

BAIL-ELIGIBLE OFFENSES UNDER NEW YORK'S NEW BAIL LAWS

Aggravated assault upon a police officer or a peace officer - B violent felony, PL 120.11
Aggravated criminal contempt - D felony, PL 215.52
Aggravated Criminal Possession of a Weapon - C violent felony, PL 265.19
Aggravated criminally negligent homicide - C violent, PL 125.11
Aggravated Enterprise Corruption - A-I felony, PL 460.22
Aggravated manslaughter 1 - B violent felony, PL 125.22
Aggravated manslaughter 2 - C violent felony, PL 125.21
Aggravated murder - A-1 felony, 125.26
Aggravated sexual abuse 1 - B violent felony, 130.70
Aggravated sexual abuse 2 - C violent felony, 130.67
Aggravated sexual abuse 3 - D violent felony, 130.66
Aggravated sexual abuse 4 - E violent felony, 130.65-a
Aggravated unpermitted use of indoor pyrotechnics 1- D violent felony, 405.18
Arson 1 - A-1 felony, 150.20
Arson 2 - B violent felony, 150.15
Assault 1 - B violent felony, 120.10
Assault 2 - D violent felony, 120.05
Assault on a Judge - C violent felony, 120.09
Assault on a peace officer, police officer, fireman or emergency medical services professional - C violent felony, 120.08
Attempt of Class A-I of: A-I felony, 110.05, Murder-1, Aggravated Murder, Criminal Possession of a Chemical or Biological Weapon-1, Criminal Use of a Chemical or Biological Weapon-1
Attempt of Class A-I of: B violent felony, 70.02, Murder-2, Kidnapping-1, Arson-1
Attempt of a class A-II Felony A-II felony 110.05
Attempt of a class B Violent Felony C violent 70.02
Attempt of a class C Violent Felony D violent 70.02 110.05
Attempt of a class D Violent Felony of: E violent 70.02
Cr. Possession of a Weapon-3 per, PL 265.02(5),(6),(7),(8) as a lesser included offense
Burglary 1, B violent felony, 140.30
Burglary 2, C violent felony, 140.25
Conspiracy 1, A-I felony, 105.17
Course of sexual conduct against a child 1, B violent felony, 130.75
Course of sexual conduct against a child 2, D violent felony, 130.80
Crime of terrorism, *See* PL 490.25(2), 490.25
Criminal contempt 1, E felony, 215.51
Criminal possession of a chemical weapon or biological weapon 1, A-I felony, 490.45
Criminal possession of a chemical weapon or biological weapon 2, B violent felony, 490.40
Criminal possession of a chemical weapon or biological weapon 3, C violent felony, 490.37
Criminal possession of a weapon 1, B violent, 265.04
Criminal possession of a weapon 2, C violent, 265.03
Criminal possession of a weapon 3, D violent, 265.02(5), (6), (7), (8), (9), (10)
Criminal sale of a firearm 1, B violent felony, 265.13
Criminal sale of a firearm 2, C violent felony, 265.12
Criminal sale of a firearm 3, D violent felony, 265.11
Criminal sale of a firearm with the aid of a minor, C violent felony, 265.14
Criminal sexual act 1, B violent, 130.50
Criminal sexual act 2, D violent, 130.45
Criminal use of a chemical weapon or biological weapon 1 A-I felony, 490.55
Criminal use of a chemical weapon or biological weapon 2 A-II felony, 490.50
Criminal use of a chemical weapon or biological weapon 3 B violent felony, 490.47
Criminal use of a firearm 1 B violent felony, 265.09

Criminal use of a firearm 2 C violent felony, 265.08
Facilitating a sex offense with a controlled substance D violent felony, 130.90
Falsely reporting an incident 1 D violent felony, 240.60
Falsely reporting an incident 2 E violent felony, 240.55
Gang assault 1 B violent felony, 120.07
Gang assault 2 C violent felony, 120.06
Hate Crime *See* PL 485.10, 485.05
Hindering prosecution of terrorism 1 B violent felony, 490.35
Hindering prosecution of terrorism 2 C violent felony, 490.30
Incest 1 B violent felony, 255.27
Intimidating a victim or witness 1 B violent felony, 215.17
Intimidating a victim or witness 2 D victim felony, 215.16
Kidnapping 1 A-I felony, 135.25
Kidnapping 2 B violent felony, 135.20
Manslaughter 1 B violent felony, 125.20
Murder 1 A-I felony, 125.27
Murder 2 A-I felony, 125.25
Operating as a Major Trafficker A-1 felony, 220.77
Persistent sexual abuse E violent felony, 130.53
Predatory sexual assault A-II felony, 130.95
Predatory sexual assault against a child A-II felony, 130.96
Rape 1 B violent felony, 130.35
Rape 2 D violent felony, 130.30
Reckless assault of a child D violent felony, 120.02
Robbery 1 B violent felony, 160.15
Robbery 2 C violent felony, 160.10
Sex trafficking B felony, 230.34
Sexual abuse 1 D violent felony, 130.65
Sexually motivated felony *See* PL 130.92 130.91
Soliciting or providing support for an act of terrorism 1 C violent felony, 490.15
Soliciting or providing support for an act of terrorism 2 D violent felony, 490.10
Stalking 1 D violent felony, 120.60
Strangulation 1 C violent felony, 121.13
Strangulation 2 D violent felony, 121.12

NON-VIOLENT FELONIES:

B non-violent: Witness Tampering, PL §215.13, Facilitating Sexual Performance by a Child with a Controlled Substance or Alcohol, PL §263.30, Sexually Motivated Promoting Prostitution, §130.91/230.32, Sexually Motivated Compelling Prostitution §130.91/230.33, Aggravated Patronizing a Minor for Prostitution 2, PL §230.13, Conspiracy 2° (to commit homicide), PL §105.15, Money Laundering in Support of Terrorism 1°, §470.24

C non-violent: Use of a Child in a Sexual Performance, PL §263.05, Sexually motivated Manslaughter 2°, PL §§130.91/125.15, Sexually Motivated Robbery 3°, PL §§130.91/160.09, Sexually Motivated Promoting Prostitution 2°, §130.91/230.31, Sexually Motivated Use of a Child in a Sexual Performance, PL §§130.91/263.05, Money Laundering in Support of Terrorism 2°, §470.23

D non-violent: Witness Tampering, PL §215.12, Patronizing a person for prostitution 1°, PL §230.06, Incest 2°, PL §255.26, Aggravated Criminal Contempt, PL §215.51 (only if case is DV), Luring a Child, PL §120.70(1), Sexually Motivated Stalking 1°, PL §§130.91/120.60 (note that subdiv.1 which is violent), Sexually Motivated Burglary 3°, PL §§130.9/140.20, Sexually Motivated Robbery 3°, PL §§130.91/160.10, Sexually Motivated

Disseminating Indecent Material to Minors 1°, PL §§130.91/235.22, Sexually Motivated Promoting an Obscene Sexual Performance by a Child, PL §§130.91/263.15, Sexually Motivated Promoting a Sexual Performance by a Child, PL §§130.91/263.15

E non-violent: Witness intimidation, PL §215.15 (E felony), Criminal Contempt 1°, PL §215.51 (b)(c) or (d) (if case is DV), Rape 3°, PL §130.25, Patronizing a Person for Prostitution 2°, PL §230.05, Aggravated Patronizing a Minor for Prostitution 3°, PL §230.11, Incest 3°, PL §255.25

MISDEMEANOR SEX OFFENSES: Sexual Misconduct, PL §130.20 (A misdemeanor), Forcible Touching, PL §130.52, Sexual Abuse 3, PL §130.55(B misdemeanor), Sexual Abuse 2, PL §130.60 (A misdemeanor)

OTHER MISDEMEANOR OFFENSES: Criminal Contempt 2°, PL §215.50(3) – if DV