

## **Persons Charged and Dispositions**

The collection of data of persons arrested and formally charged, plus the subsequent disposition data, is an important tool in the record-keeping process for police administrators. This data offers insight into the effectiveness of police departments with regard to the quality of police investigation, case preparation, and court presentation toward the successful prosecution of the criminal element.

### **Persons Charged**

There were 434,951 persons arrested and charged with criminal offenses in 2009. Physical arrests resulted in charges against 223,554 persons (51.4 percent). Criminal citations were issued to 211,397 persons (48.6 percent).

Of the 83,210 persons charged with Crime Index offenses, 57,630 or 69.3 percent were arrested and arraigned, while 25,580 or 30.7 percent received citations. A total of 24,088 Violent Crime offenders were charged in 2009. Physical arrests of Violent Crime offenders totaled 21,552 (89.5 percent), and citations were issued to 2,536 Violent Crime offenders (10.5 percent). Property Crime offenders were charged in 59,122 offenses. Physical arrests of Property Crime offenders occurred in 36,078 cases (61.0 percent), and citations were issued to 23,044 Property Crime offenders (39.0 percent). This latter group was composed primarily of larceny-theft offenders, arrested for summary offenses such as shoplifting.

Part II offenders charged amounted to 351,703 persons. Physical arrests and arraignments took place in 165,887 cases (47.2 percent), and citations were issued to 185,816 individuals (52.8 percent). A review indicates that citations were issued to 87.2 percent of persons charged with liquor law violations and to the majority of persons charged with vandalism, drunkenness, disorderly conduct, vagrancy, and all other Part II offenses.

### **Adult Dispositions**

The 126,112 dispositions represent 29.0 percent of the 434,951 persons charged in 2009. This difference is partly due to dispositions of charges from prior years and pending dispositions from persons charged in 2009.

Overall, 95,837 persons (76.0 percent), were found guilty of the offense charged; 8,034 (6.4 percent), were found guilty of a lesser offense; and 22,241 (17.6 percent), were acquitted or dismissed.

Dispositions of Crime Index offenders were distributed as follows: 14,905 or 70.5 percent were guilty as charged; 2,753 or 13.0 percent were guilty of a lesser offense; and 3,469 or 16.4 percent were acquitted or dismissed.

The highest rates of conviction among Crime Index offenders were for the following offenses:

- Larceny-Theft (77.3 percent)
- Arson (73.4 percent)

The highest rates of acquittal or dismissals among Crime Index offenders were for the following offenses:

- Forcible Rape (24.5 percent)
- Murder and Nonnegligent Manslaughter (24.1 percent)

Of note, the acquittal/dismissal rate for Violent Crime was 23.2 percent as opposed to 14.9 percent for Property Crime.

Dispositions of Part II offenders were distributed as follows: 80,920 or 77.1 percent were guilty as charged; 5,281 or 5.0 percent were guilty of a lesser offense; and 18,771 or 17.9 percent were acquitted or dismissed.

The highest rates of conviction among Part II offenders were for the following offenses:

- Drunkenness (90.9 percent)
- Driving Under the Influence (90.2 percent)

The highest Part II offender dismissal rates were reported for the following offenses:

- Other Assaults - Not Aggravated (32.7 percent)
- Embezzlement (30.8 percent)

It should be noted that drunkenness acquittal rates are influenced by the practice in some areas of apprehending individuals for drunkenness for their own safety and releasing them when they have regained sobriety.

## **Juvenile Dispositions**

Excluding status offenses, juvenile arrestees were disposed of as follows: 11.7 percent or 7,910 were handled by the police department and released; 46.4 percent or 31,314 were

referred to juvenile court or juvenile probation department; .1 percent or 45 were referred to welfare agencies; 1.2 percent or 838 were referred to other police agencies; and 40.5 percent or 27,347 were referred to adult court, usually the district magistrate for specified petty crimes such as underage drinking, shoplifting etc.

The majority of juveniles handled within the police department and released were arrested for the following offenses:

Disorderly Conduct (34.3 percent)  
All Other Offenses (Except Traffic) (17.3 percent)

The majority of juveniles referred to juvenile court or juvenile probation departments were arrested for the following offenses:

Larceny-Theft (14.9 percent)  
Other Assaults - Not Aggravated (14.1 percent)

The majority of juveniles referred to welfare agencies were arrested for the following offenses:

Larceny-Theft (28.9 percent)  
All Other Offenses (Except Traffic) (20.0 percent)

The majority of juveniles referred to other police agencies were arrested for the following offenses:

Larceny-Theft (22.7 percent)  
Disorderly Conduct (22.2 percent)

The majority of juveniles referred to criminal or adult court were arrested for the following offenses:

Disorderly Conduct (37.0 percent)  
Liquor Law (15.9 percent)