

## **Connecticut Supreme Court hears case of bondsmen ordered to forfeit Jamaica fugitive's bail**

- DAVE COLLINS Associated Press
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HARTFORD, Conn. — Jamaica's extradition policy with the U.S. was a key issue as the Connecticut Supreme Court on Thursday heard the case of a bail bond company that's fighting an order to forfeit to the state \$125,000 in bonds it posted for an alleged marijuana dealer who fled to the island nation.

A Superior Court judge ordered Flavio Bail Bonds LLC of New Britain to forfeit the bonds to the state in 2008 after David Sheriff, a Jamaican national who lived Bloomfield, fled to Jamaica as he was about to go on trial on drug charges. Sheriff remains at large, although the bail bond company's owner says he knows Sheriff's location in Jamaica.

Jamaica refuses in most cases to extradite its citizens to the U.S. to face drug charges.

William Sweeney, Flavio's lawyer, told the high court that the company shouldn't have to forfeit the bonds because state prosecutors never tried to extradite Sheriff and the firm's agents have no authority to go to Jamaica to capture Sheriff. He also argued there's a conflict of interest in state laws on extradition and bond forfeitures, because they appear to discourage the state from seeking extradition with the prospect of filling its coffers with forfeited bond money.

Senior Assistant State's Attorney Nancy Chupak told the justices that Flavio should have to forfeit the \$125,000 because its agents knew the risk they were taking when they posted Sheriff's bail. She said the simple fact is that Sheriff failed to show up in court after Flavio posted bonds knowing it would have to forfeit them if Sheriff disappeared.

"Flavio ... agreed unconditionally to be liable for the full amount," Chupak said. "Now that the defendant has fled, Flavio seeks to be relieved of its contractual obligation."

It's not clear when the Supreme Court will issue a ruling in the case.

Extradition has been a contentious issue in Jamaica. An inquiry commission in Kingston is investigating how government officials handled a U.S. extradition request last year for alleged drug trafficker Christopher "Dudus" Coke. When the government launched a hunt for Coke in the slums of West Kingston, it sparked four days of fighting that killed 73 civilians and three security officers. Coke was captured last June and is now jailed in New York.

Jamaica's prime minister, Bruce Golding, had opposed the extradition request for Coke for nine months before reversing course under heavy political pressure. Golding said last week that his government will seek to renegotiate the extradition treaty with the U.S. after the inquiry into Coke's case.

In the Connecticut case, authorities say Sheriff was arrested in 2006 after authorities found more than 20 pounds of marijuana in his Bloomfield home during a drug investigation. Sheriff pleaded not guilty.

Officials say he fled to Jamaica as his lawyer and prosecutors were preparing for trial.

William Sobota, a bail bondsman who worked for Flavio when the firm posted Sheriff's bail, attended Thursday's Supreme Court hearing. He said Flavio posted Sheriff's bail after he paid the company a percentage of the total of the three bonds, which is allowed under state law. Sobota said Sheriff showed up in Jamaica a few days before his trial was supposed to begin.

"It doesn't seem fair that we're not getting our opportunity as bail bondsmen to bring back ... the defendant," Sobota said, referring to the state's decision to not seek extradition. "If they don't feel it's worth prosecuting the case, why should we have to pay?"

Chupak said seeking extradition of Sheriff would have been futile.