

FACT SHEET

Misdemeanor Enforcement Trends in New York City, 2016–2022

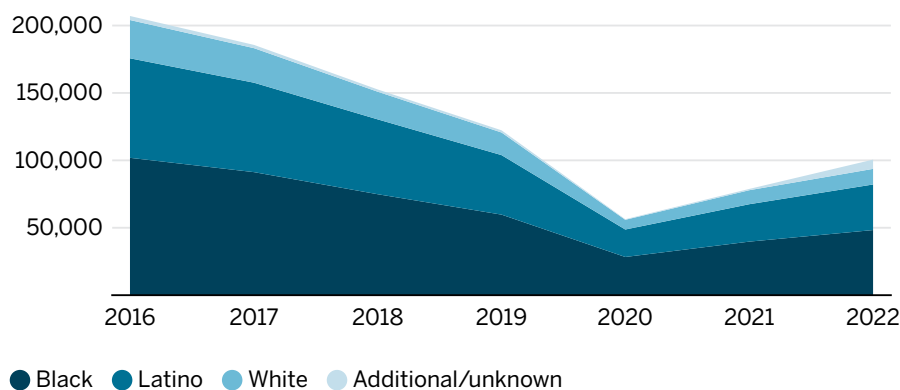
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Minor offenses, including drug possession, shoplifting, disorderly conduct, vandalism, misdemeanor assault, and driving with a suspended license, make up the vast majority of cases in the American criminal justice system. Misdemeanors — the most common type of minor offense — amount to roughly three-quarters of cases filed each year. Enforcement consumes significant government resources, and the overall public safety benefit is questionable.

For people charged with minor offenses, resolving cases requires months of court appearances. And minor offense charges have lifelong consequences: arrests alone restrict access to jobs, places to live, health care, and education. Low-income Black and Latino communities disproportionately bear these burdens.

Brennan Center researchers examined minor criminal offense trends in New York City between 2016 to 2022. The [resulting report](#) highlights changes in enforcement, the prevalence of common offenses, and case outcomes, as well as racial disparities in minor offense case rates that persist despite reforms implemented over the last decade.

New York City Minor Offense Cases by Race or Ethnicity



Source: New York State Office of Court Administration non-public data (2016–2022); Brennan Center analysis.

Key Findings

- The number of minor offense cases fell by 54 percent. Decreases were most significant for charges that did not involve physical harm: low-level drug possession cases dropped 86 percent, and fare evasion cases dropped 94 percent.
- Profound racial disparities in minor offense enforcement held steady. Between 2016 and 2022, Black and Latino people made up just under 50 percent of the city’s population but consistently comprised more than 80 percent of people charged with low-level offenses.
- Black people are six times more likely than white people to be charged with a minor offense.
- Misdemeanor arrests were largely concentrated in the South Bronx, Harlem, and central Brooklyn — predominantly Black and Latino neighborhoods with high poverty and unemployment rates and low median incomes.
- Non-convictions (cases that end with no guilty finding) made up 47 percent of minor offense outcomes in 2016 and increased to 70 percent in 2022. Dismissals are now the most common disposition, having increased from 18 percent to 50 percent.
- Involvement in the minor offense legal system remains a lengthy process: even non-convictions take an average of 120 days to resolve.

Brennan Center researchers engaged police, prosecutors, court officials, city government officials, criminal justice advocates, service providers, and community leaders to understand why racial disparities in enforcement persist. According to these stakeholders and a growing research base, the drivers that perpetuate concentrated enforcement among low-income Black and Latino communities include the following:

- poverty, housing insecurity, poor mental health, substance use, and other socioeconomic challenges that are often criminalized;
- poor neighborhood conditions and inadequate resources; and
- the minor offense system’s inability to address social problems and community needs.

In an [accompanying piece](#), Brennan Center researchers examine promising programs that address underlying needs and racial disparities in enforcement, including court diversions, behavioral health alternative responses, supportive housing, and community-based crime prevention. Such strategies can help state and local policymakers more appropriately deploy resources to reduce crime and build public safety and well-being.