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COMMISSIONER

STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONAL SERVICES  
THE HARRIMAN STATE CAMPUS  
1220 WASHINGTON AVENUE -- BLDG #2  
ALBANY, N.Y. 12226-2050

**RICHARD D. ROY**  
DEPUTY COMMISSIONER

**Indictments, Felony Dispositions, and Pending Felonies  
New York State: The Thirteen Judicial Terms of 2009  
(Based on the Office of Court Administration Caseload Activity Report)**

**INDICTMENTS:** Total New York State indictments for the thirteen terms of 2009 declined less than one percent (-0.7% or - 367 indictments) compared to the thirteen terms of 2008. This decrease in indictments occurred in Suburban New York City only, down 8.5% or - 730 indictments. New York City indictments remained relatively stable, up 0.1% or + 24 cases while other Upstate areas were up 1.7% or 339 more indictments than in the thirteen terms of 2008.

**INDICTMENTS  
The Thirteen Terms**

Region	2008	2009	% Change
New York City	24,587	24,611	0.1%
New York	7,611	7,553	-0.8%
Bronx	5,560	5,916	6.4%
Kings	6,864	6,482	-5.6%
Queens	3,862	3,962	2.6%
Richmond	690	698	1.2%
Suburban NYC	8,598	7,868	-8.5%
Upstate, Other	19,849	20,188	1.7%
Total State	53,034	52,667	-0.7%

**NOTE:** Comparison is based on data as originally published by OCA. Updated data are not available by specific county and region. The thirteen terms of 2009 ended on January 3, 2010.

**FELONY DISPOSITIONS:** Total New York State felony dispositions were up less than one percent (+ 0.4%) or an increase of 238 dispositions compared to the thirteen terms of 2008. This increase in dispositions occurred in New York City, up 4.6% or + 1,148 dispositions, and other Upstate areas, up 0.5% or + 100 dispositions. In contrast, during this period, Suburban New York City dispositions dropped 11.3% or - 1,010 dispositions.

**DISPOSITIONS  
The Thirteen Terms**

Region	2008	2009	% Change
New York City	24,728	25,876	4.6%
New York	7,682	7,803	1.6%
Bronx	5,835	5,944	1.9%
Kings	6,490	7,489	15.4%
Queens	4,015	3,886	-3.2%
Richmond	706	754	6.8%
Suburban NYC	8,941	7,931	-11.3%
Upstate, Other	20,648	20,748	0.5%
Total State	54,317	54,555	0.4%

**PENDING FELONY CASES:** The total number of New York State pending felony cases awaiting disposition rose 3.9% or an increase of 749 cases from 18,964 at the close of the thirteenth term of 2008 compared to 19,713 at the close of the thirteenth term of 2009. This rise in pending felony cases awaiting disposition occurred statewide, with New York City, up 4.0% or + 554 pending dispositions, Suburban New York City, up 11.3% or + 180 pending dispositions, and other Upstate areas, up 0.4% or + 15 pending dispositions.

**PENDING DISPOSITIONS  
Close of Thirteenth Term**

Region	2008	2009	% Change
New York City	13,697	14,251	4.0%
New York	3,869	4,162	7.6%
Bronx	4,203	4,908	16.8%
Kings	3,954	3,318	-16.1%
Queens	1,539	1,698	10.3%
Richmond	132	165	25.0%
Suburban NYC	1,594	1,774	11.3%
Upstate, Other	3,673	3,688	0.4%
<b>Total State</b>	<b>18,964</b>	<b>19,713</b>	<b>3.9%</b>

**PENDING FELONY CASES (6 months or more):** The number of felony dispositions pending for six months or more rose 6.7% or + 548 cases from 8,172 at the close of the thirteenth term of 2008 to 8,720 at the close of the thirteenth term of 2009. This increase in dispositions pending for six months or more occurred statewide, with New York City, up 6.3% or + 472 cases, Suburban New York City, up 18.1% or + 46 cases, and other Upstate areas, up 6.2% or 30 felony dispositions pending for six months or more. These long term pending dispositions tend to be more serious crimes. The state prison sentence rate for such dispositions is high.

**PENDING DISPOSITIONS  
Close of Thirteenth Term  
(Pending Six Months or More)**

Region	2008	2009	% Change
New York City	7,436	7,908	6.3%
New York	1,621	1,996	23.1%
Bronx	2,696	3,182	18.0%
Kings	2,221	1,721	-22.5%
Queens	860	975	13.4%
Richmond	38	34	-10.5%
Suburban NYC	254	300	18.1%
Upstate, Other	482	512	6.2%
Total State	8,172	8,720	6.7%

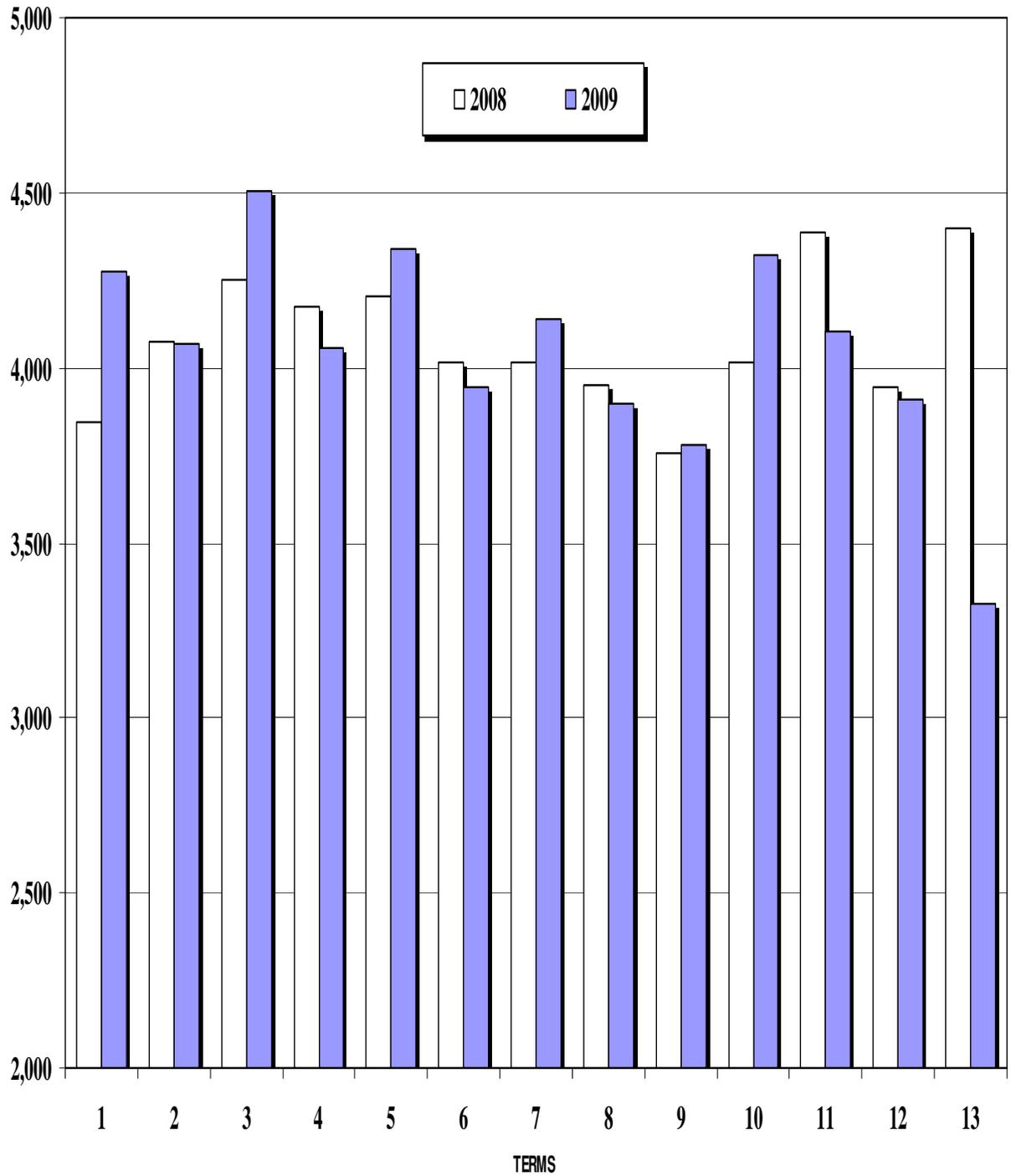
**PENDING SENTENCE CASES:** The number of offenders convicted, but still awaiting sentence declined less than one percent (- 0.6% or - 88 convicted offenders), from 15,589 at the close of the thirteenth term of 2008 to 15,501 convicted offenders at the close of the thirteenth term of 2009. This decrease in offenders convicted, but still awaiting sentence occurred in other combined Upstate areas, down 3.5% or - 266 convicted offenders, and was partially offset by a 2.2% increase in New York City convicted offenders (+ 178 convicted offenders).

**PENDING SENTENCE  
Close of Thirteenth Term**

Region	2008	2009	% Change
New York City	7,982	8,160	2.2%
Other Upstate (Combined)*	7,607	7,341	-3.5%
Total State	15,589	15,501	-0.6%

**Note:** Data are not available separately for Suburban N.Y.C. and Upstate Other.

INDICTMENTS FILED  
N.Y.S. SUPREME COURTS  
TOTAL STATE 2008 AND 2009



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INDICTMENTS FILED: N.Y.S. SUPREME COURTS - 2008

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<u>TERM</u>	<u>TOTAL STATE</u>	<u>NEW YORK CITY</u>	<u>UPSTATE TOTAL</u>	<u>SUBURBAN N.Y.C.</u>	<u>OTHER UPSTATE</u>
1ST (12/31/07-01/27/08)	3,842	1,832	2,010	625	1,385
2ND (01/28/08-02/24/08)	4,074	1,867	2,207	751	1,456
3RD (02/25/08-03/23/08)	4,254	1,900	2,354	783	1,571
4TH (03/24/08-04/20/08)	4,175	1,993	2,182	690	1,492
5TH (04/21/08-05/18/08)	4,205	1,973	2,232	628	1,604
6TH (05/19/08-06/15/08)	4,014	1,808	2,206	589	1,617
7TH (06/16/08-07/13/08)	4,017	1,935	2,082	606	1,476
8TH (07/14/08-08/10/08)	3,950	1,773	2,177	606	1,571
9TH (08/11/08-09/07/08)	3,757	1,844	1,913	543	1,370
10TH (09/08/08-10/05/08)	4,013	1,656	2,357	717	1,640
11TH (10/06/08-11/02/08)	4,386	2,136	2,250	707	1,543
12TH (11/03/08-11/30/08)	3,947	1,772	2,175	681	1,494
13TH (12/01/08-01/04/09)	4,400	2,098	2,302	672	1,630
TOTALS	53,034	24,587	28,447	8,598	19,849
AVERAGE	4,080	1,891	2,188	661	1,527

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INDICTMENTS FILED: N.Y.S. SUPREME COURTS - 2009

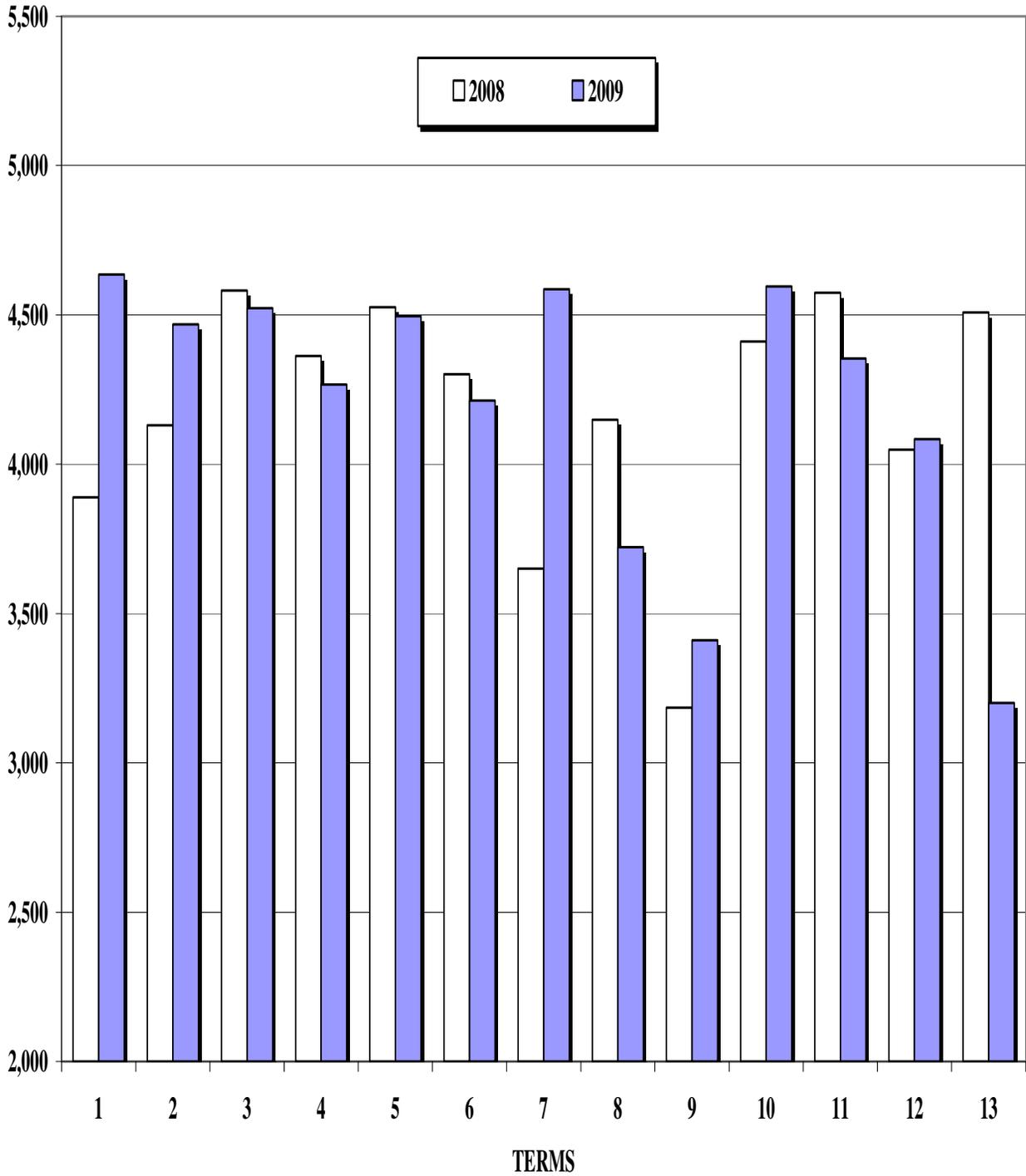
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<u>TERM</u>	<u>TOTAL STATE</u>	<u>NEW YORK CITY</u>	<u>UPSTATE TOTAL</u>	<u>SUBURBAN N.Y.C.</u>	<u>OTHER UPSTATE</u>
1ST (01/05/09-02/01/09)	4,275	1,953	2,322	654	1,668
2ND (02/02/09-03/01/09)	4,066	1,872	2,194	625	1,569
3RD (03/02/09-03/29/09)	4,502	2,119	2,383	583	1,800
4TH (03/30/09-04/26/09)	4,056	1,957	2,099	586	1,513
5TH (04/27/09-05/24/09)	4,339	2,095	2,244	625	1,619
6TH (05/25/09-06/21/09)	3,944	1,835	2,109	587	1,522
7TH (06/22/09-07/19/09)	4,140	1,946	2,194	600	1,594
8TH (07/20/09-08/16/09)	3,900	1,931	1,969	634	1,335
9TH (08/17/09-09/13/09)	3,779	1,679	2,100	555	1,545
10TH (09/14/09-10/11/09)	4,325	2,017	2,308	683	1,625
11TH (10/12/09-11/08/09)	4,103	1,902	2,201	553	1,648
12TH (11/09/09-12/06/09)	3,909	1,802	2,107	628	1,479
13TH (12/07/09-1/03/10)	3,329	1,503	1,826	555	1,271
TOTALS	52,667	24,611	28,056	7,868	20,188
AVERAGE	4,051	1,893	2,158	605	1,553

DISPOSITION OF DEFENDANT INDICTMENTS

N.Y.C. SUPREME COURTS

TOTAL STATE 2008 AND 2009



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DISPOSITIONS OF DEFENDANT INDICTMENTS - N.Y.S. 2008

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<u>TERM</u>	<u>TOTAL STATE</u>	<u>NEW YORK CITY</u>	<u>UPSTATE TOTAL</u>	<u>SUBURBAN N.Y.C.</u>	<u>OTHER UPSTATE</u>
1ST (12/31/07-01/27/08)	3,889	1,741	2,148	639	1,509
2ND (01/28/08-02/24/08)	4,130	1,909	2,221	710	1,511
3RD (02/25/08-03/23/08)	4,582	2,051	2,531	794	1,737
4TH (03/24/08-04/20/08)	4,362	2,088	2,274	670	1,604
5TH (04/21/08-05/18/08)	4,526	2,090	2,436	695	1,741
6TH (05/19/08-06/15/08)	4,301	1,961	2,340	684	1,656
7TH (06/16/08-07/13/08)	3,651	1,628	2,023	574	1,449
8TH (07/14/08-08/10/08)	4,149	1,824	2,325	762	1,563
9TH (08/11/08-09/07/08)	3,185	1,299	1,886	443	1,443
10TH (09/08/08-10/05/08)	4,411	2,024	2,387	759	1,628
11TH (10/06/08-11/02/08)	4,574	2,125	2,449	760	1,689
12TH (11/03/08-11/30/08)	4,049	1,901	2,148	685	1,463
13TH (12/01/08-01/04/09)	4,508	2,087	2,421	766	1,655
TOTALS	54,317	24,728	29,589	8,941	20,648
AVERAGE	4,178	1,902	2,276	688	1,588

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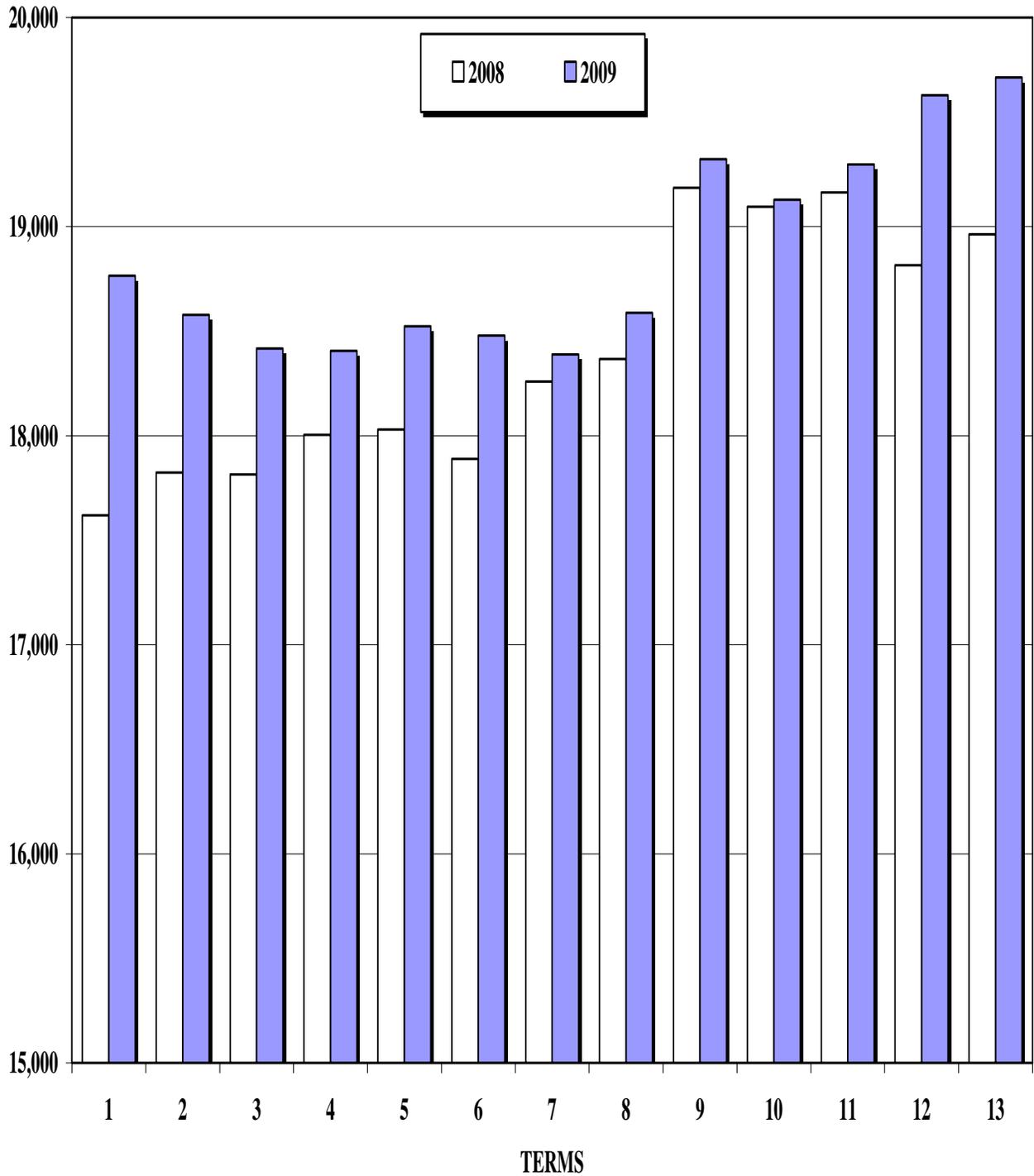
DISPOSITIONS OF DEFENDANT INDICTMENTS - N.Y.S. 2009

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<u>TERM</u>	<u>TOTAL STATE</u>	<u>NEW YORK CITY</u>	<u>UPSTATE TOTAL</u>	<u>SUBURBAN N.Y.C.</u>	<u>OTHER UPSTATE</u>
1ST (01/05/09-02/01/09)	4,635	2,196	2,439	696	1,743
2ND (02/02/09-03/01/09)	4,468	2,159	2,309	665	1,644
3RD (03/02/09-03/29/09)	4,523	2,113	2,410	615	1,795
4TH (03/30/09-04/26/09)	4,267	2,085	2,182	659	1,523
5TH (04/27/09-05/24/09)	4,496	2,106	2,390	627	1,763
6TH (05/25/09-06/21/09)	4,213	2,082	2,131	587	1,544
7TH (06/22/09-07/19/09)	4,586	2,259	2,327	621	1,706
8TH (07/20/09-08/16/09)	3,722	1,697	2,025	558	1,467
9TH (08/17/09-09/13/09)	3,411	1,464	1,947	473	1,474
10TH (09/14/09-10/11/09)	4,595	2,274	2,321	624	1,697
11TH (10/12/09-11/08/09)	4,354	2,107	2,247	596	1,651
12TH (11/09/09-12/06/09)	4,084	1,911	2,173	669	1,504
13TH (12/07/09-1/03/10)	3,201	1,423	1,778	541	1,237
TOTALS	54,555	25,876	28,679	7,931	20,748
AVERAGE	4,197	1,990	2,206	610	1,596

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PENDING DEFENDANT DISPOSITIONS  
N.Y.S. SUPREME COURTS  
TOTAL STATE 2008 AND 2009



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PENDING DEFENDANT DISPOSITIONS: N.Y.S. SUPREME COURTS - 2008

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<u>TERM</u>	<u>TOTAL STATE</u>	<u>NEW YORK CITY</u>	<u>UPSTATE TOTAL</u>	<u>SUBURBAN N.Y.C.</u>	<u>OTHER UPSTATE</u>
1ST (12/31/07-01/27/08) 6 MONTHS +	17,620 6,772	12,566 6,112	5,054 660	1,565 258	3,489 402
2ND (01/28/08-02/24/08) 6 MONTHS +	17,823 6,871	12,703 6,238	5,120 633	1,615 252	3,505 381
3RD (02/25/08-03/23/08) 6 MONTHS +	17,815 6,871	12,720 6,242	5,095 629	1,643 240	3,452 389
4TH (03/24/08-04/20/08) 6 MONTHS +	18,004 6,973	12,862 6,271	5,142 702	1,678 243	3,464 459
5TH (04/21/08-05/18/08) 6 MONTHS +	18,030 6,894	12,973 6,276	5,057 618	1,691 225	3,366 393
6TH (05/19/08-06/15/08) 6 MONTHS +	17,890 6,930	12,944 6,339	4,946 591	1,626 199	3,320 392
7TH (06/16/08-07/13/08) 6 MONTHS +	18,259 7,149	13,167 6,507	5,092 642	1,609 225	3,483 417
8TH (07/14/08-08/10/08) 6 MONTHS +	18,367 7,381	13,365 6,719	5,002 662	1,530 237	3,472 425
9TH (08/11/08-09/07/08) 6 MONTHS +	19,186 7,961	13,844 7,220	5,342 741	1,650 277	3,692 464
10TH (09/08/08-10/05/08) 6 MONTHS +	19,094 7,856	13,824 7,113	5,270 743	1,631 278	3,639 465
11TH (10/06/08-11/02/08) 6 MONTHS +	19,163 7,900	13,973 7,222	5,190 678	1,627 264	3,563 414
12TH (11/03/08-11/30/08) 6 MONTHS +	18,816 7,834	13,630 7,176	5,186 658	1,618 235	3,568 423
13TH (12/01/08-01/04/09) 6 MONTHS +	18,964 8,172	13,697 7,436	5,267 736	1,594 254	3,673 482
AVERAGE OF TOTAL	18,387	13,251	5,136	1,621	3,514
AVERAGE OF 6 MOS +	7,351	6,682	669	245	424

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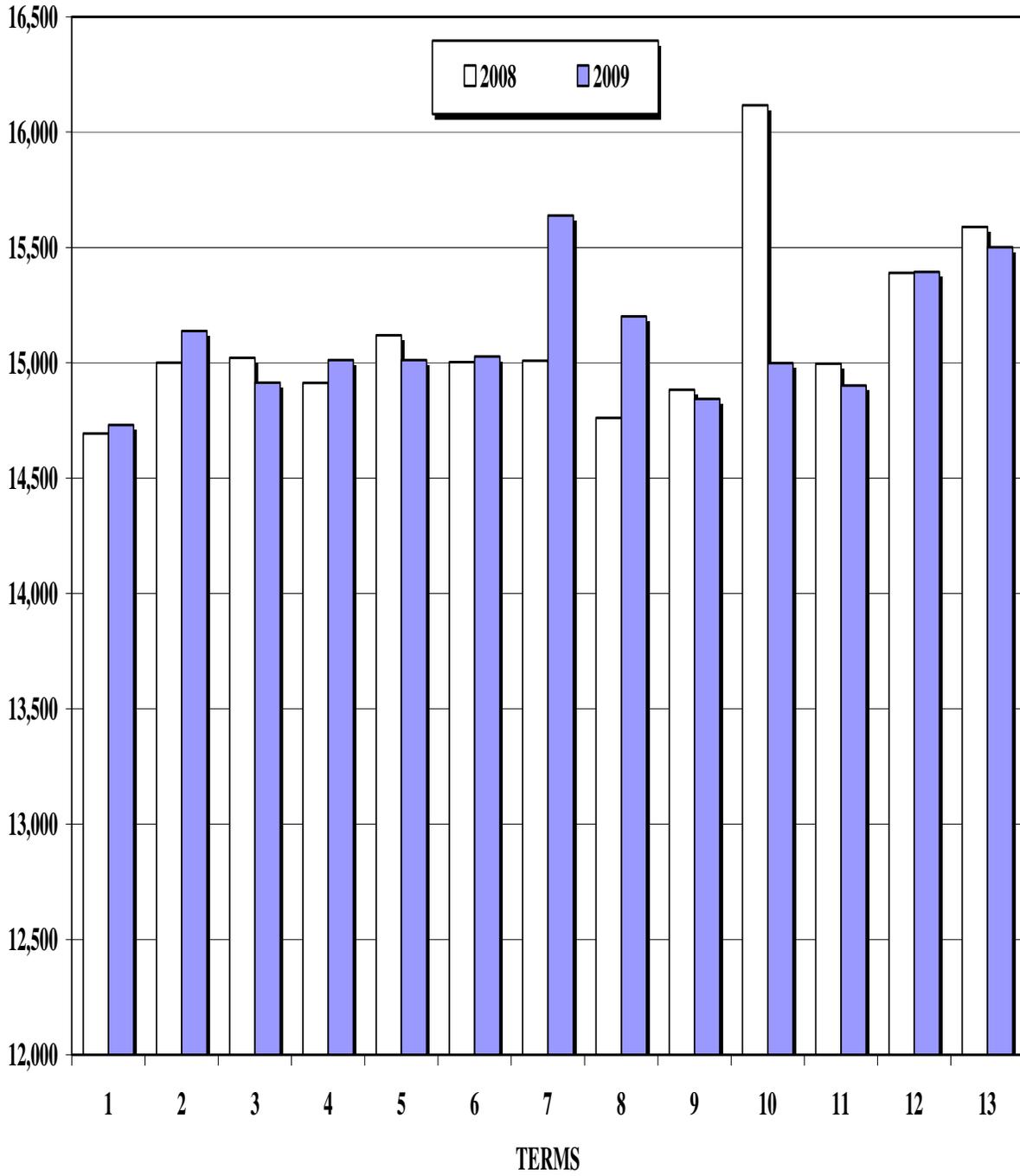
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PENDING DEFENDANT DISPOSITIONS: N.Y.S. SUPREME COURTS - 2009

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<u>TERM</u>	<u>TOTAL STATE</u>	<u>NEW YORK CITY</u>	<u>UPSTATE TOTAL</u>	<u>SUBURBAN N.Y.C.</u>	<u>OTHER UPSTATE</u>
1ST (01/05/09-02/01/09) 6 MONTHS +	18,765 8,201	13,680 7,500	5,085 701	1,550 251	3,535 450
2ND (02/02/09-03/01/09) 6 MONTHS +	18,579 8,122	13,547 7,430	5,032 692	1,524 232	3,508 460
3RD (03/02/09-03/29/09) 6 MONTHS +	18,417 8,034	13,460 7,306	4,957 728	1,470 229	3,487 499
4TH (03/30/09-04/26/09) 6 MONTHS +	18,405 8,008	13,427 7,275	4,978 733	1,458 224	3,520 509
5TH (04/27/09-05/24/09) 6 MONTHS +	18,523 8,101	13,470 7,341	5,053 760	1,457 239	3,596 521
6TH (05/25/09-06/21/09) 6 MONTHS +	18,478 8,028	13,424 7,314	5,054 714	1,478 243	3,576 471
7TH (06/22/09-07/19/09) 6 MONTHS +	18,389 7,667	13,292 7,016	5,097 651	1,501 211	3,596 440
8TH (07/20/09-08/16/09) 6 MONTHS +	18,587 7,873	13,515 7,205	5,072 668	1,606 213	3,466 455
9TH (08/17/09-09/13/09) 6 MONTHS +	19,323 8,346	14,064 7,599	5,259 747	1,732 232	3,527 515
10TH (09/14/09-10/11/09) 6 MONTHS +	19,129 8,268	13,965 7,526	5,164 742	1,703 239	3,461 503
11TH (10/12/09-11/08/09) 6 MONTHS +	19,298 8,355	14,053 7,591	5,245 764	1,761 262	3,484 502
12TH (11/09/09-12/06/09) 6 MONTHS +	19,628 8,428	14,263 7,657	5,365 771	1,723 280	3,642 491
13TH (12/07/09-1/03/10) 6 MONTHS +	19,713 8,720	14,251 7,908	5,462 812	1,774 300	3,688 512
AVERAGE OF TOTAL	18,864	13,724	5,140	1,595	3,545
AVERAGE OF 6 MOS +	8,165	7,436	729	243	487

PENDING SENTENCE  
N.Y.S. SUPREME COURT  
TOTAL STATE 2008 AND 2009



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PENDING SENTENCE: N.Y.S. SUPREME COURTS - 2008

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<u>TERM</u>	<u>TOTAL STATE</u>	<u>NEW YORK CITY</u>	<u>UPSTATE TOTAL</u>
1ST (12/31/07-01/27/08)	14,694	7,899	6,795
2ND (01/28/08-02/24/08)	15,000	7,950	7,050
3RD (02/25/08-03/23/08)	15,021	7,865	7,156
4TH (03/24/08-04/20/08)	14,913	7,890	7,023
5TH (04/21/08-05/18/08)	15,120	7,896	7,224
6TH (05/19/08-06/15/08)	15,003	7,878	7,125
7TH (06/16/08-07/13/08)	15,009	7,799	7,210
8TH (07/14/08-08/10/08)	14,762	7,788	6,974
9TH (08/11/08-09/07/08)	14,883	7,696	7,187
10TH (09/08/08-10/05/08)	16,117	7,672	8,445
11TH (10/06/08-11/02/08)	14,996	7,894	7,102
12TH (11/03/08-11/30/08)	15,390	8,025	7,365
13TH (12/01/08-01/04/09)	15,589	7,982	7,607
AVERAGE	15,115	7,864	7,251

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PENDING SENTENCE: N.Y.S. SUPREME COURTS - 2009

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<u>TERM</u>	<u>TOTAL STATE</u>	<u>NEW YORK CITY</u>	<u>UPSTATE TOTAL</u>
1ST (01/05/09-02/01/09)	14,730	7,804	6,926
2ND (02/02/09-03/01/09)	15,138	7,942	7,196
3RD (03/02/09-03/29/09)	14,914	7,784	7,130
4TH (03/30/09-04/26/09)	15,012	7,753	7,259
5TH (04/27/09-05/24/09)	15,012	7,803	7,209
6TH (05/25/09-06/21/09)	15,028	7,936	7,092
7TH (06/22/09-07/19/09)	15,639	7,913	7,726
8TH (07/20/09-08/16/09)	15,202	7,903	7,299
9TH (08/17/09-09/13/09)	14,844	7,820	7,024
10TH (09/14/09-10/11/09)	14,999	8,013	6,986
11TH (10/12/09-11/08/09)	14,902	8,110	6,792
12TH (11/09/09-12/06/09)	15,394	8,165	7,229
13TH (12/07/09-1/03/10)	15,501	8,160	7,341
AVERAGE	15,101	7,931	7,170

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