

## Disposed Adult Arrests Data Source Notes

The attached disposition data is derived from the Division of Criminal Justice Services (DCJS) 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 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 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. For calendar years up to and including 2017, state law defined an adult as anyone age 16 or older.

Dispositions 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 in connection with the same crime, a single disposition outcome would be displayed and would be categorized as a felony. **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.** Disposed arrests are categorized by the following arrest types:

- **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).

If an arrest resulted in a conviction, the table notes whether the conviction charge was a felony, misdemeanor, or non-criminal offense. Convictions may be the result of a plea bargain or a trial and may be for offenses other than what was 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). Convictions are further categorized as Adult Convictions and Youthful Offender Adjudications. Under state law, Youthful Offender status may be granted by a court to individuals who are 16, 17 or 18 years old. This results in the conviction being sealed, however, the individual may serve a period of incarceration as the result of the Youthful Offender Adjudication. Data is displayed according to the year in which the final disposition occurred, regardless of when the arrest occurred (i.e., an arrest from 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. The following are final disposition types:

- **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:** Not all 'Diverted and dismissed' dispositions are reported to DCJS.
- **Covered by Another Case:** Cases resolved by a disposition (usually a guilty plea) in a separate case.
- **Dismissed-Adjourned in Contemplation of Dismissal (ACD):** Cases dismissed after a period of adjournment under 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 arrested individual. **Note:** This disposition primarily occurs in the five counties/boroughs of New York City.
- **Other:** Cases abated by the defendant's death, other 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: 2017**

Top Arrest Charge		Race/Ethnicity										
		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Felony	Total Dispositions	196	100.0%	21	100.0%	7	100.0%	7	100.0%	231	100.0%	
	Convicted-Sentenced	181	92.3%	19	90.5%	7	100.0%	5	71.4%	212	91.8%	
	Diverted and Dismissed	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	
	Covered by Another Case	3	1.5%	1	4.8%	0	0.0%	0	0.0%	4	1.7%	
	Dismissed-ACD	10	5.1%	1	4.8%	0	0.0%	2	28.6%	13	5.6%	
	Dismissed-Not ACD	1	0.5%	0	0.0%	0	0.0%	0	0.0%	1	0.4%	
	Acquitted	1	0.5%	0	0.0%	0	0.0%	0	0.0%	1	0.4%	
	DA Declined to Prosecute	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	
	Other	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	
	Adult Non-YO Convictions for:	Felonies	82	41.8%	9	42.9%	3	42.9%	2	28.6%	96	41.6%
		Misdemeanors	77	39.3%	8	38.1%	4	57.1%	3	42.9%	92	39.8%
		Non-Criminal/Unknown	12	6.1%	2	9.5%	0	0.0%	0	0.0%	14	6.1%
	Youthful Offender Adjudications for:	Felonies	8	4.1%	0	0.0%	0	0.0%	0	0.0%	8	3.5%
		Misdemeanors	2	1.0%	0	0.0%	0	0.0%	0	0.0%	2	0.9%
		Unknown	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
	Sentences to:	Prison	50	25.5%	3	14.3%	2	28.6%	1	14.3%	56	24.2%
		Jail	12	6.1%	2	9.5%	2	28.6%	1	14.3%	17	7.4%
		Time Served	7	3.6%	2	9.5%	1	14.3%	0	0.0%	10	4.3%
		Jail+Probation	12	6.1%	1	4.8%	1	14.3%	0	0.0%	14	6.1%
		Probation	42	21.4%	1	4.8%	0	0.0%	0	0.0%	43	18.6%
		Fine	29	14.8%	6	28.6%	1	14.3%	1	14.3%	37	16.0%
		Cond Discharge	19	9.7%	4	19.0%	0	0.0%	1	14.3%	24	10.4%
		Other/Unknown	10	5.1%	0	0.0%	0	0.0%	1	14.3%	11	4.8%

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 04/20/2018).

NYS DIVISION OF CRIMINAL JUSTICE SERVICES

**Herkimer County  
Adult Arrests Disposed by Race/Ethnicity: 2017**

Top Arrest Charge		Race/Ethnicity										
		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Violent Felony	Total Dispositions	41	100.0%	2	100.0%	1	100.0%	0	0.0%	44	100.0%	
	Convicted-Sentenced	39	95.1%							41	93.2%	
	Diverted and Dismissed	0	0.0%							0	0.0%	
	Covered by Another Case	0	0.0%							1	2.3%	
	Dismissed-ACD	0	0.0%							0	0.0%	
	Dismissed-Not ACD	1	2.4%							1	2.3%	
	Acquitted	1	2.4%							1	2.3%	
	DA Declined to Prosecute	0	0.0%							0	0.0%	
	Other	0	0.0%							0	0.0%	
	Adult Non-YO Convictions for:	Felonies	17	41.5%							18	40.9%
		Misdemeanors	16	39.0%							17	38.6%
		Non-Criminal/Unknown	0	0.0%							0	0.0%
	Youthful Offender Adjudications for:	Felonies	4	9.8%							4	9.1%
		Misdemeanors	2	4.9%							2	4.5%
		Unknown	0	0.0%							0	0.0%
	Sentences to:	Prison	15	36.6%							15	34.1%
		Jail	4	9.8%							5	11.4%
		Time Served	1	2.4%							2	4.5%
		Jail+Probation	4	9.8%							4	9.1%
		Probation	7	17.1%							7	15.9%
		Fine	3	7.3%							3	6.8%
		Cond Discharge	5	12.2%							5	11.4%
		Other/Unknown	0	0.0%							0	0.0%

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NYS DIVISION OF CRIMINAL JUSTICE SERVICES

**Herkimer County  
Adult Arrests Disposed by Race/Ethnicity: 2017**

Top Arrest Charge		Race/Ethnicity										
		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Drug Felony	Total Dispositions	18	100.0%	4	100.0%	2	100.0%	1	100.0%	25	100.0%	
	Convicted-Sentenced	17	94.4%							24	96.0%	
	Diverted and Dismissed	0	0.0%							0	0.0%	
	Covered by Another Case	1	5.6%							1	4.0%	
	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	12	66.7%							18	72.0%
		Misdemeanors	3	16.7%							4	16.0%
		Non-Criminal/Unknown	2	11.1%							2	8.0%
	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	12	66.7%							16	64.0%
		Jail	0	0.0%							0	0.0%
		Time Served	0	0.0%							1	4.0%
		Jail+Probation	0	0.0%							0	0.0%
		Probation	3	16.7%							3	12.0%
		Fine	1	5.6%							1	4.0%
		Cond Discharge	0	0.0%							2	8.0%
		Other/Unknown	1	5.6%							1	4.0%

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NYS DIVISION OF CRIMINAL JUSTICE SERVICES

**Herkimer County  
Adult Arrests Disposed by Race/Ethnicity: 2017**

Top Arrest Charge		Race/Ethnicity										
		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Misdemeanor	Total Dispositions	528	100.0%	56	100.0%	31	100.0%	9	100.0%	624	100.0%	
	Convicted-Sentenced	442	83.7%	45	80.4%	25	80.6%	8	88.9%	520	83.3%	
	Diverted and Dismissed	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	
	Covered by Another Case	9	1.7%	2	3.6%	2	6.5%	0	0.0%	13	2.1%	
	Dismissed-ACD	55	10.4%	4	7.1%	2	6.5%	1	11.1%	62	9.9%	
	Dismissed-Not ACD	19	3.6%	4	7.1%	1	3.2%	0	0.0%	24	3.8%	
	Acquitted	1	0.2%	0	0.0%	0	0.0%	0	0.0%	1	0.2%	
	DA Declined to Prosecute	0	0.0%	0	0.0%	1	3.2%	0	0.0%	1	0.2%	
	Other	2	0.4%	1	1.8%	0	0.0%	0	0.0%	3	0.5%	
	Adult Non-YO Convictions for:	Felonies	1	0.2%	0	0.0%	0	0.0%	0	0.0%	1	0.2%
		Misdemeanors	215	40.7%	21	37.5%	7	22.6%	4	44.4%	247	39.6%
		Non-Criminal/Unknown	218	41.3%	20	35.7%	18	58.1%	4	44.4%	260	41.7%
	Youthful Offender Adjudications for:	Felonies	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
		Misdemeanors	7	1.3%	2	3.6%	0	0.0%	0	0.0%	9	1.4%
		Unknown	1	0.2%	2	3.6%	0	0.0%	0	0.0%	3	0.5%
	Sentences to:	Prison	1	0.2%	0	0.0%	0	0.0%	0	0.0%	1	0.2%
		Jail	40	7.6%	7	12.5%	0	0.0%	1	11.1%	48	7.7%
		Time Served	9	1.7%	2	3.6%	0	0.0%	1	11.1%	12	1.9%
		Jail+Probation	4	0.8%	0	0.0%	1	3.2%	0	0.0%	5	0.8%
		Probation	33	6.3%	0	0.0%	1	3.2%	0	0.0%	34	5.4%
		Fine	307	58.1%	28	50.0%	21	67.7%	5	55.6%	361	57.9%
		Cond Discharge	29	5.5%	1	1.8%	0	0.0%	0	0.0%	30	4.8%
		Other/Unknown	19	3.6%	7	12.5%	2	6.5%	1	11.1%	29	4.6%

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