

Testimony of Daniel Toner

President: 3-D Bail Bonds, Inc

Vice President: Fugitive Recovery Agency, Inc.

Founding Member and Vice President: Bail Association of Connecticut

Member: Professional Bail Agents of the United States

Chairmen Coleman and Tong, Ranking Member Kissel and Rebimbas and Members of the Judiciary Committee my name is Daniel Toner and I am proud to have been a Bail Agent for nearly 20 years beginning as an entry level Bail Agent to building one of Connecticut's largest and most professional bail operations with "brick and mortar" offices in Hartford and New Britain. We have employed as many as 42, currently employing 25 in Connecticut, most of who are the chief bread winners in their families. Over the years, we have been responsible for as many as 10,000 bonds annually and in my career have returned nearly 11,000 absconding fugitives to the judicial process.

The Bail industry represents more than 1,000 jobs and 73 small businesses in the State.

I am here in **opposition** to Section 28 Raised **SB-18 – AN ACT CONCERNING A SECOND CHANCE SOCIETY** as currently written.

Others in the Connecticut Bail Association will focus their remarks on our Association's overall position regarding Section 28 of SB 18. I however, would like to limit my remarks to the provisions regarding the codification of a 10% cash option as described in section 28.

Specifically, SB 18, as currently written, would codify a 10% cash bail option and prohibit a professional bondsman or surety bail agent from posting a cash bond.

Please consider the following regarding the codification of a 10% cash bail system (I have also attached a chart for your review that illustrates some of the points that follow):

- 10% cash bail is already allowed in our judicial system.
- As proposed, 10% cash bail would be available in all felony cases.
- 10% cash bail seems appealing because the cash is returned to the defendant once he or she appears for their court dates.
- Upon closer examination, cash bail may not be a better alternative to surety bail even though surety bail is not returned to the individual upon court appearance.
- Surety bail is 7% and payment plans are allowed at 35% of the 7% while cash bail is a flat 10%.
- Families and friends who post a 10% cash bail assume all of the financial risk when posting a cash bail. If the defendant fails to appear in court, the entity that posted the cash bail not only forfeits the 10% but is also liable for the entire bail amount.
- Family and friends will have to find the individual they posted cash bail for on their own as bail bonds professionals will have no incentive to do so.
- The public safety will also be negatively affected as those potentially dangerous individuals who benefit from a cash bail can fail to appear and no one will work to find them and bring them back to face court.

While we have heard that 10% cash bond is intended to be an alternative, not a proposal to eliminate the current system of bail – does that really make sense? If it's not cheaper up front for the defendant, if it increases the risk for the person(s) posting the bond, and if it doesn't provide any mechanism to ensure the persons appearance in court – and eliminates hundreds of jobs in Ct – why make the change now?

As you may know, the Sentencing Commission has been charged by the Administration to conduct a comprehensive study of the bail system in Connecticut. That study is already underway and is expected to be completed by January of 2017. Given the potential unintended consequences described above, we would respectfully request that the Committee reject the codification of a 10% cash bond until the Sentencing Commissions completes its work.

Thank you for your consideration and I would be happy to answer any questions you may have.

Bonds posted by Bail Agent Vs. SB-18 Proposal

Bond Amount	\$ 10,000.00	\$ 10,000.00	\$ 25,000.00	\$ 25,000.00	\$ 100,000.00	\$ 100,000.00
Type of Release	Bail Agent	SB-18 Proposal	Bail Agent	SB-18 Proposal	Bail Agent	SB-18 Proposal
Mandatory Fee	\$ 850.00	\$ 1,000.00	\$ 1,900.00	\$ 2,500.00	\$ 7,150	\$ 10,000
Requirement: Minimum Down	\$ 297.50	\$ 1,000.00	\$ 665.00	\$ 2,500.00	\$ 2,502.50	\$ 10,000
Weekly Payment	\$ 8.63	Not Available	\$ 19.29	Not Available	\$ 72.61	Not Available

BAIL BONDS		SB-18 Proposal	
Defendant misses Court:	Bail Enforcement Personnel has 6 Months to locate - No Cost to Taxpayer	State Commence Collection Action of \$10,000 against depositor	
Guranteee:	Backed by Insurance Carrier	State attempts to collect from depositor (potentially indigent families)	

