



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

H.B. NO. 5588: AN ACT CONCERNING BAIL BONDS

JOINT COMMITTEE ON JUDICIARY
March 24, 2014

The Division of Criminal Justice respectfully recommends the Committee's JOINT FAVORABLE SUBSTITUTE REPORT for H.B. No. 5588, An Act Concerning Bail Bonds. The Division specifically speaks in favor of Section 7 of the bill, which deals with the question of who should properly pay the costs of extraditing fugitives who abscond while free on bail.

Section 7 creates a task force to study ways to reduce the costs of extradition and the feasibility of establishing a system under which a professional bondsman, surety bail bond agent or insurer would be responsible for paying the costs of returning to Connecticut a person for whom they posted bond who absconded and became a fugitive. A similar study was approved last year as part of Public Act 13-158, which was vetoed by the Governor for reasons unrelated to the task force. It is our understanding that the Governor's objections have been addressed in this year's legislation.

The Division's intentions with regard to the task force proposed in Section 7 would be to develop a recommendation for a system by which the costs of extradition of fugitives who abscond while free on bail would be shifted from the taxpayers of Connecticut to the bail bondsman or other who wrote the bail bond. Extradition costs to the state, as reflected in the Division's budget, total approximately \$190,000 annually.

When a professional bondsman, surety agent or insurer issues a bail bond, they are in effect extending a guarantee that the person will appear in court. It is the professional bondsman, surety bail agent or bail insurer who should be held financially responsible to assure the appearance of their client – not the taxpayers of this state. If the bondsman, surety agent or insurer makes what basically turns out to be a bad business decision, then he or she should be responsible for the consequences, not the taxpayers.

Given this background, the task force would seem to be the least that should be done. The Division would request that the Committee amend line 238 of H.B. No. 5588 to allow the Chief State's Attorney to appoint a designee to chair the task force. While it is the intention of the Chief State's Attorney to participate to as great an extent as possible in the task force process, we would appreciate the flexibility of allowing for a designee given the many other demands placed on the Chief State's Attorney.

In conclusion, the Division respectfully requests the Committee's JOINT FAVORABLE SUBSTITUTE REPORT for H.B. No. 5588. The Division would be happy to provide any additional information the Committee might require or to answer any questions you might have.