



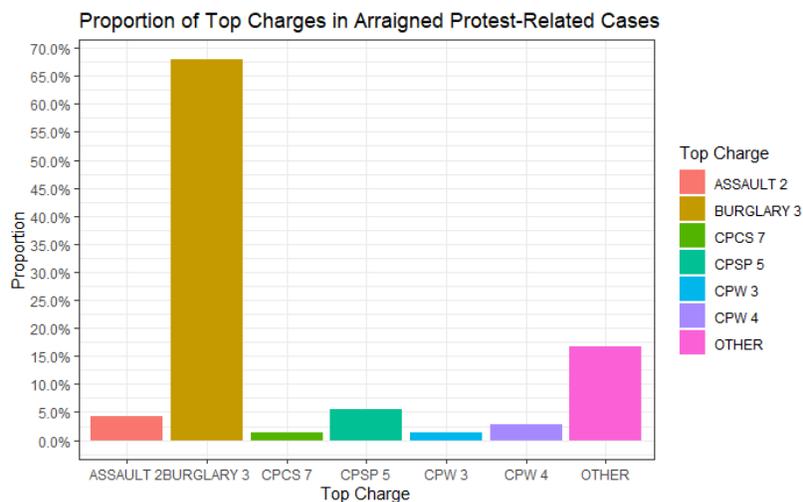
## Protest-Related Arraignment Data

From the week of May 29 - June 6, 2020 NYCDS represented 72 people in protest-related cases<sup>1</sup> in arraignments. These do not represent all of the people arrested for protest-related offenses in New York City, only the cases that our office picked up during that week in Manhattan Criminal Court. Protest-related cases made up 50 percent of all people NYCDS represented in arraignments that week.

### *What Kinds of Charges Did People Face in Protest-Related Cases?*

Headlines across the country referred to widespread “looting” of stores. Yet only four out of the 72 people we represented in protest-related cases were charged with criminal possession of stolen property in the 5<sup>th</sup> degree (CPSP 5). Two people were accused of unlawfully possessing merchandise from stores and the other two were accused of riding citibikes without paying for them after curfew went into effect. CPSP5 arrests made up only 6 percent of protest-related cases.

The vast majority of people were charged with burglary in the third degree, a class D Felony. A person is guilty of burglary in the third degree when “he knowingly enters or remains unlawfully in a building with intent to commit a crime therein.”<sup>2</sup> Burglary in the third degree is, in essence, trespass. The other protest-related charges our clients incurred are felony assault 2 (assault on a police officer), criminal possession of a controlled substance in the 7<sup>th</sup> degree (CPCS 7), criminal possession of stolen property in the 5<sup>th</sup> degree (CPSP 5), or criminal possession of a weapon in the 3<sup>rd</sup> or 4<sup>th</sup> degree.

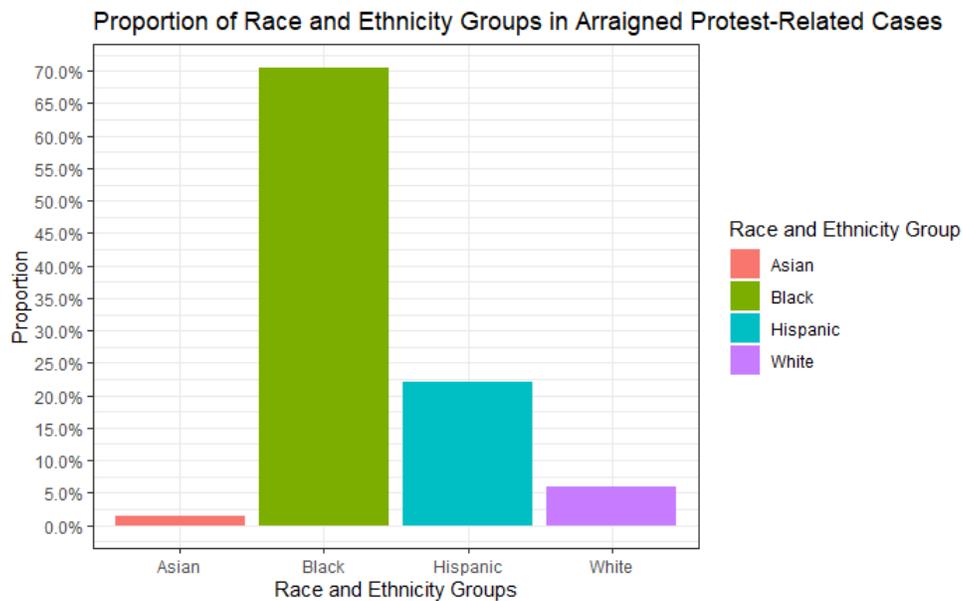
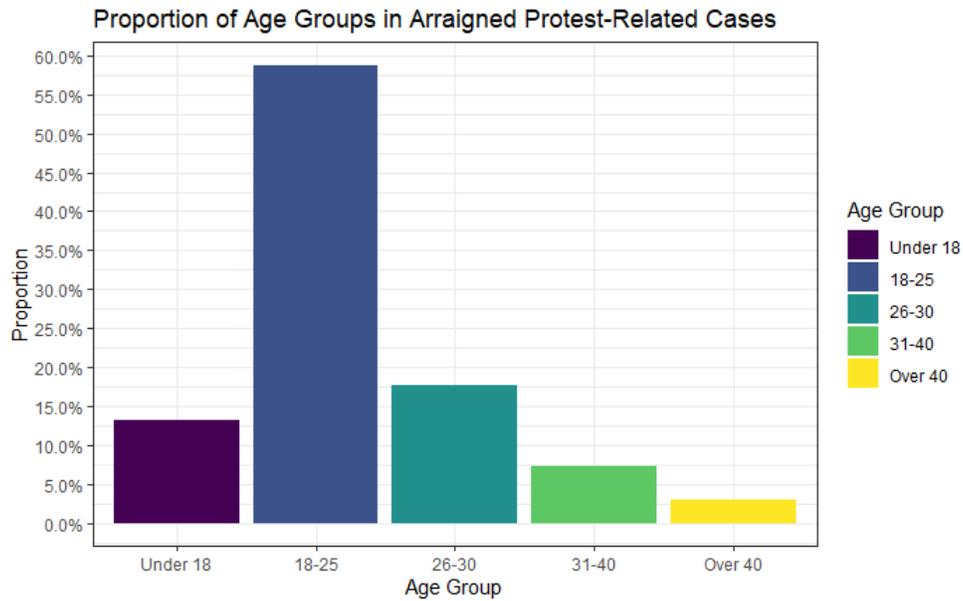


<sup>1</sup> We define “protest-related cases” as people who were arrested in relation to the George Floyd protests, including people alleged to have committed property crimes after curfew went into effect.

<sup>2</sup> NYS Penal Law §1402.0.

### *Demographic Data for NYCDS Protest-Related Arrests*

Our data overwhelmingly supports what our trial attorneys saw in arraignments – the vast majority of people charged in protest-arrested cases were youth of color.



*Last updated 6/16/2020*