

Marin, Carolina

From: Eric Granof <eric.granof@aiaSurety.com>
Sent: Wednesday, May 3, 2023 5:03 PM
To: Rules Committee
Subject: Opposition to proposed court rule changes to bail...

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Honorable Members of the Supreme Court Rules Committee,

I am submitting this email in opposition to the proposed rule changes around the setting of bail. As a representative of a managing general agency and national surety that writes bail in all 44 states that allow for surety bail, I have seen jurisdictions that implement 10% to the court policies fail miserably. Just look at the city of Philadelphia, that utilized a 10% to the court policy for several years. Their failure to appear skyrocketed, and their crime increased substantially. In fact, just a few years ago, Philadelphia forgave over \$1 billion in money owed to them from forfeited bonds. Below are links to a 4-part series on the failures of Philadelphia's 10% system.

<https://www.aiaSurety.com/philadelphia-series-part-1-of-4-deposit-bail-has-failed-philadelphia/>
<https://www.aiaSurety.com/philadelphia-series-part-2-of-4-criminals-defy-broken-10-deposit-bail-system/>
<https://www.aiaSurety.com/philadelphia-series-part-3-of-4-witness-intimidation-causes-cases-to-collapse/>
<https://www.aiaSurety.com/philadelphia-series-part-4-of-4-defense-lawyers-exploit-the-court-system/>

10% bail to the court is simply a FREE 90% discount to all accused criminals. Reducing that to 7% would increase that discount to 93%. Defendants know that they will have little to no real supervision while they are out on these discounted bonds. And if they miss court, no one will come for them. Instead, a warrant will be issued and placed on the already growing stack of warrants that local jurisdictions don't have the time or resources to go after. The only way these folks get brought back to court is when they are caught committing another crime. This type of policy is dangerous to the communities in Connecticut and will increase crime substantially.

The current system of 10% to the court being allowed on bonds \$20,000 and less is already pushing the states resources to the limit. Increasing the allowable bond amount to \$50,000 and lowering the percent paid by defendants to 7% would not improve the system. It would release more accused criminals into Connecticut's neighborhoods and create more crime. Additionally, bond amounts will naturally increase for defendants when judges decide to raise the bonds for people who might fall under this new threshold, keeping more defendants locked up in jail unable to pay for bail.

Lastly, where is the data that supports such a drastic and potentially dangerous change to the current rules? We have yet to be provided with or have seen any research or statistics that justify this extreme change. Our industry strongly believes that any changes to a system as important and as essential as the criminal justice system, must be supported with publicly available data and research. Seeing none, it begs the question, why are these changes being made?

I urge you to reconsider this change. Once again, the system is already being taxed with 10% to the court for bonds \$20,000 and under. Implementing a 7% fee and increasing the bond amount would not improve a single thing in Connecticut's criminal justice system and would only have potential negative consequences to your communities.

Thank you for your consideration.

All the best,

Eric Granof

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