

Testimony of Andrew Bloom on 7% Bail Option

Good morning your honors,

My name is Andrew Bloom, and for 27 years I have been a Professional Surety Bail Bonds Agent as well as Bail Enforcement Agent. I am an expert in Connecticut Bail. I have been tasked with testifying for the past 16 years on all things "Bail". Appointed to and serving on Legislative Task Forces, I have shared my knowledge and insight with Connecticut's Legislators and Lawmakers helping craft legislation that makes up much of Bail Reform over the past 2 decades. I personally have arrested and/or overseen the return of over 10,000 absconding fugitives to Connecticut's judicial process.

In the annual meeting of Judges in 2019 the changes made to the Practice Book allowed for an automatic reduction of all bonds \$20,000 or less by 90% if posted in full as cash. This has virtually cut the amount of bonds posted by surety in half.

Professional Surety Bail Agents go after those who fail to appear and return them to the court at a rate far better than all other forms of pretrial release as shown in the attached report. While some jurisdictions throughout the country are fighting to eliminate the most effective form of pretrial release, these same jurisdictions are experiencing violence and higher rates of property crime. There are now jurisdictions rolling back their bail reforms in effort to combat this.

I have fastidiously studied the inmate population through numerous state-run websites as well as information obtained through FOIA requests. The numbers do not lie. Comparing the numbers since inception of the automatic 90% cash discount on January 1, 2020, there are 17% more non-white defendants incarcerated in Connecticut. The rate of pretrial incarceration has gone from 27% to 37%. The average bond size of those locked up and those released on Surety has nearly doubled. All this while the overall prison population has dropped 19.4%. We are going the wrong way.

Furthering this discount to 93% would be disastrous. It will eliminate 1000 jobs of Bail Professionals. This goes against the CGS 54-64a **"...but in no event shall a judge prohibit a bond from being posted by surety."**

The practice of undercutting prices is illegal for bail bondsmen. This is undercutting. Allowing the government to collect less for the same product as the public sector should not be on the agenda of this body.

Attached is a report titled "What does it all mean - 10% Bail in Connecticut."

What does it all mean - 10% Bail in Connecticut report

In 2019 Connecticut's Sentencing Commission recommended a Practice Book Rules change to provide accused individuals a 90% discount on their release. This change was voted on and approved in the Judges of Superior Court Annual Meeting on June 13, 2019. The automatic 10% option on bonds \$20,000 and under became effective on January 1, 2020. They have negatively transformed the pretrial outcomes. **The data examination and supporting documentation period is 2019 (and prior) through April 29, 2023 and is obtained from public records on data.ct.gov, portal.ct.gov, Connecticut's Judicial website and Connecticut's Department of Corrections website as well as reports provided through requests utilizing the Freedom of Information Act (FOIA).** The results of the 10% alternative are articulated below.

- Increased pretrial inmate population by 17%
 - Even though overall incarceration decreased by 19.4%
- Increased non-white pretrial inmate population by 20%
 - Increased pretrial incarceration of 11% on black and a 28% on hispanic
- Increased incarceration rate of accused to sentenced by 10%¹
 - Increased accused rate from 27% to 37%
- Number of pretrial inmate population on bonds \$20,000 or less remained consistent
- Number of pretrial inmate population on bonds \$50,000 or less remained consistent
- Increased pretrial inmate population on bonds above \$50,000 by 27%
- Increased average bond size of pretrial inmate population by 70%²
 - Increased from \$272,000 to \$467,000
- Increased average posted surety bond size by 120%³
 - Increased from \$10,353 to \$22,640
- Decreased number of posted surety bonds by 50%

In 2022 failure to appear rates for all forms of pretrial release appear lower than previous years which may be attributed to altered court procedures during the pandemic. At year's end, 43% of those who failed to appear on other forms of pretrial release remained at large compared to only 23.7% of those on Professional Surety.⁴

A change to the practice book allowing for 7% to be posted as a cash option does the following:

- Allows the state to accept a lower rate than that allowed by law for surety bonds creating a potential antitrust situation
- Authorize the State to do something we would lose our license for
- Gives a 93% discount to arrested individuals on bonds under \$50,000
- Allows continued use of cash in place of surety going against CGS 54-64a **"...but in no event shall a judge prohibit a bond from being posted by surety."**
- Defendants will be denied release as surety agents will not survive this change and payment plans are not available from the state making bail into preventative detention as most bonds over \$10,000 use payment plans

¹ Jan 1, 2020 vs May 1, 2023 reports from CT DOC (see appendix e,f)

² 1/20/2020 vs 4/29/23 reports on data.ct.gov (see appendix a,b,c)

³ Data obtained from 10% industry sample

⁴ Data obtained and compiled weekly from jud.ct.gov/crim.htm (see appendix d)

What does it all mean - 10% Bail in Connecticut report

Appendix

- a [2019 vs 2023 - 2023-04-29](#)
- b [Inmate Pop 1/1/2020](#)
- c [Inmate Pop 4/29/2023](#)
- d [3 2022 Warrants - Google Sheets.pdf](#)
- e [Stat01012020.pdf](#)
- f [Stat05012023.pdf](#)