

**NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICES
2011 REPORT ON ENVIRONMENTAL CONSERVATION LAW
HAZARDOUS WASTE AND WASTE DISPOSAL OFFENSES**

Executive Law §837 and §837-a requires the Division of Criminal Justice Services to report on the number of persons charged with offenses violating Articles 27, 37 and 40, and Titles 27 and 37 of Article 71 of the Environmental Conservation Law (ECL) regarding hazardous waste and waste disposal. These laws concern the collection, treatment and disposal of refuse or other solid waste and the regulation of substances characterized as hazardous or acutely hazardous to the public health, safety or to the environment.

Table 1 provides information about the numbers of persons arrested for ECL offenses from 2007 to 2011. The arrest counts are derived from information about fingerprintable adult arrests transmitted by law enforcement agencies to the DCJS Computerized Criminal History (CCH) system and are based on the most serious charge in the arrest event. Because CCH is a fingerprint-based database, prosecutions of corporations or other entities are not identified.

**Table 1
Arrests for ECL Hazardous Waste and Waste Disposal Offenses
2007 TO 2011**

	2007		2008		2009		2010		2011		Total	
	Felony	Misd										
NEW YORK STATE	0	2	8	11	5	2	5	3	0	0	18	18
NEW YORK CITY	0	0	3	0	0	0	0	0	0	0	3	0
REST OF STATE	0	2	5	11	5	2	5	3	0	0	15	18

Source: DCJS, Computerized Criminal History system (as of 05/21/2012).

Tables 2 through 4 provide information about the dispositions of arrests for these offenses. Statewide and regional summaries are displayed according to the year in which the final disposition occurred, regardless of when the arrest actually occurred. For example, a 2008 arrest which resulted in a conviction in 2009 is displayed in the 2009 column.

TABLE 2
New York State
Disposition of ECL Arrests for Hazardouse Waste and Waste Disposal Offenses
2007 to 2011

		2007	2008	2009	2010	2011	TOTAL
Felony	TOTAL DISPOSITIONS	5	1	6	8	1	21
	Convicted-Sentenced	5	1	5	7	1	19
	Convicted-Sentence Pending	0	0	0	1	0	1
	Dismissed-ACD	0	0	0	0	0	0
	Dismissed-Other	0	0	1	0	0	1
	TOTAL SENTENCES	5	1	5	7	1	19
	Felonies	1	0	3	1	1	6
	Misdemeanors	4	0	2	5	0	11
	Non-Criminal Offenses	0	1	0	1	0	2
	TOTAL SENTENCES	5	1	5	7	1	19
	Jail	1	0	0	0	0	1
	Jail+Probation	0	0	0	1	0	1
	Probation	0	0	3	1	1	5
	Fine	2	1	0	4	0	7
	Cond Discharge	2	0	2	1	0	5
Misd	TOTAL DISPOSITIONS	1	2	1	2	3	9
	Convicted-Sentenced	1	0	1	1	1	4
	Convicted-Sentence Pending	0	0	0	0	0	0
	Dismissed-ACD	0	0	0	0	1	1
	Dismissed-Other	0	2	0	1	1	4
	TOTAL SENTENCES	1	0	1	1	1	4
	Felonies	0	0	0	0	0	0
	Misdemeanors	0	0	0	0	1	1
	Non-Criminal Offenses	1	0	1	1	0	3
	TOTAL SENTENCES	1	0	1	1	1	4
	Jail	1	0	0	0	0	1
	Jail+Probation	0	0	0	0	0	0
	Probation	0	0	0	0	0	0
	Fine	0	0	1	1	1	3
	Cond Discharge	0	0	0	0	0	0

Source: Computerized Criminal History system (as of 05/21/2012).

Includes convictions to felonies, misdemeanors and non-criminal offenses such as violations and infractions

Regional designation based on location of the disposition court.

TABLE 3
New York City
Disposition of ECL Arrests for Hazardouse Waste and Waste Disposal Offenses
2007 to 2011

		2007	2008	2009	2010	2011	TOTAL
Felony	TOTAL DISPOSITIONS	0	1	2	0	0	3
	Convicted-Sentenced	0	1	2	0	0	3
	Convicted-Sentence Pending	0	0	0	0	0	0
	Dismissed-ACD	0	0	0	0	0	0
	Dismissed-Other	0	0	0	0	0	0
	TOTAL SENTENCES	0	1	2	0	0	3
	Felonies	0	0	0	0	0	0
	Misdemeanors	0	0	2	0	0	2
	Non-Criminal Offenses	0	1	0	0	0	1
	TOTAL SENTENCES	0	1	2	0	0	3
	Jail	0	0	0	0	0	0
	Jail+Probation	0	0	0	0	0	0
	Probation	0	0	0	0	0	0
	Fine	0	1	0	0	0	1
	Cond Discharge	0	0	2	0	0	2
Misd	TOTAL DISPOSITIONS	0	0	0	0	0	0
	Convicted-Sentenced	0	0	0	0	0	0
	Convicted-Sentence Pending	0	0	0	0	0	0
	Dismissed-ACD	0	0	0	0	0	0
	Dismissed-Other	0	0	0	0	0	0
	TOTAL SENTENCES	0	0	0	0	0	0
	Felonies	0	0	0	0	0	0
	Misdemeanors	0	0	0	0	0	0
	Non-Criminal Offenses	0	0	0	0	0	0
	TOTAL SENTENCES	0	0	0	0	0	0
	Jail	0	0	0	0	0	0
	Jail+Probation	0	0	0	0	0	0
	Probation	0	0	0	0	0	0
	Fine	0	0	0	0	0	0
	Cond Discharge	0	0	0	0	0	0

Source: Computerized Criminal History system (as of 05/21/2012).

Includes convictions to felonies, misdemeanors and non-criminal offenses such as violations and infractions

Regional designation based on location of the disposition court.

TABLE 4
Rest of State
Disposition of ECL Arrests for Hazardouse Waste and Waste Disposal Offenses
2007 to 2011

		2007	2008	2009	2010	2011	TOTAL
Felony	TOTAL DISPOSITIONS	5	0	4	8	1	18
	Convicted-Sentenced	5	0	3	7	1	16
	Convicted-Sentence Pending	0	0	0	1	0	1
	Dismissed-ACD	0	0	0	0	0	0
	Dismissed-Other	0	0	1	0	0	1
	TOTAL SENTENCES	5	0	3	7	1	16
	Felonies	1	0	3	1	1	6
	Misdemeanors	4	0	0	5	0	9
	Non-Criminal Offenses	0	0	0	1	0	1
	TOTAL SENTENCES	5	0	3	7	1	16
	Jail	1	0	0	0	0	1
	Jail+Probation	0	0	0	1	0	1
	Probation	0	0	3	1	1	5
	Fine	2	0	0	4	0	6
	Cond Discharge	2	0	0	1	0	3
Misd	TOTAL DISPOSITIONS	1	2	1	2	3	9
	Convicted-Sentenced	1	0	1	1	1	4
	Convicted-Sentence Pending	0	0	0	0	0	0
	Dismissed-ACD	0	0	0	0	1	1
	Dismissed-Other	0	2	0	1	1	4
	TOTAL SENTENCES	1	0	1	1	1	4
	Felonies	0	0	0	0	0	0
	Misdemeanors	0	0	0	0	1	1
	Non-Criminal Offenses	1	0	1	1	0	3
	TOTAL SENTENCES	1	0	1	1	1	4
	Jail	1	0	0	0	0	1
	Jail+Probation	0	0	0	0	0	0
	Probation	0	0	0	0	0	0
	Fine	0	0	1	1	1	3
	Cond Discharge	0	0	0	0	0	0

Source: Computerized Criminal History system (as of 05/21/2012).

Includes convictions to felonies, misdemeanors and non-criminal offenses such as violations and infractions

Regional designation based on location of the disposition court.