

Department of Correction 2019 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 July 2018 to May 2019, there were 532 defendants across all locations held on a BEX hold 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 July 2018 to May 2019, there were a total of 1,676 defendants subject to BEX holds set at court. Of the total:

- 1,046 (62%) were released from court during the hold
- 328 (20%) 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.

The Department does not provide medical treatment to or make medical assessments of individuals in 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 would be transported to the nearest hospital via EMS if necessary.

Between July 1st, 2018 and June 24, 2019, a total of five (5) individuals were sent from court to a hospital while in DOC's custody: four (4) from the Queens Court and one (1) from the Bronx Court. Pursuant to subdivision b of section 9-149 of the NYC Administrative Code, a BEX program admission delay is not permissible for any individual who requests medical attention or appears to require immediate medical attention, therefore these individuals were not participating in the BEX program.