



# New York City

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

### New York City

County Population

**8,537,673**

County Seat

**Borough of Manhattan**

Racial Demographics

Asian/ Pacific Islander: **16%**

Black/African American: **23%**

Latino: **29%**

Native American: **0.3%**

White: **32%**

Percent below the poverty line

**20.3%**

## 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 New York City, 67% of all arrests are for misdemeanor charges only. Only 33% are for felony charges.

### Type of court

There is one criminal court and one supreme court in each of the five boroughs. All cases are initially arraigned in criminal court, and misdemeanors and unindicted felonies remain under criminal court jurisdiction, while indicted felonies are transferred to supreme court.

### 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. The Counsel at First Appearance program only applies to counties outside of New York City. In New York City, defense counsel is present at every arraignment..

### Use of bail

In New York City, 77% of the average daily jail population are people held pre-

QUICK FACTS ABOUT  
CRIMINAL JUSTICE IN

New York City

Number of Arrests in the County

268,317

People in Jail

9,759

Jail Incarceration Rate

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

trial. Pretrial services are available in New York City at arraignment.

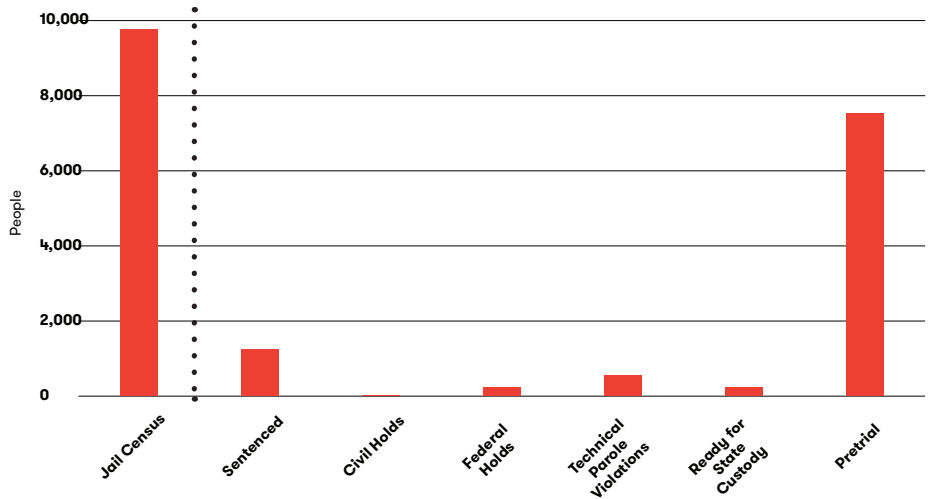
Speedy trial

For people held in jail pretrial, speedy trial practices impact their length of stay in jail. In New York City, the average length of stay is 54 days.

Severity of punishment

In New York City, 58% of felonies and 45% of misdemeanors result in a conviction, compared to 66% and 54% statewide.

2016 jail census



Pretrial and sentenced jail population

