

Richard Woodward
HB 5835

Dear Committee Members;

I am here to respond to the proposed restructuring of the current bail bond laws. I would first like to point out that we were not notified of this meeting until this past Saturday and have had very little time to prepare a response.

I would like to point out several factors that will come into play if the current bill is passed. The first prevailing issue I would like to speak of is involving the Ct. State Police, specifically the Dept. of Public Safety in the bail bonds business. This would cause several problems. First and foremost the backlog of licenses, renewals and any investigation would be a significant issue sure to cause duress to anyone involved with the bail bonds industry. I have several personal instances that confirms this. At this time the State Police is in a state of turmoil related to discrimination within their ranks, death threats amongst members of their ranks and a very looming issue of them not being able to police and manage themselves, specifically refusal of their internal affairs unit to police themselves. With this said how can they possibly take on more responsibilities? I don't think they can! They certainly cannot take on these additional responsibilities without adding additional personnel which would in turn further burden tax payers. The current system of having the Dept. of Insurance handle these responsibilities makes sense and works. The old saying if it's not broke don't fix it absolutely applies here. I point out these things with a great degree of apprehension, due to the I fear I will suffer some sort of reprisal from the Department of Public safety, as they oversee the part of my business that I am responsible for, which is Bail Enforcement. This may seem a little paranoid but it is a reality.

Another very large issue is the doing away with payment plans and forwarding any bond fee to the issuing insurance company. This would place an unfair burden on the Insurance company and the Department of Insurance. It would force the issuing insurance company to hire more personnel or discontinue business with said bail bonds company. This is unfair to both sides, especially to the bail bonds company who has had to have a clean history with the insurance company regarding claims. By doing so they are able to negotiate a lower rate for purchasing their bonds. In the event an insurance company drops the bail bonds company due to increased cost of doing business with them, then the bail bonds company would have to find a new insurance company to do business with, if they could, and then have to start out a higher rate than they had worked hard to

earn. Another key issue that has been stems from this proposal is that payment plans will be done away with. This proposal will greatly affect the ability of inner city low income families to bond out a much needed family member. In my estimation sixty to seventy percent of bonds executed are based on payment plans taken on by the defendants families. It also increases the probability that individuals will not make bond and remain incarcerated ,further burdening the corrections system. As it stands in current urban environments, key father figures are badly needed in the family dynamic, this only aids to the corrosive nature of this current dilemma and does not help anyone in the long run. This also denies potentially innocent individuals who shouldn't be subject to the tedious and uncomfortable process of the judicial system, mainly incarceration. As of late out of necessity we created two new positions for people who were unemployed and collecting unemployment. These positions were created to handle the payment agreements and collect on expenses related to the apprehension of absconders, by creating these positions we have relieved tax payer burden on the state. As it stands the bonds business is highly competitive and changes and adjustments are needed on a constant basis. Bonds companies who are currently in favor of the proposed changes are neither able nor willing to make the changes necessary to adapt to the ever changing market place and have initiated or are only in favor of the proposed changes as a means of staying afloat. Our position is to leave current laws as is and not discriminate against those who may not have the financial means to make full payments at the time of arrest. This is not Greenwich ct. where anyone arrested has whatever means available to bond out.

Another looming issue related to this section of the bill is that this will cost the state in several ways to include but not limited to, increased man power, overcrowding, housing prisoners out of state, and an unsafe work environment for current Department of Correction Personnel, this would all stem from individuals not being able to bond out. The added expense to taxpayers just related to this issue is mind boggling. Even in the event that this were approved, there would be no time to hire, train, get funding, and implement new ways of handling the large increase of prisoners.

Oppositions to Raise Bill No. 5835.

Attention: Judiciary Committee

Sections Opposed to: 1,2,4,11,32

Sections Opposed to not responded to:
3,6,7,10,13,17,18,25,26,27,28,32,35

Note, any section with wording indicating the transfer of authority to The Department of Public Safety or any transfer of authority to the Attorney Generals office is opposed.

Any section not listed above we are in agreement with.

Section 1.

There are several issues that come to mind while reviewing this change. First and foremost it creates an undue burden to our out of state insurers to hire more employees to handle the new amount of unnecessary red tape and paper work that is created by this proposal.

This proposal would deter any out of state company with doing business with any Connecticut bail bonds company, due to the increased cost. It also forces the state to develop new software, hire new employees and create new positions to handle the new amount of work associated with the huge amount of paperwork that would be generated by this proposal. I interpret the proposal as an attempt to bring undercutting to an immediate end, In my opinion all it does is slow it down . There are several companies that could absolutely afford to pay the difference and be reimbursed fifteen days later. The system we currently have in place works quite well as long as enforcement is in place. As you will see in this section as well as other sections this just forces a significant tax burden on Connecticut taxpayers and further complicates an already complicated system that is not perfect but works quite well.

Section 1. (cont).

Approving this section of the bill, would cause the end of the payment plan process within the state. The ripple affect this would cause would be a true tragedy on all fronts. First it would cause the detention of key family members that are so desperately needed within urban environment. It would also hurt families that depend on these individuals for child care, income and more importantly male father figures that are in short supply, within all of our urban environments.

The impact this alone would have on tax payers should be enough to stop this bill in its tracks. We would immediately need to hire more correction officers, more police officers and court sheriffs to accommodate the new influx of prisoners that would otherwise be bonded out with the payment plan in place. Logistically it makes absolutely no sense . If this section were to be enacted on Oct. 1st. 2008, there is no approval for more funds to hire key personnel, and we would already have had to start the hiring process and anticipated training of these personnel. To ignore or deny these set of facts is pure ignorance.

Section 2.

The proposal for the Department of Public Safety to take over which is a division of the State Police defies logic. At our current time there are several major issues within our State Police ranks including but not limited to, racism, mishandling of internal affairs complaints and such a degree of inefficiency directly relating to the handling of there current responsibilities, that several lawsuits have been filed within the past few months. To ignore the current state of affairs related to the State Police, specifically the Department of Public Safety is only asking for trouble, not exactly what we need in an industry that apparently is already plagued with problems at least according to the submitters of this bill.

Speaking on a more personal note, when I was going through the approval process for my Bail Enforcement License I was forced to call repeatedly after months of inaction from the Department of Public Safety. Ultimately after eight months I was given my license because I asked to file a complaint. Two years later nothing has changed. I have a prospective employee who at the issuance of his license will commence work. He has been turned away from a scheduled interview because a detective went home and no one notified him. His application has been lost and he was forced to resubmit all of the initial paperwork and been stalled for no reason.

It seems that they are undermanned and overworked which leads me to ask the question once again, why give them more responsibilities, and at what expense?

Section 4.

We are only in agreement with this section if along with the suspension of issuance of new Professional bonds licenses, that there will also be no new issuances of Surety Bail Bonds licenses. This is a clear attempt by the smaller bonds companies who once did very little work and made a very good living, to use the state to protect and shield them from working harder than they once did and competing with the larger bonds companies who have more employees, have larger business expenses, pay more taxes and have the man power to cover courts, police departments and correction centers.

Section 11(sec a).

This section based on the current state of affairs within the Department of Public Safety is not realistic at all. The mere suggestion of the dept. of Public safety conducting more investigations than they can already handle is ridiculous. As pointed out in previous sections the State Police already has issues related to timeliness, efficiency, racism and favoritism. As it is they cannot police themselves based on the recent turmoil within there internal affairs unit. **Fact is, that one of their own board members on the Firearms unit within the Dept. of Public Safety filed a lawsuit due to the fact they refused to renew his firearms license due to issues of timeliness and documentation procedures.** This speaks volumes of the current state of affairs within the State Police/Dept. of Public Safety.

Section 11(sec d)

This section steps totally out of the scope of the current insurance industry and is an attempt to exercise total control by one agency. To potentially suspend ones bail enforcement license for an infraction or violation within the parameters of ones Bail Bonds License, makes no sense at all. In addition, suspending ones firearms permit is unconstitutional. It robs an individual of a means to provide for their family in the event of some perceived misstep relating to their bail bonds license. As we speak there are ongoing civil suits related to issuance and

revocation of firearms permits, this is that last thing the Department of Public Safety needs.

Section 32.

In this section it should be the burden of the state to prove, under appeal, that the surety does in fact have to pay a bond that is being protested. Given this, the surety should not have to tie up much needed funds. In the event that an appeal decision is made favoring the state and the surety still does not pay the bond, their license should be suspended until payment is made.