



Legislation Text

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Int. No. 1561-A

By Council Members Crowley, Lancman, Dromm, Cohen and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to facilitate the posting of bail or bond

Be it enacted by the Council as follows:

Section 1. Chapter 1 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-150 to read as follows:

§ 9-150 Bail facilitation.

Definitions. As used in this section, the following terms have the following meanings:

Bail facilitator. The term “bail facilitator” means a person or persons whose duties include explaining to eligible inmates how to post bail or bond, explaining the fees that may be collected by bail bonds companies, taking reasonable steps to communicate directly with or facilitate inmate communication with possible sureties, and taking any other reasonable measures to assist inmates in posting bail or bond.

Eligible inmate. The term “eligible inmate” means a person in the custody of the department held only on bail or bond.

a. Within 24 hours of taking custody of an eligible inmate, the department shall provide to such inmate the following information in written form: (i) the inmate’s amount of bail or bond, (ii) the inmate’s New York state identification number or booking and case number or other unique identifying number, (iii) options for all forms of bail payment and all steps required for such payment, including the locations at which a surety may post bail and the requirements for so posting, and (iv) any other information relevant to assisting the inmate in posting bail or bond.

b. Within 24 hours of taking custody of eligible inmates, the department shall notify such inmates that they may post their own bail. Within such time period, the department shall, to the extent practicable and in a manner consistent with officer safety and all applicable laws, offer such inmates the opportunity to obtain property, including personal contact information and financial resources, that such inmates may require for the purpose of posting bail and which is stored in such inmate's personal property, provided that any member of the department who accesses such inmate's property pursuant to this subdivision shall request access only for the purpose of facilitating posting bail.

c. The department shall ensure that bail facilitators meet with all eligible inmates within 48 hours of their admission to the custody of the department, that eligible inmates have continued access to bail facilitators, and that bail facilitators are provided with reasonable resources necessary to fulfill their duties.

§ 2. This local law takes effect 180 days after it becomes law.

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