kidnapping	22	19	17	20	22	34
B. Other Felonies	3,453	3,091	3,100	3,758	3,523	4,332
1) Offenses with Violence/Coercion	852	564	446	439	377	481
Manslaughter 2nd	135	114	86	76	71	75
Crim. Neg. Hom.	25	27	23	24	27	23
Rape 2nd & 3rd	30	12	9	13	18	17
Robbery 3rd	591	355	282	270	198	314
Att. Assault 2nd	71	55	46	56	63	52
2) Property/Drug and Other Offenses	2,601	2,527	2,654	3,319	3,146	3,851
Burglary 3rd	1,008	951	1,078	1,359	955	983
Grand Larceny	277	218	253	334	312	419
Forgery	90	111	109	128	164	199
Drugs	846	880	886	1,037	1,243	1,625
All Other Felonies	243	223	202	241	247	307
Stolen Property	137	144	126	220	225	318
C. Youthful Offenders	417	377	309	317	265	280

TABLE 2

PERCENT OF COMMITMENTS  
BY OFFENSE TYPE  
1978-1983

Commitment Offense	Year of Commitment					
	1978	1979	1980	1981	1982	1983
TOTAL	7,232	7,594	7,959	10,311	10,403	12,537
A. Violent Felony Offenses	46.4%	54.3%	57.2%	60.5%	63.6%	63.2%
Murder	2.4%	2.6%	3.4%	2.9%	3.7%	2.7%
Attempted Murder	.8%	.8%	.8%	1.2%	1.1%	1.2%
Manslaughter 1st	4.2%	4.5%	4.4%	4.3%	3.8%	3.1%
Rape 1st	2.5%	2.8%	2.9%	2.0%	2.1%	1.9%
Robbery 1st	11.8%	13.0%	14.4%	17.4%	18.0%	17.6%
Robbery 2nd	12.4%	15.4%	15.2%	15.7%	14.5%	14.7%
Assault 1st	1.8%	2.2%	1.8%	1.9%	1.6%	1.5%
Assault 2nd	2.2%	2.4%	2.2%	1.7%	1.7%	1.4%
Burglary 1st	.3%	.5%	.4%	.7%	.9%	1.4%
Burglary 2nd	2.0%	2.8%	3.8%	4.5%	8.2%	9.9%
Arson 2nd	.2%	.6%	.6%	.5%	.6%	.5%
Sodomy 1st	.6%	1.0%	.8%	1.0%	.8%	.6%
Sexual Abuse 1st	.8%	.8%	.9%	.7%	.7%	.7%
Dangerous Weapons	4.2%	4.6%	5.3%	5.8%	5.6%	5.7%
Kidnapping	.3%	.3%	.2%	.2%	.2%	.3%
B. Other Felonies	47.7%	40.7%	39.9%	36.4%	33.9%	34.5%
1) Offenses with Violence/Coercion	11.8%	7.4%	5.6%	4.3%	3.6%	3.8%
Manslaughter 2nd	1.9%	1.5%	1.1%	.7%	.7%	.6%
Crim. Neg. Hom.	.3%	.3%	.3%	.2%	.2%	.2%
Rape 2nd & 3rd	.4%	.2%	.1%	.1%	.2%	.1%
Robbery 3rd	8.2%	4.7%	3.5%	2.6%	1.9%	2.5%
Att. Assault 2nd	1.0%	.7%	.6%	.6%	.6%	.4%
2) Property/Drug and Other Offenses	35.9%	33.3%	33.3%	32.1%	30.3%	30.7%
Burglary 3rd	13.9%	12.5%	13.5%	13.2%	9.2%	7.8%
Grand Larceny	3.8%	2.9%	3.2%	3.2%	3.0%	3.3%
Forgery	1.2%	1.5%	1.4%	1.2%	1.6%	1.6%
Drugs	11.7%	11.6%	11.1%	10.1%	11.9%	13.0%
All Other Felonies	3.4%	2.9%	2.5%	2.3%	2.4%	2.4%
Stolen Property	1.9%	1.9%	1.6%	2.1%	2.2%	2.6%
C. Youthful Offenders	5.8%	5.0%	3.9%	3.1%	2.6%	2.3%

TABLE 3

GENDER BY YEAR 1978-1983  
FOR DOCS COMMITMENTS

Gender	Year of Commitment					
	1978	1979	1980	1981	1982	1983
Male	6,973 (96.4%)	7,315 (96.3%)	7,675 (96.4%)	9,906 (96.1%)	10,026 (96.4%)	12,099 (96.5%)
Female	259 (3.6%)	279 (3.7%)	284 (3.6%)	405 (3.9%)	377 (3.6%)	438 (3.5%)
TOTAL	7,232 (100%)	7,594 (100%)	7,959 (100%)	10,311 (100%)	10,403 (100%)	12,537 (100%)

In 1983, 96.5% (N=12,099) of the new court commitments were males and 3.5% (N=438) were females. The proportion of males to females has been fairly consistent since 1978.

Since gender is an important variable in criminal justice research the characteristics of men and women on a number of demographic and legal variables will be examined in the following sections of this report.

TABLE 4

GENDER BY CRIME GROUP FOR  
1983 COMMITMENTS

Crime Group	Gender			
	Male		Female	
	Number	Percent	Number	Percent
VFO	7,709	64%	219	50%
Other VFO	458	4%	23	5%
Property	2,106	17%	121	28%
Drugs	1,557	13%	67	15%
Y.O.	269	2%	8	2%
	12,099	100%	438	100%

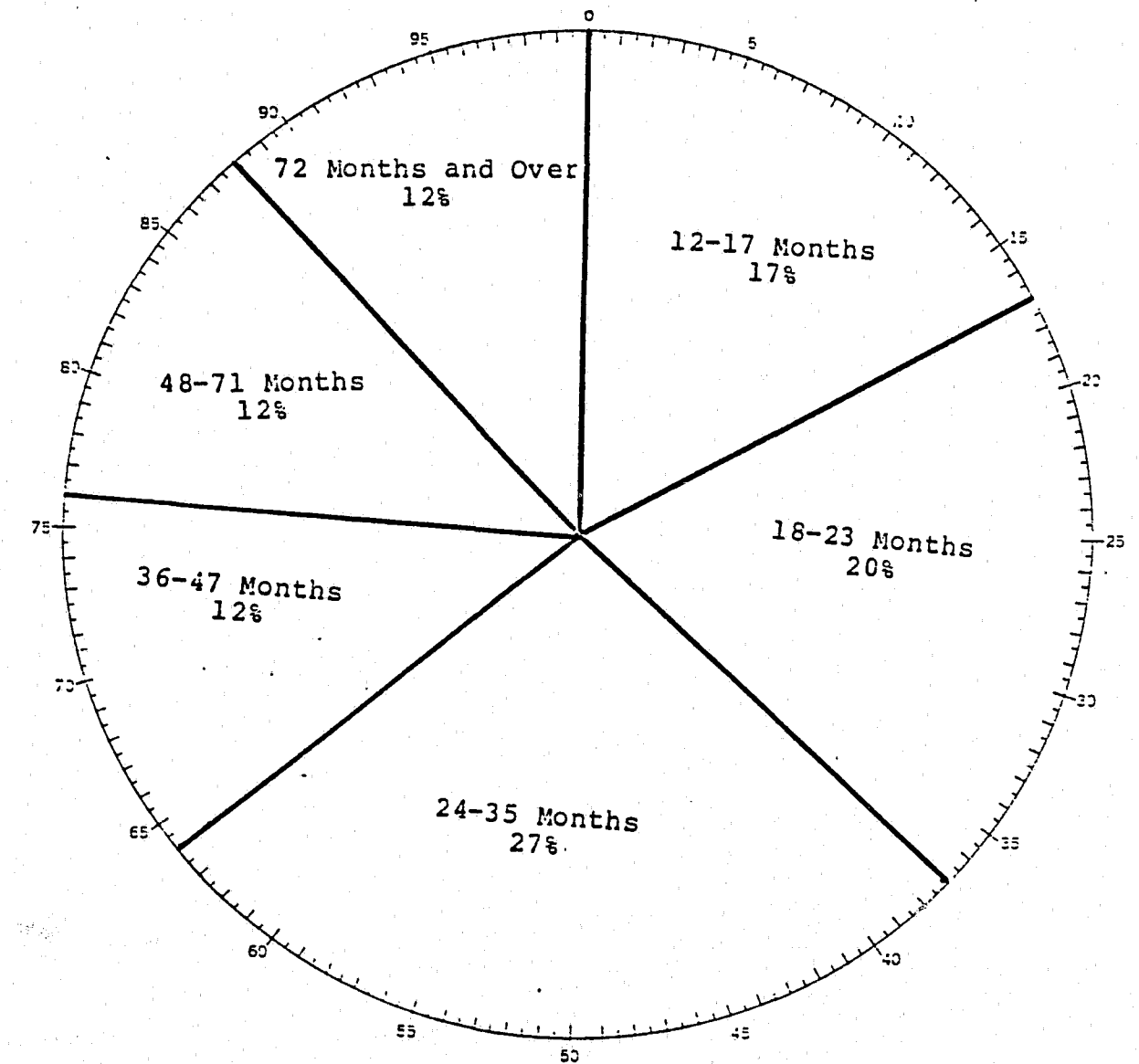
Table 5 shows that the proportion of women who were convicted of violent felony offenses was lower than it was for men, while the proportion of women convicted of property offenses was larger than that for men. This finding was consistent with those found by Simon (1975) and Steffensmeier (1980) in their research on women in crime, and may be a factor responsible for variations in sentence lengths that are apparent in the data presented elsewhere, as less violent offenders receive less severe sentences. Within individual crime categories there was also considerable variation between male and female commitments. Among women the Manslaughter crimes accounted for a much larger proportion than among males along with the crimes of Larceny, Forgery and Drugs. Among males the crimes of Robbery, Burglary and Dangerous Weapons claimed a notably higher proportion than among females.

TABLE 5  
CRIME TYPE BY GENDER FOR  
1983 COMMITMENTS

Commitment Offense	Male		Female	
	Number	Percent	Number	Percent
TOTAL	12,099	100.0%	438	100.0%
A. Violent Felony Offenses	7,706	63.7%	219	50.0%
Murder	329	2.8%	7	1.6%
Attempted Murder	141	1.2%	5	1.1%
Manslaughter 1st	353	2.9%	36	8.2%
Rape 1st	239	1.9%	2	.5%
Robbery 1st	2,154	17.8%	58	13.2%
Robbery 2nd	1,792	14.8%	51	11.6%
Assault 1st	178	1.5%	9	2.1%
Assault 2nd	163	1.3%	8	1.8%
Burglary 1st	170	1.4%	8	1.8%
Burglary 2nd	1,220	10.1%	18	4.1%
Arson 2nd	52	.4%	7	1.6%
Sodomy 1st	75	.6%	0	--
Sexual Abuse 1st	98	.8%	0	--
Dangerous Weapons	709	5.9%	9	2.1%
Kidnapping	33	.3%	1	.2%
B. Other Felonies	4,121	34.0%	211	48.2%
1) Offenses with Violence/Coercion	458	3.7%	23	5.2%
Manslaughter 2nd	63	.5%	12	2.7%
Crim. Neg. Hom.	22	.2%	1	.2%
Rape 2nd & 3rd	17	.1%	0	--
Robbery 3rd	308	2.5%	6	1.4%
Att. Assault 2nd	48	.4%	4	.9%
2) Property/Drug and Other Offenses	3,663	30.3%	188	42.9%
Burglary 3rd	975	8.1%	8	1.8%
Grand Larceny	382	3.2%	37	8.4%
Forgery	149	1.2%	50	11.4%
Drugs	1,557	12.9%	67	15.3%
All Other Felonies	296	2.4%	12	2.7%
Stolen Property	304	2.5%	14	3.2%
C. Youthful Offenders	272	2.3%	8	1.8% <sup>a/</sup>

<sup>a/</sup> Does not add to 100%

FIGURE III  
MINIMUM SENTENCES OF 1983 COMMITMENTS

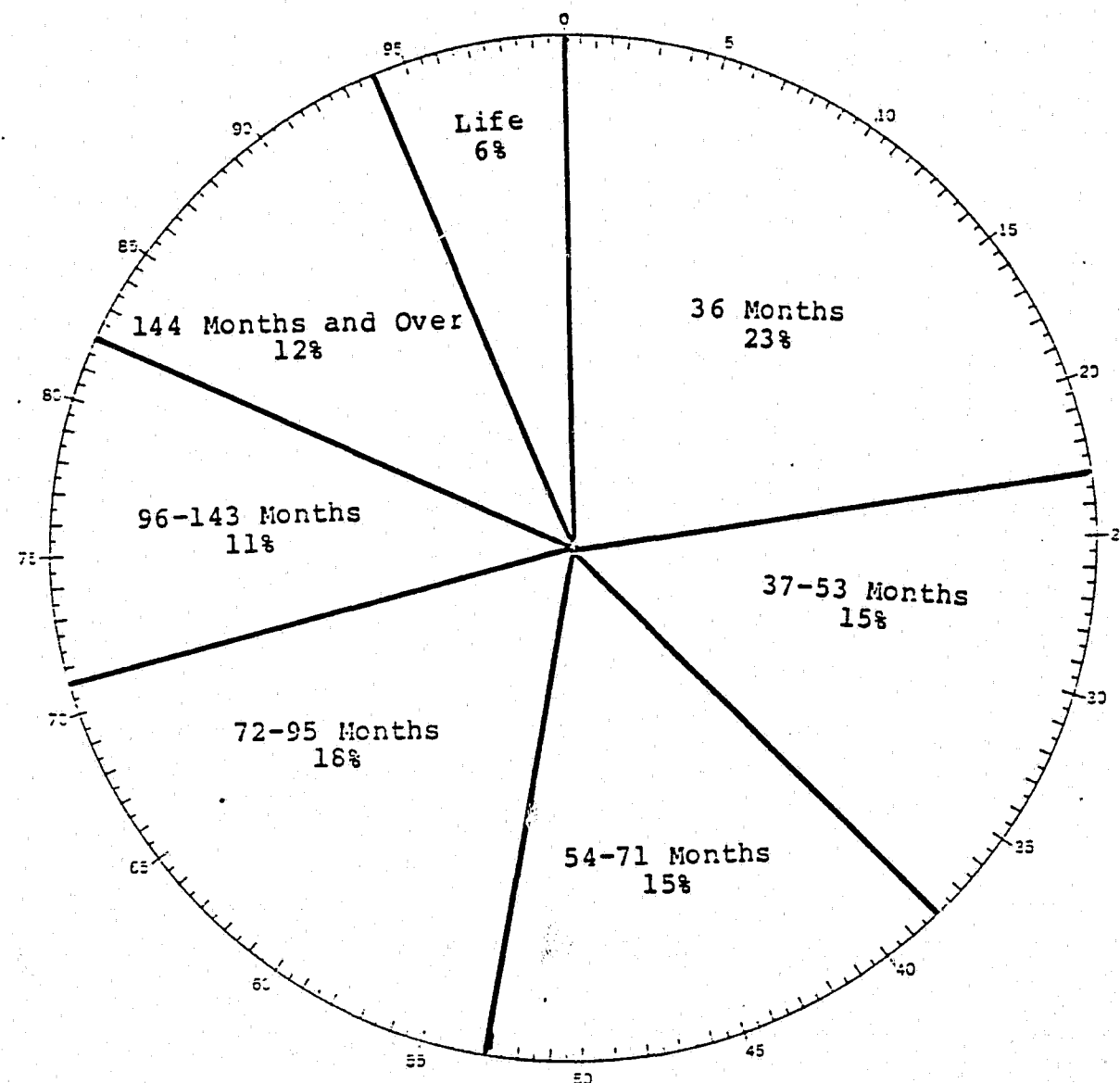


Minimum Sentence in Months	Number	Percent
TOTAL	12,504 <sup>a/</sup>	100%
12-17 Months	2,186	17%
18-23 Months	2,504	20%
24-35 Months	3,390	27%
36-47 Months	1,516	12%
48-71 Months	1,402	12%
72 Months and Over	1,506	12%

<sup>a/</sup> Information on minimum sentence was missing for 33 cases.

FIGURE IV

MAXIMUM SENTENCE  
1983 COMMITMENTS



Maximum Sentence	Number	Percent
TOTAL	12,537	100%
36 Months	2,889	23%
37-53 Months	1,900	15%
54-71 Months	1,883	15%
72-95 Months	2,212	18%
96-143 Months	1,352	11%
144 Months and Over	1,547	12%
Life	754	6%

# SENTENCING

## MINIMUM SENTENCES

The minimum and maximum sentence lengths that are analyzed in this section represent those sanctions imposed on inmates for crimes which led to their present incarceration. The mean minimum sentence for new court commitments in 1983 was 39.5 months and the median minimum sentence was 24 months. As shown in Table 6, in 1979 the modal category for minimum sentence length was 18 to 23 months. From 1980 through 1983 that modal category shifted upward to 24 to 35 months; yet over time the rest of the minimum sentence groupings ranging from 24 to 240 plus months remained stable. The switch in modal groupings was due to an increase in the 12-17 months group and on a concomitant decrease in the 18-23 months group.

These changes may be the result of statutes enacted in 1978 and 1980 by the Legislature when they restored to sentencing judges the responsibility 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 for Class B or Class C violent felony offenses the minimum sentence had to be set at one-third the maximum. For other first felony offenders (not including Class A felony offenders) the minimum period of imprisonment had to be at least one year but could not exceed one-third the maximum term. In a separate report<sup>A</sup> the Department noted that persons receiving an unspecified minimum term were more heavily concentrated among inmates 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. It was 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. Thus the increase in the percent of commitments with a minimum term of 12-17 months occurred in part because judges were now required to fix the minimum period of imprisonment for all commitments yet they could not set a minimum term (for first felony offender) that exceeded one-third of the maximum term. For those first felony offenders with maximum terms of 8 years or less judges were setting minimum terms (in accordance with new legislation) that were lower than the minimum period of imprisonment that was set by the Board of Parole. These factors accounted in some part for the increase in the percent of commitments in the 12-17 months category between 1978 and 1982, and may well be responsible for the continuation of this trend in 1983.

<sup>A</sup>/"Violent Felony Commitment to the Department of Correctional Services 1976-1981" New York State Department of Correctional Services, State Campus, Albany, N.Y.



TABLE 6

MINIMUM SENTENCE BY YEAR 1978-1983

Minimum Sentence	Year of Commitment					
	1978	1979	1980	1981	1982	1983
12-17 Months	645 (9%)	745 (10%)	1,001 (13%)	2,078 (20%)	2,024 (19%)	2,186 (17%)
18-23 Months	2,105 (29%)	2,323 (31%)	2,179 (27%)	2,182 (21%)	2,044 (20%)	2,504 (20%)
24-35 Months	2,147 (30%)	2,120 (28%)	2,233 (28%)	2,722 (26%)	2,704 (26%)	3,390 (27%)
36-47 Months	908 (13%)	922 (12%)	931 (12%)	1,134 (11%)	1,279 (12%)	1,516 (12%)
48-71 Months	672 (9%)	651 (9%)	729 (9%)	976 (9%)	1,052 (10%)	1,403 (11%)
72-119 Months	424 (6%)	466 (6%)	474 (6%)	692 (7%)	667 (6%)	872 (7%)
120-179 Months	97 (1%)	101 (1%)	88 (1%)	173 (2%)	180 (2%)	217 (2%)
180-239 Months	100 (1%)	119 (2%)	136 (2%)	147 (1%)	174 (2%)	167 (1%)
240 - Plus	124 (2%)	139 (2%)	184 (2%)	207 (2%)	281 (3%)	250 (2%)
TOTAL	7,222a/ (100%)	7,586b/ (100%)	7,955c/ (100%)	10,311 (100%)	10,405d/ (100%)	12,505e/ (100%)

a/10 missing cases  
b/8 missing cases  
c/4 missing cases  
d/2 missing cases  
e/32 missing cases

MAXIMUM SENTENCES

As shown in Table 7 there have been shifts in the percent of court commitments in each maximum sentence category during the six year period of 1978-1983. The percent of cases with life sentences has declined from approximately 12% in 1978 to roughly 6% during the years of 1980-1983. 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 sentence category.

The percent of cases in the 36 month and 37-53 month category has also declined during the period of 1978-1983. 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 due in some part to the increases in maximum sentence length which were part of the 1978 violent felony offender legislation.

TABLE 7

MAXIMUM SENTENCE BY YEAR 1978-1983  
DOCS COMMITMENTS

Maximum Sentence	Year of Commitment					
	1978	1979	1980	1981	1982	1983
36 Months	2,064 (28%)	2,135 (28%)	2,199 (28%)	2,603 (25%)	2,333 (22%)	2,888 (23%)
37-53 Months	1,535 (21%)	1,293 (17%)	1,322 (17%)	1,703 (17%)	1,516 (15%)	1,900 (15%)
54-71 Months	518 (7%)	837 (11%)	970 (12%)	1,396 (14%)	1,547 (15%)	1,883 (15%)
72-95 Months	920 (13%)	1,090 (14%)	1,344 (17%)	1,793 (17%)	1,970 (19%)	2,212 (18%)
96-107 Months	124 (2%)	117 (1%)	166 (2%)	180 (2%)	232 (2%)	353 (3%)
108-143 Months	456 (6%)	518 (7%)	595 (7%)	749 (7%)	883 (8%)	1,000 (8%)
144-179 Months	204 (3%)	252 (3%)	279 (3%)	457 (4%)	422 (4%)	507 (4%)
180 Plus	573 (8%)	586 (8%)	594 (7%)	862 (8%)	837 (8%)	1,040 (8%)
Life	838 (12%)	766 (10%)	490 (6%)	568 (6%)	663 (7%)	754 (6%)
TOTAL	7,232 (100%)	7,594 (100%)	7,959 (100%)	10,311 (100%)	10,403 (100%)	12,537 (100%)

# FELONY CLASS AND PREDICATE SENTENCE

Felony criminal offenses in New York State are classified according to five felony class categories. In general, more serious crimes are designated 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 the legislature has enacted certain provisions which affect the length of the minimum and maximum sentences available to judges. The sentence range available to judges depends not only upon the felony class category of the crime but also upon whether the defendant was a first or second felony offender and whether the crime was a designated violent felony offense. In New York 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 their minimum period of imprisonment and who meet the parole requirements set by the Board. Except for persons who have lost good time, all 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.

Because there are several factors that can affect the length of the minimum sentence the crosstabulations of felony class category by minimum sentence length for each of four different subgroups of the total commitment population are presented below.

Tables 8 thru 11 present the mean and median sentences (both minimum and maximum) which were given to VFO and Non-VFO 1st and 2nd Felony Offenders<sup>1/</sup> by the type of crime class that they were convicted.

(In order to arrive at mean and median statistics for maximum sentence the life sentences were categorized as 25 years and 1 month. Thus, the mean maximum sentence for new court commitments was 91.6 months with a median value of 59.8 months. The modal category for maximum sentence length has been 36 months since 1978.)

As expected the median<sup>2/</sup> sentence lengths of first Felony VFO were shorter than the sentences of 2nd Felony VFO's in the crime classes that they have in common (Classes B, C, D, E and Youthful Offender). Since there were no second felony A-1 crimes there was no basis for comparison between 1st and 2nd felons on this crime class. (The inclusion of these cases in the 1st Felony VFO grouping for analysis was a departmental decision and not one based on statutes.)

Similarly the median sentences for 2nd Felony Non-VFO's were higher than those given to their 1st Felony Non-VFO counterparts.

Tables 12 thru 19 present the crosstabulations of sentence lengths by crime class for 1st and 2nd Felons with VFO or Non-VFO status. These tables support the observations about the difference in sentencing which occurs when comparing 1st and 2nd Felons for either the VFO or Non-VFO crimes.

<sup>1/</sup>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.

<sup>2/</sup>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 8

MEAN AND MEDIAN SENTENCE LENGTH BY CRIME CLASS  
FOR FIRST FELONY NON-VFO 1983 COMMITMENTS

Crime Class	Number	Minimum Sentence In Months		Maximum Sentence In Months	
		Mean	Median	Mean	Median
A-1a/	35	168.5	180.0	301.0	301.0
A-2	279	51.0	46.2	297.4	300.5
A-3b/	3	20.0	21.0	212.7	234.7
B	465	18.4	12.2	56.4	36.3
C	206	24.7	17.9	76.5	55.6
D	562	15.7	12.3	48.5	37.3
E	312	13.0	12.2	39.5	37.2
Youthful Offender	273	13.1	12.7	41.2	40.3
TOTAL	2,135				

Missing Cases = 29

a/This group of A-1 felons were sentenced for drug offenses.

b/These three cases were CSCS 3rd cases which were handled as A-III felons; again a judicial sanction which did not conform to the penal code.

TABLE 9

MEAN AND MEDIAN SENTENCE LENGTH BY CRIME CLASS  
FOR FIRST FELONY VFO 1983 COMMITMENTS

Crime Class	Number	Minimum Sentence In Months		Maximum Sentence In Months	
		Mean	Median	Mean	Median
A-1a/	340	244.5	240.8	300.2	300.8
A-2	0	--	--	--	--
A-3	0	--	--	--	--
B	1,696	45.7	36.3	136.4	109.8
C	1,902	24.3	18.4	72.9	54.4
D	1,030	15.2	12.3	45.9	36.9
E	34	12.9	12.3	39.0	36.9
Youthful Offenderb/	1	12.0	12.0	48.0	48.0
TOTAL	5,003				

a/This group of offenders had committed offenses which were not designated as legislative "Violent Felony Offenses" (i.e., Murder and Kidnaping) but which are none the less violent felonies.

b/This was a miscoding error where the indication of the crime type (Robbery 1st) was seen as superseding the Youthful Offender status of this case.

TABLE 10

MEAN AND MEDIAN SENTENCE LENGTH BY CRIME CLASS  
FOR SECOND FELONY NON-VFO 1983 COMMITMENTS

Crime Class	Number	Minimum Sentence In Months		Maximum Sentence In Months	
		Mean	Median	Mean	Median
A-1a/	2	150.0	150.0	270.5	270.5
A-2	--	--	--	--	--
A-3	--	--	--	--	--
B	143	97.8	57.2	178.5	119.6
C	164	62.6	36.8	131.3	73.5
D	1,122	27.9	24.1	57.7	48.3
E	1,149	19.1	18.1	38.9	36.2
TOTAL	2,580				

a/These two cases were judicial sanctions which did not conform to the penal code. The first case belonged to a person convicted of Attempted Murder 1st who did not receive a maximum life sentence. The second belonged to a individual convicted of numerous counts of second degree Murder who also has an extensive prior criminal history.

TABLE 11

MEAN AND MEDIAN SENTENCE LENGTH BY CRIME CLASS  
FOR SECOND FELONY VFO 1983 COMMITMENTS

Crime Class	Number	Minimum Sentence In Months		Maximum Sentence In Months	
		Mean	Median	Mean	Median
A-1	0	--	--	--	--
A-2	0	--	--	--	--
A-3	0	--	--	--	--
B	676	91.9	86.8	183.8	170.8
C	976	49.1	47.7	98.3	95.4
D	958	29.0	29.7	58.3	59.7
E	173	20.8	20.7	41.7	41.4
TOTAL	2,783				

-18-

TABLE 12

1st FELONY NON-VFO BY MINIMUM SENTENCE FOR 1983 COMMITMENTS

Crime Class	Minimum Sentence										Total
	12-17	18-23	24-35	36-47	48-71	72-119	120-179	180-239	240+	Unspecified	
Class A	5	—	2	138	77	67	1	21	6	4	321
Class B	321	25	75	21	13	10	—	—	—	4	469
Class C	96	18	40	20	32	—	—	—	—	3	209
Class D	394	65	102	—	1	—	—	—	—	9	571
Class E	307	5	—	—	—	—	—	—	—	3	315
Youthful Offender	271	—	2	—	—	—	—	—	—	6	279
TOTAL	1,394	113	221	179	123	77	1	21	6	29	2,164

TABLE 13

1st FELONY VFO BY MINIMUM SENTENCE FOR 1983 COMMITMENTS

Crime Class	Minimum Sentence										Total
	12-17	18-23	24-35	36-47	48-71	72-119	120-179	180-239	240+	Unspecified	
Class A	—	—	—	—	—	—	—	113	227	—	340
Class B	7	7	626	351	398	302	4	1	—	—	1,696
Class C	24	1,104	437	198	139	—	—	—	—	—	1,902
Class D	725	156	145	4	—	—	—	—	—	1	1,031
Class E	33	1	—	—	—	—	—	—	—	—	34
Youthful Offender	1	—	—	—	—	—	—	—	—	—	1
TOTAL	790	1,268	1,208	553	537	302	4	114	227	1	5,004

-19-

TABLE 14

2nd FELONY NON-VFO BY MINIMUM SENTENCE FOR 1983 COMMITMENTS

Crime Class	Minimum Sentence										Total
	12-17	18-23	24-35	36-47	48-71	72-119	120-179	180-239	240+	Unspecified	
Class A	—	—	—	—	—	—	1	1	—	—	2
Class B	—	—	5	2	75	12	24	12	13	—	143
Class C	—	—	9	89	22	27	5	9	3	—	164
Class D	1	35	933	128	2	17	—	5	1	9	1,131
Class E	—	983	161	—	—	1	—	1	—	—	1,149
Youthful Offender	—	—	—	—	—	—	—	—	—	—	—
TOTAL	1	1,018	1,108	222	99	57	30	28	17	9	2,589

TABLE 15

2nd FELONY VFO BY MINIMUM SENTENCE FOR 1983 COMMITMENTS

Crime Class	Minimum Sentence										Total
	12-17	18-23	24-35	36-47	48-71	72-119	120-179	180-239	240+	Unspecified	
Class A	—	—	—	—	—	—	—	—	—	—	—
Class B	—	—	4	14	149	326	182	1	—	—	676
Class C	—	1	21	354	490	110	—	—	—	—	976
Class D	—	13	745	194	6	—	—	—	—	—	958
Class E	—	91	82	—	—	—	—	—	—	—	173
Youthful Offender	—	—	—	—	—	—	—	—	—	—	—
TOTAL	—	105	852	562	645	436	182	1	—	—	2,783



TABLE 16

1st FELONY NON-VFO BY MAXIMUM SENTENCE FOR 1983 COMMITMENTS

Crime Class	Maximum Sentence								Life	Total
	36 mo.	37-53	54-71	72-95	96-107	108-143	144-179	180-500		
Class A	7	—	—	—	—	1	—	—	309	317
Class B	309	11	27	76	2	20	7	16	1	469
Class C	77	16	20	42	—	18	10	26	—	209
Class D	308	79	73	110	—	—	1	—	—	571
Class E	224	88	3	—	—	—	—	—	—	315
Youthful Offender	162	115	—	2	—	—	—	—	—	279
TOTAL	1,087	309	123	230	2	39	18	42	310	2,160

TABLE 17

1st FELONY VFO BY MAXIMUM SENTENCE FOR 1983 COMMITMENTS

Crime Class	Maximum Sentence								Life	Missing	Total
	36 mo.	37-53	54-71	72-95	96-107	108-143	144-179	180-500			
Class A	—	—	—	—	—	—	—	—	333	7	340
Class B	5	3	7	620	6	353	179	523	—	—	1,696
Class C	15	10	1,104	427	9	198	67	72	—	—	1,902
Class D	632	94	155	147	—	3	—	—	—	—	1,031
Class E	26	7	1	—	—	—	—	—	—	—	34
Youthful Offender	—	1	—	—	—	—	—	—	—	—	1
TOTAL	678	115	1,267	1,194	15	554	246	595	333	7	5,004

TABLE 18

2nd FELONY VFO BY MAXIMUM SENTENCE FOR 1983 COMMITMENTS

Crime Class	Maximum Sentence								Life	Total
	36 mo.	37-53	54-71	72-95	96-107	108-143	144-179	180-500		
Class A	—	—	—	—	—	—	—	—	—	—
Class B	—	2	—	16	6	143	172	337	—	676
Class C	—	10	12	354	316	174	64	46	—	976
Class D	13	410	335	193	5	1	—	—	1	958
Class E	91	82	—	—	—	—	—	—	—	173
Youthful Offender	—	—	—	—	—	—	—	—	—	—
TOTAL	104	504	347	563	327	318	236	383	1	2,783

TABLE 19

2nd FELONY NON-VFO BY MAXIMUM SENTENCE FOR 1983 COMMITMENTS

Crime Class	Maximum Sentence								Life	Total
	36 mo.	37-53	54-71	72-95	96-107	108-143	144-179	180-500		
Class A	—	—	—	—	—	—	—	1	1	2
Class B	—	3	—	3	—	75	4	14	44	143
Class C	—	7	2	89	9	13	3	5	36	164
Class D	34	794	141	129	—	1	—	—	32	1,131
Class E	971	168	3	2	—	—	—	—	5	1,149
Youthful Offender	—	—	—	—	—	—	—	—	—	—
TOTAL	1,005	972	146	223	9	89	7	20	118	2,589

TABLE 20

MEAN AND MEDIAN SENTENCES BY CRIME GROUP  
FOR 1983 COMMITMENTS

(N=12,537)

Crime Group	In Months		In Months	
	Minimum Sentence Mean	Median	Maximum Sentence Mean	Median
VFO (N=7,928)	48	30	106	72
Other Violent Felony (N=481)	22	18	55	45
Property (N=2,227)	21	18	46	36
Drugs (N=1,624)	32	24	105	48
Youth Offender (N=277)	13	12	41	40

Table 20 provides information about the mean and median sentence ranges for court commitments by general crime group heading. In general the VFO offenders received the longest sentences while property offenders received the shortest criminal sanctions. By focusing on just the median values it became apparent that only VFO and drug offenders were getting the harshest sentences as their designated minimums were one-half of their maximums. This does not appear to be the result of an abnormally high proportion of second felony offenders within those two crime categories, as more than 60% of the people in each group were first felony offenders.

GENDER AND SENTENCING

One of the areas that social scientists have explored extensively through empirical research is the effects of extra-legal variables on the processing of defendants and on the severity of judicial sanctions. Race, socio-economic status and gender have been some of the extra-legal determinants which have been examined. The findings on the influence of gender in criminal court dispositions have been inconsistent, with some studies pointing to the relative leniency with which women are treated by the criminal justice system. Other studies point out that women were more severely sanctioned if they were involved in violent crimes. This report was not intended to explore this issue in depth, but some of the findings presented here will be of interest to this debate and will be explored in detail in a future study.

Table 21 gives some indication that in general the minimum sentences for women were lower than the minimum sentences for men. This finding was given further credence as the mean minimum sentence for men was 39.8 months (with a median value of 24 months) while the mean for women was 31 months (with a median value of 20.4 months). This difference in means was found to be statistically significant.

The information provided in Table 22 shows that in general maximum sentences for women were less than for men. The primary disparity between sentences for the two genders was in the 36 month category where a greater proportion of women (over 11%) than men were clustered. This conclusion was bolstered by the fact that the mean maximum sentence for men was 92 months (with a median value of 60 months) while the mean for women was 82 months (with a median value of 53 months). This difference in means was statistically significant.

In order to adequately study any disparity in sentencing there is a need to control for the type of crime and the offenders' prior record. Without controlling for crime, the argument can always be made that the finding of higher sentences for men is due to their involvement in more serious crimes and the extensiveness of their prior criminal records.

By controlling for crime type and examining only those new commitments with no prior record the following results were produced. The mean minimum and maximum sentences for women involved in VFO appeared to be higher than that for men but these differences were not statistically significant. This pattern was repeated for the category of other violent or coercive crimes. The pattern did not repeat for property crimes where men had statistically significant higher maximum and minimum sentences. For drug related crimes women also had higher mean minimum and maximum sentences but only the maximum sentences were statistically significant.

Thus, when taking offense severity and prior record into account, women of this cohort of new court commitments appeared to be receiving longer sentences than their male counterparts for violent crimes, crimes of coercion and drug offenses. The men in this sample clearly had longer sentences for property crimes.

TABLE 21

MINIMUM SENTENCE BY GENDER  
FOR 1983 COMMITMENTS

Minimum Sentence in Months	Gender			
	Male		Female	
	Number	Percent	Number	Percent
12-17	2,065	17%	121	28%
18-23	2,405	20%	99	23%
24-35	3,286	27%	104	24%
36-47	1,471	12%	45	10%
48-71	1,367	11%	35	8%
72 +	1,473	12%	33	8%
TOTAL	12,067 <sup>a/</sup>	100%	437 <sup>b/</sup>	100%

<sup>a/</sup>32 missing cases  
<sup>b/</sup>1 missing case

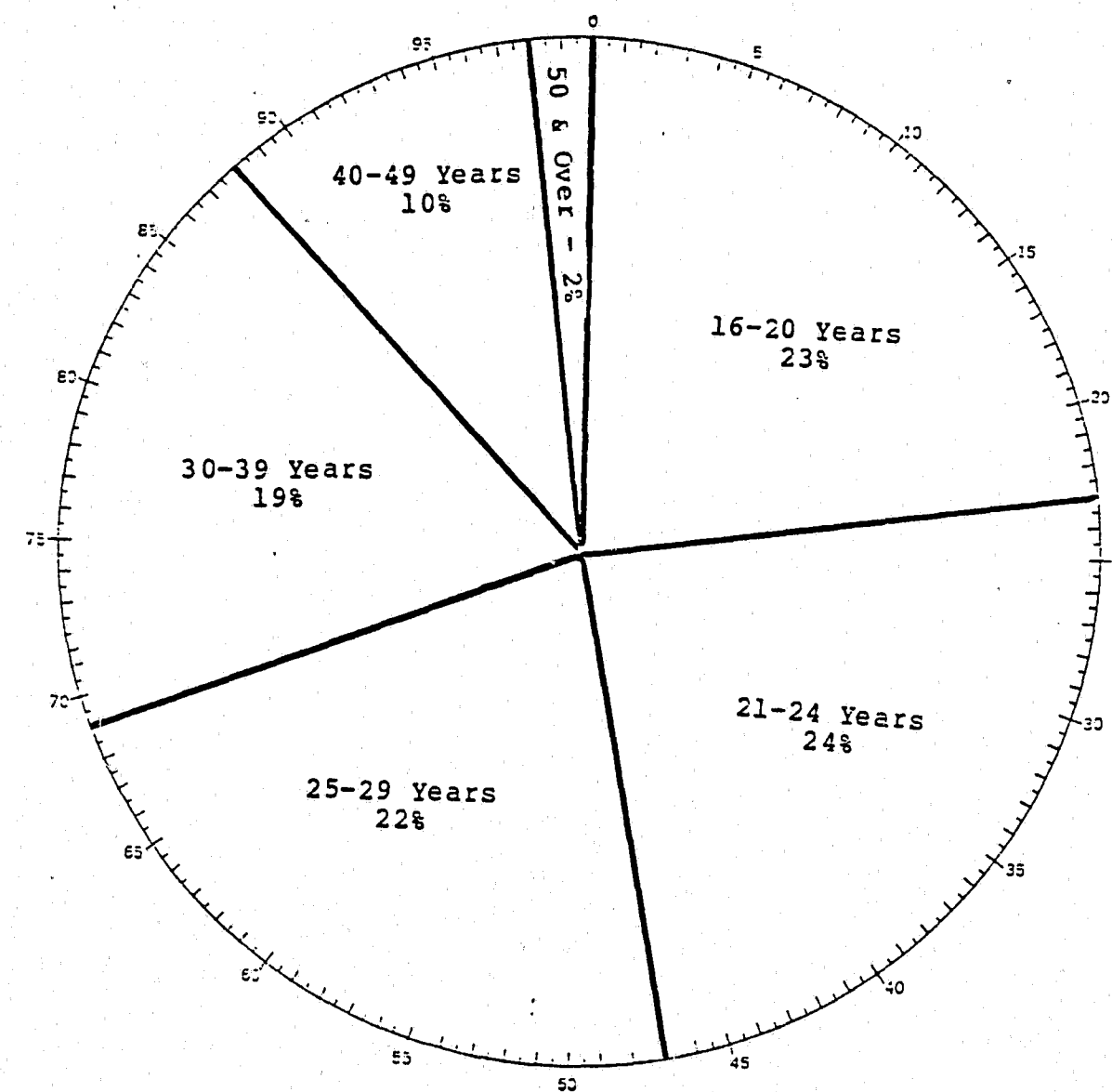
TABLE 22

MAXIMUM SENTENCE BY GENDER  
FOR 1983 COMMITMENTS

Maximum Sentence in Months	Gender			
	Male		Female	
	Number	Percent	Number	Percent
36	2,740	23%	149	34%
37-53	1,831	15%	69	16%
54-71	1,830	15%	53	12%
72-95	2,145	18%	67	15%
96-107	348	3%	4	1%
108-143	971	8%	29	7%
144-179	496	4%	11	3%
180 +	1,007	8%	33	8%
Life	731	6%	23	5%
TOTAL	12,099	100%	438	100%

FIGURE V

CHARACTERISTICS OF NEW COMMITMENTS - 1983  
AGE DISTRIBUTION



Age on Commitment	Number	Percent
TOTAL INMATES	12,537	100%
16-20 Years	2,841	23%
21-24 Years	3,053	24%
25-29 Years	2,792	22%
30-39 Years	2,408	19%
40-49 Years	1,211	10%
50 & Over	232	2%

AGE

According to Table 23 the majority of new court commitments, 24.4%, were 21 to 24 years old upon their entry into DOCS custody. The next largest age category, 22.3%, contains the 25 to 29 year old inmates. Another 22.6% of the inmates were 20 years old or younger. Finally 30.5% fell into the 30 year or older category. The mean age of the 1983 court commitments was 27 years old and the median age was 25.

TABLE 23

AGE ON COMMITMENT TO DOCS FOR  
1983 COMMITMENTS

Age on Commitment	Number	Percent
16-18 Years	1,230	9.8%
19-20 Years	1,611	12.8%
21-24 Years	3,053	24.4%
25-29 Years	2,792	22.3%
30-34 Years	1,465	11.7%
35-39 Years	943	7.5%
40-44 Years	964	7.7%
45-49 Years	247	2.0%
50-64 Years	216	1.7%
65 Years & Over	16	0.1%
	12,537	100.0%

As revealed in Table 24 males appear to be proportionally younger than women among 1983 court commitments. The modal age category for men is 21-24; for women, the modal group includes ages 25-29. The mean age of men is 26.8 years (with a median value of 24.9 years) while the mean age for women is 28.9 years (with a median value of 27.7 years). This difference of means is statistically significant.

TABLE 24

AGE ON COMMITMENT BY GENDER  
FOR 1983 COMMITMENTS

Age on Commitment	Gender			
	Male		Female	
	Number	Percent	Number	Percent
16-20	2,794	23.1%	47	10.8%
21-24	2,967	24.5%	86	19.6%
25-29	2,672	22.1%	120	27.4%
30-40	1,393	11.5%	72	16.4%
35-39	897	7.4%	46	10.5%
40 +	1,376	11.4%	67	15.3%
	12,099	100%	438	100.0%

According to Table 25 the age distribution of new court commitments has proven to be fairly stable over the period from 1978 to 1983. This finding is consistent with historical trends that consistently find younger offenders disproportionately represented among the criminally confined.

TABLE 25

AGE BY YEAR, 1978-1983  
FOR DOCS COMMITMENTS

Age on Commitment	Year of Commitment					
	1978	1979	1980	1981	1982	1983
16-20 Yrs.	1,871 (25.9%)	2,040 (26.9%)	2,082 (26.2%)	2,623 (25.4%)	2,488 (23.9%)	2,841 (22.7%)
21-24 Yrs.	1,684 (23.3%)	1,722 (22.7%)	1,855 (23.3%)	2,474 (24.0%)	2,554 (24.6%)	3,053 (24.3%)
25-29 Yrs.	1,619 (22.4%)	1,574 (20.7%)	1,682 (21.1%)	2,222 (21.6%)	2,260 (21.7%)	2,792 (22.3%)
30 Yrs. +	2,058 (28.4%)	2,258 (29.7%)	2,340 (29.4%)	2,992 (29.0%)	3,101 (29.8%)	3,851 (30.7%)
	7,232 (100%)	7,595 (100%)	7,959 (100%)	10,311 (100%)	10,403 (100%)	12,537 (100%)



As shown in Table 26 the age distribution for new commitments varies by general crime categories. The violent felony and other coercive offenders tend to be younger than property or drug offenders. This observation is validated by Table 27 showing the mean and median ages for the various crime categories.

TABLE 26

AGE BY GENERAL CRIME GROUP FOR  
1983 COMMITMENTS

Age	Crime Group					
	VFO	Other Coercive	Property	Drugs	Youth	Total
16-18 Yrs.	894 (11.3%)	36 (7.5%)	88 (3.9%)	21 (1.3%)	192 (69.3%)	1,231 (9.8%)
19-20 Yrs.	1,218 (15.7%)	50 (10.4%)	208 (9.3%)	61 (3.7%)	74 (26.7%)	1,611 (12.8%)
21-24 Yrs.	2,105 (26.5%)	126 (26.2%)	509 (22.8%)	303 (18.6%)	10 (3.6%)	3,053 (24.3%)
25-29 yrs.	1,715 (21.6%)	99 (20.6%)	554 (24.8%)	423 (26.0%)	1 (.4%)	2,792 (22.3%)
30-34 Yrs.	1,066 (13.4%)	83 (17.2%)	414 (18.6%)	350 (21.5%)	--	1,913 (15.2%)
35-39 Yrs.	467 (5.9%)	41 (8.5%)	213 (9.6%)	222 (13.7%)	--	943 (7.5%)
40 Yrs. +	463 (5.8%)	46 (9.6%)	241 (10.8%)	244 (15.0%)	--	994 (7.9%)
TOTAL	7,928 (100%)	481 (100%)	2,227 (100%)	1,624 (100%)	277 (100%)	12,537 (100%)

TABLE 27

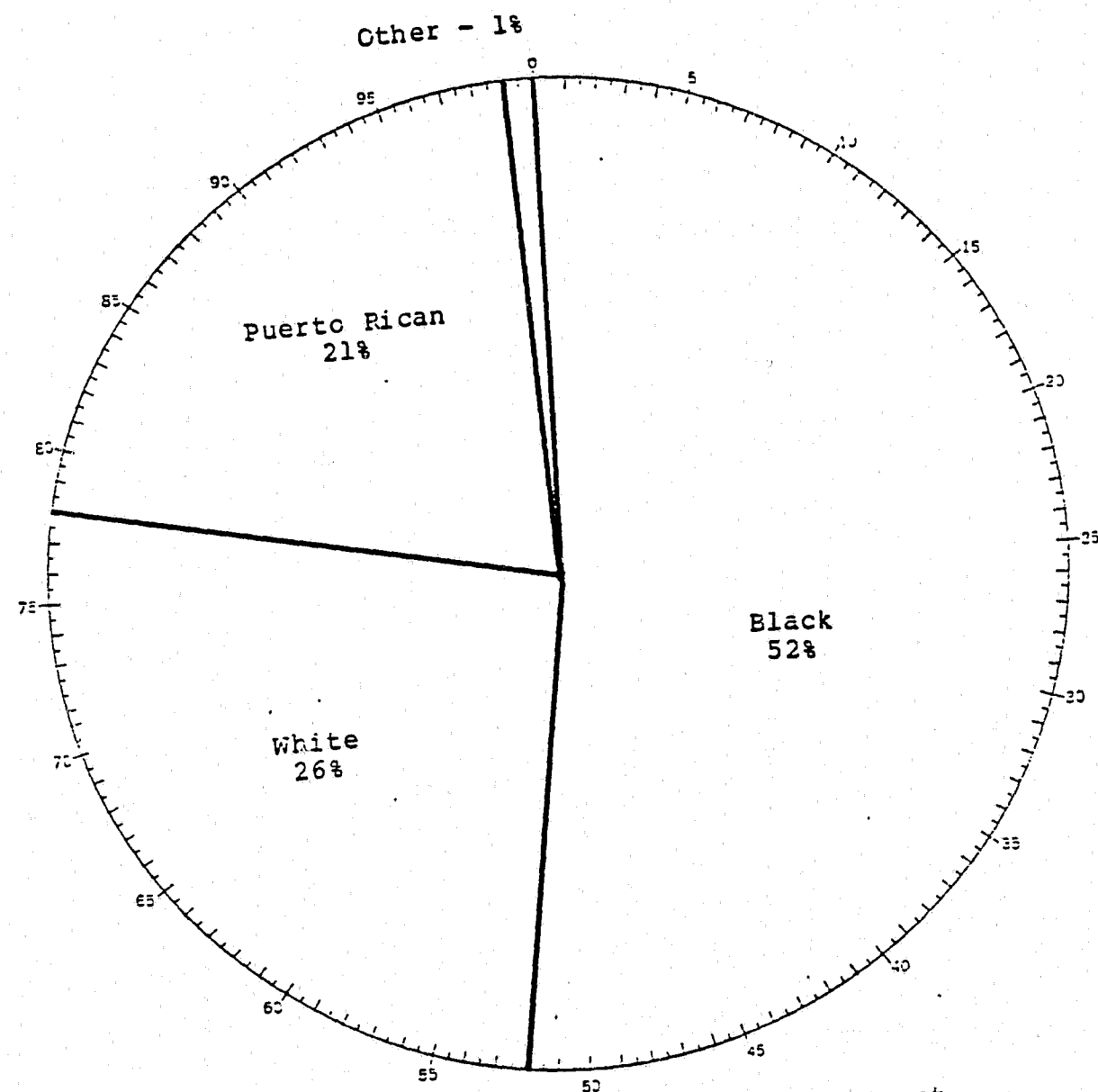
CRIME CATEGORY BY  
MEAN AND MEDIAN AGES FOR 1983 COMMITMENTS

(N=12,537)

Crime Category	Age in Years	
	Mean Age	Median Age
Total Commitments	27.0	25.0
VFO (7,928)	25.8	23.9
Other Coercive (481)	27.7	25.7
Property (2,227)	28.8	27.0
Drugs (1,624)	30.9	29.5
Youth Offenses (277)	17.9	17.8

FIGURE VI

CHARACTERISTICS OF NEW COMMITMENTS - 1983  
ETHNIC DISTRIBUTION



Ethnic Group	Number	Percent
TOTAL	12,537	100%
Black	6,550	52%
White	3,217	26%
Puerto Rican	2,712	21%
Other	58	1%

ETHNICITY

In 1983 minority inmates comprised 74.3% (N=9,320) of the new court commitments sent to the Department of Corrections. More specifically, 52.2% (N=6,550) were black and 21.6% (N=2,712) were Puerto Rican while 25.7% (N=3,217) were white.

TABLE 28

ETHNIC STATUS BY YEAR 1978-1983  
FOR DOCS COMMITMENTS

Ethnic Status	Year of Commitment					
	1978	1979	1980	1981	1982	1983
White	2,206 (30%)	2,420 (32%)	2,412 (30%)	2,900 (28%)	2,829 (27%)	3,217 (26%)
Black	3,586 (50%)	3,679 (48%)	3,902 (49%)	5,209 (51%)	5,398 (52%)	6,550 (52%)
Puerto Rican	1,402 (19%)	1,463 (19%)	1,609 (20%)	2,142 (21%)	2,123 (20%)	2,712 (22%)
Other	38 (1%)	32 (1%)	36 (1%)	62 (1%)	53 (1%)	58 (1%)
TOTAL	7,232 (100%)	7,594 (100%)	7,959 (100%)	10,311 (100%)	10,403 (100%)	12,537 (100%)

Table 28 shows that the proportion of white inmates has been declining at a very slow pace since 1978. Concomitantly, the proportion of both Black and Puerto Rican inmates has been slowly rising. These apparent changes in the ethnic composition of the new court commitments are small yet they appear to be consistent over time.

By examining the proportional age distribution between racial groups in Table 29 there appears to be little variation. This observation is given additional weight when the mean and median ages of the three racial groups are compared as in Table 30.

TABLE 29

ETHNIC STATUS BY AGE FOR 1983 COMMITMENTS

Age on Commitment	Ethnic Status					
	White		Black		Puerto Rican	
	Number	Percent	Number	Percent	Number	Percent
16-18	228	7%	754	12%	242	9%
19-20	348	11%	960	15%	293	11%
21-24	778	24%	1,649	25%	611	23%
25-29	753	23%	1,324	20%	702	26%
30-34	490	15%	1,005	15%	412	15%
35-39	273	8%	434	7%	233	9%
40 +	347	11%	424	6%	219	8%
TOTAL	3,217	100%	6,550	100%	2,712	100%

Missing cases = 58

TABLE 30

MEAN AND MEDIAN AGES (In Years)  
BY ETHNIC STATUS  
FOR 1983 COMMITMENTS

	White	Black	Puerto Rican
Mean Age	28	26	27
Median Age	26 (N=3,217)	24 (N=6,550)	26 (N=2,712)

Table 31 shows that most men and women were black, and, the proportion of both white and black females was slightly higher than their male counterparts. Also the proportion of Puerto Rican males was slightly higher than that for Puerto Rican females.

TABLE 31

ETHNIC STATUS BY GENDER FOR 1983 COMMITMENTS

<u>Ethnic Status</u>	<u>Gender</u>				<u>Total</u>	
	<u>Male</u>		<u>Female</u>			
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
White	3,093	25.5%	124	28.3%	3,217	25.7%
Black	6,311	52.2%	239	54.5%	6,550	52.2%
Puerto Rican	2,639	21.8%	73	16.7%	2,712	21.6%
Other	56	0.5%	2	0.5%	58	0.5%
TOTAL	<u>12,099</u>	<u>100.0%</u>	<u>438</u>	<u>100.0%</u>	<u>12,537</u>	<u>100.0%</u>

An examination of specific crimes by ethnic group reveals that there were a number of offenses where certain groups were disproportionately overpresented. Whites were committed more frequently for the crimes of Burglary 2nd, Arson 2nd, Sodomy 1st, Sexual Abuse 1st, Manslaughter 2nd, Rape 2nd and 3rd, Burglary 3rd, Forgery, Stolen Property, and Criminally Negligent Homicide. Blacks were committed more frequently for Robbery 2nd, Robbery 3rd, Dangerous Weapons, and Grand Larceny. Puerto Ricans were more often committed for Manslaughter 1st and Drug Offenses.

In order to discern any patterning of offenses for specific ethnic groups it was instructive to also look at the distribution of crime group involvement among them.

TABLE 32

CRIME GROUP BY ETHNIC STATUS FOR 1983 COMMITMENTS

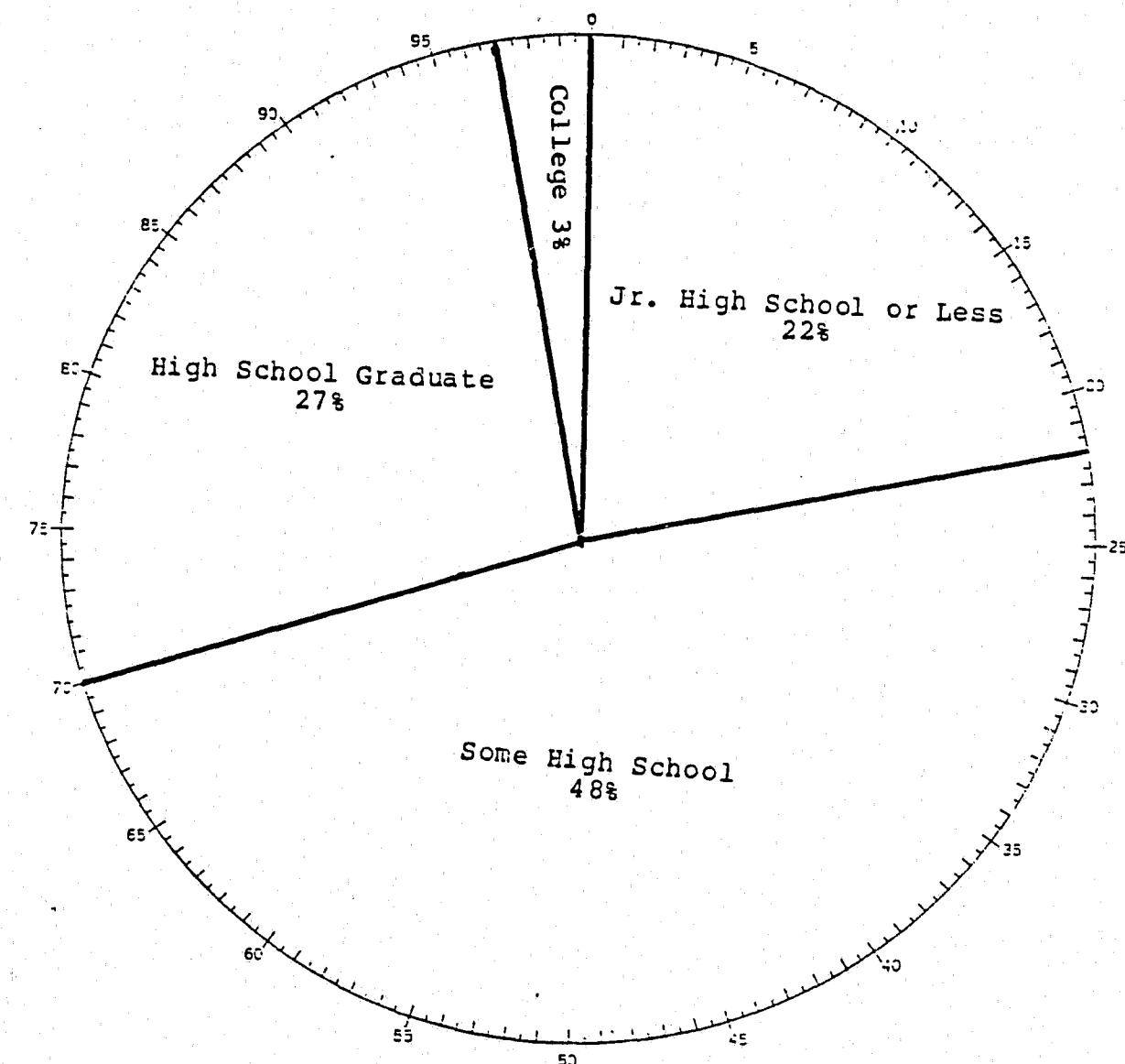
Crime Group	White		Ethnic Status		Puerto Rican	
	Number	Percent	Black	Percent	Number	Percent
VFO	1,667	51.8%	4,465	68.1%	1,752	64.6%
Other Coercive	136	4.2%	274	4.2%	70	2.6%
Property	866	26.9%	1,062	16.2%	292	10.7%
Drugs	468	14.5%	604	9.2%	549	20.2%
Youth	80	2.4%	145	2.2%	49	1.8%
TOTAL	3,217	100.0%	6,550	100.0%	2,712	100.0%

Missing cases = 58

The data in Table 32 shows that Black and Puerto Rican inmates were disproportionately committed for violent felony offenses, while the white inmates were also overrepresented as property offenders. Puerto Rican inmates were overrepresented as drug offenders. The findings for the 1983 new court commitments were very similar to those for last years group of new court commitments.

FIGURE VII

CHARACTERISTICS OF NEW COMMITMENTS - 1983  
EDUCATION ON COMMITMENT



Education on Commitment	Number	Percent
TOTAL	12,474 <sup>a/</sup>	100%
Jr. High or Less	2,720	22%
Some High School	5,983	48%
High School Graduate	3,386	27%
Some College	385	3%

<sup>a/</sup>There were 63 cases with missing information on educational achievement.



# EDUCATION

The educational distribution of the new court commitments shows that the majority (48%) had attended but did not finish high school. Twenty seven percent of them did graduate high school, while 3% had some college education. The mean educational grade level for the sample of new court commitments was 10.3 years while the median education level was 10.0 years.

TABLE 33

EDUCATIONAL LEVEL BY YEAR 1978-1983  
FOR DOCS COMMITMENTS

Educational Level	Year of Commitment					
	1978	1979	1980	1981	1982	1983
Jr. High or Less	1,848 (26%)	1,861 (25%)	1,962 (25%)	2,509 (24%)	2,413 (23%)	2,720 (22%)
Some High School	3,402 (48%)	3,739 (50%)	3,951 (50%)	4,866 (47%)	4,963 (48%)	5,983 (48%)
H.S. Graduate	1,359 (19%)	1,673 (22%)	1,737 (22%)	2,642 (26%)	2,755 (27%)	3,386 (27%)
Some College	542 (7%)	245 (3%)	240 (3%)	227 (2%)	195 (2%)	385 (3%)
TOTAL	7,145 <sup>a</sup> (100%)	7,517 <sup>b</sup> (100%)	7,891 <sup>c</sup> (100%)	10,247 <sup>d</sup> (100%)	10,329 <sup>e</sup> (100%)	12,474 <sup>f</sup> (100%)

a/Missing Cases = 81  
b/Missing Cases = 76  
c/Missing Cases = 69  
d/Missing Cases = 67  
e/Missing Cases = 77  
f/Missing Cases = 63

TABLE 34

CRIME GROUP BY EDUCATIONAL LEVEL FOR  
1983 COMMITMENTS

Crime Group	Educational Level				Total
	Jr. High or Less	Some High School	High School Graduate	Some College	
VFO	1,781 (65%)	3,999 (67%)	1,933 (57%)	175 (45%)	7,888 (63%)
Other Coercive	101 (4%)	225 (4%)	134 (4%)	18 (5%)	478 (4%)
Property	411 (15%)	921 (15%)	769 (23%)	113 (29%)	2,214 (18%)
Drugs	354 (13%)	662 (11%)	523 (15%)	78 (20%)	1,617 (13%)
Youthful Offender	73 (3%)	176 (3%)	27 (1%)	1 (1%)	277 (2%)
TOTAL	2,720 (100%)	5,983 (100%)	3,386 (100%)	385 (100%)	12,474 (100%)
Missing Cases = 63					

Tables 34 and 35, representing the relationship between crime classification and educational level reveals that the proportion of VFO and Youthful Offenders decreases as the level of educational achievement increases. At the same time the proportion of property and drug offenders seems to increase as the level of educational achievement increases. This observation receives support when examining the mean and median educational levels of new court commitments within crime categories. The lowest educational level is reserved for Youthful Offenders and this of course is a function of the lower ages of these inmates. VFO commitments have the next lowest educational level. Next comes the other coercive felons and then drug felons. The property offender group registers the highest educational levels.

TABLE 35

MEAN AND MEDIAN EDUCATION LEVEL BY  
CRIME GROUP FOR 1983 COMMITMENTS

(N=12,474)

<u>Crime Group</u>	<u>Education in Years</u>	
	<u>Mean</u>	<u>Median</u>
VFO (7,888)	10.2	9.9
Other Coercive (478)	10.5	10.2
Property (2,214)	10.9	10.6
Drugs (1,617)	10.7	10.4
Youthful Offender (277)	9.4	9.2
Missing Cases = 63		

Table 36 shows that over 30% of both male and female new court commitments had finished at least high school but that the majority of both genders had at least completed the 9th grade. When comparing males and females on their educational achievement slightly more women than men had completed high school, while more men than women had completed 9th thru 12th grades. The mean educational level for men is 10.3 years (with median value of 9.9 years) while for women it is 10.6 years (with a median value of 10.3) and this difference was statistically significant.

TABLE 36

### EDUCATIONAL LEVEL BY GENDER FOR 1983 COMMITMENTS

Educational Level	Gender			
	Male		Female	
	Number	Percent	Number	Percent
Jr. High or Less	2,630	21.8%	90	20.7%
Some High School	5,787	48.1%	196	45.2%
H. S. Graduate	3,254	27.0%	132	30.4%
Some College	369	3.1%	16	3.7%
TOTAL	12,040	100.0%	434	100.0%

Missing Cases = 63

Table 37 indicates that there are differences in educational levels between ethnic groups. White inmates record the highest educational level (a mean of 10.9 and a median of 10.8), blacks have the next highest numbers with a mean level of 10.5 and a median value of 10.2. Puerto Rican inmates reported education levels that appear to be significantly lower than either of the other ethnic groups (mean of 9.1 and a median of 8.9).

TABLE 37

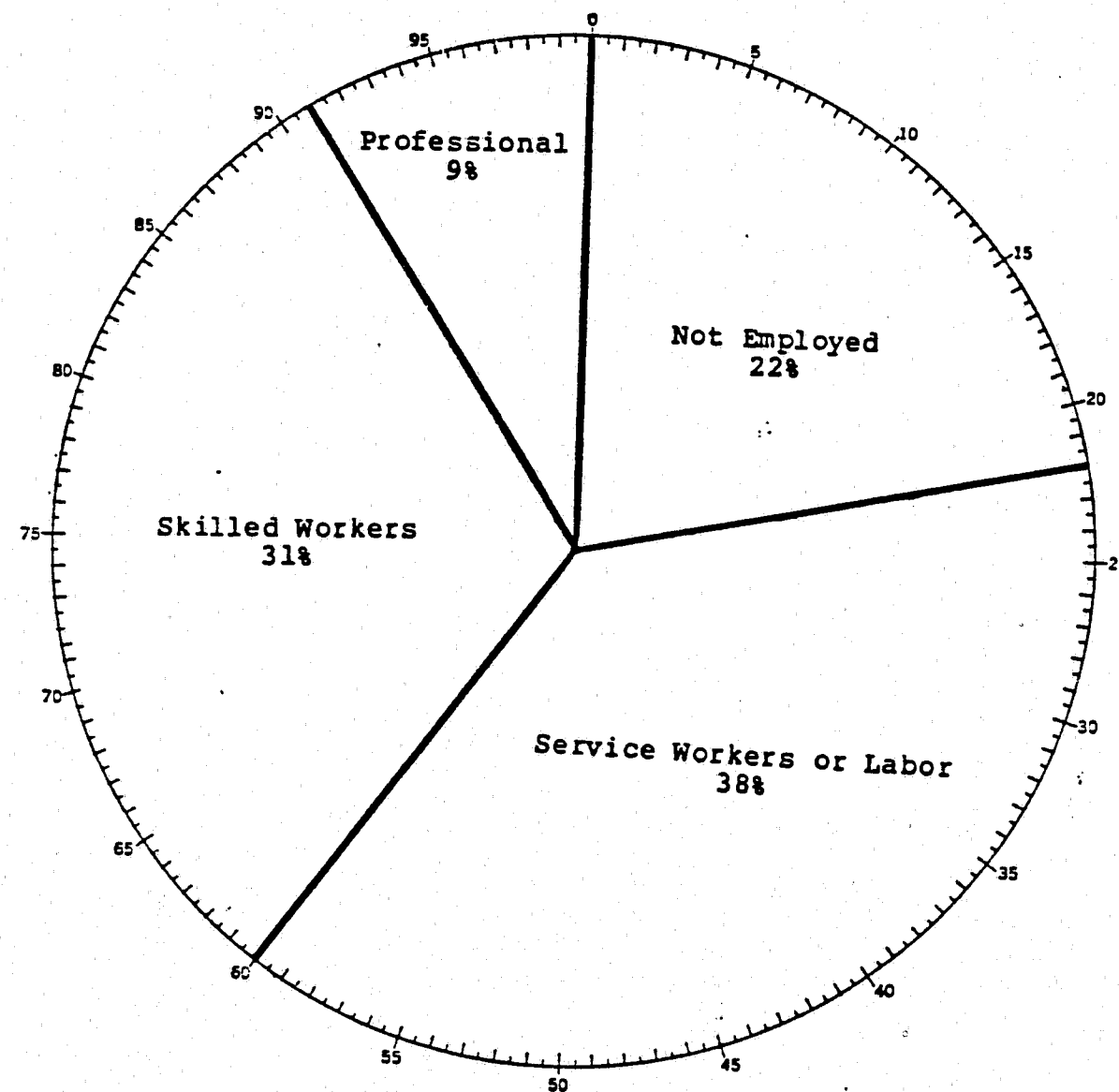
EDUCATIONAL LEVEL BY ETHNICITY FOR  
1983 COMMITMENTS

<u>Educational Level</u>	<u>Ethnic Status</u>					
	<u>White</u>		<u>Black</u>		<u>Puerto Rican</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Junior High or Less	621	19.4%	1,056	16.2%	1,036	38.4%
Some High School	1,189	37.2%	3,565	54.7%	1,204	44.6%
H.S. Graduate	1,232	38.5%	1,703	26.1%	429	15.9%
Some College	158	4.9%	197	3.0%	27	1.1%
TOTAL	3,200	100.0%	6,521	100.0%	2,696	100.0%

Missing Cases = 120

FIGURE VIII

OCCUPATION ON COMMITMENT  
1983 COURT COMMITMENTS TO DOCS



Occupation on Commitment	Number	Percent
TOTAL	12,534 <sup>a/</sup>	100%
Not Employed	2,831	22%
Service Workers or Labor	4,775	38%
Skilled Workers	3,852	31%
Professional	1,076	9%

<sup>a/</sup> Occupational status was missing for 3 cases.

Table 38 indicates the occupational distribution of 1983 new court commitments. The largest single categories seem to be distributed at the lower end of the occupational hierarchy with 61.7% (N=7,606) of the inmates as being service workers, laborers, or unemployed (a category which includes students, chronically unemployed, and seasonally unemployed).

TABLE 38

OCCUPATIONAL STATUS OF 1983 COMMITMENTS

Occupation	Number	Percent
Professional	125	1.0%
Semi-Professional	60	0.5%
Managers	891	7.1%
Clerical Workers	1,124	9.0%
Sales Workers	238	1.9%
Craftsmen	1,218	9.7%
Operators-Drivers	1,272	10.1%
Service Workers	2,377	19.0%
Laborers	2,398	19.1%
Not Employed	2,831	22.6%
TOTAL	12,534	100.0%

Missing Cases = 3

In Tables 39 to 40 the ten occupational categories were collapsed into four groups. They include professionals (which consists of professional, semi-professional, and managerial workers); skilled workers (which includes clerks, sales people, craftsmen, and operator or drivers); service workers and laborers; and the not employed. Table 39 shows the relative stability of the proportion of skilled and professional workers since 1978. The unemployed, and the service and labor groups' relative proportions have also remained fairly consistent up until 1983 when the proportion of not employed decreased and the proportion of service workers and laborers increased.

TABLE 39  
OCCUPATIONAL STATUS BY YEAR 1978-1983  
FOR DOCS COMMITMENTS

Occupational Status	Year of Commitment					
	1978	1979	1980	1981	1982	1983
Not Employed	2,007 (28%)	2,200 (29%)	2,236 (28%)	3,072 (30%)	3,105 (30%)	2,832 (22%)
Service or Labor	2,342 (32%)	2,416 (32%)	2,555 (32%)	3,137 (30%)	3,313 (32%)	4,775 (38%)
Skilled Workers	2,315 (32%)	2,334 (31%)	2,383 (30%)	3,178 (31%)	2,972 (29%)	3,852 (31%)
Professionals	564 (8%)	637 (8%)	780 (10%)	924 (9%)	1,012 (10%)	1,076 (9%)
TOTAL	7,228 <sup>a</sup> (100%)	7,587 <sup>b</sup> (100%)	7,954 <sup>c</sup> (100%)	10,311 (100%)	10,402 <sup>d</sup> (100%)	12,535 <sup>e</sup> (100%)

<sup>a</sup>/Missing cases = 4  
<sup>b</sup>/Missing cases = 7  
<sup>c</sup>/Missing cases = 5  
<sup>d</sup>/Missing cases = 1  
<sup>e</sup>/Missing cases = 2

Table 40 presents a crosstabulation of the occupational status and crime group for new court commitments. The argument can be made that the occupational status has some degree of ordinality to it with "not employed" as the lowest job status and "professional" as the highest job status. Given this assumption it becomes apparent that the proportion of persons involved in VFO decreases as job status increases. Conversely the proportion of both property and drug offenders increases as job status increases. Thus persons of lower occupational status are disproportionately involved in violent felonies with a smaller proportion involved in property and drugs, while professionals were also more often involved in VFO crimes the proportion of their involvement was substantially smaller, while the proportion of their drug and property crime involvement was higher.

TABLE 40  
OCCUPATIONAL STATUS BY CRIME GROUP  
FOR 1983 COMMITMENTS

Crime Type	Occupational Status				Total
	Not Employed	Service Laborer	Skilled	Professional	
VFO	2,013 (71%)	2,993 (63%)	2,352 (61%)	570 (53%)	7,928 (63%)
Other Coercive	111 (4%)	187 (4%)	152 (4%)	31 (3%)	481 (4%)
Property	375 (13%)	908 (19%)	695 (18%)	246 (23%)	2,224 (18%)
Drugs	134 (5%)	635 (13%)	629 (16%)	226 (21%)	1,624 (13%)
Youthful Offender	198 (7%)	52 (1%)	24 (1%)	3 (3%)	277 (2%)
TOTAL	2,831 (100%)	4,775 (100%)	3,852 (100%)	1,076 (100%)	12,534 (100%)

Missing Cases = 3

TABLE 41  
PROPORTIONATE OCCUPATIONAL STATUS BY  
CRIME FOR 1983 COMMITMENTS

Commitment Offense	Occupational Status				Total
	Not Employed	Service Labor	Skilled Labor	Professional Labor	
TOTAL	2,831	4,775	3,852	1,076	12,534
A. Violent Felony Offenses	2,013	2,993	2,352	570	7,928
Murder	21.5%	37.8%	32.4%	8.3%	336
Attempted Murder	27.4%	31.6%	29.4%	11.6%	146
Manslaughter 1st	23.7%	35.5%	31.5%	9.3%	389
Rape 1st	19.9%	41.1%	32.8%	6.2%	241
Robbery 1st	27.8%	37.7%	28.4%	6.1%	2,214
Robbery 2nd	31.7%	36.2%	27.1%	5.0%	1,843
Assault 1st	20.3%	38.5%	33.8%	7.4%	187
Assault 2nd	21.6%	39.8%	29.2%	9.4%	171
Burglary 1st	27.4%	35.8%	28.9%	7.9%	179
Burglary 2nd	23.3%	39.5%	31.5%	5.7%	1,238
Arson 2nd	15.3%	50.8%	28.8%	5.1%	59
Sodomy 1st	29.3%	33.3%	21.4%	16.0%	75
Sexual Abuse 1st	11.2%	43.9%	30.7%	14.2%	98
Dangerous Weapons	14.1%	38.7%	33.8%	13.4%	718
Kidnapping	14.7%	41.2%	26.5%	17.6%	34
B. Other Felonies					
1) Offenses with Violence/Coercion	111	187	152	31	481
Manslaughter 2nd	13.5%	34.6%	38.6%	13.3%	75
Crim. Neg. Hom.	4.3%	34.8%	34.8%	26.1%	23
Rape 2nd & 3rd	11.8%	41.2%	41.1%	5.9%	17
Robbery 3rd	27.4%	38.9%	30.5%	3.2%	314
Att. Assault 2nd	23.1%	46.2%	23.0%	7.7%	52
2) Property/Drug and Other Offenses	509	1,543	1,324	472	3,848
Burglary 3rd	20.3%	43.2%	30.6%	5.9%	983
Grand Larceny	17.4%	36.3%	3.9%	15.3%	419
Forgery	8.0%	41.7%	34.8%	15.5%	199
Drugs	8.3%	39.1%	38.4%	14.2%	1,624
All Other Felony	13.8%	38.0%	29.3%	19.9%	305
Stolen Property	13.8%	41.5%	33.7%	11.0%	318
C. Youthful Offenders	71.5%	18.8%	8.6%	1.1%	277

Missing Cases = 3

Table 41 is an examination of the proportion of specific crimes that the four occupational groups were responsible for committing. The non-employed inmates were over-represented in the crimes of Attempted Murder, Robbery 1st and Robbery 2nd, Burglary 1st, Sodomy 1st, and as Youthful Offenders. They are under-represented in the crimes of Sexual Abuse 1st, Dangerous Weapons, Kidnapping, Manslaughter 2nd, Criminal Negligent Homicide, Rape 2nd and Rape 3rd, Forgery, Drugs, Stolen Property, and All Other Felonies. For Service-Labor inmates they are over-represented in crimes of Arson 2nd, Sexual Abuse 1st, Attempted Assaults 2nd, and under-represented as Youthful Offenders. Skilled inmates are over-represented in Sodomy 1st, Attempted Assault 2nd, Burglary 3rd, and as Youthful Offenders. They were over-represented on Manslaughter 2nd, Rape 2nd and 3rd, and Drugs. Professionals are over-represented in the crimes of Sodomy 1st, Kidnapping, and Forgery, and are under-represented in the crimes of Robbery 3rd and Youthful Offender. (The determination of proportional representation for specific crimes is based upon deviations from the percentages of the total population that these occupational categories represent when examined for all crimes.)

TABLE 42  
OCCUPATIONAL STATUS BY GENDER  
FOR 1983 COMMITMENTS

Occupational Status	Gender			
	Male		Female	
	Number	Percent	Number	Percent
Professional	1,051	8.7%	25	5.7%
Skilled	3,683	30.4%	169	38.6%
Service or Labor	4,621	38.2%	154	35.2%
Not Employed	2,742	22.7%	90	20.5%
TOTAL	12,097	100.0%	438	100.0%

Missing Cases = 2

Table 42 indicates that there are proportionately more female skilled workers than there are males, while there are proportionately fewer females in every other occupational category.



Table 43 shows the mean and median values of four key characteristics of new court commitments broken down by occupational status. It shows that all these mean and median values for education, age, minimum sentence and maximum sentence increase as job status increases. This produces an unlikely result where occupational status works as a negative incentive as higher status appears to bring with it harsher punishment. If job status is a crude indicator of social class this finding provides some contradictory evidence to a number of sociological and economic theories which try to explain the causes of crime.

TABLE 43

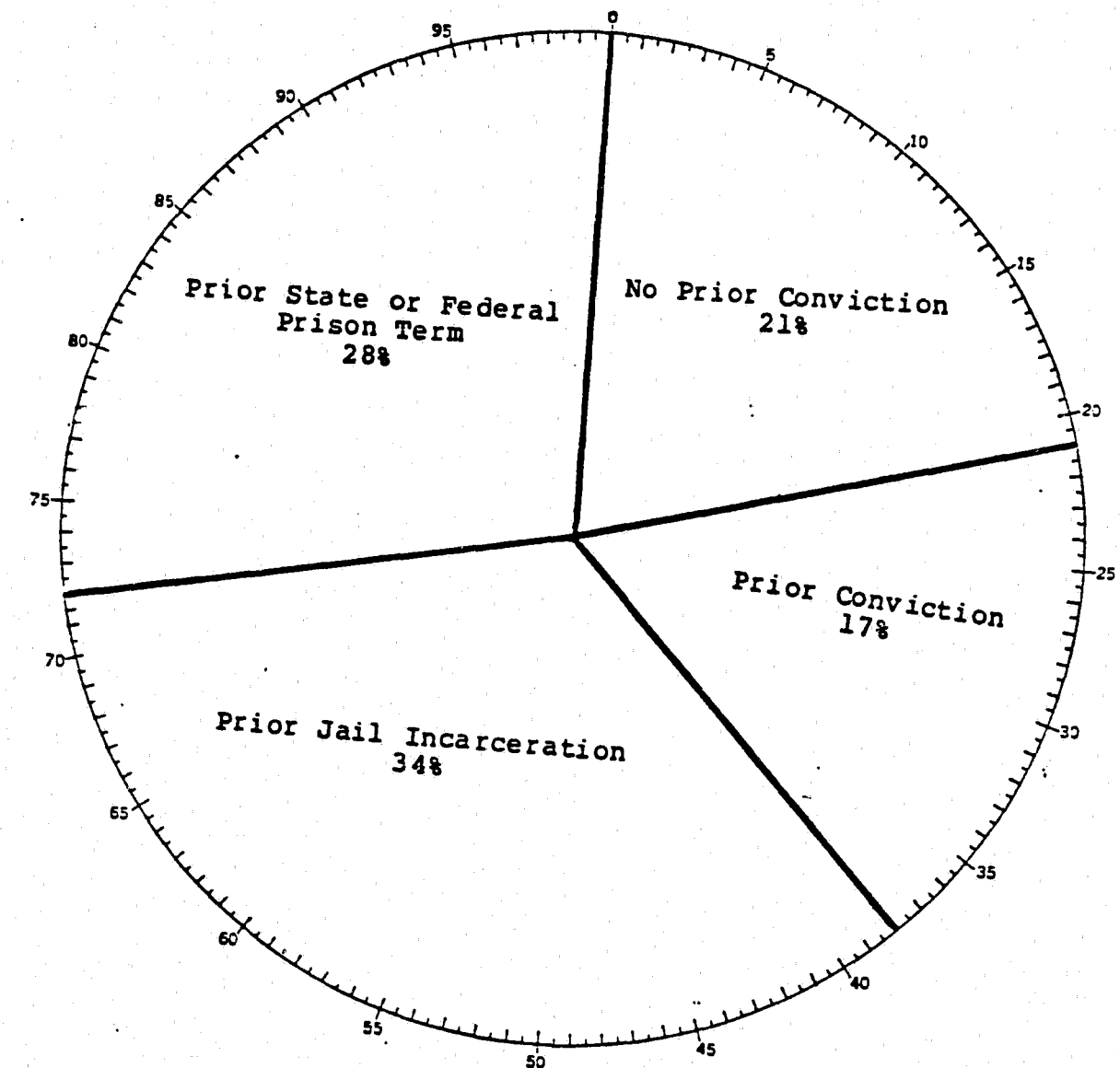
MEAN AND MEDIAN VALUES FOR EDUCATION, AGE,  
MINIMUM AND MAXIMUM SENTENCES BY OCCUPATIONAL  
STATUS FOR 1983 COMMITMENTS

(N=12,535)

Occupation	Mean and Median Values							
	Years		Years		Months		Months	
	Education		Age		Minimum		Maximum	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
Not Employed (N=2,832)	9.4	9.2	20.9	19.1	34.7	23.7	84.2	54.3
Service & Labor (N=4,775)	10.3	10.1	27.8	25.9	40.2	24.2	91.4	59.9
Skilled (N=3,852)	10.8	10.6	28.6	27.0	41.0	24.3	94.6	60.2
Professional (N=1,076)	11.5	12.5	32.8	31.2	43.1	24.3	101.8	60.4

FIGURE IX

PRIOR ADULT CRIMINAL RECORD  
OF 1983 COMMITMENTS



Prior Adult Criminal Record	Number	Percent
TOTAL	12,533 <sup>a/</sup>	100%
No Prior Adult Conviction	2,577	21%
Prior Conviction	2,130	17%
Prior Jail Incarceration	4,223	34%
Prior State or Federal Prison Term	3,603	28%

<sup>a/</sup> Information on prior record was missing for 4 cases.

# PRIOR ADULT RECORD

Approximately 21% (N=2,577) of the 1983 new court commitments had no prior adult conviction. Another 17% (N=2,130) had been convicted and received a sentence of either probation or some other alternative sentence to incarceration. (34%) Thirty four percent (N=4,223) had prior convictions for which some or all of the sentence included a jail term and a final group of 29% (N=3,603) previously served a prison term in either a state or a federal facility.

TABLE 44

## CRIME GROUP BY PRIOR ADULT RECORD FOR 1983 COMMITMENTS

Crime Group	Prior Adult Record				Total
	No Prior	Prior No Jail	Prior Jail	Prior Prison	
VFO	1,785 (23%)	1,458 (18%)	2,595 (33%)	2,090 (26%)	7,928 (100%)
Other Coercive	87 (18%)	66 (14%)	175 (36%)	153 (32%)	481 (100%)
Property	167 (8%)	217 (10%)	921 (41%)	919 (41%)	2,224 (100%)
Drugs	396 (24%)	328 (20%)	460 (28%)	439 (27%)	1,623 (100%)
Youthful Offender	142 (51%)	61 (22%)	72 (26%)	2 (1%)	277 (100%)
TOTAL	2,577	2,130	4,223	3,603	12,533

Missing cases = 4

The majority of all new commitments had a prior adult convictions which included jail sentences. Table 44 shows that this adult prior record category was the most prevalent for all crime groups with the exception of youthful offenders. The table shows that most youthful offenders had no prior record.

Although 51% of the youthful offenders had no prior adult criminal record only 8% of the property offenders fell under this same category. Only 10% of the property offenders fell into the category of having been convicted but not incarcerated. Additionally, the highest proportion of prior convictions with jail and with prison were in the property offender category. (This was surprising as it is reasonable to expect more violent felony offenders in these two prior conviction categories.) As expected youthful offenders have the lowest proportion of offenders with either prior jail or prior prison records.

An examination of prior criminal record by year in Table 45 shows that from 1978 through 1983 there has been a decline in the proportion of inmate commitments without prior records. There has also been a concomitant increase in the proportion of new inmates with prior convictions and prior jail time.

TABLE 45

## PRIOR ADULT RECORD BY YEAR FOR DOCS COMMITMENTS 1978-1983

Prior Adult Record	Year of Commitment					
	1978	1979	1980	1981	1982	1983
No Prior Conviction	26%	25%	25%	23%	24%	20%
Prior Conviction	14%	16%	18%	17%	17%	17%
Prior Jail	30%	32%	30%	32%	33%	34%
Prior Prison	30%	27%	27%	28%	26%	29%
TOTAL	7,178a/	7,586b/	7,954	10,311	10,402d/	12,534e/

a/Missing cases = 54

b/Missing cases = 8

c/Missing cases = 5

d/Missing cases = 1

e/Missing cases = 3

Table 46 displays the mean and median values for educational level, age, minimum and maximum sentences for the four types of prior adult records. The values for education, age, and minimum sentences seem to be in line with the total population values for all adult prior record categories. In the maximum sentence column the values for the "no prior conviction" and the "prior conviction with a prison sentence" categories are substantially higher than the population values. This was not surprising in the case of persons with prior prison records as they are expected to have longer maximums (as well as minimums) but the "no prior conviction category" values were unexpected. This may be the result of a number of Murder and Manslaughter convictions among the first time offenders.

To test this notion Table 47 presents an examination of the mean and median values for the same variables but only for violent felony offenders (i.e. controlling for crime type). The resulting values show what would be expected. That is, inmates with the highest minimum and maximum sentences were those who have had prior convictions involving prison sentences.

TABLE 46

MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES BY ADULT RECORD FOR ALL 1983 COMMITMENTS

(N=12,533)

Adult Record	Years		Years		Months		Months	
	Education		Age		Minimum		Maximum	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
No Prior Conviction (N=2,577)	10.5	10.1	25.3	22.9	40.7	23.9	108.6	71.8
Prior Without Jail (N=2,130)	10.3	9.9	25.1	22.9	35.8	23.8	91.7	59.9
Prior With Jail (N=4,223)	9.9	9.7	25.4	23.5	34.4	23.7	78.8	53.9
Prior With Prison (N=3,603)	10.7	10.7	30.8	29.5	46.7	30.0	94.5	60.3
Missing Cases = 4								

TABLE 47

MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES BY ADULT RECORD FOR 1983 VFO COMMITMENTS

(N=7,925)

Adult Record	Years		Years		Months		Months	
	Education		Age		Minimum		Maximum	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
No Prior Conviction (N=1,783)	10.2	9.8	24.3	21.9	46.4	24.3	110.0	72.2
Prior Without Jail (N=1,458)	10.1	9.8	24.2	22.1	41.2	24.2	98.9	72.0
Prior With Jail (N=2,594)	9.8	9.6	24.6	22.8	42.7	24.4	95.2	71.8
Prior With Prison (N=2,090)	10.7	10.5	29.7	28.6	61.0	42.4	119.5	95.6
Missing Cases = 3								

TABLE 48

PRIOR ADULT RECORD BY GENDER FOR 1983 COMMITMENTS

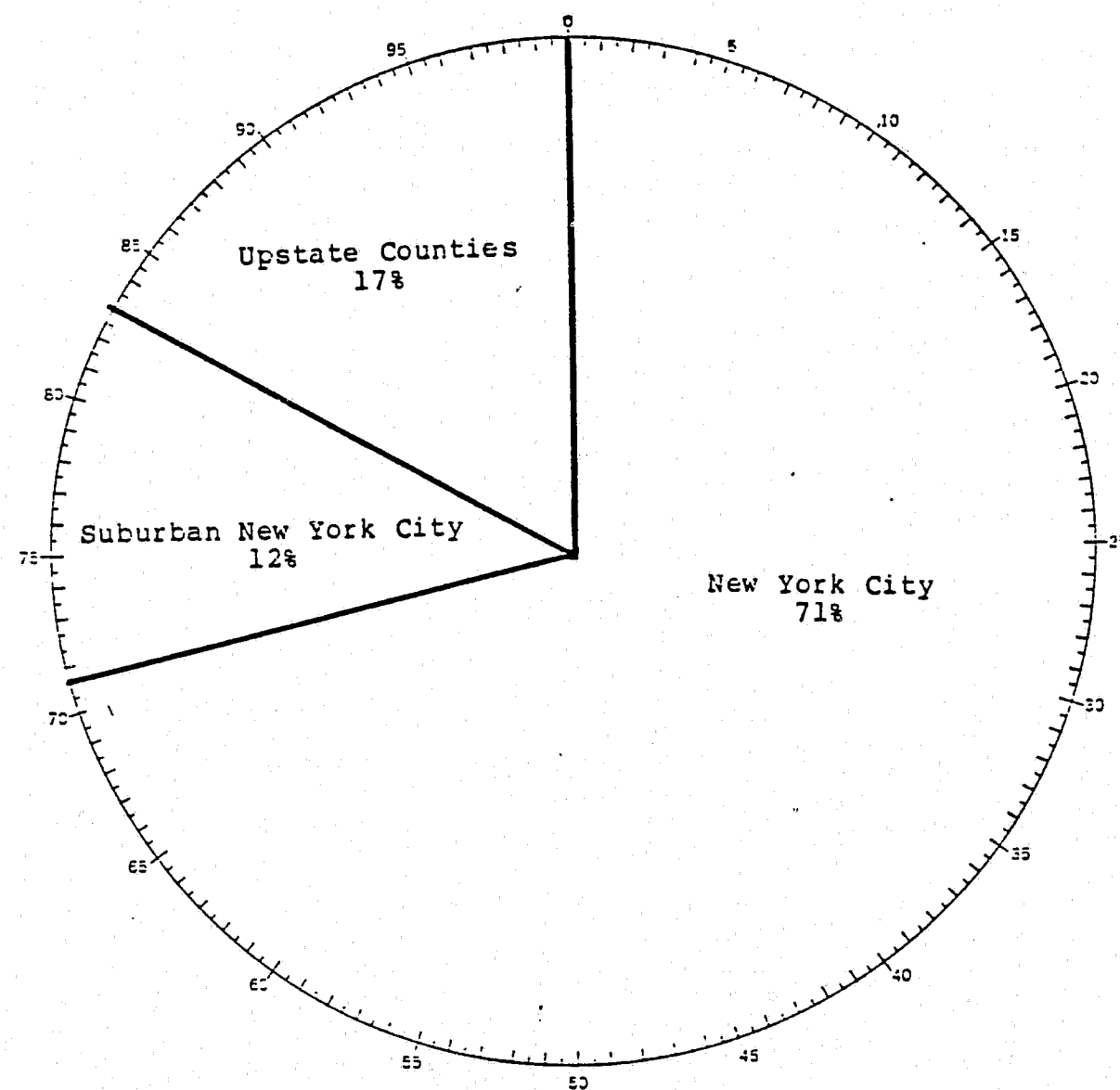
Prior Adult Record	Gender			
	Male		Female	
	Number	Percent	Number	Percent
No Prior Conviction	2,445	20.2%	132	30.1%
Conviction w/o Incarceration	2,052	17.0%	78	17.8%
Prior Jail	4,042	33.4%	182	41.6%
Prior Prison	3,557	29.4%	46	10.5%
TOTAL	12,096	100.0%	438	100.0%

Missing Cases = 3

Table 48 shows that the proportion of women without any prior convictions was higher than the proportion of men. Women were also disproportionately overrepresented among the commitments with prior jail records, and they are underrepresented among the commitments with prior prison records.

FIGURE X

REGION OF COMMITMENT FOR 1983 COMMITMENTS



Region of Commitment	Number	Percent
TOTAL STATE	12,537	100%
New York City <sup>a/</sup>	8,945	71%
Suburban N.Y.C. <sup>b/</sup>	1,485	12%
Upstate	2,107	17%

<sup>a/</sup>Kings, Queens, New York, Richmond and Bronx Counties.

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

REGION OF COMMITMENT

Of the 12,537 new court commitments, 71% came from the five New York City counties, while 12% came from the suburban New York City counties (Nassau, Suffolk, Westchester, and Rockland). The remaining 17% of commitments were sentenced from other upstate N.Y. counties.

TABLE 49

REGION OF COMMITMENT BY YEAR  
FOR DOCS COMMITMENTS 1978-1983

Region	Year of Commitment					
	1978	1979	1980	1981	1982	1983
New York City	4,602 (64%)	4,802 (63%)	5,114 (64%)	6,910 (67%)	7,005 (67%)	8,946 (71%)
Upstate N.Y.	1,674 (23%)	1,877 (25%)	1,802 (23%)	2,045 (20%)	1,982 (19%)	2,106 (17%)
Suburban N.Y.	956 (13%)	915 (12%)	1,043 (13%)	1,356 (13%)	1,416 (14%)	1,485 (12%)
	<u>7,232</u> (100%)	<u>7,594</u> (100%)	<u>7,959</u> (100%)	<u>10,311</u> (100%)	<u>10,403</u> (100%)	<u>12,537</u> (100%)

Table 49 shows that the proportion of commitments from the New York City counties has been rising since 1978, while the proportion of Suburban N.Y.C. commitments has remained consistent, and the proportion of Upstate N.Y. commitments has been declining since 1979.

TABLE 50

REGION BY CRIME GROUP  
FOR 1983 COMMITMENTS

Region	Crime Group					Total
	VFO	Other Coercive	Property	Drugs	Youthful Offender	
N.Y.C.	6,152 (78%)	322 (67%)	1,107 (50%)	1,188 (73%)	176 (64%)	8,945 (71%)
Upstate	981 (12%)	104 (22%)	770 (35%)	189 (12%)	63 (23%)	2,107 (17%)
Suburban N.Y.C.	795 (10%)	55 (11%)	350 (16%)	247 (15%)	38 (14%)	1,485 (12%)
	<u>7,928</u> (100%)	<u>481</u> (100%)	<u>2,227</u> (100%)	<u>1,624</u> (100%)	<u>277</u> (100%)	<u>12,537</u> (100%)

Table 50 shows the regional distribution of commitments by crime group for 1983. In this Table, N.Y.C. is responsible for a disproportionately higher amount of VFO commitments than the other two regions. The distribution of property offenses are also skewed in that Suburban N.Y.C. counties accounted for more than their share of these offenders while the proportion of these offenses contributed by N.Y.C. counties was significantly lower.

TABLE 51

REGION OF COMMITMENT BY AGE  
FOR 1983 COMMITMENTS

Age	Region							
	N.Y.C.		Upstate		Suburban NYC		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
16-20	2,062	23%	475	23%	304	21%	2,841	23%
21-24	2,198	25%	496	23%	359	24%	3,053	24%
25-29	1,974	22%	484	23%	334	22%	2,792	22%
30-34	1,061	12%	242	12%	162	11%	1,465	12%
35 Plus	1,650	18%	410	19%	326	22%	2,386	19%
	<u>8,945</u>	<u>100%</u>	<u>2,107</u>	<u>100%</u>	<u>1,485</u>	<u>100%</u>	<u>12,537</u>	<u>100%</u>

Table 51 shows the relationship between age and region of commitment. For each age category the proportion of commitments from each region is stable indicating no age specific overrepresentation from any region.



Table 52 compares the mean and median values of education, age, minimum and maximum sentences for the new commitments from different regions of the state. The values for the four variables broken out by region are on par with the mean and median values for all new commitments. The only anomaly appears to be the fact that the minimum and maximum sentences for Suburban New York City county commitments are the highest of the three regions. Table 53 shows increases in both the minimum and maximum sentences for all regions when only examining VFO offenders with no prior conviction. In this attempt to control for crime type and prior criminal history it is seen that the N.Y.C. region had the lowest minimum and maximum sentences while the other two regions had comparable sentence dispositions.

TABLE 52

MEAN AND MEDIAN EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCE BY REGION FOR 1983 COMMITMENTS

Region	(N=12,537)							
	Years		Years		Months		Months	
	Education		Age		Minimum Sentence		Maximum Sentence	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
New York City (8,946)	10.1	9.8	26.7	24.9	39.6	24.2	91.9	60.2
Upstate (2,106)	10.8	10.4	27.2	25.2	37.7	23.8	85.4	53.6
Suburban NYC (1,485)	11.3	11.2	27.5	25.4	41.2	24.1	98.8	59.5

TABLE 53

MEAN AND MEDIAN EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCY BY REGION FOR VFO AND NO PRIORS FOR 1983 COMMITMENTS

Region	(N=1,783)							
	Years		Years		Months		Months	
	Education		Age		Minimum Sentence		Maximum Sentence	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
New York City (N=1,345)	9.9	9.6	23.7	21.6	43.3	24.2	105.0	72.1
Upstate (N=231)	10.9	10.5	26.5	24.7	54.2	28.6	125.8	84.2
Suburban NYC (N=207)	11.2	10.9	25.3	22.4	57.6	30.4	124.7	84.2

Table 54 indicates that the highest proportion of commitments with no prior conviction came from the Suburban N.Y.C. counties. These counties also accounted for the lowest proportion of priors w/o incarceration and priors with prison sentences. The proportions for both New York City and Upstate New York commitments were comparable for all "admission type" categories.

TABLE 54

REGION OF COMMITMENT BY PRIOR ADULT RECORD FOR 1983 COMMITMENTS

Prior Adult Record	Region							
	N.Y.C.		Suburban N.Y.C.		Upstate		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
No Prior Conviction	1,763	19.7%	405	27.2%	409	19.5%	2,577	20.6%
Prior w/o Incarceration	1,582	17.7%	200	13.5%	348	16.5%	2,130	16.9%
Prior With Jail	2,990	33.4%	521	35.1%	713	33.9%	4,224	33.7%
Prior With Prison	2,610	29.2%	359	24.2%	634	30.1%	3,603	28.8%
TOTAL	8,945	100.0%	1,485	100.0%	2,104	100.0%	12,534	100.0%

Missing case = 3

TABLE 55

REGION OF COMMITMENT BY GENDER FOR 1983 COMMITMENTS

Region of Commitment	Gender			
	Male		Female	
	Number	Percent	Number	Percent
New York City	8,689	71.8%	257	58.7%
Upstate New York	1,990	16.4%	116	26.5%
Suburban N.Y.C.	1,420	11.8%	65	14.8%
TOTAL	12,099	100.0%	438	100.0%

Table 55 indicates that a higher proportion of men than women were committed from the five New York City counties thus increasing the relative proportion of female commitments from Upstate and Suburban counties.

FIRST AND SECOND FELONY OFFENDERS

To enable the State to deal more harshly with repeating offenders New York created second felony and persistent felony offender laws. The laws mandate longer sentences for these offenders while making it more difficult for them to plea bargain for lower sentences. A second felony offender is a person with one (or more) prior felony conviction who stands convicted of another felony (one other than a Class A type crime since it is assumed that as a Class A felon the individual will receive a life sentence). The law requires that the previous felony conviction in question must have occurred no more than ten years prior to the present offense when second felony offender status is being considered.

If a second felony offender status is given, the law mandates that the minimum term will be set at one-half of the maximum term instead of at the usual one-third of the maximum.

TABLE 56

NUMBER OF COMMITMENTS SENTENCED AS FIRST AND SECOND  
FELONY OFFENDERS  
1978-1983

Commitment Offense	1978a/ First Second Felony Felony		1979b/ First Second Felony Felony		1980c/ First Second Felony Felony		1981 First Second Felony Felony		1982d/ First Second Felony Felony		1983e/ First Second Felony Felony	
TOTAL	4,802	2,422	5,143	2,443	5,426	2,528	6,467	3,844	6,508	3,894	7,172	5,363
A. Violent Felony Offenses (as defined by law)	2,279	1,082	2,871	1,254	3,249	1,301	4,231	2,005	4,480	2,135	5,029	2,896
Murder	165	8	190	9	260	13	271	38	388	2	335	1
Attempted Murder	38	20	42	21	48	18	90	35	82	35	100	46
Manslaughter 1st	239	62	269	70	308	45	381	67	321	71	323	66
Rape 1st	127	56	157	59	176	54	142	62	163	57	164	77
Robbery 1st	566	284	703	289	823	325	1,213	581	1,334	536	1,513	699
Robbery 2nd	613	280	838	328	878	329	1,155	465	1,040	468	1,175	668
Assault 1st	104	26	126	40	105	40	152	48	130	38	136	51
Assault 2nd	107	52	124	62	114	58	109	57	113	61	111	60
Burglary 1st	16	6	21	14	33	5	48	26	57	37	114	64
Burglary 2nd	84	64	117	96	166	134	255	204	446	411	592	646
Arson 2nd	11	3	38	8	38	12	35	15	53	11	49	10
Sodomy 1st	34	13	57	19	47	14	66	31	64	19	58	17
Sexual Abuse 1st	42	15	49	15	44	24	58	18	51	18	64	34
Dangerous Weapons	114	190	125	221	197	225	246	348	223	364	269	449
Kidnapping	19	3	15	4	12	5	10	10	15	7	26	8
B. Other Felony Offenses	2,108	1,339	1,895	1,189	1,868	1,227	1,920	1,838	1,763	1,759	1,863	2,467
1. Offenses Involving Violence/coercion	511	341	333	231	265	181	229	210	188	189	232	249
Manslaughter 2nd	103	32	92	22	67	19	61	15	61	10	66	9
Crim. Neg. Hom.	20	5	23	4	19	4	19	5	17	10	20	3
Rape 2nd, 3rd	20	10	5	7	7	2	11	2	13	5	12	5
Robbery 3rd	335	256	192	164	150	132	117	153	83	115	121	193
Att. Assault 2nd	33	38	21	34	22	24	21	35	14	49	13	39
2. Property, Drug and Other Offenses	1,597	998	1,562	958	1,603	1,046	1,691	1,628	1,575	1,570	1,631	2,218
Burglary 3rd	452	556	414	537	497	581	517	842	341	614	271	712
Grand Larceny	124	153	90	128	111	142	142	192	129	183	100	319
Drugs	780	65	815	65	776	110	756	281	814	429	974	651
Forgery	31	59	48	63	46	63	46	82	56	108	52	147
All Other Felonies	158	80	139	77	131	66	142	99	145	101	162	143
Stolen Property	52	85	56	88	42	84	88	132	90	135	72	246
C. Youthful Offenders	415	1	377	0	309	0	316	1	265	0	280	0

a/ missing cases = 8  
b/ missing cases = 8  
c/ missing cases = 5

d/ missing cases = 1  
e/ missing cases = 2

TABLE 57

PERCENT SENTENCED AS FIRST OR SECOND FELONY OFFENDER BY  
COMMITMENT OFFENSE TYPE  
1978-1983

Commitment Offense	1978		1979		1980		1981		1982		1983	
	First Felony	Second Felony	First Felony	Second Felony	First Felony	Second Felony	First Felony	Second Felony	First Felony	Second Felony	First Felony	Second Felony
TOTAL	66.40	33.60	67.80	32.20	68.20	31.80	62.70	37.30	62.60	37.40	57.20	42.80
A. Violent Felony Offenses (as defined by law)	67.80	32.20	69.60	30.40	71.40	28.60	67.80	32.20	67.70	32.30	63.40	36.60
Murder	95.40	4.60	95.60	4.40	95.20	4.80	90.60	9.40	99.50	.50	99.70	.30
Attempted Murder	65.50	34.50	66.70	33.30	72.70	27.30	72.00	28.00	70.10	29.90	68.50	31.50
Manslaughter 1st	79.40	20.60	79.40	20.60	87.30	12.70	85.00	15.00	81.90	18.10	83.00	17.00
Rape 1st	69.40	30.60	72.70	27.30	76.50	23.50	69.60	30.40	74.10	25.90	68.00	32.00
Robbery 1st	66.60	33.40	70.90	29.10	71.60	28.40	67.60	32.40	71.30	28.70	68.40	31.60
Robbery 2nd	66.60	33.40	71.90	28.10	72.70	27.30	71.30	28.70	69.00	31.00	63.70	36.30
Assault 1st	79.80	20.20	76.00	24.00	72.40	27.60	76.00	24.00	77.40	22.60	72.70	27.30
Assault 2nd	67.30	32.70	66.70	33.30	66.30	33.70	61.60	38.40	64.90	35.10	64.90	35.10
Burglary 1st	72.70	27.30	60.00	40.00	86.80	13.20	64.90	35.10	60.60	39.40	64.00	36.00
Burglary 2nd	56.80	43.20	54.90	45.10	55.30	44.70	55.60	44.40	52.00	48.00	47.80	52.20
Arson 2nd	78.60	21.40	82.60	17.40	76.00	24.00	70.00	30.00	82.80	17.20	83.00	17.00
Sodomy 1st	72.30	27.70	75.00	25.00	77.00	23.00	68.00	32.00	77.10	22.90	77.30	22.70
Sexual Abuse 1st	73.70	26.30	76.60	23.40	64.70	35.30	76.30	23.70	73.90	26.10	65.30	34.70
Dangerous Weapons	37.50	62.50	36.10	63.90	46.70	53.30	41.40	58.60	38.00	62.00	37.50	62.50
Kidnapping	86.40	13.60	78.90	21.10	70.60	29.40	50.00	50.00	68.20	31.80	76.50	23.50
B. Other Felony Offenses	61.10	38.90	61.40	38.60	60.40	39.60	51.10	48.90	50.00	50.00	43.00	57.00
1. Offenses Involving Violence/coercion	59.90	40.10	59.00	41.00	59.40	40.60	52.20	47.80	49.90	50.10	48.20	51.80
Manslaughter 2nd	76.30	23.70	80.70	19.30	77.90	22.10	80.30	19.70	85.90	14.10	88.00	12.00
Crim. Neg. Hom.	76.90	23.10	85.20	14.80	82.60	17.40	79.20	20.80	63.00	37.00	87.00	13.00
Rape 2nd, 3rd	66.70	33.30	41.70	58.30	77.80	22.20	84.60	15.40	72.20	27.80	70.60	29.40
Robbery 3rd	56.70	43.30	53.80	46.20	53.20	46.80	43.30	56.70	41.90	58.10	38.50	61.50
Att. Assault 2nd	46.50	53.50	38.20	61.80	47.80	52.20	37.50	62.50	22.20	77.80	25.00	75.00
2. Property, Drug and Other Offenses	61.50	38.50	62.00	38.00	60.50	39.50	50.90	49.10	50.10	49.90	42.40	57.60
Burglary 3rd	44.80	55.20	43.50	56.50	46.10	53.90	38.00	62.00	35.60	64.40	27.60	72.40
Grand Larceny	44.80	55.20	41.30	58.70	43.90	56.10	42.50	57.50	41.30	58.70	23.80	76.20
Drugs	92.30	7.70	92.60	7.40	87.60	12.40	72.90	27.10	65.50	34.50	59.90	40.10
Forgery	34.40	65.60	43.20	56.80	42.20	57.80	35.90	64.10	34.10	65.90	26.10	73.90
All Other Felonies	66.40	33.60	64.30	35.70	66.50	33.50	58.10	41.90	58.90	41.10	53.00	47.00
Stolen Property	27.90	72.10	38.90	61.10	33.30	66.70	40.00	60.00	40.00	60.00	22.60	77.40
C. Youthful Offenders	99.80	.20	100.00	.00	00.00	0.00	99.70	.30	100.00	.00	100.00	0.00

TABLE 58

FIRST AND SECOND FELONY OFFENDERS  
BY REGION OF COMMITMENT FOR 1983 COMMITMENTS

Felony Status	Region							
	N.Y.C.		Upstate		Suburban N.Y.C.		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
First	5,131	(57%)	1,163	(55%)	878	(59%)	7,172	(57%)
Second	3,815	(43%)	941	(45%)	607	(41%)	5,363	(43%)
TOTAL	8,946	(100%)	2,104	(100%)	1,485	(100%)	12,535	(100%)

Missing Cases = 2

Tables 56 and 57 present information on the number and relative proportion of first and second felony offenders among the 1983 new court commitments. In 1983 7,172 or (57.2%) of the commitments were first time felony offenders while 5,363 or (42.8%) were second felony offenders. Of the second felony offenders 111 or 2.1% of them were convicted as persistent felony offenders. For the purposes of discussion the persistent felons were grouped with the second felony offenders. Since 1980 the proportion of second felony offenders has been increasing from 31.8% in 1980 to 42.8% in 1983.

Table 57 shows that the proportion of second felony offenders among the 1982 new court commitments was 37%, and in 1983 43% of the new court commitments were second felony offenders. Table 58 reveals that the proportion of both first and second felony offenders has been consistent for all three regions. (It should be pointed out that some commitments in the first felony category have served prior prison terms, since 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.)

For those who have two or more prior felony convictions and who presently stand convicted of another felony there is the persistent felony offender status. When it is determined that a defendant meets the criteria for persistent felony status the sentence imposed is the same as that for a Class A felony (i.e. a maximum of life). While the Second Felony Offender Sentencing Act should be applied to defendants who satisfy its legal definitions, the sanctions may be applied at the discretion of the courts. A persistent felony sentence is mandatory where both the instant offense and two predicate felony convictions are for violent felony offenses. Otherwise the persistent felony sentence is discretionary.



Table 59 examines the mean and median values for four key variables: education, age, minimum and maximum sentences for 1st and 2nd Felony Offenders. The age of first offenders is younger than the general population as is their educational level. As expected the minimum sentence for second felony offenders is higher than that for first offenders and that of the population of 1983 new court commitments. The maximum sentence length for second felony offenders was surprisingly lower than those for first felony offenders. What may account for these higher maximum sentences among the first felony offenders is that certain A-Felony crimes (e.g. several types of drug offenses and Murder offenses) do not have provisions for sentencing as a second felony offender.

The values in Table 60 reflect information for only violent felony offenders who have had no previous criminal convictions. It shows that once you control for offense type and prior criminal history the expectation of higher minimum and maximum sentences for second felony offenders does exist.

TABLE 59

MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES BY 1st AND 2nd FELONY STATUS FOR ALL 1983 COMMITMENTS

(N=12,535)

Felony Status	Years		Years		Months		Months	
	Education		Age		Minimum Sentence		Maximum Sentence	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
First Felony (N=7,172)	10.2	9.8	25.5	23.1	38.4	23.5	98.7	71.5
Second Felony (N=5,363)	10.6	10.3	28.8	27.3	40.9	29.7	82.1	59.7
Missing Cases = 2								

TABLE 60

MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES BY 1st AND 2nd FELONY STATUS FOR VFO COMMITMENTS WITH NO PRIOR FELONY CONVICTIONS FOR 1983

(N=1,783)

	Years		Years		Months		Months	
	Education		Age		Minimum Sentence		Maximum Sentence	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
First Felony (N=1,677)	10.2	9.8	24.1	21.7	44.9	24.2	108.2	72.2
Second Felony (N=106)	10.5	10.2	26.0	25.3	69.3	57.7	139.0	119.6

TABLE 61

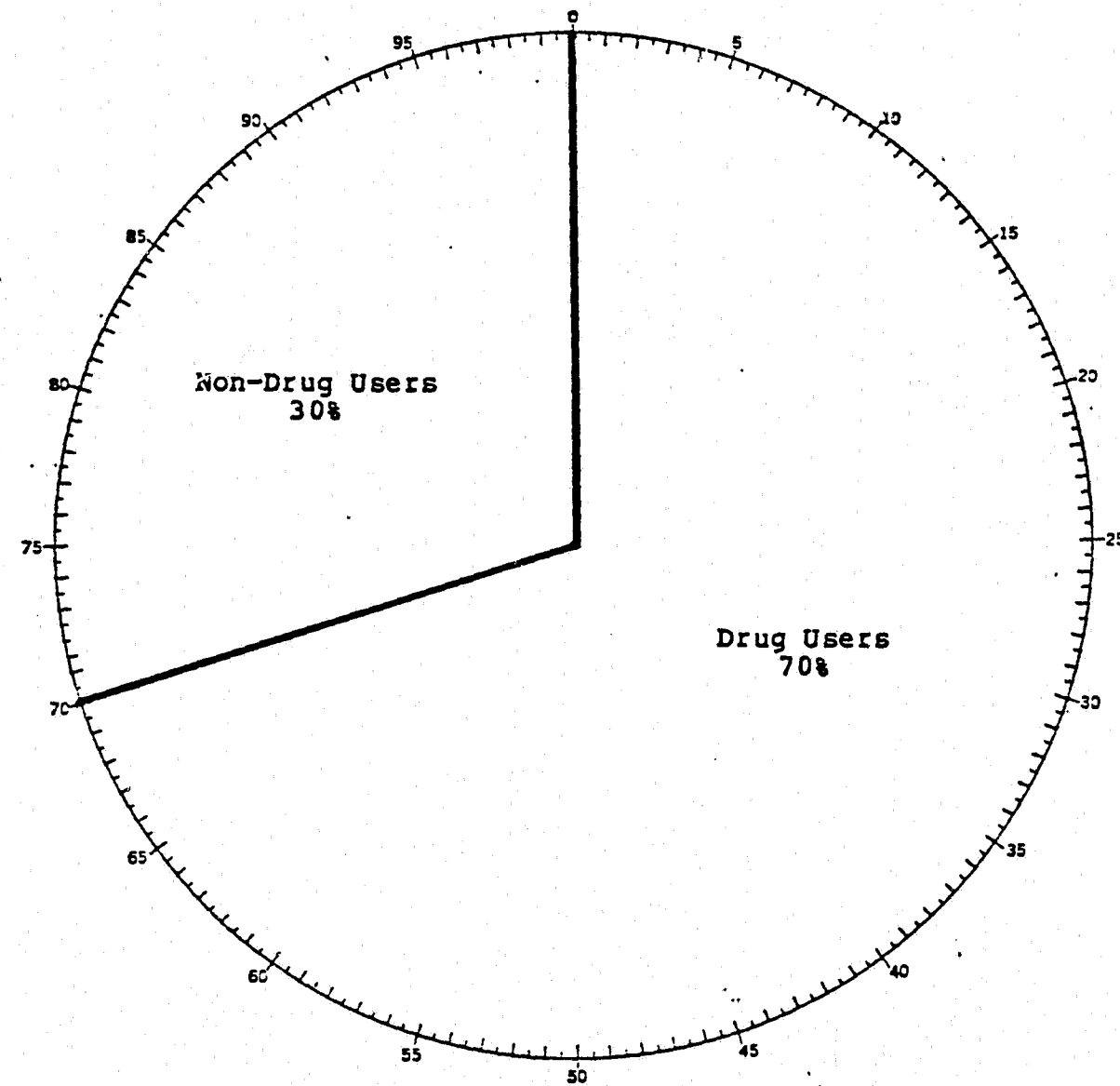
FIRST AND SECOND FELONY STATUS BY GENDER FOR 1983 COMMITMENTS

Felony Status	Gender			
	Male		Female	
	Number	Percent	Number	Percent
First Felony	6,865	56.7%	307	70.1%
Second Felony	5,232	43.3%	131	29.9%
TOTAL	12,097	100.0%	438	100.0%
Missing Cases = 2				

Table 61 shows that there is a higher proportion of female first offenders than male first offenders, and that for males the ratio of first to second felons is close to 1:1 while for females that ratio is more than 2:1.

FIGURE XI

COMMITMENTS WITH PRIOR HISTORY OF DANGEROUS DRUG USAGE  
1983 COMMITMENTS



Commitments with Prior Dangerous Drug Usage	Number	Percent
TOTAL COMMITMENTS	12,188 <sup>a/</sup>	100%
Prior History of Drug Usage	8,504	70%
No Prior History of Drug Usage	3,684	30%

<sup>a/</sup> Information on drug use was missing for 349 cases.

DRUG USE

This section contains information on the prior drug use of persons committed to DOCS custody. During the reception/classification procedures new commitments are asked whether they currently use drugs or whether they have at some time in the past. The information in this section is based upon 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.

Of the 1983 new court commitments who reported on their drug use habits 70% admitted that they had previously used drugs.

Table 62 shows that the proportion of self admitted users among the new court commitments has remained stable at approximately 60% from 1978 thru 1982. In 1983 the proportion of admitted users increased dramatically to 70%. It is hard to determine if this phenomena is a short term anomaly or if it is the start of a new trend in the data on drug use.

TABLE 62

DRUG USE BY YEAR FOR 1978-1983 DOCS COMMITMENTS

Drug Use	Year of Commitment					
	1978	1979	1980	1981	1982	1983
Drug User	4,349 (61%)	4,547 (60%)	4,708 (60%)	5,933 (59%)	6,431 (62%)	8,504 (70%)
Non-Drug User	2,834 (39%)	3,001 (40%)	3,195 (40%)	4,157 (41%)	3,898 (38%)	3,684 (30%)
TOTAL	7,183 <sup>a/</sup> (100%)	7,548 <sup>b/</sup> (100%)	7,903 <sup>c/</sup> (100%)	10,088 <sup>d/</sup> (100%)	10,329 <sup>e/</sup> (100%)	12,188 <sup>f/</sup> (100%)

a/Missing Cases = 49  
b/Missing Cases = 46  
c/Missing Cases = 56  
d/Missing Cases = 223  
e/Missing Cases = 74  
f/Missing Cases = 349

TABLE 63

DRUG USE BY ETHNIC STATUS FOR 1983 COMMITMENTS

Drug Use	Ethnic Status				
	White	Black	Puerto Rican	Other	Total
User	2,154 (69%)	4,251 (67%)	2,066 (78%)	33 (60%)	8,504 (70%)
Non-User	983 (31%)	2,101 (33%)	578 (22%)	22 (40%)	3,684 (30%)
TOTAL	3,137 (100%)	6,352 (100%)	2,644 (100%)	55 (100%)	12,188 (100%)

Missing cases = 349

Table 63 shows that the proportion of inmates admitting to drug use was highest among Puerto Rican inmates at 78%. This finding was consistent with information about 1982 commitments as Puerto Rican inmates made up the highest proportion of drug users.

TABLE 64

DRUG USE BY AGE FOR 1983 COMMITMENTS

Age on Commitment	Drug Use Status					
	Drug User		Not Drug User		Total	
	Number	Percent	Number	Percent	Number	Percent
16-20 Years	2,242	84%	437	16%	2,679	100%
21-24 Years	1,927	64%	1,073	36%	3,000	100%
25-29 Years	1,909	70%	832	30%	2,741	100%
30-34 Years	1,047	73%	397	27%	1,444	100%
35-39 Years	596	65%	324	35%	920	100%
40 Plus	783	56%	621	44%	1,404	100%
TOTAL	8,504		3,684		12,188	

Missing cases = 349

Table 64 indicates that the reporting of drug use by inmates may be a function of age as younger inmates report a disproportionate use of drugs. In addition, the proportion of drug usage decreases as the age of the reporting inmate increases.

TABLE 65

DRUG USE BY GENDER FOR 1983 COMMITMENTS

Drug Use Status	Gender			
	Male		Female	
	Number	Percent	Number	Percent
Drug User	8,232	70.1%	272	62.2%
Non User	3,519	29.9%	165	37.8%
TOTAL	11,751	100.0%	437	100.0%

Missing Cases = 349

Table 65 reports that the proportion of male drug users was slightly higher than their female counterparts.

TABLE 66

DRUG USE BY CRIME GROUP FOR 1983 COMMITMENTS

Crime Group	Drug Use Status					
	Drug-User		Non-User		Total	
	Number	Percent	Number	Percent	Number	Percent
VFO	5,271	69%	2,400	31%	7,671	100%
Other Coercive	296	64%	168	36%	464	100%
Property	1,489	68%	699	32%	2,188	100%
Drugs	1,231	77%	371	23%	1,602	100%
Youthful Offender	217	83%	46	17%	263	100%
	8,504		3,684		12,188	
Missing Cases = 349						

Table 66 shows the breakdown of user/non-user status by type of offense. The offense type with the highest proportion of drug users is the Youthful Offender group and that is an artifact of the apparent age-drug use relationship which was pointed out earlier. The offender group with the next highest proportion of drug use were those inmates convicted of drug related offenses. Table 67 shows that when the association between drug use (yes or no) and conviction of drug related crimes (yes or no) is made, no significant relationship found.

TABLE 67

DRUG USE BY DRUG CRIMES FOR 1983 COMMITMENTS

Drug Crime Status	Drug Use Status					
	User		Non-User		Total	
	Number	Percent	Number	Percent	Number	Percent
Drug Crime	1,231	14%	371	10%	1,602	13%
Non-Drug Crime	7,273	86%	3,313	90%	10,586	87%
	8,504	100%	3,684	100%	12,188	100%
Missing Cases = 349						

TABLE 68

DRUG USE BY REGION OF COMMITMENT FOR 1983 COMMITMENTS

Region of Commitment	Drug Use Status					
	Drug User		Non-Drug User		Total	
	Number	Percent	Number	Percent	Number	Percent
New York City	6,084	70%	2,577	30%	8,661	100%
Upstate New York	1,446	70%	629	30%	2,075	100%
Suburban N.Y.City	974	67%	478	33%	1,452	100%
	8,504		3,684		12,188	
Missing cases = 349						

Table 68 displays the proportion of drug users from the three major regions of the state. The proportional distribution of drug users from each region is fairly equivalent and well within the normal range for the regional distribution of all new court commitments.

Table 69 reveals that the mean and median values of education, age, minimum and maximum sentences for both drug users and non-users were very similar to those of the population of new commitments. In comparison to each other the values of education, minimum and maximum sentences appear to be similar for both users and non-users. As expected, users appear to be younger than their non-user counterparts.

TABLE 69

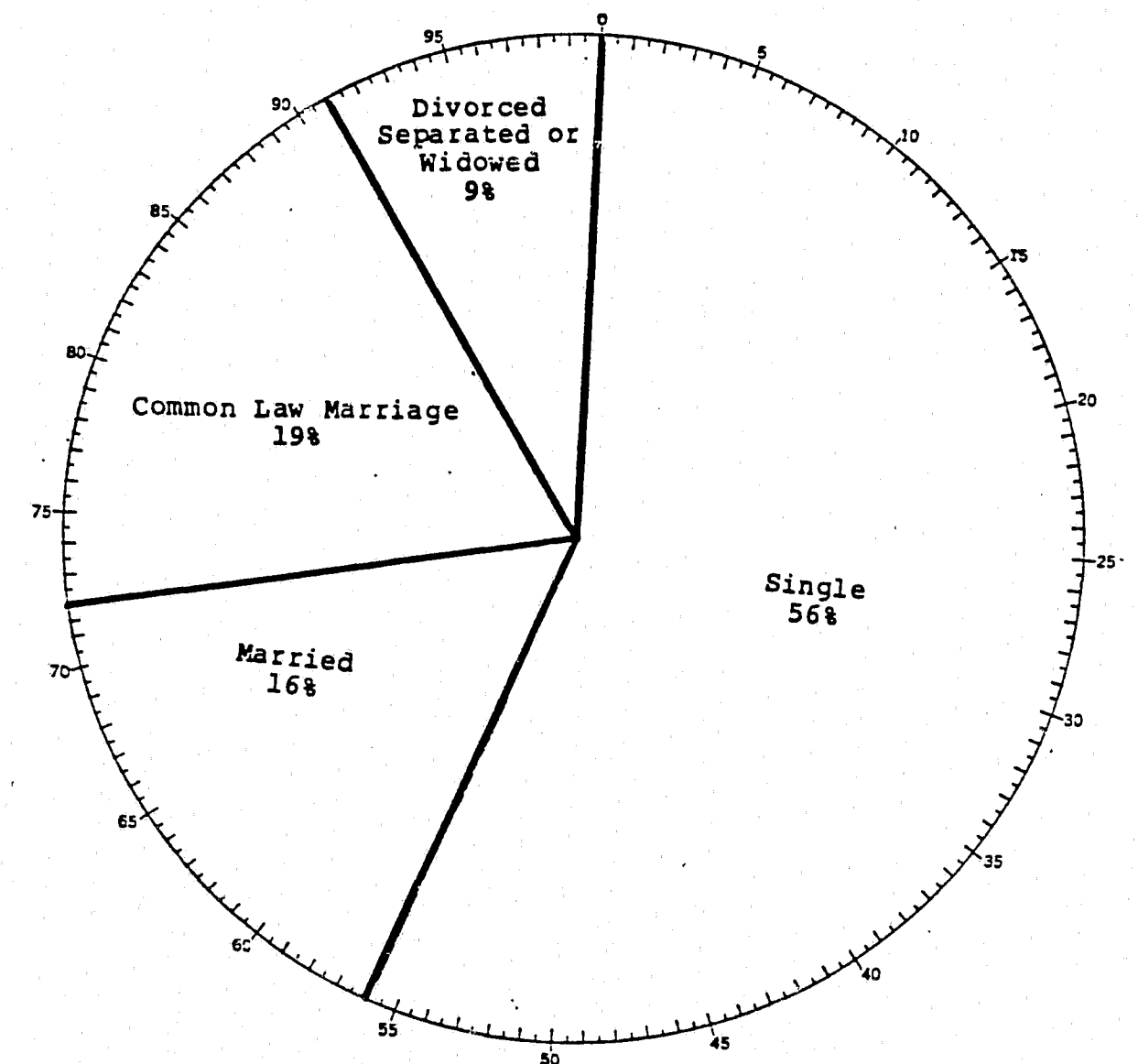
MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES BY DRUG USE FOR 1983 COMMITMENTS

(N=12,160)

Drug Use Status	Years		Years		Months		Months	
	Education		Age		Minimum Sentence		Maximum Sentence	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
User (N=8,497)	10.3	9.9	26.1	24.7	37.8	24.0	88.5	59.6
Non-User (N=3,663)	10.5	10.3	28.8	26.1	43.0	24.2	99.2	60.4
Missing Cases = 377								

FIGURE XII

MARITAL STATUS OF 1983 COMMITMENTS TO DOCS



Marital Status on Commitment	Number	Percent
TOTAL	12,502 <sup>a/</sup>	100%
Single	7,036	56%
Married	2,406	16%
Common Law Marriage	2,019	19%
Divorced, Separated, Widowed	1,041	9%

<sup>a/</sup> Information on marital status was missing for 34 cases.

MARITAL STATUS

Among the 1983 new court commitments 50% were single and never had been married at the time of their incarceration. Another 19% were involved in common-law marriages while 16% were listed as being married. The smallest proportion of the new commitments, 8%, were either divorced, widowed or separated.

TABLE 70

MARITAL STATUS BY YEAR 1978-1983 DOCS COMMITMENTS

Marital Status	Year of Commitment					
	1978	1979	1980	1981	1982	1983
Single	4,115 (57%)	4,363 (58%)	4,513 (57%)	5,906 (58%)	5,906 (57%)	7,036 (56%)
Common Law	1,021 (14%)	1,048 (14%)	1,145 (15%)	1,606 (16%)	1,746 (17%)	2,406 (19%)
Married	1,241 (17%)	1,297 (17%)	1,408 (18%)	1,747 (17%)	1,666 (16%)	2,019 (16%)
Div-Sep-Widow	811 (11%)	834 (11%)	840 (11%)	986 (10%)	1,008 (10%)	1,041 (8%)
TOTAL	7,188 <sup>a</sup> (100%)	7,542 <sup>b</sup> (100%)	7,911 <sup>c</sup> (100%)	10,245 <sup>d</sup> (100%)	10,326 <sup>e</sup> (100%)	12,502 <sup>f</sup> (100%)

<sup>a</sup>/Missing Cases = 44

<sup>b</sup>/Missing Cases = 52

<sup>c</sup>/Missing Cases = 48

<sup>d</sup>/Missing Cases = 66

<sup>e</sup>/Missing Cases = 77

<sup>f</sup>/Missing Cases = 35

According to Table 70 the proportional distribution of marital status among new court commitments has remained stable since 1978 with no significant changes in the relative size of the marriage status categories over time.

TABLE 71

MARITAL STATUS BY CRIME GROUP FOR 1983 COMMITMENTS

Crime Group	Marital Status				Total
	Never Married	Common Law	Married	Divorce Widow/Separate	
VFO	4,743 (60%)	1,440 (18%)	1,146 (15%)	577 (7%)	7,906 (100%)
Other Coercive	279 (58%)	83 (17%)	69 (14%)	48 (11%)	479 (100%)
Property	1,180 (53%)	386 (17%)	399 (18%)	255 (12%)	2,220 (100%)
Drugs	563 (35%)	496 (31%)	400 (25%)	160 (9%)	1,619 (100%)
Youthful Offender	271 (97%)	1 (1%)	5 (1%)	1 (1%)	278 (100%)
TOTAL	7,036	2,406	2,019	1,041	12,502

Missing Cases = 35

Table 71 shows the proportional distribution of marital status for the five crime groups. The distribution for VFO, Other Coercive, and Property Crime offenders were similar and were consistent with the marital distribution of the 1983 population of new commitments. The distribution for both Drug and Youthful Offenders does vary significantly. For Youthful Offenders the overwhelming majority of commitments were single (i.e. 97%) and this can be explained by the assumption that younger persons are less likely to be involved in marital types of arrangements. For Drug Offenders the size of the single group or inmates shrinks while the size of common-law and married inmates increases.



Table 72 shows the mean and median values for four key variables among the different types of marital status groups. Educational Level: Divorced, Widowed and Married inmates were the best educated while all other groups were well within the expected normal values. Age: Divorced, Widowed and Separated inmates tended to be the oldest of the inmate marital status groupings. Minimum Sentence: The only marital status group with an unusually high minimum sentence were widowed inmates. Maximum Sentence: Both widowed and married inmates had disproportionately high maximum sentences.

The findings on educational level and age can be understood as a function of time as divorced, widowed, separated and married inmates tend to be older and thus would have more time for educational advancement. The findings on the relationship of marital status to sentencing are not readily explainable and may just be an anomaly of the data.

To explore this further, Table 73 examines the values of the variables among marital status groups controlling for crime type and prior convictions. The table shows that the introduction of controls intensifies the disparity of sentence lengths for widowed inmates. This may need additional examination at some future point.

TABLE 72

MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES BY MARITAL STATUS FOR ALL 1983 COMMITMENTS

(N=12,475)

Marital Status	Years		Years		Months		Months	
	Education		Age		Minimum Sentence		Maximum Sentence	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
Never Married (N=7,036)	10.1	9.8	23.8	21.8	36.8	23.9	86.3	54.5
Married (N=2,019)	10.9	10.9	31.5	30.1	46.5	24.5	108.4	71.6
Divorced (N=511)	11.3	12.5	35.2	34.0	39.5	24.3	92.2	60.5
Widowed (N=78)	10.7	11.0	39.7	38.5	58.6	35.3	135.8	72.3
Separated (N=425)	10.6	10.5	34.1	32.6	38.5	23.8	87.3	54.1
Common-Law (N=2,406)	10.3	10.1	28.6	26.9	40.1	24.3	92.5	60.1
Missing Cases = 62								

TABLE 73

MEAN AND MEDIAN VALUES FOR EDUCATION, AGE, MINIMUM AND MAXIMUM SENTENCES BY MARITAL STATUS FOR 1983 VFO COMMITMENTS WITH NO PRIOR CONVICTIONS

(N=1,780)

Marital Status	Years		Years		Months		Months	
	Education		Age		Minimum Sentence		Maximum Sentence	
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
Never Married (N=1,187)	9.9	9.6	21.5	19.9	42.8	24.2	103.9	72.0
Married (N=244)	10.6	10.5	30.1	28.0	51.2	28.0	119.6	83.7
Divorced (N=59)	12.1	13.4	35.6	34.8	44.6	28.5	120.1	83.8
Widowed (N=16)	11.1	11.3	34.6	31.5	108.5	74.0	232.1	216.5
Separated (N=63)	10.5	10.6	33.7	31.4	56.0	24.7	120.5	73.6
Common-Law (N=211)	10.3	10.2	26.4	25.2	53.9	27.6	117.0	72.4

TABLE 74

MARITAL STATUS BY GENDER FOR  
1983 COMMITMENTS

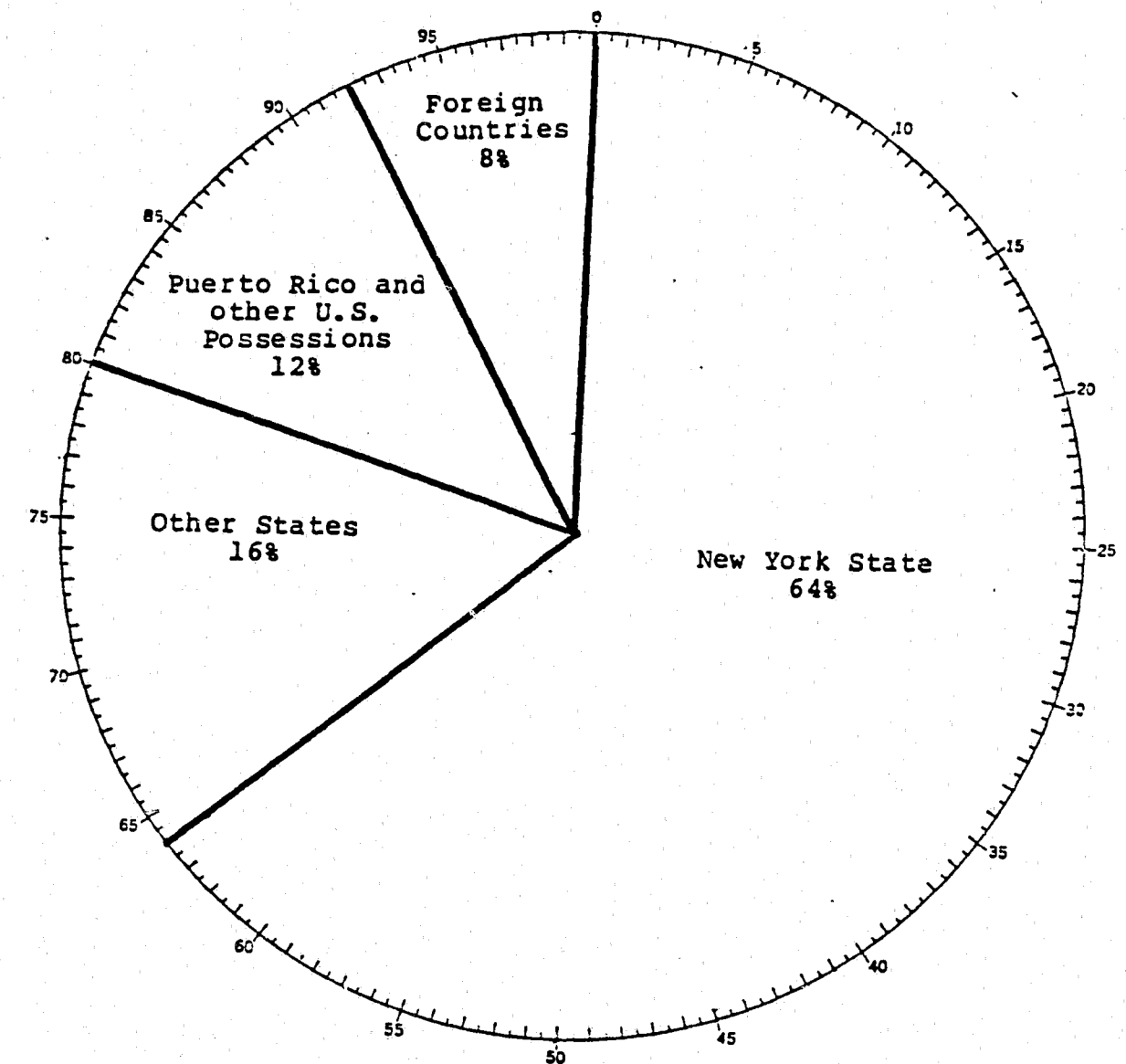
Marital Status	Gender			
	Male		Female	
	Number	Percent	Number	Percent
Single	6,801	56.4%	235	53.8%
Married	1,965	16.3%	54	12.3%
Common Law	2,338	19.4%	68	15.6%
Divorced/Separated				
Widowed	961	7.9%	80	18.3%
TOTAL	12,065	100.0%	437	100.0%

Missing Cases = 35

Table 74 shows that proportionately fewer females than males were married or in common law relationships prior to their incarceration. In addition a higher proportion of the women than men reported that they were either divorced, separated, or widowed.

FIGURE XIII

COUNTRY OF BIRTH FOR 1983 COMMITMENTS



Country of Birth	Number	Percent
TOTAL	12,519 <sup>a/</sup>	100%
New York State	8,078	64%
Other States	1,968	16%
Puerto Rico and U.S. Possessions	1,471	12%
Foreign Countries	1,002	8%

<sup>a/</sup> Information on Country at birth was missing for 18 cases.

COUNTRY OF BIRTH

Over 64% of the 1983 court commitments were born in New York State while close to 16% were born in the other states or United States possessions (with the exception of Puerto Rico). Approximately 12% were born in Puerto Rico and a final 8% were foreign born.

Table 75 examines the countries of origin for new commitments during the last six years. New York State and Puerto Rico have been consistently reported as the country of birth for 62% and 12% of the court commitments respectively since 1978. During that same time frame the inmates with birthplaces in other states has been declining marginally while inmates with foreign origins have been increasing slightly.

TABLE 75

COUNTRY OF BIRTH BY YEAR 1978-1983 FOR DOCS COMMITMENTS

Country of Birth	Year of Commitment					
	1978	1979	1980	1981	1982	1983
New York State	4,428 (61%)	4,710 (62%)	4,876 (61%)	6,575 (64%)	6,432 (62%)	8,076 (64%)
Other States	1,561 (22%)	1,521 (20%)	1,635 (21%)	1,885 (18%)	1,905 (18%)	1,968 (16%)
Puerto Rico	878 (12%)	942 (12%)	948 (12%)	1,209 (12%)	1,226 (12%)	1,471 (12%)
Foreign Country	350 (5%)	410 (6%)	493 (6%)	643 (6%)	838 (8%)	1,002 (8%)
TOTAL	7,217 <sup>a</sup> / (100%)	7,583 <sup>b</sup> / (100%)	7,952 <sup>c</sup> / (100%)	10,312 (100%)	10,401 <sup>d</sup> / (100%)	12,517 <sup>e</sup> / (100%)

a/Missing Cases = 15  
b/Missing Cases = 1  
c/Missing Cases = 7  
d/Missing Cases = 2  
e/Missing Cases = 20

TABLE 76

COUNTRY OF BIRTH BY ETHNIC STATUS FOR 1983 COMMITMENTS

Country of Birth	Ethnic Status			Total
	Black	White	Puerto Rican	
New York State	4,438 (55%)	2,407 (30%)	1,209 (15%)	8,054 (100%)
Other States	1,602 (82%)	325 (16%)	37 (2%)	1,964 (100%)
Puerto Rico	--	--	1,469 (100%)	1,469 (100%)
Foreign Country	498 (50%)	468 (47%)	25 (3%)	991 (100%)
TOTAL	6,538	3,200	2,740	12,478 (100%)

Missing Cases = 59

Table 76 is a crosstabulation of country of birth by ethnic status. It is constructed to portray the proportion of ethnic groups represented within each country of birth category. For new commitments born in New York State, other states, and foreign countries, the majority were black. The highest proportion of whites were born in foreign countries while Puerto Ricans were exclusively born in Puerto Rico.

TABLE 77

COUNTRY OF BIRTH BY FIRST AND SECOND FELONY  
OFFENDERS FOR 1983 COMMITMENTS

Country of Birth	Felony Status				Total Number	Percent
	1st Felony Number	Percent	2nd Felony Number	Percent		
New York State	4,604	57%	3,472	43%	8,076	100%
Other States	1,031	52%	937	48%	1,968	100%
Puerto Rico	788	54%	683	46%	1,471	100%
Foreign Country	748	73%	271	27%	1,019	100%
TOTAL	7,171		5,363		12,534	

Missing Cases = 3

Table 77 is a crosstabulation of birth place by first or second felony status. It shows that the proportion of 1st felony offenders and second felony offenders was similar for new commitments born in New York State, Other States and Puerto Rico. The pattern changes for foreign born inmates as they have a substantially higher proportion of 1st felony commitments.

TABLE 78

COUNTRY OF BIRTH BY REGION OF COMMITMENT FOR  
1983 COMMITMENTS

Country of Birth	Region			Total
	New York City	Upstate N.Y.	Suburban N.Y.	
New York State	5,528 (62%)	1,521 (72%)	1,027 (69%)	8,076 (64%)
Other States	1,194 (13%)	483 (23%)	291 (20%)	1,968 (16%)
Puerto Rico	1,378 (15%)	47 (2%)	46 (3%)	1,471 (12%)
Foreign Country	846 (9%)	52 (3%)	121 (8%)	1,019 (8%)
TOTAL	8,946 (100%)	2,103 (100%)	1,485 (100%)	12,534 (100%)

Missing Cases = 3

Table 78 is a crosstabulation of birthplace by area of commitment. Among both Upstate New York and Suburban N.Y.C. commitments there were more New York State born and "other states" born commitments than normal. These regions also had lower proportions of Puerto Rican and foreign born inmates than the norm.

Tables 79 and 80 present information about the conviction crimes of new court commitments from various birthplaces. In Table 79 the proportional distribution of birthplaces for VFO offenders appears to mirror the distribution of the population of new commitments. The distributions for inmates convicted of other coercive crimes and property offenses are equivalent to each other and do not vary significantly from the population distribution. For drug offenders the proportion of inmates born in New York State was lower than the norm while the proportion of inmates born in Puerto Rico was higher than the norm. For Youthful Offenders, the proportion of New York State born commitments was higher than the norm while for inmates born in Puerto Rico the proportion was lower than the norm.

In a 1982 report on the Characteristics of New Commitments, William Chapman observed that there were inmates born in foreign countries who, in the aggregate, account for more VFO offenses than do those inmates born in New York State. The countries included Cuba, the West Indies, Jamaica, Central America, and China. For the 1983 new commitments these observations still hold true as shown in Table 80.

TABLE 79

COUNTRY OF BIRTH BY CRIME GROUP FOR  
1983 COMMITMENTS

Crime Group	Country of Birth				Total
	New York State	Other States	Puerto Rico	Foreign	
VFO	5,136 (65%)	1,211 (15%)	884 (11%)	683 (9%)	7,914 (100%)
Other Coercive	337 (70%)	89 (19%)	32 (7%)	21 (4%)	479 (100%)
Property	1,556 (70%)	402 (18%)	170 (8%)	96 (4%)	2,224 (100%)
Drugs	834 (51%)	237 (15%)	371 (23%)	180 (11%)	1,622 (100%)
Youthful Offender	215 (77%)	29 (10%)	14 (5%)	22 (8%)	280 (100%)
	8,078	1,968	1,471	1,002	12,519

Missing Cases = 18

TABLE 80

COUNTRY OF BIRTH BY CRIME GROUP FOR SPECIFIC LOCATIONS  
1983 COMMITMENTS

Birth Locations	Crime Group					Total
	VFO	Other Coercive	Property	Drugs	Youthful Offender	
New York State	64%	4%	19%	10%	3%	8,078
Cuba	76%	2%	8%	13%	1%	165
Jamaica	87%	2%	7%	3%	2%	119
West Indies	81%	1%	8%	3%	7%	72
Central America	68%	4%	6%	21%	1%	80
China	94%	6%	--	--	--	17

TABLE 81

COUNTRY OF BIRTH BY CRIME FOR  
1983 COMMITMENTS

A. Violent Felony Offenses	New York State		Other States		Puerto Rico		Foreign Country		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Murder	204	61%	54	16%	34	10%	43	13%	335	100%
Attempted Murder	90	62%	11	8%	23	16%	21	15%	145	100%
Manslaughter 1st	223	57%	64	16%	59	15%	43	11%	389	100%
Rape 1st	150	62%	61	25%	12	5%	17	7%	240	100%
Robbery 1st	1,488	67%	281	13%	238	11%	202	9%	2,209	100%
Robbery 2nd	1,281	70%	285	15%	182	10%	92	5%	1,840	100%
Assault 1st	108	58%	32	17%	21	11%	26	14%	187	100%
Assault 2nd	102	60%	31	18%	23	13%	15	9%	171	100%
Burglary 1st	119	67%	25	14%	20	11%	14	8%	178	100%
Burglary 2nd	816	66%	191	15%	160	13%	69	6%	1,236	100%
Arson 2nd	40	68%	7	12%	7	12%	5	8%	59	100%
Sodomy 1st	52	69%	9	12%	5	7%	9	12%	75	100%
Sexual Abuse 1st	62	63%	19	19%	12	12%	5	6%	98	100%
Dangerous Weapons	381	53%	136	19%	87	12%	114	16%	718	100%
Kidnapping	20	59%	5	15%	1	3%	8	24%	34	100%
B. Other Felonies										
1) Offenses with Violence/Coercion										
Manslaughter 2nd	51	68%	9	12%	6	8%	9	12%	75	100%
Crim. Neg. Hom.	15	65%	4	17%	3	13%	1	4%	23	100%
Rape 2nd & 3rd	12	71%	3	18%	2	12%	0	--	17	100%
Robbery 3rd	227	72%	62	20%	17	5%	6	3%	312	100%
Att. Assault 2nd	32	62%	11	21%	4	8%	5	10%	52	100%
2) Property/Drug and Other Offenses										
Burglary 3rd	694	71%	161	16%	86	9%	42	4%	983	100%
Grand Larceny	290	69%	86	21%	25	6%	18	4%	419	100%
Forgery	147	74%	44	22%	6	3%	2	1%	199	100%
Drugs	834	51%	237	15%	371	23%	180	11%	1,622	100%
All Other Felonies	213	74%	42	15%	30	11%	21	7%	306	100%
Stolen Property	212	72%	69	22%	23	7%	13	4%	317	100%
C. Youthful Offenders										
	215	77%	29	10%	14	5%	22	8%	280	100%

TABLE 82

COUNTRY OF BIRTH BY GENDER FOR  
1983 COMMITMENTS

Country of Birth	Gender			
	Male		Female	
	Number	Percent	Number	Percent
New York State	7,801	64.6%	277	63.4%
Other States	1,842	15.2%	105	24.0%
Puerto Rico and Other U.S. Possessions	1,454	12.0%	38	8.7%
Foreign countries	985	8.2%	17	3.9%
TOTAL	12,082	100.0%	437	100.0%

Missing Cases = 18

Table 82 shows that the proportion of commitments born in New York State for males and females was equivalent, while proportionately more females were born in states other than New York. The proportion of males born outside of the United States was higher than that of females in 1983.

END