

## **Department of Correction 2020 Annual Report on The City's Bail Expedition Program (BEX)**

*This report provides information regarding the implementation and expansion of the BEX program, which is operated in partnership with the Criminal Justice Agency (CJA) and the New York City Department of Correction (DOC or Department). The program is overseen by the Mayor's Office of Criminal Justice (MOCJ).*

*The below report on this program is being provided pursuant to New York City Administrative Code §9-149 (LL 124 of 2017).*

### 1. The locations in which the department has implemented the provisions of this section;

The Department and CJA have implemented the BEX hold program in the courthouses in Manhattan, Brooklyn, the Bronx, and Queens.

### 2. In such locations, the number of inmates whose admission to a housing facility was delayed pursuant to this section;

For the time period of June 2019 to May 2020, 271 defendants were held on BEX holds and were not released from court, meaning that they were admitted to a DOC housing facility later than they would have been admitted if they had not had a bail hold set.

### 3. The number and percentage of such inmates who posted bail during such delay and the number and percentage of such inmates who posted bail during the two calendar days following such inmates' arraignment;

For the time period of June 2019 to May 2020, a total of 680 defendants had BEX holds set at court. Of those:

- 409 (60%) were released from court during the hold
- 193 (28%) were released during the two calendar days following arraignment

### 4. The number of inmates whose admission to a housing facility was delayed and who required medical treatment during such period of delay.

Pursuant to subdivision b of section 9-149 of the NYC Administrative Code, a BEX hold (delay in admission to housing facility) is not permissible for any individual who requests medical attention or appears to require immediate medical attention. Therefore, any individual who requires medical treatment while awaiting admission to a housing facility is not participating in the BEX program.

The Department does not provide medical treatment or make medical assessments of those who are within our custody; rather, we rely on our health partners at Correctional Health Services (CHS) for this service. CHS does not have a presence at arraignment courts, therefore individuals in need of immediate medical treatment as a New Admission at Queens, Bronx and Richmond Court Commands would be transported to the nearest hospital via EMS. Between July 1st, 2019 and June 18, 2020, a total

of four (4) new admission individuals were sent from court to a hospital while in DOC's custody: three (3) from the Queens Court and one (1) from the Bronx Court.

At Manhattan Court Command, individuals in need of medical attention receive treatment at the MDC Clinic due to its close proximity to the Court, and subsequently begin the New Admission process. There was one (1) instance during the given timeframe where an individual at Manhattan Court Command required medical attention, and MDC Clinic staff reported to the Manhattan Court Command to evaluate the individual. The individual was transported to the hospital via EMS.

At Brooklyn Court Command, since BKDC was not a New Admission housing facility during the given timeframe, individuals in need of medical attention would have been transported to the nearest hospital via EMS. There were zero (0) instances of this occurring during the given timeframe.