

Disposed Adult Arrest Demographics

The attached disposition data is derived from the Division of Criminal Justice Services (DCJS) Computerized Criminal History (CCH) system. CCH contains 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 fingerprint transaction and disposition information is electronically transmitted to DCJS by the state Office of Court Administration. Dispositions of arrests shown involve individuals who were 18 or older when the crime was committed.

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.

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 the event 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).
- **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. For example, felony arrests can result in conviction to a misdemeanor or violation, and misdemeanor arrest charges can be upgraded to a felony charge at arraignment and result in a felony conviction. There is a small percentage of cases (less than one percent) where Youthful Offender status was granted to someone who was 18 when the crime was committed. These cases are included in the Adult Convictions category but not shown separately. Data is displayed according to the year in which the final disposition occurred, regardless of when the arrest occurred (i.e., an arrest from 2018 that was disposed in 2019 would be displayed in 2019). For arrest events with multiple charges, the disposition shown is the most serious disposition. The following are the 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 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 arrested individual.
Note: This disposition primarily occurs in the five counties/boroughs of New York City.
- **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: 2019

Top Arrest Charge		Race/Ethnicity										
		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Felony	Total Dispositions	173	100.0%	10	100.0%	8	100.0%	0	0.0%	191	100.0%	
	Convicted-Sentenced	151	87.3%	10	100.0%	6	75.0%			167	87.4%	
	Diverted and Dismissed	0	0.0%	0	0.0%	0	0.0%			0	0.0%	
	Covered by Another Case	9	5.2%	0	0.0%	0	0.0%			9	4.7%	
	Dismissed-ACD	7	4.0%	0	0.0%	1	12.5%			8	4.2%	
	Dismissed-Not ACD	5	2.9%	0	0.0%	1	12.5%			6	3.1%	
	Acquitted	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%	
	Other	1	0.6%	0	0.0%	0	0.0%			1	0.5%	
	Convictions for:											
		Felonies	79	45.7%	5	50.0%	4	50.0%			88	46.1%
		Misdemeanors	63	36.4%	5	50.0%	2	25.0%			70	36.6%
		Non-Criminal/Unknown	9	5.2%	0	0.0%	0	0.0%			9	4.7%
	Sentences to:											
		Prison	31	17.9%	5	50.0%	3	37.5%			39	20.4%
		Jail	5	2.9%	1	10.0%	1	12.5%			7	3.7%
		Time Served	2	1.2%	0	0.0%	0	0.0%			2	1.0%
		Jail+Probation	4	2.3%	0	0.0%	0	0.0%			4	2.1%
		Probation	54	31.2%	3	30.0%	2	25.0%			59	30.9%
		Fine	42	24.3%	0	0.0%	0	0.0%			42	22.0%
		Cond Discharge	13	7.5%	0	0.0%	0	0.0%			13	6.8%
		Other/Unknown	0	0.0%	1	10.0%	0	0.0%			1	0.5%

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 07/17/2020).

NYS DIVISION OF CRIMINAL JUSTICE SERVICES

Herkimer County
Adult Arrests Disposed by Race/Ethnicity: 2019

Top Arrest Charge		Race/Ethnicity										
		White		Black		Hispanic		Other		Total		
		N	%	N	%	N	%	N	%	N	%	
Misdemeanor	Total Dispositions	357	100.0%	25	100.0%	11	100.0%	1	100.0%	394	100.0%	
	Convicted-Sentenced	305	85.4%	22	88.0%	9	81.8%			337	85.5%	
	Diverted and Dismissed	0	0.0%	0	0.0%	0	0.0%			0	0.0%	
	Covered by Another Case	9	2.5%	1	4.0%	1	9.1%			11	2.8%	
	Dismissed-ACD	20	5.6%	2	8.0%	1	9.1%			23	5.8%	
	Dismissed-Not ACD	16	4.5%	0	0.0%	0	0.0%			16	4.1%	
	Acquitted	1	0.3%	0	0.0%	0	0.0%			1	0.3%	
	DA Declined to Prosecute	0	0.0%	0	0.0%	0	0.0%			0	0.0%	
	Other	6	1.7%	0	0.0%	0	0.0%			6	1.5%	
	Convictions for:											
		Felonies	5	1.4%	0	0.0%	0	0.0%			5	1.3%
		Misdemeanors	139	38.9%	9	36.0%	5	45.5%			153	38.8%
		Non-Criminal/Unknown	161	45.1%	13	52.0%	4	36.4%			179	45.4%
	Sentences to:											
		Prison	0	0.0%	0	0.0%	0	0.0%			0	0.0%
		Jail	24	6.7%	3	12.0%	1	9.1%			28	7.1%
		Time Served	0	0.0%	0	0.0%	0	0.0%			0	0.0%
		Jail+Probation	1	0.3%	0	0.0%	0	0.0%			1	0.3%
		Probation	20	5.6%	0	0.0%	1	9.1%			21	5.3%
		Fine	230	64.4%	16	64.0%	6	54.5%			253	64.2%
		Cond Discharge	24	6.7%	2	8.0%	1	9.1%			27	6.9%
		Other/Unknown	6	1.7%	1	4.0%	0	0.0%			7	1.8%

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 07/17/2020).