

Disposed Adult Arrest Demographics Data Source Notes

The attached disposition data is derived from the New York State criminal history records database maintained by the Division of Criminal Justice Services (DCJS) and known as the Computerized Criminal History (CCH) system. CCH contains adult arrests and dispositions for offenses where fingerprints are required to be taken (Criminal Procedure Law 160.10). Arrest information is submitted to DCJS by police agencies via a fingerprint transaction and disposition information is electronically transmitted to DCJS by the Office of Court Administration. Race/ethnicity information is recorded by police and transmitted to DCJS as part of the fingerprint transaction. Four categories of race/ethnicity are displayed: White, Black, Hispanic, and Other. All arrestees of Hispanic ethnicity, regardless of race, are included in the Hispanic category. The White, Black, and Other categories include only persons of non-Hispanic origin. Arrests counts include adult arrests for finger-printable offenses only. Arrests for misdemeanors committed by 16 year olds after September 30, 2018 are not included.

Disposition outcomes are categorized by the most serious charge reported at the time of arrest. For example, if an individual was charged with a felony and a misdemeanor resulting from a single event, a single disposition outcome would be displayed and the event would be categorized as a felony. Final disposition outcomes are shown for the following arrest categories:

- **Felony:** Offenses for which a sentence of imprisonment of more than one year may be imposed (Penal Law Article 10.05).
- **Violent Felony:** A subset of the felony category that includes all charges listed under Penal Law Article 70.02 and the Class A felonies of murder, arson, kidnapping, and predatory sexual assault.
- **Drug Felony:** A subset of the felony category that includes all felony charges listed under Penal Law Article 220 (Controlled Substances) and Article 221 (Marijuana).
- **Misdemeanor:** Offenses, other than traffic infractions, for which a sentence of imprisonment of more than 15 days but no more than one year can be imposed (Penal Law Article 10.04).

Outcomes are shown only for arrests that have reached a final disposition. Arrests with no disposition, an interim disposition, or a conviction without a sentence are not considered fully disposed and are not displayed.

Convictions may be the result of a plea bargain or a trial and may include convictions for offenses other than those charged at arrest (i.e., A felony arrest may result in conviction for a misdemeanor or violation. Conversely, charges can also be upgraded post-arrest). Adult (non-Youthful Offender) convictions are shown separately from individuals adjudicated as Youthful Offenders per CPL Article 720. Data is displayed according to the year in which the final disposition occurred, regardless of when the arrest actually occurred (i.e., An arrest occurring in 2015 that was disposed in 2017 would be displayed in the 2017 column). For arrest events with multiple charges, the disposition shown is the most serious disposition. Final disposition types include:

- **Convicted-Sentenced:** Cases resulting in a conviction, either by plea or trial, where a sentence has been imposed.
- **Diverted and Dismissed:** Cases dismissed after successful completion of a treatment/diversion program pursuant to CPL 400.10(04). Note that not all 'Diverted and dismissed' dispositions are reported to DCJS.
- **Covered by Another Case:** Cases covered by a disposition (usually a plea) from a separate case.
- **Dismissed-Adjourned in Contemplation of Dismissal (ACD):** Cases dismissed after a period of adjournment per CPL 170.55.
- **Dismissed-Not ACD:** Cases that were dismissed based on merit or procedure.
- **Acquitted:** Cases where the defendant was found not guilty after trial.
- **DA Declined to Prosecute:** Cases where the District Attorney declined to bring formal charges against the defendant.
- **Other:** Includes cases abated by the defendant's death, unknown favorable dispositions, and cases where it was determined that New York State did not have jurisdiction.

Sentences to prison, jail, and probation represent court-imposed sanctions and not actual admissions or caseloads.

Note: All percentages, even in the sentence type section of the tables, represent the percentage/proportion of total disposed arrests for the year.

NYS DIVISION OF CRIMINAL JUSTICE SERVICES

**Herkimer County
Adult Arrests Disposed by Race/Ethnicity: 2018**

Top Arrest Charge		Race/Ethnicity										
		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Felony	Total Dispositions	142	100.0%	25	100.0%	36	100.0%	1	100.0%	204	100.0%	
	Convicted-Sentenced	124	87.3%	24	96.0%	35	97.2%			184	90.2%	
	Diverted and Dismissed	0	0.0%	0	0.0%	0	0.0%			0	0.0%	
	Covered by Another Case	4	2.8%	1	4.0%	0	0.0%			5	2.5%	
	Dismissed-ACD	5	3.5%	0	0.0%	0	0.0%			5	2.5%	
	Dismissed-Not ACD	7	4.9%	0	0.0%	1	2.8%			8	3.9%	
	Acquitted	0	0.0%	0	0.0%	0	0.0%			0	0.0%	
	DA Declined to Prosecute	1	0.7%	0	0.0%	0	0.0%			1	0.5%	
	Other	1	0.7%	0	0.0%	0	0.0%			1	0.5%	
	Adult Non-YO Convictions for:	Felonies	54	38.0%	9	36.0%	6	16.7%			70	34.3%
		Misdemeanors	59	41.5%	12	48.0%	27	75.0%			98	48.0%
		Non-Criminal/Unknown	9	6.3%	1	4.0%	2	5.6%			12	5.9%
	Youthful Offender Adjudications for:	Felonies	1	0.7%	1	4.0%	0	0.0%			2	1.0%
		Misdemeanors	1	0.7%	1	4.0%	0	0.0%			2	1.0%
		Unknown	0	0.0%	0	0.0%	0	0.0%			0	0.0%
	Sentences to:	Prison	25	17.6%	6	24.0%	1	2.8%			32	15.7%
		Jail	14	9.9%	1	4.0%	4	11.1%			19	9.3%
		Time Served	5	3.5%	1	4.0%	0	0.0%			6	2.9%
		Jail+Probation	1	0.7%	0	0.0%	0	0.0%			1	0.5%
		Probation	42	29.6%	9	36.0%	1	2.8%			53	26.0%
		Fine	22	15.5%	2	8.0%	2	5.6%			26	12.7%
		Cond Discharge	11	7.7%	2	8.0%	27	75.0%			40	19.6%
		Other/Unknown	4	2.8%	3	12.0%	0	0.0%			7	3.4%

Note: All percentages shown are based on total dispositions.
Disposition outcome is not shown if the Total Dispositions count is less than 5.
Source: DCJS, Computerized Criminal History system (as of 07/23/2019).

NYS DIVISION OF CRIMINAL JUSTICE SERVICES

Herkimer County
Adult Arrests Disposed by Race/Ethnicity: 2018

Top Arrest Charge		Race/Ethnicity										
		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Violent Felony	Total Dispositions	41	100.0%	11	100.0%	1	100.0%	0	0.0%	53	100.0%	
	Convicted-Sentenced	37	90.2%	11	100.0%					49	92.5%	
	Diverted and Dismissed	0	0.0%	0	0.0%					0	0.0%	
	Covered by Another Case	1	2.4%	0	0.0%					1	1.9%	
	Dismissed-ACD	0	0.0%	0	0.0%					0	0.0%	
	Dismissed-Not ACD	1	2.4%	0	0.0%					1	1.9%	
	Acquitted	0	0.0%	0	0.0%					0	0.0%	
	DA Declined to Prosecute	1	2.4%	0	0.0%					1	1.9%	
	Other	1	2.4%	0	0.0%					1	1.9%	
	Adult Non-YO Convictions for:	Felonies	24	58.5%	5	45.5%					30	56.6%
		Misdemeanors	9	22.0%	4	36.4%					13	24.5%
		Non-Criminal/Unknown	2	4.9%	0	0.0%					2	3.8%
	Youthful Offender Adjudications for:	Felonies	1	2.4%	1	9.1%					2	3.8%
		Misdemeanors	1	2.4%	1	9.1%					2	3.8%
		Unknown	0	0.0%	0	0.0%					0	0.0%
	Sentences to:	Prison	13	31.7%	3	27.3%					17	32.1%
		Jail	4	9.8%	0	0.0%					4	7.5%
		Time Served	0	0.0%	0	0.0%					0	0.0%
		Jail+Probation	0	0.0%	0	0.0%					0	0.0%
		Probation	13	31.7%	6	54.5%					19	35.8%
		Fine	4	9.8%	1	9.1%					5	9.4%
		Cond Discharge	2	4.9%	0	0.0%					2	3.8%
		Other/Unknown	1	2.4%	1	9.1%					2	3.8%

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		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Drug Felony	Total Dispositions	8	100.0%	4	100.0%	0	0.0%	0	0.0%	12	100.0%	
	Convicted-Sentenced	8	100.0%							11	91.7%	
	Diverted and Dismissed	0	0.0%							0	0.0%	
	Covered by Another Case	0	0.0%							1	8.3%	
	Dismissed-ACD	0	0.0%							0	0.0%	
	Dismissed-Not ACD	0	0.0%							0	0.0%	
	Acquitted	0	0.0%							0	0.0%	
	DA Declined to Prosecute	0	0.0%							0	0.0%	
	Other	0	0.0%							0	0.0%	
	Adult Non-YO Convictions for:	Felonies	4	50.0%							6	50.0%
		Misdemeanors	4	50.0%							5	41.7%
		Non-Criminal/Unknown	0	0.0%							0	0.0%
	Youthful Offender Adjudications for:	Felonies	0	0.0%							0	0.0%
		Misdemeanors	0	0.0%							0	0.0%
		Unknown	0	0.0%							0	0.0%
	Sentences to:	Prison	3	37.5%							4	33.3%
		Jail	2	25.0%							2	16.7%
		Time Served	0	0.0%							1	8.3%
		Jail+Probation	0	0.0%							0	0.0%
		Probation	2	25.0%							3	25.0%
		Fine	1	12.5%							1	8.3%
		Cond Discharge	0	0.0%							0	0.0%
		Other/Unknown	0	0.0%							0	0.0%

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Top Arrest Charge		Race/Ethnicity										
		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Misdemeanor	Total Dispositions	449	100.0%	40	100.0%	13	100.0%	8	100.0%	510	100.0%	
	Convicted-Sentenced	383	85.3%	34	85.0%	13	100.0%	5	62.5%	435	85.3%	
	Diverted and Dismissed	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	
	Covered by Another Case	15	3.3%	1	2.5%	0	0.0%	0	0.0%	16	3.1%	
	Dismissed-ACD	37	8.2%	4	10.0%	0	0.0%	2	25.0%	43	8.4%	
	Dismissed-Not ACD	12	2.7%	1	2.5%	0	0.0%	0	0.0%	13	2.5%	
	Acquitted	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	
	DA Declined to Prosecute	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	
	Other	2	0.4%	0	0.0%	0	0.0%	1	12.5%	3	0.6%	
	Adult Non-YO Convictions for:	Felonies	0	0.0%	1	2.5%	0	0.0%	0	0.0%	1	0.2%
		Misdemeanors	170	37.9%	14	35.0%	5	38.5%	2	25.0%	191	37.5%
		Non-Criminal/Unknown	207	46.1%	19	47.5%	8	61.5%	3	37.5%	237	46.5%
	Youthful Offender Adjudications for:	Felonies	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
		Misdemeanors	4	0.9%	0	0.0%	0	0.0%	0	0.0%	4	0.8%
		Unknown	2	0.4%	0	0.0%	0	0.0%	0	0.0%	2	0.4%
	Sentences to:	Prison	0	0.0%	1	2.5%	0	0.0%	0	0.0%	1	0.2%
		Jail	29	6.5%	2	5.0%	1	7.7%	0	0.0%	32	6.3%
		Time Served	9	2.0%	0	0.0%	0	0.0%	0	0.0%	9	1.8%
		Jail+Probation	3	0.7%	1	2.5%	0	0.0%	0	0.0%	4	0.8%
		Probation	23	5.1%	2	5.0%	0	0.0%	0	0.0%	25	4.9%
		Fine	278	61.9%	25	62.5%	10	76.9%	5	62.5%	318	62.4%
		Cond Discharge	28	6.2%	2	5.0%	1	7.7%	0	0.0%	31	6.1%
		Other/Unknown	13	2.9%	1	2.5%	1	7.7%	0	0.0%	15	2.9%

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