

TESTIMONY OF MARC FORSCHINO, CAPITOL BAIL BONDS, LLC

IN SUPPORT OF:

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

JOINT COMMITTEE ON JUDICIARY

MARCH 24, 2014

Good Morning Senators and Representatives. My name is **Marc Forschino**. I work at Capitol Bail Bonds, LLC located in Hartford, CT. I'm here to **voice my support** for H.B. No. 5588, An Act Concerning Bail Bonds. This bill is essentially the same bill that passed unanimously through the House and Senate last year. The only changes are (1) some technical language changes made by LCO; and (2) Section seeks to extend the time from 15 to 24 months for collecting on a promissory note. This language is similar to that of last year's bill (HB 6689 and P.A. 13-158), which passed the Judiciary Committee 44-0.

As bail bondsmen we serve a crucial role in the criminal justice system, working to help not only assure that people accused of crimes appear in Court, but also lessening the burden on our overcrowded jails and working with law enforcement to help capture and detain those parties who fail to show up to their Court dates. Raised House Bill No. 5588 would serve to lessen some of the stringent requirements that currently face our industry, while at the same time ensuring that we continue to provide a quality service to the residents of this state.

This bill will do the following great things:

Section 1

- Section 1 of the bill deals with the requirement that bail bondsmen must file law suits against our clients who get behind on their payments or do not pay us in full within 15 months. This requirement is extremely onerous on the bail bonds industry because it effectively punishes us when a client doesn't pay, requiring us to incur legal fees and costs, despite the fact that those who cannot pay their bills typically have no assets that we could recoup through a law suit. Further, this law suit is unfair to those folks who needed our services, were put on a payment plan and then subsequently, have fallen on hard times. I have had clients, who at the time they needed to be bonded out had jobs and consistently made consecutive payments for several months. Then they lost their jobs and were unable to make payments. The law requires my company to sue these clients despite the fact I knew that they were out of work had no source of income and no assets. This Section changes the installment contract from 15 months to 24 months to address some of the concerns that I have just noted.

Section 5

- **As the law is written, when a party is out on bond in Connecticut, and they are detained in another state, territory or country, bail bondsmen are released from their obligation if the State declines to extradite the party. However, if the state determines that they want to extradite then the bail bondsmen are still on the bond.** This creates a situation where the state could say that they want to extradite and then drag their feet in actually extraditing causing the bond to be forfeited and the bail bondsmen to be forced to pay on the bond. This is inherently unfair because the party is incarcerated in another state, and the state will have the opportunity to get the accused back in Court when matters are resolved in another state. The persons whereabouts are known, they pose no risk to CT residents and their appearance will occur upon extradition.
- This bill simply requires the Court to vacate a bond forfeiture order and surety bail bond agents and insurers who posted a bond for the accused if the accused is held by a federal agency or is removed by ICE. The Division of Criminal Justice provided this language to us and we approved of it last year.

Section 7

- **The Task Force in this section was part of last years Public Act 13-158. We look forward to working with the Division of Criminal Justice and all other affected interests to examine the issues of reducing the costs to the state associated with extradition.**

Thank you for your time. I am happy to answer any questions that you might have.

**Marc Forschino
Capitol Bail Bonds, LLC**