

CODED NYS LAW FILE

| | | |
|----------------------------|----------|--------------|
| LAW_ORDINAL | NOT NULL | NUMBER(6) |
| ATTEMPTED_CLASS | | VARCHAR2(1) |
| ATTEMPTED_VF_INDICATOR | | VARCHAR2(1) |
| ATTEMPTED_NYS_LAW_CATEGORY | | VARCHAR2(1) |
| BUS_DRIVER_CHARGE_CODE | | NUMBER(1) |
| SEX_OFFENDER_REGISTRY_CODE | | NUMBER(1) |
| NCIC_CODE | NOT NULL | NUMBER(4) |
| UCR_CODE | | NUMBER(2) |
| SAFIS_CRIME_CATEGORY_CODE | | NUMBER(2) |
| OFFENSE_CATEGORY | | VARCHAR2(3) |
| JO_INDICATOR | | NUMBER(1) |
| JD_INDICATOR | | NUMBER(1) |
| IBR_CODE | | VARCHAR2(3) |
| MAXI_LAW_DESCRIPTION | | VARCHAR2(60) |
| LAW_DESCRIPTION | NOT NULL | VARCHAR2(30) |
| MINI_LAW_DESCRIPTION | | VARCHAR2(15) |
| TITLE | | VARCHAR2(3) |
| SECTION | | VARCHAR2(9) |
| SECTION13 | | VARCHAR2(5) |
| SUBSECTION | | VARCHAR2(6) |
| SUBSECTION13 | | VARCHAR2(2) |
| DEGREE | | VARCHAR2(1) |
| EFFECTIVE_DATE | | DATE |
| REPEAL_DATE | | DATE |
| FP_OFFENSE | | VARCHAR2(1) |
| UNCONST_DATE | | DATE |
| WEAPON_CHARGE | NOT NULL | NUMBER(1) |
| ARMED_VFO_CHARGE | | VARCHAR2(1) |
| MINORS_CHARGE | | NUMBER(1) |
| CAREER_CRIMINAL_CHARGE | | VARCHAR2(1) |
| INS_CHARGE | | VARCHAR2(1) |
| NON_SEAL_CHARGE | | VARCHAR2(1) |
| SUB_CONVICT_CHARGE | | VARCHAR2(1) |
| JAIL_CHARGE | | VARCHAR2(1) |
| POST_CONVICT_CHARGE | | VARCHAR2(1) |
| AUTO_STRIP_CHARGE | | VARCHAR2(1) |
| FULL_LAW_DESCRIPTION | | VARCHAR2(70) |
| NYS_LAW_CATEGORY | | VARCHAR2(1) |
| VF_INDICATOR | | VARCHAR2(1) |
| CLASS | | VARCHAR2(1) |
| DNA_INDICATOR | | VARCHAR2(2) |
| ATTEMPTED_DNA_INDICATOR | | VARCHAR2(2) |
| ESCAPE_CHARGE | | VARCHAR2(1) |
| HATE_CRIME | | NUMBER(1) |
| DATE_INVALIDATED | | DATE |
| TERRORISM_INDICATOR | | VARCHAR2(1) |
| DMV_VTCODE | | VARCHAR2(8) |
| AO_INDICATOR | | VARCHAR2(3) |
| RTA_FP_OFFENSE | | VARCHAR2(3) |

Law_ordinal (referred to as the "relative address" on the mainframe file):

A unique, sequentially-assigned, four-digit number. (The field size allows for up to six digits.)

DNA_Indicator, Attempted_DNA_Indicator (see the CODED_DNA table):

Some offenders are required to give DNA samples, to be used for identification purposes, pursuant to Article 49-B of the Executive Law. Section 995, subdivision 7 of that law enumerates the "qualifying" offenses. On that basis, we flag certain charges on our file as "DNA" laws, and convictions for those offenses may mean that the offender is required to give a sample. In some cases, an attempt at a certain offense would not "qualify," but the commission of the offense would, so we distinguish this on the file by use of the Attempted_DNA_Indicator.

NYS_Law_Category, Attempted_NYS_Law_Category, Class, Attempted_Class, Degree (see the CODED_NYS_LAW_CATEGORY, CODED_NYS_LAW_CLASS, and CODED_ATTEMPT tables):

The legislature defines how "serious" a law is by specifying class, category, and degree. Felonies are more serious than misdemeanors, and a class "A" misdemeanor is more serious than a class "B" misdemeanor, etc. For example, Burglary 1st degree is a class "B" felony, which is more serious than Burglary 2nd, a class "C" felony.

In most cases, but not all, attempting to commit an offense is a lower class, and perhaps category, than actually committing that offense. For example, Placing A False Bomb 2nd (ordinal 6419) is a class "E" felony, while Attempted Placing A False Bomb 2nd drops to a class "A" misdemeanor. For that reason, storing a single value for class and category is insufficient; we need to store the comparable values for an attempt at that offense.

VF_Indicator, Attempted_VF_Indicator (see the CODED_NYS_LAW_VF table):

Years ago, in an effort to enhance sentencing for certain felony offenses, the legislature created a category of "violent felony" (see Penal Law 70.02). Felonies which are specified by law as "violent" are flagged on our file with the value "V;" the others are generally "N." However, there are some laws that are certainly violent by their nature, such as Murder 2nd (e.g., ordinal 5257), but that are not included in section 70.02 because the legislature was not addressing the sentencing provisions for them. These are flagged as "L," meaning that they are "like" other violent felonies but not included in the legal definition of violent.

You will note that Class "A" felonies are not specified as "violent" in 70.02; therefore, the commission of a murder in the second degree is not "legally" violent, but an attempt to commit the murder is. (This seems illogical unless one understands that the purpose of this categorization was for sentencing enhancement.) There are also cases where the reverse is true: the commission of a certain felony is legally defined as violent, but an attempt at that offense is not. Therefore, storing a single value for "Violent" for each offense on our file is insufficient; we need to store a value for both the completed offense and the attempt at that offense.

Bus_Driver_Charge_Code (see CODED_BUS_DRIVER_CHARGE table):

Article 19-A of the Vehicle and Traffic Law provides that a conviction on certain offenses would disqualify the offender from being a bus driver, in some cases. Section 509-c of that law lists the specific, "disqualifying" offenses, and establishes differing conditions for disqualification. For example, some are disqualifying for a period of five years, others for one year, etc. The values on our law file reflect those conditions.

Sex_Offender_Registry_Code (see CODED_SEX_OFFENDER_REGISTRY table):
Article 6-C of the Correction Law created the Sex Offender Registration Act in 1995. Section 168-a of that article lists offenses for which a conviction would make the offender a "Sex Offender" who must be registered. Some laws, like Rape, are "qualifying" offenses for the registry, and coded #1 on our file. Other laws, such as Kidnapping, are only qualifying pursuant to 168-a if there is a further element to the crime beyond that described in the penal law; those are coded #2 on our file. These codes are used by DCJS program logic; external users will not need to utilize them.

NCIC_Code (see the CODED_NCIC table):

The National Crime Information Center collects criminal information from all 50 US states and various territories. These distinct jurisdictions all have their own statutes, with differing coding and classification. In order to reference offenses in a way that would have some meaning across these various jurisdictions, the NCIC established categories of offenses which are denoted by four-digit codes.

UCR_Code (see the CODED_UCR table):

The Uniform Crime Reporting code is a much more broad categorization of offenses than the NCIC code. Agencies that participate in Uniform Crime Reporting need to utilize these codes.

IBR_Code (see the CODED_IBR table):

The Incident Based Reporting code is a much more broad categorization of offenses than the NCIC code. Agencies that participate in IBR need to utilize these codes.

SAFIS_Crime_Category_Code (See the CODED_SAFIS table):

This code is used internally by DCJS.

Offense_Category (see CODED_OFFENSE_CATEGORY):

This code is used internally by DCJS.

JO_Indicator (see the CODED_NYS_LAW_JO table):

Section 10, subdivision 18 of the penal law defines Juvenile Offender, and specifies the offenses that one would commit to be deemed a "JO" and at what age(s). For example, a 13 year-old who committed Burglary 1st (PL 140.30) would not be a JO, but a 14 year-old would. However, if a 14 year-old attempted to commit Burglary 1st, but did not complete the commission of the crime, he would not be a JO. We assigned a code to each penal law to reflect the provisions of PL 10(18).

JD_Indicator (see the CODED_NYS_LAW_JD table):

Section 301.2 subdivision 1 of the Family Court Act defines Juvenile Delinquent, and subdivision 8 specifies the offenses that one would commit to be deemed a "JD" and at what age(s). DCJS assigned a code to each relevant law to reflect these provisions.

Title:

This is a three-character, alpha field which represents the consolidated law chapter: PL = penal law, VTL = Vehicle and Traffic law, etc.

Section:

Law section can be a maximum of 9 alphanumeric characters. The format of the section varies from one chapter to another. For example, within the penal law, the section is almost always six characters: three numerics, a period, and two numerics. (There are some exceptions, such as PL 130.65-A.) In contrast, the Environmental Conservation Law is usually two numerics, followed by a hyphen, and four numerics.

Section13:

This column shows the corresponding format of the law section on the legacy mainframe law file, which only allowed for five characters and could not contain any special characters (periods, hyphens, etc.).

Subsection:

The subsection field can be blank, or contain up to six alphanumeric characters. Within the penal law, we used an "H" to denote the Hate Crime "version" of a law; and a "T" to denote the Crime of Terrorism "version." For example, PL 125.25 01 is Murder 2nd (ordinal 2051), PL 125.25 01H is Murder 2nd as a Hate Crime (ordinal 6161), and PL 125.25 01T is Murder 2nd as Crime of Terrorism (ordinal 6404). Note: Do not rely on the presence of an "H" or a "T" within the subdivision of a law to deduce whether the law is a "hate crime" or a "crime of terrorism." There are separate indicators on file for that purpose.

Subsection13:

This column shows the corresponding format of the law subdivision on the legacy mainframe law file, which only allowed for two characters and is therefore a less accurate representation of a law as written in the statute.

Repeal_Date:

Some laws on the file which have a repeal date were not repealed by the NYS legislature, but rather amended. The law file does not contain a field to represent the date amended. In cases where a law is materially changed, we put up a repeal date and re-update the law, with a new ordinal and new effective date, reflecting the valid data as of the date that the revision takes effect.

Further, in cases where we updated a law inaccurately, we put up a repeal date which is the same as the effective date, rendering the inaccurate law 'unusable.' (See also Date_Invalidated.)

FP_Offense:

This is a boolean which indicates whether the law is "fingerprintable," per CPL 160.10. If a law is flagged "F," then we would not update it to the rapsheet unless it were submitted along with a "printable" charge (a law that is flagged "T"). For instance, if a police department submitted an arrest transaction with PL 240.20, Disorderly Conduct, as the sole arrest charge, we would process the print as an inquiry rather than an arrest, and not update the transaction to the criminal history record. However, if that same charge were submitted in conjunction with PL 205.30, Resisting Arrest, which is printable, then the transaction would be processed as an arrest and both charges would appear on the rapsheet.

Unconst_Date:

The date that a given law was declared unconstitutional by the courts. The law may, or may not, have been repealed by the NYS Legislature.

Weapon_Charge (see the CODED_WEAPON_CHARGE table):

A numeric value to denote whether statute specifies that the use of a weapon, as defined in PL 265.00, is an element of the crime or not.

Armed_VFO_Charge:

This boolean is set to true if the offense is a violent felony (per PL 70.02) and includes an element of possession, use or display of a weapon (see CPL 1.20 subdivision 41).

Note: DCJS is contemplating the removal of this value from the table. Years ago, a first-time felon convicted of an armed violent felony offense was eligible for an enhanced prison sentence. The minimum sentence could be set anywhere between 1/3 and 1/2 of the maximum; for other VFOs the minimum was set at 1/3 the maximum. With the advent of determinate sentences for VFO convictions, this provision became obsolete.

Minors_Charge (see the CODED_MINORS_CHARGE table):

A numeric value indicating whether an element of the crime stipulates that the victim is a minor.

Career_Criminal_Charge:

This boolean is set to true for charges selected by the Bureau of Alcohol, Tobacco and Firearms for the purpose of DCJS generating reports to them.

INS_Charge:

This boolean is set to true for charges specified by Immigration and Customs Enforcement for the purpose of DCJS generating reports to them.

Non_Seal_Charge:

This boolean is set to true if legislation stipulates that the offense not be sealed. For example, CPL 160.55 mandates that, although a conviction for DWAI (VTL 1192 subdivision 1) is not a criminal conviction, the offense not be sealed, except upon motion of the DA or the court.

Sub_Convict_Charge:

This boolean is set to true if, per the legislation, the charge will escalate in severity from a misdemeanor to a felony upon a subsequent conviction, or rise from a violation to a misdemeanor, or from one level of misdemeanor to another. It may require two or more convictions to raise the severity. For example: PL 178.10- Criminal Diversion of Prescription Medications 4th- is a class "A" misdemeanor. A subsequent conviction on that same offense constitutes Criminal Diversion of Prescription Medications 3rd, a class "E" felony.

Jail_Charge:

This boolean is set to true if conviction on this offense results in mandatory jail time at sentencing (see PL articles 60 and 70).

Post_Convict_Charge:

This boolean is set to true if, per legislation, the charge has risen in severity due to a previous conviction on this offense, or some other specified offense. For example, VTL 1193 subdivision 6 paragraph ii requires that a conviction of VTL 1192 sub 2, 3 or 4 is a class "D" felony if the person was previously convicted twice within the preceding ten years.

Auto_Strip_Charge:

This boolean is set to true for penal laws under article 165 involving removing, destroying, defacing or altering vehicle parts, as specified in the legislation.

Escape_Charge:

This boolean is set to true for penal laws under article 205 involving escaping from custody, as defined in the legislation.

Hate_Crime (see the CODED_HATE_CRIME table):

This boolean is set to true for charges which may be prosecuted as a "Hate Crime" pursuant to Article 485 of the penal law. (These were not new charges, but rather hate crime "variations" of existing charges, denoted with an "H" in the subdivision.)

Date_Invalidated:

A law that has a date "invalidated" should never be used. In most cases, there's a basic flaw in the way it was updated; e.g., it was updated erroneously as a class "B" misdemeanor, but it was actually a class "A." (This is in contrast to a law that is repealed, which is perfectly valid during the time frame between the effective date and the date repealed.)

Terrorism_Indicator:

This boolean is set to true for charges which may be prosecuted as an act of terrorism pursuant to Article 490 of the penal law. (Most of these were not new charges, but rather "enhanced versions" of existing charges, denoted with "T" in the subdivision.)

DMV_VTcode:

This alphanumeric value reflects the way in which a traffic offense is written on a traffic ticket (simplified traffic information), in accordance with DMV regulations. It serves as a cross-reference for the use of law enforcement and courts.

AO_INDICATOR:

AO – Adolescent Offender (This code will be associated with an offense category equal to Felony and a Class other than E.)

NAO – Not an Adolescent Offender (This code will be associated with any offense category not equal to Felony.)

AOC – Adolescent Offender if offense is Completed (This code will be associated with all Class E Felonies. Programming logic will need to check Attempt Indicator. If offense was completed, then AO.)

RTA_FP_OFFENSE:

FP – Fingerprintable (All Felonies other than Class E where FP Offense = 'T', all VTL Misdemeanors where FP Offense = 'T', all Violations where FP Offense = 'T', and all category 0 where FP Offense = 'T')

NFP – Not Fingerprintable (All Felonies where FP Offense = 'F', all Misdemeanors other than title VTL, all VTL Misdemeanors where FP Offense = 'F', all Violations where FP Offense = 'F', all Infractions, all category 9, and all category 0 where FP Offense = 'F')

FPC - Fingerprintable if Charge Completed (All Class E Felonies where FP Offense = 'T'. Programming logic will need to check Attempt Indicator. If offense was completed, then fingerprintable)