

6354

## Connecticut State Surety Association Testimony in Favor of Raised Bill 6354

My name is Patrick Moynihan, I have been a surety bail bond agent with the Casey Surety Company here in Hartford for over 15 years and a member of the Connecticut State Surety Association during this time as well. I'd like to first thank Commissioner Sullivan and his staff for bringing this legislation forward as well as the Insurance and Real Estate Committee for taking our testimony today. Over the last 15 years our association has met with every Insurance Department Commissioner and requested better regulation of our industry. Each Commissioner has made it clear to us that state statutes did not give the Department the ability to adequately enforce existing statutes and regulations pertaining to surety bail agents. It is a relief to see that Commissioner Sullivan is being pro-active in bringing this legislation forward.

At first, I feel it is important to give the committee a brief history of the bail reform issue. In 2004 the Program Review and Investigation Committee, I believe at the request of the Judiciary Committee Chairmen, performed an in depth investigation into the surety bail industry. This resulted in a scathing report about the lack of regulatory authority and the drafting of House Bill 5404. In 2007, proposed substitute bill # 7391 was drafted followed by raised bill #1104, and in 2008 House bill #5835 was drafted. All of these bail reform measures, except #5835, were defeated with opposition and lobbying efforts of one bail bond company, the principals of which have all since pled guilty to bail bond related federal crimes. This in itself speaks to the need for this bail reform measure.

This legislation will directly and positively impact the public safety of the citizens of Connecticut. Later in my testimony I will illustrate how.

- 1- This premium submission concept is administratively and logistically simple to implement.
- 2- It has **no fiscal impact** on the Insurance Department or the State of Connecticut.
- 3- It brings **100% compliance to existing mandated filed rates** without having to design and fund a system of enforcement.
- 4- It brings integrity and accountability to the surety bail system by implementing the **same** premium submission procedure that exists in **all** other lines of insurance.
- 5- This will protect surety bail agencies (insurers) from being forced to extend insurance coverage without collecting a premium to cover the liability incurred.
- 6- This will ensure the solvency of surety bail agencies and therefore make them capable of fulfilling their bond forfeiture liability to the State of Connecticut.

7- This premium submission structure would still give Bondsmen the discretion to extend valid payment plans when appropriate and necessary.

8- This legislation protects citizens from being ripped of by Surety Bail Agents who illegally over charge indemnitators and/or fail to return collateral.

9- Last, it eliminates the breeding ground for undercutting and rebating, steering by and bribery of court personnel, physical altercations between bail agents, and monopolization of pre-trial release by bail agents willing to violate existing Insurance Department regulations.

Each day in Connecticut, violent, repeat offenders, are released back into the community on illegally discounted bail bonds. There have been numerous instances in recent years of murder and violent crime perpetrated by individuals released on illegally discounted bail bonds.

We ask the legislative leadership to act proactively on this public safety issue and allow bail reform legislation to be put to a vote on the floor of the House and Senate. I hope that we do not find ourselves, a year or two from now, in reactive policy making sessions because of yet another illegally discounted bail related tragedy.

**Defendant: Robert Tagliaferi**

- On October 9, 2007 posted **\$10,000** bond for burglary and larceny.
- On January 25, 2008 Mr. Tagliaferi breaks into the home of a State Legislator. During this break-in he encounters the wife of the Legislator face to face. Mr. Tagliaferi proceeds to post a **\$250,000** bond for this break-in.
- On March 24, 2008 Mr. Tagliaferi posts another **\$35,000** bond for a new burglary and larceny that he committed.
- Mr. Tagliaferi's accomplice in the break-in of the legislator's home posted a **\$95,000** bond in that case. He has since jumped bond, fail to appear, and remains at large.
- Mr. Tagliaferi is now being held on over \$1.6 million dollars in bonds. **Under the existing inadequate statutes there is nothing that could stop any bondsmen from walking into the correctional center this afternoon and posting his bond for no money down and a penny a month payment plan.**

**Total bonds posted: Tagliaferi \$295,000**  
**Podpaly \$95,000**

## **Defendant: Russell Peeler**

- Shot 27 year old Rudolph Snead while he drove 7-year old Leroy Brown Jr. home from the Boys and Girls Club.
- Posted **\$900,000** in total bonds for that shooting, and numerous other charges, for an illegally discounted premium of \$50,000.
- While out on nearly a million dollars in bonds arranged the killing of 7-year old Leroy Brown Jr., Rudolph Snead, and Karen Clarke.
- Rudolph Snead: Shot seven times at point blank range.
- 7- year old Leroy Brown Jr.: Shot in the back of the head while running upstairs with his mother away from their killer.
- Karen Clarke: Shot twice in the back, just steps away from her murdered 7-year old son.

**Total bonds posted \$900,000.**