

# NEW YORK STATE BAIL CHART

In New York State, a judge can choose from nine distinct forms of bail to make sure a person comes back to court after they have been charged with a crime. This chart describes all nine forms of bail in New York. The two forms of bail that judges in New York select most often are “cash bail” and “insurance company bond.”

TYPE	WHO PAYS?	WHERE CAN I PAY?	HOW DOES IT WORK?	RELEVANT DETAILS
<b>CASH BAIL</b>	Anyone, including the defendant	At the courthouse or at any DOC facility, regardless of where the defendant is being held	<p><b>If the defendant is still being held at the courthouse</b>, the full bail amount may be paid in cash only at the cashier’s window in the courthouse.</p> <p><b>If the defendant has been moved to a jail facility</b>, the full bail amount may be paid at any of the four DOC facilities, regardless of where the defendant is being housed. The methods of payment can be combined, and include: cash, cashier’s check, money order, and credit or debit card.</p>	<p><b>If the defendant is being held at a DOC facility</b>, money can be directly deposited into their prison account so that they can pay the bail amount themselves.</p> <p><b>If payment is made through a credit or debit card</b>, there will be an additional 8% processing fee.</p> <p><b>If the defendant pleads guilty or is found guilty</b>, a 3% fee will be deducted from the bail payment before it is returned at the end of the case.</p>
<b>INSURANCE COMPANY BOND</b>	The bondsman/bond company	At the bondsman’s place of business or other location that they identify	The bondsman agrees to cover the cost of the bond set by the judge in exchange for (1) a non-refundable fee (“premium”), and (2) cash or property that can be of any amount (“collateral”), but has to be returned at the end of the case so long as the defendant makes their court dates.	<p>The amount of the non-refundable fee depends on the bond amount: (1) 10% for a bond of \$3K or less, OR (2) for a bond greater than \$3K, then 10% for the first \$3K, 8% for the amount between \$3K &amp; \$10K, and 6% for the amount greater than \$10K.</p> <p>The bond must be reviewed and approved by a judge.</p> <p>The bondsman may impose additional conditions, like weekly reporting, and may charge fees and penalties for various services or missed appointments, respectively.</p>

TYPE	WHO PAYS?	WHERE CAN I PAY?	HOW DOES IT WORK?	RELEVANT DETAILS
<b>SECURED SURETY BOND</b>	The family and friends of the defendant, or family and friends <i>in addition to</i> the defendant	At the courthouse	Supply the court with (1) personal property that is equal to or greater than the bond amount—OR (2) real property worth at least twice the amount of the bond.	Personal property could include a car, jewelry, stocks, etc.  Real property is usually the deed to a home.
<b>SECURED APPEARANCE BOND</b>	Only the defendant	At the courthouse	Supply the court with (1) personal property that is equal to or greater than the bond amount—OR (2) real property worth at least twice the amount of the bond.	Personal property could include a car, jewelry, stocks, etc.  Real property is usually the deed to a home.
<b>PARTIALLY SECURED SURETY BOND</b>	The family and friends of the defendant, or family and friends <i>in addition to</i> the defendant	At the courthouse	A percentage of the total bond amount must be paid in cash, but the amount deposited cannot exceed 10% of the total bond amount.	N/A
<b>PARTIALLY SECURED APPEARANCE BOND</b>	Only the defendant	At the courthouse	A percentage of the total bond amount must be paid in cash, but the amount deposited cannot exceed 10% of the total bond amount.	N/A
<b>UNSECURED SURETY BOND</b>	The family and friends of the defendant, or family and friends <i>in addition to</i> the defendant	At the courthouse	A legal agreement is entered into with the court. The people signing agree to pay the full bond amount if the defendant does not come to future court dates.	No cash payment or property has to be given to the court at the time the agreement is signed.
<b>UNSECURED APPEARANCE BOND</b>	Only the defendant	At the courthouse	A legal agreement is entered into with the court. The defendant agrees to pay the full bond amount if they fail to come to future court dates.	No cash payment or property has to be given to the court at the time the agreement is signed.
<b>CREDIT CARD</b>	Anyone, including the defendant	At the courthouse	The entirety of the bail may be paid via credit card, <i>but only if the judge explicitly allows this bail payment option.</i>	This option is unavailable if bail is set at more than \$2500.  Credit card bail can only be paid at courthouses that are set up to accept payment in this form.  This option requires that the defendant be at the courthouse when payment is made.  <b>If the defendant pleads guilty or is found guilty</b> , a 3% fee will be deducted from the credit card payment before it is returned at the end of the case.

Laws relating to bail in New York can be found in the NY Criminal Procedure Law, §§ 500-540, which took effect on September 1, 1971.