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New rules could make it harder to get out of jail

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It's official: There are no get-out-of-jail-free cards in Lancaster County.

A policy is now in place to regulate how agents write bail for county prisoners.

Previously, the county had no set standards for bondsmen who make financial arrangements so prisoners can make bail and get out of jail until their trials.

Too often, officials said, prisoners free on bail wouldn't show up for court hearings — and bondsmen often were financially let off the hook.

"That allowed (bondsmen) as many debts as they wanted without ramification," said District Attorney Craig Stedman, an advocate for the new policy. "You could just keep writing bonds whether it was a good risk or not."

The new policy, signed last month by President Judge Joseph Madenspacher, goes into effect on Monday, Aug. 22.

It requires bondsmen practicing here to have a \$25,000 account with the county. Any outstanding debt regarding fugitive prisoners out on bail will be taken from that account, according to Nicole Decker, assistant county solicitor who drafted the policy.

The policy also sets a ceiling for outstanding debts, and requires a bondsman practicing here to have a local office.

County officials hope the new standards will prompt bondsmen to be more choosy when accepting IOUs from inmates.

"There really was no comeuppance," Stedman said. "If you're going to get people out on bonds, they should be assessing the risk."

"We were one of the only counties who had no guidelines."

Officials said last week the only bondsmen to submit \$25,000 deposits were James Fabie and Steve Schiding of Lancaster Bail Bonds.

Fabie said obeying the new rules will be no problem.

"It won't change anything for me," Fabie said last week while walking to Lancaster County Court to post a bond.

Fabie said he actively pursues clients who fail to show up for court. Several county officials agreed with that assessment.

"I'm putting my life on the line to bring people to justice, going to Oklahoma for people," Fabie said.

He often employs a bounty hunter to help find fleeing clients and bring them

back.

"Some bondsmen are extremely aggressive in pursuing," Stedman said.

But not all bondsmen are as concerned with finding their clients, Decker said.

"Everyone will now play by the same rules," she said.

Bail is posted after a suspect is arrested. The cost to post bail is 10 percent of the bail amount set by a district judge. For example, if a district judge sets bail at \$100,000, the defendant must post \$10,000 to be freed.

Fabie said family members or friends of an inmate often contact him during the arrest and booking process.

Bondsmen make a profit by charging clients a fee, usually 4 or 5 percent of the amount posted.

If a prisoner out on bail fails to appear for a court hearing, the full bail amount falls to the bondsman. Bondsmen then go to a "bail piece" hearing before County Judge Dennis Reinaker to seek legal authorization to take a defendant into custody.

Once a defendant is returned to prison, the bondsman can seek relief from the bail owed. That request is allowed or denied based on how long the prisoner was on the run and whether new crimes were committed. A bondsman's attempt to find his client also is considered, Reinaker said.

That process, however, left the county with a huge tab of unpaid bail dues.

"When I started (in 1995), there were literally millions of dollars owed to the county," Reinaker said.

Three licensed bondsmen or bond groups post the majority of bail here, officials said. They are Lancaster Bail Bonds (Fabie and Schiding's group), Zeke's Bail Bonds (headed by Zeke Kopeika) and Sylvester "Casey" Jones.

Surety agents or other insurance agents also post bail in select cases.

Jones has amassed the county's largest tab, about \$500,000, Decker said. Jones is on a monthly payment plan and hasn't missed a deadline yet, Decker said.

The new policy will prevent a bondsman from running up such a large tab. It's also expected to trim the number of people who post bail here.

"I do expect the list will shrink," Decker said.

An out-of-county bondsman inquired with Decker last month about practicing here. Decker informed the man of the policy he must follow when seeking a license here.

As of this week, she hadn't heard back from him.

Ultimately, the new rules could mean more prisoners stay locked up until their trials, officials said.

"The whole idea is to have the (defendant) show up for court," Stedman said.

"I think what this will do is make bondsmen think more carefully about who are the good risks and who will violate bail with more crimes.

"You got to use your common sense."

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