



The use of jail—how many people are in jail, why, and for how long—varies dramatically from county to county. On any given day, approximately 25,000 people are held in local jails across New York State.

Three out of five New Yorkers in jail are held in facilities in the 57 counties outside New York City. In New York City's jail, 12% are held on misdemeanor charges, and 77% are held pretrial. In the rest of the state, 53% are held on misdemeanor charges and 60% are held pretrial.

New York is in the midst of considering important criminal justice reforms—to bail, due process, and speedy trial—to reduce the overuse of jail. Understanding the extent of the problem and exploring solutions is critical to enacting reforms that will succeed. Here are some quick facts to understand the extent of the problem.

QUICK FACTS ABOUT

Erie County

County Population

921,046

County Seat

City of Buffalo

Racial Demographics

Asian/ Pacific Islander: **4%**

Black/African American: **14%**

Latino: **5%**

Native American: **0.7%**

White: **77%**

Percent below the poverty line

14.7%

Drivers of jail use

An arrest is the first step in any criminal case. Whether a person who is arrested ends up in jail depends on many factors:

Charge severity

In Erie County, 70% of all arrests are for misdemeanor charges only. Only 30% are for felony charges.

Type of court

Erie County has 35 town and village courts, collectively called justice courts. These courts are presided over by local justices and often have different arraignment and case processing procedures than larger city and county courts.

Legal representation

Despite the constitutional right to a lawyer in criminal proceedings, many New Yorkers arrested in suburban and rural parts of the state do not have an attorney at arraignment. This is especially true in town and village courts. Erie County is part of the Counsel at First Appearance program and provides lawyers at arraignments.

Use of bail

In Erie County, 64% of the average daily jail population are people held pretrial. Pretrial services are available in Erie County at arraignment.

**QUICK FACTS ABOUT
CRIMINAL JUSTICE IN**

Erie County

Number of Arrests in the County

22,516

People in Jail

1,183

Jail Incarceration Rate

194 per 100,000 people in the county are in jail. Statewide, the rate is 190 per 100,000.

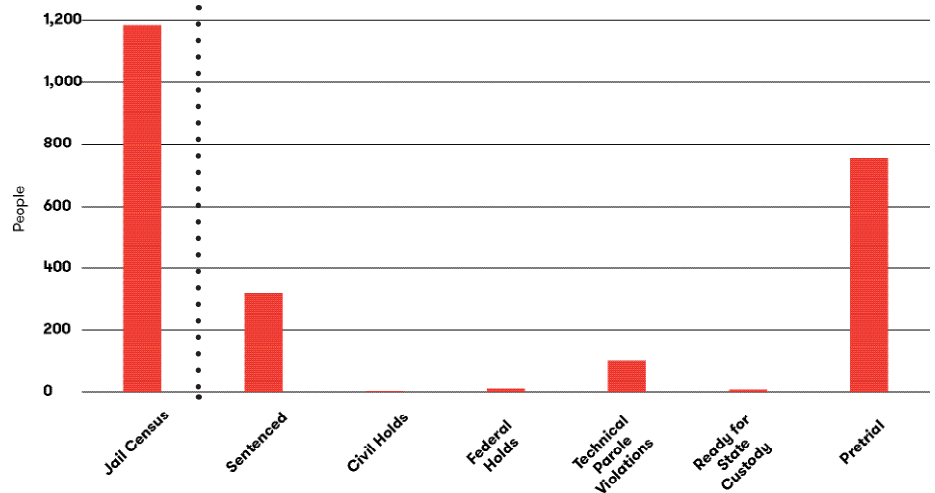
Speedy trial

For people held in jail pretrial, speedy trial practices impact their length of stay in jail. In Erie County, the average length of stay is 29 days.

Severity of punishment

In Erie County, 64% of felonies and 58% of misdemeanors result in a conviction, compared to 66% and 54% statewide.

2016 jail census



Pretrial and sentenced jail population

