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The First Year of Raise the Age

**And A Comparison To Similar
Cases In October 2017
Through September 2018**

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**THE FIRST YEAR OF RAISE THE AGE
AND
A COMPARISON TO SIMILAR CASES IN
OCTOBER 2017 THROUGH SEPTEMBER 2018**

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SUMMARY

This report describes the processing of 16-year-old arrestees during the first year of New York State's Raise the Age Law that went into effect October 1, 2018, raising the age of criminal responsibility in the State and changing how 16-year-old arrestees are processed. Arrests in October 2018 through September 2019 are compared with arrests in October 2017 through September 2018, one year prior to the implementation of Raise the Age.

Raise the Age Arrests

- Nearly half of the 2,522 arrests of 16-year-olds were for misdemeanor or lesser charges, a third were for violent felonies, and the remaining 20 percent were for non-violent felonies. In accordance with the Raise the Age Law, no 16-year-olds charged with a misdemeanor at arrest were processed in adult court.
- There were far fewer arrests of 16-year-olds in the first year of Raise the Age than there were in the comparison period (4,309). More than six of every ten arrests during the previous year were for misdemeanor or lesser charges, 22 percent were for violent felonies and 16 percent were for non-violent felonies.
- The decline in the volume of misdemeanor arrests among 16-year-olds reflects fewer arrests for some specific types of charges, especially petit larceny, criminal possession of marijuana, assault, trespass and theft of services. Petit larceny, for example, accounted for 14 percent of the Raise the Age arrests but 23 percent of arrests in the comparison period.

Prosecution

- The number of prosecuted felony arrests of 16-year-olds (now called "Adolescent Offenders" or AOs) was higher in the Raise the Age group (1,113) than in the comparison group (846). Some misdemeanor arrests in the comparison group were arraigned on felonies, bringing the number of prosecuted felony cases in the comparison period to 879.
- Brooklyn accounted for more AO adult court cases (37%) than Manhattan (22%), the Bronx (19%), Queens (17%), or Staten Island (4%).
- The release recommendation system for 16-year-olds is the same as for older defendants. More than eight of every ten AOs received the highest recommendation for ROR compared to little more than two thirds of the youths in the comparison group.
- More than three quarters of the AOs were released on recognizance at arraignment and an additional five percent were released under supervision. The previous year only six of every ten 16-year-olds were released on recognizance and an additional six percent were released under supervision.

Adult Court Outcomes

- As of December 31, 2019, more than eight of every ten Raise the Age cases were removed to Family Court. Four percent were dismissed, three percent were convicted in adult court and eight percent were pending in adult court. In contrast, as of December 31, 2018, more than a third of cases in the comparison group were still pending, more than two of ten were dismissed, nearly two of ten resulted in conviction in the lower court, and two of every ten resulted in conviction in the Supreme Court.

INTRODUCTION

New York State's Raise the Age legislation went into effect on October 1, 2018, raising the age of criminal responsibility in the State and bringing change to the processing of 16-year-old¹ arrestees. Raise the Age was extended to 17-year-old arrestees on October 1, 2019. If the arrest charge is a Penal Law misdemeanor, youths aged 16 and 17 are now brought directly to Family Court by the New York Police Department (NYPD) for intake by the Department of Probation. If the charge is a felony², the youth is now brought to the adult court for arraignment. The case is removed to Family Court if the District Attorney (DA) consents or does not oppose removal. If the DA moves within 30 days to keep the case in the adult court, it will stay in adult court. The DA's motion to retain the case within the adult court must meet certain evidentiary standards in support of retention, depending on whether the felony is non-violent or violent.

Felony cases for adolescent offenders (AOs) are heard in the Youth Part of the adult court in each borough during business hours. If the youth part is closed, felony cases are first heard by an "Accessible Magistrate," a judge in a different court part who has been granted jurisdiction³ to remove the case immediately to Family Court in the event that all parties agree to remove it or to determine the release status for the AO until the case is heard in the Youth Part of the adult court, which usually occurs on the following day.

This report describes the processing of 16-year-old arrestees during the first year of Raise the Age, including data on charges at arrest and at arraignment, disposition, release status, and type of judge at the first hearing (Youth Part Judge or Accessible Magistrate), the adult court outcome, as well as selected demographic factors for the AOs in adult court. Arrests in October 2018 through September 2019 are compared with arrests in October 2017 through September 2018, one year prior to the implementation of Raise the Age. The NYPD provided arrest-level data and the Office of Court Administration (OCA) provided court information.

¹ Raise the Age pertains to arrests for offenses that took place on or after October 1, 2018, for youths who were age 16 on the date of the incident that led to the arrest and to arrests for offenses that took place on or after October 1, 2019, for youths who were age 17 on the date of the incident that led to the arrest.

² Arrests for violations, infractions, and offenses within the Vehicle and Traffic Law remain under the jurisdiction of the adult court.

³ Accessible Magistrates were mandated solely to determine the release status for the AO prior to their appearance in the Youth Part from implementation of Raise the Age to August 2019. The authority to remove cases to Family Court was added in September 2019.

I. ARREST

Nearly half (46%) of the 2,522 arrests of 16-year-olds were for misdemeanor or lesser charges, one in five (20%) were for non-violent felony offenses, and one of every three (34%) were for violent felony offenses (Exhibit 1a)⁴. Most of the arrests with violent felony charges (83%) or non-violent felony charges (77%) were processed in adult court.

There were fewer arrests of 16-year-olds in the first year of Raise the Age than there were in the previous year (Exhibit 1a). There were nine percent fewer violent felony arrests, 26 percent fewer non-violent felony arrests and 57 percent fewer arrests at the misdemeanor or lesser level, a decline of 41 percent across all charge levels combined. A much lower proportion (46%) of the Raise the Age arrests than arrests in the previous year (62%) were for misdemeanor or lesser charges while a higher proportion were for non-violent felony offenses (20% compared to 16%) and especially for violent felony offenses (34% compared to 22%).

Exhibit 1a. Arrest Volume by Charge Severity for 16-Year-Olds*

CHARGE SEVERITY	RAISE THE AGE PERIOD		COMPARISON PERIOD	
	# of Cases	%	# of Cases	%
Violent Felony	862	34.2	943	21.9
Non-Violent Felony	511	20.3	687	15.9
Misdemeanor or Lesser	1,149	45.6	2,679	62.2
TOTAL	2,522	100.0	4,309	100.0

*May not sum to 100% due to rounding

The decrease in the volume of arrests of 16-year-olds was so dramatic that we looked at arrests of 17-year-olds to assess whether the decrease pertained solely to 16-year-olds and could be an effect of implementation of the Raise the Age legislation. We compared arrests of 17-year-olds in October 2017 through September 2018 to those in October 2018 through September 2019, with incident dates on or after October 1 of the appropriate year. As shown in Exhibit 1b, the decline in arrests of 17-year-olds was large

⁴ Each arrest that is assigned an arrest number by the NYPD is tallied. If multiple arrest numbers are assigned to a youth, each arrest is counted. 385 arrests were additional arrests on the same day for the AOs in the Raise the Age period while 325 were additional arrests in the comparison period. Youths may face additional arrests on the same day if there are multiple offenses, victims or incident dates.

but not as steep. There were about 20 percent fewer arrests of 17-year-olds between October 2018 and September 2019 than in the previous year. There were nearly three percent more violent felony arrests, more than three percent fewer non-violent felony arrests and more than 30 percent fewer arrests at the misdemeanor or lesser level.

The proportion of arrests for violent felonies was 12 percentage points higher during the Raise the Age period than in the previous year for 16-year-olds but the difference was five percentage points for 17-year-olds. Similarly, the decrease in the proportion of arrests that were for misdemeanors was 17 percentage points for 16-year-olds but was nine percentage points for 17-year-olds.

Exhibit 1b. Arrest Volume by Charge Severity for 17-Year-Olds*

CHARGE SEVERITY	RAISE THE AGE PERIOD		COMPARISON PERIOD	
	# of Cases	%	# of Cases	%
Violent Felony	978	24.5	953	19.2
Non-Violent Felony	804	20.1	832	16.8
Misdemeanor or Lesser	2,210	55.4	3,180	64.0
TOTAL	3,992	100.0	4,965	100.0

*May not sum to 100% due to rounding

Much of the sharp decline in the volume of arrests for misdemeanor and lesser charges among 16-year-olds reflects decreases in arrests for a few types of charges (Exhibit 2a). Specifically, there were 623 arrests of 16-year-olds between October 2017 and September 2018 for petit larceny but only 156 such arrests during the first year of Raise the Age. This charge accounts for 30 percent of the decrease in the volume of misdemeanor arrests. Additionally, there were 294 fewer arrests for criminal possession of marijuana, 289 fewer arrests of 16-year-olds for assault, 144 fewer for trespass, 102 fewer arrests for theft of services (usually farebeating), 64 fewer for weapon offenses and 50 fewer for criminal mischief. These charges account for 62 percent of the decrease in the volume of misdemeanor arrests.

Exhibit 2a. Decline in Arrests for Misdemeanor and Lesser Offenses by Charge Type*

CHARGE TYPE	RAISE THE AGE PERIOD		COMPARISON PERIOD		Decline
	# of Cases	%	# of Cases	%	# of Cases
Petit Larceny	156	13.6	623	23.3	467
Marijuana	19	1.7	313	11.7	294
Assault	456	39.7	745	27.8	289
Trespass	28	2.4	172	6.4	144
Theft of Services	15	1.3	117	4.4	102
Weapons	101	8.8	164	6.1	63
Criminal Mischief	100	8.7	150	5.6	50
Other	274	23.8	395	14.7	121
TOTAL Age 16	1,149	100.0	2,679	100.0	1,530

*May not sum to 100% due to rounding

The data for 17-year-olds is presented below to try to distinguish the effects of Raise the Age implementation from year-to-year changes in arrest policies and/or practices for young arrestees. Exhibit 2b displays the decline in arrests of 17-year-olds in October 2017 through September 2018 and October 2018 through September 2019 (with incident dates on or after October 1 of the year) for misdemeanor charges by type of charge. The decline in arrests for the marijuana charge is even more dramatic for 17-year-olds than for 16-year-olds (448 arrests compared to only 294 arrests), reflecting a change in NYPD policy that affected both age groups. The decline in arrests for theft of services (usually fare-beating) was also larger for 17-year-olds than for their 16-year-old counterparts (169 arrests compared to only 102 arrests). In contrast, the decline in arrests among 17-year-olds for the other types of charges was far smaller than for 16-year-olds. Arrests for petit larceny declined by 22 percent for 17-year-olds but by 75 percent for 16-year-olds. Arrests for the criminal trespass declined by 21 percent for 17-year-olds but by 84 percent for 16-year-olds. While it is evident that the decline in arrests for misdemeanor offenses other than possession of marijuana and fare-beating were larger for 16-year-olds than for their 17-year-old counterparts, the differences in the decline for the two age groups are probably attributable to changes in policing, the implementation of the Raise the Age legislation and other factors.

Exhibit 2b. Decline in Arrests for Misdemeanor and Lesser Offenses by Charge Type for 17-Year-Olds*

CHARGE TYPE	RAISE THE AGE PERIOD		COMPARISON PERIOD		Decline
	# of Cases	%	# of Cases	%	# of Cases
Petit Larceny	456	20.6	586	18.4	<i>130</i>
Marijuana	125	5.7	573	18.0	<i>448</i>
Assault	644	29.1	685	21.5	<i>41</i>
Trespass	178	8.0	225	7.1	<i>47</i>
Theft of Services	66	3.0	235	7.4	<i>169</i>
Weapons	154	7.0	176	5.5	<i>22</i>
Criminal Mischief	120	5.4	150	4.7	<i>30</i>
Other	467	21.1	550	17.3	<i>83</i>
TOTAL Age 17	2,210	100.0	3,180	100.0	970

*May not sum to 100% due to rounding

Exhibit 3 shows the number of arrests during Raise the Age and in the comparison period by month of arrest for 16-year-olds and 17-year-olds, respectively. While the volume of arrests of 16-year-olds was lower under Raise the Age than in the comparison period every month, the decline is less apparent in recent months: there were only 38 fewer arrests in July 2019 than in July 2018 and there were only 17 fewer arrests in September 2019 than in September 2018. In other words, the arrest volume started to decline for both age groups during the summer before implementation of Raise the Age.

Specifically, the decline in arrests was greater for 16-year-olds than for 17-year-olds every month except October 2017, compared to October 2018, where the decline was 227 arrests for 17-year-olds and 173 for 16-year-olds. However, in the most recent months the year-to-year differences were much smaller, and, in fact, there were very small increases in arrests of 17-year-olds in July 2019 (11 more than the previous year), and September 2019 (4 more). While Raise the Age may have led to a lower volume of arrests of 16-year olds, the part of the decline attributable to changes in NYPD policy took effect some months prior to Raise the Age implementation.

Exhibit 3. Month to Month Change in Arrest Volume for 16- and 17-Year-Olds

MONTH TO MONTH	16-YEAR-OLDS			17-YEAR-OLDS		
	Comparison Period #	RTA Period #	Difference	Comparison Period #	RTA Period #	Difference
October 2017 to October 2018	370	197	<i>-173</i>	522	295	<i>-227</i>
November 2017 to November 2018	372	188	<i>-184</i>	479	310	<i>-169</i>
December 2017 to December 2018	391	141	<i>-250</i>	433	287	<i>-146</i>
January 2018 to January 2019	419	246	<i>-173</i>	427	359	<i>-68</i>
February 2018 to February 2019	378	186	<i>-192</i>	401	314	<i>-87</i>
March 2018 to March 2019	424	216	<i>-208</i>	452	378	<i>-74</i>
April 2018 to April 2019	395	212	<i>-183</i>	442	341	<i>-101</i>
May 2018 to May 2019	387	246	<i>-141</i>	455	401	<i>-54</i>
June 2018 to June 2019	309	200	<i>-109</i>	358	330	<i>-28</i>
July 2018 to July 2019	292	254	<i>-38</i>	334	345	<i>+11</i>
August 2018 to August 2019	321	212	<i>-109</i>	358	324	<i>-34</i>
September 2018 to September 2019	251	224	<i>-27</i>	304	308	<i>+4</i>
FULL YEAR	4,309	2,522	<i>-1,787</i>	4,965	3,992	<i>-973</i>

A few arrest charges accounted for large portions of the arrests and the most frequent arrest charges accounted for a larger portion of the Raise the Age group than of their counterparts in the comparison group (Exhibit 4). More than half of the violent felony arrests were for first- or second-degree robbery among the Raise the Age arrests (54%) compared to 45 percent in the comparison group. Grand larceny 4 accounted for three of every ten non-violent felony arrests under Raise the Age but only two of every ten during

the comparison period. Assault 3 accounted for three in every ten Raise the Age non-felony arrests compared to only 23 percent during the previous year.

Exhibit 4. Most Frequent Arrest Charges for 16-Year-Olds by Charge Severity Category*

ARREST CHARGES	RAISE THE AGE PERIOD						COMPARISON PERIOD					
	Violent Felony		Non-Violent Felony		Misdem. or Lesser		Violent Felony		Non-Violent Felony		Misdem. or Lesser	
	#	%	#	%	#	%	#	%	#	%	#	%
PL §160.10 Robbery 2 (C Felony)	340	39.4	-	-	-	-	316	33.5	-	-	-	-
PL §160.15 Robbery 1 (B Felony)	124	14.4	-	-	-	-	105	11.1	-	-	-	-
PL §120.05 Assault 2 (D Felony)	116	13.5	-	-	-	-	170	18.0	-	-	-	-
PL §155.30 Grand Larceny 4 (E Felony)	-	-	153	30.1	-	-	-	-	140	20.4	-	-
PL §165.45 Crim. Poss. Stolen Property 4 (E Felony)	-	-	91	17.7	-	-	-	-	90	13.1	-	-
PL §160.05 Robbery 3 (D Felony)	-	-	58	11.4	-	-	-	-	86	12.5	-	-
PL §120.00 Assault 3 (A Misdemeanor)	-	-	-	-	344	29.9	-	-	-	-	618	23.1
PL §155.25 Petit Larceny (A Misdemeanor)	-	-	-	-	127	11.0	-	-	-	-	592	22.1
PL §145.00 Criminal Mischief 4 (A Misdemeanor)	-	-	-	-	90	7.8	-	-	-	-	143	5.3
PL §265.01 Crim Poss. Weapon 4 (A Misdemeanor)	-	-	-	-	95	8.3	-	-	-	-	160	6.0
Other	282	32.7	209	40.9	493	42.9	352	37.3	371	54.0	1,166	43.5
TOTAL	862	100.0	511	100.0	1,149	100.0	943	100.0	687	100.0	2,679	100.0

*May not sum to 100% due to rounding

During the first year of Raise the Age, violent felony arrests accounted for less than three of every ten AO arrests in Queens compared to 33 to 37 percent in the other

boroughs (Exhibit 5.a). Non-violent felony arrests were least frequent in the Bronx (16%) compared to 20 to 23 percent in the other boroughs.

Violent felony arrests were more prevalent among the 16-year-old Raise the Age arrests than in the comparison period in all boroughs (Exhibit 5a). Violent felony arrests accounted for 14 to 17 percentage points more of the total arrests in the Raise the Age group than in the comparison group in the Bronx, Manhattan and Staten Island, 11 percentage points more in Brooklyn and seven percentage points more in Queens. Conversely, arrests for misdemeanor or lesser offenses comprised a far lower proportion of arrests under Raise the Age than during the comparison period. The decrease in the proportion of arrests for misdemeanor or lesser offenses was greatest in Manhattan and Staten Island (22 and 25 percentage points, respectively), followed by the Bronx (17 percentage points) and Brooklyn (14 percentage points) and was smallest in Queens (12 percentage points).

Exhibit 5a. Arrests by Charge Severity by Borough*

BOROUGH	RAISE THE AGE PERIOD				COMPARISON PERIOD			
	Violent Felony %	Non-Violent Felony %	Misdem. or Lesser %	TOTAL % (N)	Violent Felony %	Non-Violent Felony %	Misdem. or Lesser %	TOTAL % (N)
Brooklyn	37.3	20.1	42.5	100.0 (804)	26.2	17.3	56.4	100.0 (1,246)
Manhattan	32.7	23.0	44.2	100.0 (565)	17.4	16.6	66.0	100.0 (931)
Queens	28.1	21.4	50.5	100.0 (499)	21.2	16.5	62.3	100.0 (902)
Staten Island	33.0	22.0	45.1	100.0 (91)	16.2	14.2	69.6	100.0 (204)
Bronx	36.8	16.3	46.9	100.0 (563)	22.4	13.5	64.1	100.0 (1,026)
CITYWIDE	34.2	20.3	45.6	100.0 (2,522)	21.9	15.9	62.2	100.0 (4,309)

*May not sum to 100% due to rounding

Despite the change in volume of arrests and in the severity of arrest charges, the borough composition was about the same during the first year of Raise the Age as it was during the previous year (Exhibit 5b). More of the arrests were from Brooklyn than from any other borough, accounting for about three of every ten in both periods. Manhattan, Queens and the Bronx accounted for 20 to 24 percent of the 16-year-olds arrested in both periods. Staten Island arrests accounted for fewer than one in twenty arrests in both groups.

Exhibit 5b. Arrests by Borough and Charge Severity*

BOROUGH	RAISE THE AGE PERIOD				COMPARISON PERIOD			
	Violent Felony	Non-Violent Felony	Misdem. or Lesser	TOTAL	Violent Felony	Non-Violent Felony	Misdem. or Lesser	TOTAL
	%	%	%	%	%	%	%	%
Brooklyn	34.8	31.7	29.8	31.9	34.7	31.4	26.2	28.9
Manhattan	21.5	25.4	21.8	22.4	17.2	22.6	22.9	21.6
Queens	16.2	20.9	21.9	19.8	20.3	21.7	21.0	20.9
Staten Island	3.5	3.9	3.6	3.6	3.5	4.2	5.3	4.7
Bronx	24.0	18.0	23.0	22.3	24.4	20.1	24.6	23.8
CITYWIDE	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
(# of Cases)	(862)	(511)	(1,149)	(2,522)	(943)	(687)	(2,679)	(4,309)

*May not sum to 100% due to rounding

II. PROSECUTION

A. Arrest Charges

The tremendous decline in the volume of arrests of 16-year-olds, especially in arrests with misdemeanor rather than felony charges, in October 2018 through September 2019 compared to October 2017 through September 2018 are only part of the story of the differences between the two periods. Exhibit 6, below, shows the number and percent of felony arrests of 16-year-olds that were prosecuted as AOs in adult court⁵ during the first

⁵ Under Raise the Age, misdemeanor-charged 16-year-olds are processed through Family Court, not through adult court.

year of Raise the Age and the number and percent of felony arrests of 16-year-olds that were prosecuted with felony charges during the comparison period. The number of felony arrests of 16-year-olds prosecuted as felonies was higher in the Raise the Age group (1,113) than in the comparison group (846) and the rate of felony prosecution was far higher during Raise the Age than during the comparison period (81% compared to only 52%). The difference was wider among non-violent felony arrests (77% during Raise the Age compared to 41% in the comparison group). However, many felony arrests during the comparison period were prosecuted in adult court for non-felony charges. If all prosecuted cases with felony arrest charges including those arraigned on misdemeanor, lesser or non-Penal Law charges are considered, the number of prosecuted arrests was 1,299 and the prosecution rate was 80 percent during the comparison period, about the same as under Raise the Age. In accordance with the Raise the Age legislation, no 16-year-olds arrested for felony offenses were arraigned in adult court on misdemeanor charges during the first year of Raise the Age.

Exhibit 6. Felony Arrests Prosecuted as Felonies

	RAISE THE AGE PERIOD			COMPARISON PERIOD		
	Number Prosecuted	Number Arrested	Percent Prosecuted	Number Prosecuted	Number Arrested	Percent Prosecuted
Violent Felony	718	862	83%	566	943	60%
Non-Violent Felony	395	511	77%	280	687	41%
TOTAL	1,113	1,373	81%	846	1,630	52%

B. Arraignment Charges

Charges at arraignment varied somewhat from arrest charges. In 40 Raise the Age arrests for violent felony offenses the AOs were arraigned on non-violent felony charges and in 75 non-violent felony arrests the AOs were arraigned on violent felony charges. In twenty-nine arrests with non-violent felony arrest charges that were elevated to violent felony charges the AOs were arraigned on second degree robbery with 19 raised from robbery in the third degree or attempted robbery in the third degree (data not shown).

Thus, there were 753 arraignments for violent felony offenses and 360 for non-violent felony offenses in the first year of Raise the Age.⁶

Charges at arraignment also varied from arrest charges for 16-year-olds in the comparison group. In thirty-three misdemeanor arrests the youth was arraigned on felony-level charges, bringing the total of felony prosecutions to 879. In 28 arrests for violent felony offenses in the comparison group the 16-year-olds were arraigned on non-violent felony charges and in 60 non-violent felony arrests they were arraigned on violent felony charges. Thus, there were 616 arraignments for violent felony offenses and 263 for non-violent felony offenses for 16-year-olds in the year prior to Raise the Age.

It is important to keep in mind that, just as a youth may be assigned multiple arrest numbers at arrest, youths may also be arraigned in more than one case on a given arraignment date. This may occur for a variety of reasons such as when there was more than one incident date or more than one victim. More than a quarter of the AO arraignments during the first year of Raise the Age were additional arraignments compared to 21 percent of the felony arraignments of 16-year-olds during the previous year. Each arraigned case is counted in this report.

As shown in Exhibit 7, robbery in the second degree, including attempted robbery in the second degree, was the most frequent violent charge at arraignment during the first year of Raise the Age and in the comparison period (38% and 43%, respectively). First- and second-degree robbery together account for about the same percent of the Raise the Age cases as comparison cases (both just over 60%).

The most frequent charges prosecuted among the non-violent felony cases were very different in some instances during the Raise the Age and comparison period. Grand larceny and attempted grand larceny charges were the most frequent non-violent felony arraignment charges but accounted for a smaller portion during Raise the Age (29%) than during the comparison period (38%). Criminal possession of stolen property in the fourth degree, the second most frequent non-violent felony arraignment charge among Raise the

⁶ Just as there were some youths with more than one arrest on a given day, some youths were prosecuted in more than one case one a given day. 89 prosecuted Raise the Age cases and 36 cases in the comparison group were additional cases for a youth arraigned on a given day.

Age cases (28%), was far less common in the comparison period (13%). Forgery charges (6% and 4%) and charges of robbery in the third degree (9% and 13%) were about as frequent during the first year of Raise the Age as in the previous year. Arraignments for controlled substance offenses were more frequent in the comparison period (12% compared to 3%).

Exhibit 7. Most Frequent Arraignment Charges*

ARRAIGNMENT CHARGE	RAISE THE AGE PERIOD		COMPARISON PERIOD	
	Violent Felony	Non- Violent Felony	Violent Felony	Non- Violent Felony
	%	%	%	%
Robbery 2 and Attempted	39.3		42.5	
Robbery 1 and Attempted	23.1		20.0	
Assault	20.0		19.3	
Weapons Offenses	7.0		7.1	
Other Violent	10.5		11.0	
TOTAL Violent Charges At Arraignment	100.0 (753)		100.0 (616)	
Grand Larceny and Attempted		28.6		38.4
Crim. Poss. Stolen Prop		27.8		13.3
Robbery 3		9.4		12.5
Forgery		5.8		4.2
Controlled Substance Offenses		3.1		11.8
Other Non-Violent		25.3		19.8
TOTAL Non-Violent Charges At Arraignment		100.0 (360)		100.0 (263)

*May not sum to 100% due to rounding

C. Borough, Ethnicity, Gender, Criminal History, Release Recommendation

Nearly four of every ten arraignments during the first year of Raise the Age were in Brooklyn, about a fifth were in Manhattan (22%), the Bronx (19%) and Queens (17%) and four percent were in Staten Island (Exhibit 8). The borough composition of arraignments during Raise the Age varied little from the borough composition for the comparison group. Brooklyn was most frequent in both periods. The percent of arraignments in Manhattan, Bronx and Staten Island differed across the two periods by less than two percentage points. Queens, however, accounted for only 17 percent of Raise the Age cases but 22 percent of the cases in the comparison group. The borough composition of the arraignments for violent felonies was also very similar for the two periods with the largest difference again found in Queens (18% during Raise the Age compared to 22% the previous year).

Exhibit 8. Borough of Arrest by Severity of Arraignment Charge*

BOROUGH	RAISE THE AGE PERIOD			COMPARISON PERIOD		
	Violent Felony %	Non-Violent Felony %	TOTAL %	Violent Felony %	Non-Violent Felony %	TOTAL %
Brooklyn	36.9	37.8	37.2	35.9	34.2	35.4
Manhattan	21.0	25.0	22.3	18.5	24.7	20.4
Queens	17.8	16.7	17.4	22.4	20.2	21.7
Staten Island	4.1	3.9	4.0	4.2	6.1	4.8
Bronx	20.2	16.7	19.0	19.0	14.8	17.7
TOTAL Arraignments (# of Cases)	100.0 (753)	100.0 (360)	100.0 (1,113)	100.0 (616)	100.0 (263)	100.0 (879)

*May not sum to 100% due to rounding

Black youths accounted for six of every ten AO arraignments during Raise the Age, about the same portion of as for arraignments of 16-year-olds during the comparison period (Exhibit 9). Black youths comprised a slightly larger portion of cases with violent charges (63%) than non-violent charges (56%) in the Raise the Age group but the difference was smaller in the comparison group (62% and 60%, respectively).

Latinx youths comprised nearly a third of the arraignments in the Raise the Age group, the same as in the comparison group, with very little difference by the severity of the arraignment charge. Arraignments of white youths were as frequent during Raise the Age as during the comparison period (3.5% and 3.4%, respectively) and the portion with violent charges and the portion with non-violent charges were similar for the two periods. Asian youths accounted for about three percent of the arraignments during both periods with little difference by arraignment charge.

Exhibit 9. Ethnicity by Severity of Arraignment Charge*

ETHNICITY	RAISE THE AGE PERIOD			COMPARISON PERIOD		
	Violent Felony %	Non-Violent Felony %	TOTAL %	Violent Felony %	Non-Violent Felony %	TOTAL %
Black	63.2	56.1	60.9	62.3	60.1	61.7
White	2.8	5.0	3.5	3.3	3.8	3.4
Latinx	31.5	33.6	32.2	32.3	31.9	32.2
Asian	2.5	5.3	3.4	2.1	4.2	3.4
TOTAL Arraignments (# of Cases)	100.0 (753)	100.0 (360)	100.0 (1,113)	100.0 (616)	100.0 (263)	100.0 (879)

*May not sum to 100% due to rounding

As shown in Exhibit 10, 85 percent of AO arraignments were for males, about the same percent as in the comparison group. Males comprised about the same portion of arraignments on violent felony charges (84%) than of arraignments on non-violent felony charges (87%) in the Raise the Age group and in the comparison group (85% of violent felony cases and 84% of arraignments for non-violent felonies).

Exhibit 10. Gender by Severity of Arraignment Charge*

GENDER	RAISE THE AGE PERIOD			COMPARISON PERIOD		
	Violent Felony %	Non-Violent Felony %	TOTAL %	Violent Felony %	Non-Violent Felony %	TOTAL %
Male	84.5	86.7	85.2	85.2	84.0	84.9
Female	15.5	13.3	14.8	14.8	16.0	15.1
TOTAL Arraignments (# of Cases)	100.0 (753)	100.0 (360)	100.0 (1,113)	100.0 (616)	100.0 (263)	100.0 (879)

*May not sum to 100% due to rounding

In most of the AO arraignments in the first year of Raise the Age the youths had no prior arrests on their adult NYSID⁷ report, the ‘rap’ sheet (79%, Exhibit 11). Arraignments for non-violent charges were slightly more likely to involve youths with no prior arrests

⁷ DCJS data reflect criminal history at the time of arrest.

(82%) compared to 78 percent for arraignments for violent felony charges. The rap sheets rarely showed convictions (less than 2%). The AO had no convictions but at least one open case on the rap sheet in almost one in five arraignments. In seven of the eight arraignments involving AOs with prior misdemeanor but no felony convictions and in four of the 13 arraignments involving AOs with a prior felony conviction the youth had at least one open case so in fully 20 percent of the arraignments in the first year of Raise the Age the AO had at least one open case.

In contrast, criminal history was somewhat more extensive in the comparison group and the differences were wider for non-violent felony arraignments. Youths had no prior arrests on the rap sheet in only seven of every ten arraignments, ten percentage points lower than during the first year of Raise the Age. The proportion with no prior arrests was six percentage points lower than during Raise the Age for arraignments for violent felony offenses but 18 percentage points lower for those with non-violent felony charges. Arraignments in the comparison group were far more likely to involve youths with an open case but no conviction (28% compared to 19%) and the difference was especially wide among those with non-violent felonies charges (34% compared to 15%). Arraignments in which the youth had prior convictions were nearly as rare in the comparison group (3%) as during Raise the Age (2%). In nine of the 26 arraignments that involved youths with prior convictions the youth also had at least one open case, so 29 percent of arraignments in the comparison period were for youths that had at least one open case compared to 20 percent of the Raise the Age youths.

The differences between the AOs and their counterparts in the comparison group in criminal history are likely to reflect, at least in part, the absence of Family Court cases from NYSID reports. Since October 1, 2018, all 16-year-olds charged with misdemeanors are processed through Family Court and most felony cases for 16-year-olds are removed to Family Court. Therefore, even if these cases are pending in Family Court at the time of a new arrest, they are not on the AO's NYSID report. Further, none of the cases in Family Court can result in criminal convictions for misdemeanors nor for felonies.

Exhibit 11. Criminal History* by Severity of Arraignment Charge**

CRIMINAL HISTORY	RAISE THE AGE PERIOD			COMPARISON PERIOD		
	Violent Felony %	Non-Violent Felony %	TOTAL %	Violent Felony %	Non-Violent Felony %	TOTAL %
No Prior Arrests on Rap Sheet	77.7	81.6	79.0	71.6	63.3	69.2
Open Case(s) Only	21.1	15.0	19.1	25.2	34.0	27.8
Misdemeanor Conviction Only	0.1	1.9	0.7	0.8	1.9	1.2
Felony Conviction(s)	1.1	1.4	1.2	2.3	0.8	1.8
TOTAL Arraignments (# of Cases)	100.0 (745)	100.0 (359)	100.0 (1,104)	100.0 (610)	100.0 (259)	100.0 (869)

*Criminal history is not available for 19 cases.
rounding

**May not sum to 100% due to

The Criminal Justice Agency (CJA) release recommendation protocol for 16-year-olds is the same as for older defendants. The risk assessment tool that was in effect through the first year of Raise the Age incorporated community-ties and criminal-history items found to be predictive of the defendant’s likelihood of returning to court, if released. AOs had received the highest rating, recommended for ROR, in more than eight of every ten AO arraignments in the first year of Raise the Age (Exhibit 12). The recommendation rate was lower during the comparison period when fewer than seven of every ten arraignments for 16-year-olds received the highest rating. On the other hand, youths were less likely to receive the second highest rating, “Moderate” risk for failure to appear, during Raise the Age (8% compared to 12% in the comparison group).

Exhibit 12. Release Recommendation* by Severity of Arraignment Charge**

RELEASE RECOMMENDATION	RAISE THE AGE PERIOD			COMPARISON PERIOD		
	Violent Felony %	Non-Violent Felony %	TOTAL %	Violent Felony %	Non-Violent Felony %	TOTAL %
	Recommended	79.4	83.7	80.8	70.4	64.9
Moderate	8.3	7.6	8.1	11.6	14.3	12.4
High Risk	4.0	4.2	4.1	8.6	13.5	10.1
Conflicting Residence Information	1.5	1.7	1.5	1.0	0.4	0.8
Warrant Attached	2.0	0.8	1.6	4.0	3.5	3.8
Other	4.7	2.0	3.8	4.5	3.5	4.2
TOTAL Arraignments (# of Cases)	100.0 (743)	100.0 (355)	100.0 (1,098)	100.0 (605)	100.0 (259)	100.0 (864)

*Recommendation not available for 30 cases **May not sum to 100% due to rounding

D. Arraignment

1. Accessible Magistrate or Youth Part

Two thirds of the first appearances during the first year of Raise the Age took place before an Accessible Magistrate rather than in a Youth Part (Exhibit 13), and the Accessible Magistrate proportion was nearly the same for arraignments with violent charges as for their counterparts with non-violent felony charges (66% and 65%, respectively, data not shown). The first hearing was more likely to be before an Accessible Magistrate than in a Youth Part in Manhattan (74%) and Queens (72%) and less likely in Brooklyn (64%), the Bronx (63%) and especially in Staten Island (29%). Brooklyn accounted for the greatest proportion of Raise the Age cases initially prosecuted in the Youth Part. Nearly four of every ten cases first heard in a Youth Part were in Brooklyn, more than two of every ten were in the Bronx, 17 percent were in Manhattan, 14 percent were in Queens, and 8 percent in Staten Island (data not shown).

Exhibit 13. First Hearing Type: Accessible Magistrate or Youth Part⁸

	Brooklyn	Manhattan	Queens	Staten Island	Bronx	Citywide
	%	%	%	%	%	%
Accessible Magistrate	63.5	74.2	72.2	28.9	62.7	65.9
Youth Part	36.5	25.8	27.8	71.1	37.3	34.1
TOTAL Arraignments (# of Cases)	100.0 (414)	100.0 (248)	100.0 (194)	100.0 (45)	100.0 (212)	100.0 (1,113)

2. Disposition at Arraignment

Three quarters of AO cases were continued at the initial appearance and nearly all of the remaining cases were removed to Family Court at that early stage of prosecution.⁹ The continuance rate for violent felony cases (79%) was higher than for non-violent felony cases (67%, data not shown).

Since Accessible Magistrates were mandated solely to determine the release status for the AO prior to their appearance in the Youth Part from implementation of Raise the Age to August 2019 virtually all the cases that came before an Accessible Magistrate during the period covered by this report were continued at the initial appearance.. Accessible Magistrates were granted the authority to remove cases to Family Court in September 2019. Seven of every ten cases that were initially heard in a Youth Part were removed to Family Court at arraignment (Exhibit 14), including more than nine of every ten non-violent felony case and nearly six of every ten violent felony cases (data not shown).

Exhibit 14. Disposition at Arraignment by Borough: Youth Parts Only*

ARRAIGNMENT DISPOSITION	Brooklyn	Manhattan	Queens	Staten Island	Bronx	Citywide
	%	%	%	%	%	%
Continued	10.6	37.5	50.9	46.4	38.0	29.3
Removed to Family Court	89.4	62.5	49.1	53.6	62.0	70.7
TOTAL Youth Part Arraignments	100.0 (151)	100.0 (64)	100.0 (53)	100.0 (28)	100.0 (79)	100.0 (375)

*Excludes five cases consolidated with or covered by other cases

⁸ These numbers differ slightly from those in The Mayor’s Office of Criminal Justice (MOCJ) Report, although OCA provided both the CJA and MOCJ data. The OCA data feed to CJA may include updated information.

⁹ Five cases were consolidated with or covered by other cases.

In the comparison group, 875 of the 879 prosecuted cases with violent or non-violent felony charges were continued at the initial court appearance (data not shown).

In two of the remaining cases, the youths pled guilty at arraignment in the lower court, one case was dismissed, and one was adjourned in contemplation of dismissal (ACD).

3. Release Status at Arraignment

The release status set at the initial hearing was much more favorable for youths under Raise the Age than in the comparison group (Exhibit 15). More than three quarters of the Raise the Age youths were released on their own recognizance and more than eight of every ten were released on recognizance or under supervision. In the comparison period, only six of every ten were released on recognizance and only two thirds were released on recognizance or under supervision. The difference in release rates was widest for the cases with violent felony charges: three quarters of AOs charged with violent felony offenses were released on recognizance or supervision compared to only six of every ten in the comparison group.

The year-to-year differences seem to reflect both the higher proportion of Raise the Age cases involving youths with no criminal history and the higher percentage of Raise the Age youth cases in which the youths were recommended for release.

Exhibit 15. Release Status* at First Hearing by Severity of Arraignment Charge**

RELEASE STATUS	RAISE THE AGE PERIOD			COMPARISON PERIOD		
	Violent Felony	Non- Violent Felony	TOTAL	Violent Felony	Non- Violent Felony	TOTAL
	%	%	%	%	%	%
Remand	4.1	0.6	3.0	1.3	0.4	1.0
Held on bail	19.8	6.4	15.4	33.3	15.8	27.9
Released on bail	1.2	0.6	1.0	6.0	0.8	4.5
Released on recognizance	68.9	90.8	76.0	57.0	67.6	60.1
Released under supervision	6.0	1.6	4.6	2.8	15.4	6.5
TOTAL Arraignments (# of Cases)	100.0 (748)	100.0 (360)	100.0 (1,108)	100.0 (616)	100.0 (259)	100.0 (875)

* Excludes cases in the RTA group that were consolidated or covered by other cases and excludes four cases in the comparison group that were disposed at arraignment

** May not sum to 100% due to rounding

The release statuses set by Accessible Magistrates were somewhat more restrictive than those set in the Youth Parts, although some of the numbers are too small for reliable comparison (Exhibit 16). The AOs were held on bail or remanded with no bail set in only 15 percent of arraignments in a Youth Part compared to 20 percent of arraignments by an Accessible Magistrate. The difference was slightly larger in arraignments with non-violent felony offenses than among their counterparts with violent felony charges. AOs were held on bail or remanded with no bail set in nine percent of non-violent felony arraignments by an Accessible Magistrate compared to only three percent in a Youth Part. Among arraignments with violent felony charges, a quarter of the AOs were held on bail or remanded by an Accessible Magistrate compared to 21 percent in a Youth Part. Still, youths were released on recognizance or under supervision in most arraignments during the first year of Raise the Age including 73 percent of violent felony arraignments by an Accessible Magistrate and more than 78 percent of violent felony arraignments in a Youth Part.

Exhibit 16. Release Status* at First Hearing by Severity of Arraignment Charge and First Hearing Type: Accessible Magistrate or Youth Part**

RELEASE STATUS	Accessible Magistrate			Youth Part		
	Violent Felony %	Non-Violent Felony %	TOTAL %	Violent Felony %	Non-Violent Felony %	TOTAL %
Remand	2.8		1.9	6.8	1.6	5.1
Held on bail	22.4	9.0	18.1	14.5	1.6	10.1
Released on bail	1.6	0.9	1.4	0.4	-	0.3
Released on recognizance	65.5	88.0	72.7	75.5	96.0	82.4
Released under supervision	7.6	2.1	5.9	2.8	0.8	2.1
TOTAL Arraignments (# of Cases)	100.0 (499)	100.0 (234)	100.0 (733)	100.0 (249)	100.0 (126)	100.0 (375)

*Excludes five cases that were consolidated or covered by other cases

**May not sum to 100% due to rounding

4. Why So Many Cases Are Arraigned by Accessible Magistrates

Why are so many cases for 16-year-olds initially heard by Accessible Magistrates rather than in the Youth Parts? First, all arraignments on weekends or holidays when the Youth Parts were not scheduled to be in session were heard by Accessible Magistrates (281, Exhibits 17a and 17b). Second, many arraignments (452) were heard by Accessible Magistrates on weekdays after Youth Parts were closed for the day. The remaining 380 were heard in the Youth Parts.

Few arraignments in Youth Parts (48, 13%) took place the day the arrest occurred. More than a quarter of arraignments by Accessible Magistrates on weekends or holidays (75, 27%) and nearly seven of every ten arraignments by Accessible Magistrates on weekdays (311, 69%) took place the same day as the arrest. Among all arraignments by Accessible Magistrates, more than half were on the same day as the arrest (10% were same-day weekend and holiday arraignments and 42% were weekday arraignments). Among all AO arraignments, four of every ten took place the same day as the arrest (7% on a weekend or holiday and 32% on a weekday).

The number of days from arrest to arraignment is likely to vary by the time of arrest, arrest volume, type of charge, availability of transportation from the precinct to Central Booking, as well as more detailed characteristics of the case, including the type of witness and the nature of the evidence, and characteristics of the defendant, such as whether any medical attention was required. Note that data on time of arrest is available but time of arraignment is not.

EXHIBIT 17a. Days to Arraignment in Youth Part or by Accessible Magistrate on Weekdays or on Weekends/Holidays

ARRAIGNED ON:	WEEKDAY				WEEKEND OR HOLIDAY	
	Youth Part		Accessible Magistrate		Accessible Magistrate	
	#	%	#	%	#	%
Same Day as Arrest	48	12.6	311	68.8	75	26.7
Next Day or Later	332	87.4	141	31.2	206	73.3
TOTAL Arraignments	(380)	100.0	(452)	100.0	(281)	100.0

EXHIBIT 17b. Days to Arraignment on Weekdays or on Weekends/Holidays: Accessible Magistrate or Youth Part

ARRAIGNED ON WEEKEND OR HOLIDAY	Accessible Magistrate			Youth Part		All Arraigned	
	#	%	%	#	%	#	%
Arrested and Arraigned Same Day	75	26.7	10.2	-	-	75	6.7
Arraigned Next Day or Later	206	73.3	28.1	-	-	206	18.5
Subtotal Arraigned Weekend or Holiday	281	100.0	38.3	-	-	281	25.2
ARRAIGNED ON WEEKDAY							
Arrested and Arraigned Same Day	311	68.8	42.4	48	12.6	359	32.3
Arraigned Next Day or Later	141	31.2	19.2	332	87.4	473	42.5
Subtotal Arraigned on Weekday	452	100.0	61.6	380	100.0	832	74.8
TOTAL Arraignments	733		100.0			1,113	100.0

III. ADULT COURT OUTCOMES

Adult court outcomes were tracked through December 31, 2019, for the Raise the Age cases and December 31, 2018, for the comparison group (Exhibit 18a). Although both groups are comprised of cases with felony charges processed in adult court, the distribution of outcomes differs widely for the two groups, reflecting the impact of Raise the Age. Most of the AO cases were removed to Family Court, including nearly eight of every ten cases with violent felony charges and more than nine of every ten with non-violent felony charges. None of the cases in the comparison group were transferred to Family Court since Family Court did not have jurisdiction of cases for 16-year-olds prior to the implementation of Raise the Age. As of December 31, 2018, 14 percent of the cases in the comparison period were still pending in Criminal Court and an additional 20 percent were still pending in Supreme Court. Comparison-group cases with violent felony charges were less likely to be pending in the lower court (12% compared to 18% with non-violent felony charges) and more likely to be pending in the upper court (23% compared to 15%). Fewer than one in ten Raise the Age cases were still pending as of the cutoff date, including one in ten with violent felony charges and barely two percent of those with non-violent felony charges. Perhaps Raise the Age cases that were removed to Family Court are more similar to cases that were pending outcomes in adult court in the comparison group since many cases that were removed under Raise the Age may have remained open in Family Court.

As of December 31, 2019, less than three percent of Raise the Age cases had reached conviction in Supreme Court. The rate of conviction in Supreme Court was much higher for the youths in the comparison group (20%) and an additional 19 percent of cases resulted in conviction in Criminal Court. Conviction in Criminal Court was far more frequent among cases charged with non-violent felony offenses (26%) than among those with violent felony charges (12%) but the conviction rate in Supreme Court was much higher for violent felony than non-violent felony charges (22% compared to 16%). Cases in the comparison group were also more likely to be dismissed or ACD'd (adjourned in contemplation of dismissal, 23%, nearly all in Criminal Court) compared to only four percent under Raise the Age (all in Supreme Court).

Exhibit 18a. Adult Court Outcomes by Severity of Arraignment Charge¹⁰

	RAISE THE AGE PERIOD			COMPARISON PERIOD		
CRIMINAL COURT OUTCOMES	Violent Felony %	Non-Violent Felony %	TOTAL %	Violent Felony %	Non-Violent Felony %	TOTAL %
Pending	-	-	-	12.0	17.9	13.8
Convicted	-	-	-	16.4	25.5	19.1
Dismissed or ACD	-	-	-	22.9	22.1	22.6
Covered/Consolidated				2.8	3.8	3.1
Subtotal in Criminal Court	-	-	-	54.1	69.2	58.6
SUPREME COURT OUTCOMES						
Pending	10.4	1.7	7.5	22.7	14.8	20.4
Convicted	3.3	1.2	2.6	22.4	16.0	20.5
Dismissed or ACD	4.0	2.8	3.6	0.8	-	0.6
Removed to Family Court	79.8	91.9	83.7	-	-	-
Covered/Consolidated	2.5	2.5	2.5	-	-	-
All Cases (# of Cases)	100.0 (753)	100.0 (360)	100.0 (1,113)	100.0 (616)	100.0 (263)	100.0 (879)

Adult court outcome data for the Raise the Age cases and those processed the previous year are not comparable for many reasons, including the direct effect of raising the age of criminal responsibility for 16-year old arrestees. However, we have already seen that the proportion of cases that are brought to adult court differs for the two periods such that more cases were prosecuted as felonies under Raise the Age. In addition, during the comparison period, more than half of the cases were resolved in Criminal Court. Perhaps the Raise the Age equivalent for comparison cases resolved in Criminal Court are AO cases arraigned for felony charges in the Supreme Court and then removed to Family Court, although Family Court outcomes are not available for this report. Perhaps the Raise the Age equivalent of cases disposed in the Supreme Court during the comparison period is AO cases in which the defendant was indicted. This line of reasoning suggests that we

¹⁰ These numbers differ slightly from those in The Mayor’s Office of Criminal Justice (MOCJ) report, although OCA provided both the CJA and MOCJ data.

look at adult court outcomes for both groups solely for these most serious cases (including cases processed in accordance with a Superior Court Information). As shown in Exhibit 18b, this analysis yields many fewer indicted cases during Raise the Age than during the comparison period (120 compared to 364). It seems that many AO cases were removed to Family Court and not presented to a grand jury, especially cases with non-violent felony charges. The data also show roughly equivalent portions of indicted cases still pending as of December 31 of the appropriate year. The conviction rate, however, was far lower during Raise the Age (21% compared to 50% in the comparison period). Removals to Family Court account for the decrease in the rate of conviction under the new law. Nearly half of the cases for indicted AOs resulted in conviction *or* removal to Family Court, about the same as the conviction rate during the comparison period.

Exhibit 18b. Adult Court Outcomes for Indicted* Cases by Severity of Arraignment Charge

COURT OUTCOMES	RAISE THE AGE PERIOD			COMPARISON PERIOD		
	Violent Felony	Non-Violent Felony	TOTAL	Violent Felony	Non-Violent Felony	TOTAL
	%	%	%	%	%	%
Pending	48.2	50.0	48.3	49.5	48.1	49.2
Convicted	21.1	16.7	20.8	48.8	51.9	49.5
Dismissed or ACD	3.5	-	3.3	1.8	-	1.4
Removed to Family Court	27.2	33.3	27.5	-	-	-
All Cases	100.0	100.0	100.0	100.0	100.0	100.0
(# of Cases)	(114)	(6)	(120)	(283)	(81)	(364)

*Includes Superior Court Information (SCI)

Borough differences in court outcomes for Raise the Age cases were wide (Exhibits 19a and 19b). More than nine of every ten Brooklyn cases were removed to Family Court as of December 31, 2019, compared to 84 percent of Bronx cases, 82 percent of Manhattan cases, 72 percent of those in Queens and 69 percent of Staten Island cases. Dismissals were infrequent in all boroughs: There were only 40 citywide but forty percent of those were in Manhattan. Only four percent of Brooklyn cases were still pending as of December 31, 2019, compared to eight or nine percent in Manhattan, Bronx and Staten Island but 13 percent in Queens. Convictions were rare citywide (only 29) ranging from less than one percent in

Brooklyn, two to three percent in the Bronx and Manhattan, but six percent in Queens and nine percent in Staten Island. Of course, pending cases may result in convictions.

Exhibit 19a. Adult Court Outcomes for Raise the Age Cases by Borough

COURT OUTCOMES	Brooklyn	Manhattan	Queens	Staten Island	Bronx	Citywide
	%	%	%	%	%	%
Pending	4.3	7.7	12.9	8.9	8.5	7.5
Convicted	0.2	2.8	6.7	8.9	1.9	2.6
Dismissed	2.2	6.5	2.6	4.4	3.8	3.6
Removed to Family Court	92.0	81.9	71.6	68.9	84.0	83.7
Other	1.2	1.2	6.2	8.9	1.9	2.5
All Cases	100.0	100.0	100.0	100.0	100.0	100.0
(# of Cases)	(414)	(248)	(194)	(45)	(212)	(1,113)

The proportion of AO cases that were indicted as of December 31, 2019, also varied by borough. Only three percent of Brooklyn AO cases were indicted compared to 14 percent in Queens, 15 percent in the Bronx, and 18 percent in Staten Island and Manhattan (data not shown).

Case outcomes for indicted AOs varied even more widely by borough than outcomes for all AOs (Exhibit 19b). Twelve of the 13 AO cases that were indicted in Brooklyn were still pending compared to half of those in the Bronx, 43 percent in Staten Island, 41 percent in Manhattan and only 38 percent in Queens. None of the indicted Staten Island AO cases were removed to Family Court compared to one in Brooklyn and three in Queens, but ten Bronx cases (33%) and 19 Manhattan cases (43%). None of the Brooklyn AOs were convicted as of the cutoff date compared to 13 percent of those in the Bronx, 14 percent in Manhattan, 42 percent in Queens and 57 percent (4) of the seven AOs in Staten Island.

Exhibit 19b. Adult Court Outcomes for Indicted* Raise the Age Cases by Borough

COURT OUTCOMES	Brooklyn	Manhattan	Queens	Staten Island	Bronx	Citywide
	%	%	%	%	%	%
Pending	92.3	40.9	38.5	42.9	50.0	48.3
Convicted	-	13.6	42.3	57.1	13.3	20.8
Dismissed	-	2.3	7.7	-	3.3	3.3
Removed to Family Court	7.7	43.2	11.5	-	33.3	27.5
All Cases	100.0	100.0	100.0	100.0	100.0	100.0
(# of Cases)	(13)	(44)	(26)	(7)	(30)	(120)

*Includes Superior Court Information (SCI)

Exhibit 20, below, shows the number of days from the first appearance to removal to Family Court by borough. Day zero denotes removal at the initial hearing. Cases were removed to Family Court more quickly in Brooklyn and Staten Island than in other boroughs. Nearly half of cases in Staten Island and more than a third in Brooklyn were removed day zero, the initial date, compared to less than three of every ten in the Bronx, and about one in five in Queens and Manhattan. More than seven of every ten Brooklyn removals and nearly two thirds of those in Staten Island were removed by the next day, compared to about half in the Bronx, and roughly four of every ten in Queens or Manhattan. Only four percent of the removals from Brooklyn took place more than a week after the initial hearing compared to about three of every ten removals in the other boroughs. Few cases (54, 6%) were in adult court longer than two months before removal to Family Court. Four of every ten of the cases removed after two months were in the Bronx (22), thirteen were in Manhattan, twelve were in Queens, four were in Staten Island and three were in Brooklyn.

Exhibit 20. Days from First Appearance to Removal to Family Court by Borough

DAYS	Brooklyn	Manhattan	Queens	Staten Island	Bronx	Citywide
	%	%	%	%	%	%
0 – initial date	36.5	19.7	21.6	48.4	28.1	29.4
1	34.6	17.7	20.9	16.1	21.3	25.8
2	14.2	10.3	5.8	-	6.7	10.2
3-7	10.4	21.4	20.9	6.5	12.4	14.5
8-30	1.8	17.7	8.6	9.7	15.7	9.2
31-60	1.3	6.9	13.7	6.5	3.4	4.9
61 or more	0.8	6.4	8.6	12.9	12.4	5.8
All Removed Cases	100.0	100.0	100.0	100.0	100.0	100.0
(# of Cases)	(381)	(203)	(139)	(31)	(178)	(932)
Median Days	1	3	3	1	2	1
Mean Days	2.9	12.6	16.4	14.6	16.1	9.9