



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION
OFFICE OF THE COMMISSIONER

March 6, 2012

Rep. Stephen Dargan, Co-Chairman
Sen. Joan Hartley, Co-Chairman
Public Safety and Security Committee
Legislative Office Building
Hartford, CT 06106

**HB 5382 AN ACT CONCERNING PROFESSIONAL BONDSMEN, SURETY BAIL
BOND AGENTS AND BAIL ENFORCEMENT AGENTS**

***The Department of Emergency Services and Public Protection
supports this bill.***

This proposed bill would make changes in the statutes governing the licensing of professional bondsmen and bail enforcement agents. The bill would bring the statutes into conformity with other licensing statutes of the Department of Emergency Services and Public Protection.

Specifically, sections 1 and 3 would require bail enforcement agents and professional bondsmen to be a minimum age of 21 and have a high school diploma. Sections 2 and 4 would allow revocation of license of bail enforcement agents or professional bondsmen if licensee is subject to a restraining order or protective order involving use or threatened use of physical force against another person and allow Commissioner to approve badges for bail enforcement agents. Section 5 would require any badges worn by bail enforcement agents to be approved. Sections 6, 7, and 8 make additions to the bail enforcement agent licensing and special permit to carry firearm application process that would mandate annual firearms refresher training for armed bail enforcement agents, professional bondsmen and surety bail bond agents. The proposal would also require DESPP approval of instructors and allow for the suspension or revocation of such approval for cause.

These regulatory changes in HB 5382 will bring all permits and licenses issued by the Special Licensing and Firearms Unit of the Department of Emergency Services and

Rep. Stephen Dargan, Co-Chairman
Sen. Joan Hartley, Co-Chairman
HB 5382
March 6, 2012
Page 2

Public Protection into conformity, so that the requirements for permit issuance and revocation are the same across the board. These changes are good public policy for the following reasons:

It is appropriate to require Bondsmen and Bail Enforcement Agents to provide proof of completion of high school or equivalency, as they must be able to interpret bond contracts between them and the arrestee. They also have to be able to advise their clients on terms of release and court appearance details as well as implications of the failure to appear. In addition, these professionals must be able to interpret statutes, so that they do not violate any laws or individual personal rights.

The section providing for suspension or revocation for Professional Bondsmen, Surety Bail Bond Agents and Bail Enforcement Agents if the subject of a protective order or restraining order involving the use or threatened use of physical force against another person is based on the fact that persons with a propensity for violence may violate state statutes, commit crimes or violate civil rights when attempting to apprehend absconders.

The wearing, carrying or display of a badge would normally signify to the public, that the bearer is some type of professional, commanding some authority and that they are lawfully performing their duties. The type of badge should be reviewed so that it does not appear to purport to be police or law enforcement in nature. It is important to prevent the use of badges designed to look like licensee is an officer of the State of Connecticut.

The bill would also require those individuals authorized to carry firearms to complete an annual firearms safety refresher course. All police officers in Connecticut as well as armed security guards are all required to have annual firearms training. The Commissioner would also request the right to review such annual courses, for content, number of hours, etc. It is important that professional bondsmen unable to maintain a level of proficiency should be prohibited from carrying a loaded pistol or firearm while attempting to locate and apprehend absconders, and preventing unnecessary injury or death related to incompetent handling of a firearm.

Sincerely,



Reuben F. Bradford
COMMISSIONER