

## **Department of Correction 2021 Annual Report on The City's CY2020 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.

Please note that from June 2020 - October 2020 CJA suspended BEX services as they were not present in Central Booking until September 28, 2020.

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

For the time period of October 2020 to May 2021, 185 defendants were held on BEX holds and were not released from court. Therefore, they were admitted to a DOC housing facility later than they would have been admitted if they had not had a bail hold set, thus providing an opportunity for their bail to be paid prior to transport to a DOC facility.

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

- 104 of the 185 defendants (56.2%) were released at arraignment during the hold
- 131 of the 185 defendants (70.8%) posted bail during the two calendar days following arraignment

### 4. The number of persons 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 would be transported to the nearest hospital via EMS. Between July 2020 and June 2021, a total of four (4) new admission individuals were sent from court to a hospital while in DOC's custody: one (1) from the Manhattan Court Command, one (1) from the Queens Court Command, and two (2) from the Bronx Court Command.

At Brooklyn Court Command, there were zero (0) instances of new admission individuals requiring medial attention occurring during the given timeframe.