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GUEST OPINION

Bondsmen pose danger to public

Two Views • Myths hurt bail bondsmen image; some say state doesn't need them

BY SHERIFF DANIEL STANTON

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As a law enforcement officer with more than 20 years of experience working within the community and dealing with its criminal elements, I understand firsthand the need to utilize all resources available to improve the safety and livability of our neighborhoods, especially in these difficult economic times. That said, I must express my concern and strict opposition to the recent proposals of letting bail bondsmen return to Oregon (*Just funny money*, April 14).

It may seem that we stand to gain as a state if we allow bail bondsmen to work in Oregon again. They would help local law enforcement track down individuals who have skipped out on their court date, and if they are unable to find the fugitive they would pay the 100 percent forfeited bail that is owed. The reality is that neither one of these things actually happen.

Bail bondsmen and their accompanying recovery agents who commonly go by the term "bounty hunters" complicate and often endanger the processes of public safety. Bounty hunters wear badges and clothing that resembles that of law enforcement officers and it can be difficult to tell them apart, especially in the heat of the moment when responding to a distress call.

Bounty hunters don't receive the same training that law enforcement officers do. In fact, many of them receive no training whatsoever regarding a person's constitutional rights during apprehension. Bounty hunters use dangerous and sometimes illegal tactics to retrieve defendants and/or property, including confrontations at gun point, forced entries into homes without a search warrant and the commandeering of vehicles on public roadways.

Bail bondsmen do not provide any supervision of a defendant while they are on release; their only concern is that the defendant makes their court date. Bondsmen don't monitor whether the defendant is working every day, stays in school, maintains medications for mental health reasons, remains sober, or even that they stay away from their victims. Only pretrial supervision services do this. Study after study shows that people out on surety bail (posted by bondsmen) commit more crimes while on release than do defendants assigned to pretrial release programs.

Bail bonding is a private enterprise that is focused on generating a profit, not on increasing public safety or protecting people. What will become of the families who, although innocent of any crime, are now on the hook as a result of a family member? To what extent?

I remember a situation that involved a bounty hunter working at the behest of an out-of-state bail bondsman. The bounty hunter in question seized a vehicle from an individual who had supposedly defaulted on a contract with them. The individual called (the vehicle) in as stolen and I received the call while on patrol. I pulled the bounty hunter over and it took hours to go through all the paperwork he was presenting as proof. It turned out that the vehicle had been taken illegally and needed to be returned. Not only was the bounty hunter in question failing to keep the public safe, he was committing crimes of his



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Vancouver, Wash., bail bondsman David Regan searches for a client who failed to appear in court and defaulted on his bail. If he cannot bring the client to court, Regan will owe the court the full default amount. Bail bondsmen such as Regan are not allowed to operate in Oregon.

own.

Moreover, it is a pipe dream to believe that bail bondsmen promptly pay 100 percent of the bond if the offender jumps on bail. The effort to return bail bondsmen to Oregon is financed by regional and national organizations that come equipped with lawyers whose job it is to protect the financial bottom line of their agents. These lawyers have a history of challenging forfeiture rulings, delaying payment during appeal process and arguing for reduction in payment amount. It takes months to process and hours of attorney and court time before one cent is ever paid into the court treasury, and in many states there are hundreds of millions of uncollected forfeited bonds from bail bondsmen.

The facts are that bail bondsmen create more public safety problems than they solve. They operate on a profit motive, and their efforts are focused on maximizing that profit, regardless of the negative impact it may have on our communities.

Bottom line: They don't provide any type of public service. Rather, they create unnecessary confusion and conflicts and endanger the well-being of our uniformed law enforcement as well as our citizenry as a whole. There are a number of reasons Oregon kicked bail bondsmen out of our state 40 years ago, and there aren't any credible reasons to let them back in.

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