

Officials say Connecticut's bail system in need of major reforms

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BRIDGEPORT -- Connecticut's bail bond system is out of control.

More than 17,000 accused felons in Connecticut have skipped out on their bail bonds. Rules that require bondsmen to collect a certain percentage of each bail bond are routinely ignored.

The list of dangerous felons who have been released on bail only to kill or harm someone else is like a who's who of criminal defendants in the state.

Selami Ozdemir, of West Haven, was bonded out on a Saturday in January and shot his wife to death the next day.

Darryl Crenshaw was bonded out while awaiting trial on kidnapping charges and then beat his girlfriend to death in July 2008.

Russell Peeler Jr. was let out of prison while awaiting a murder trial and ordered the murders of an 8-year-old Bridgeport boy and his mother in 1999.

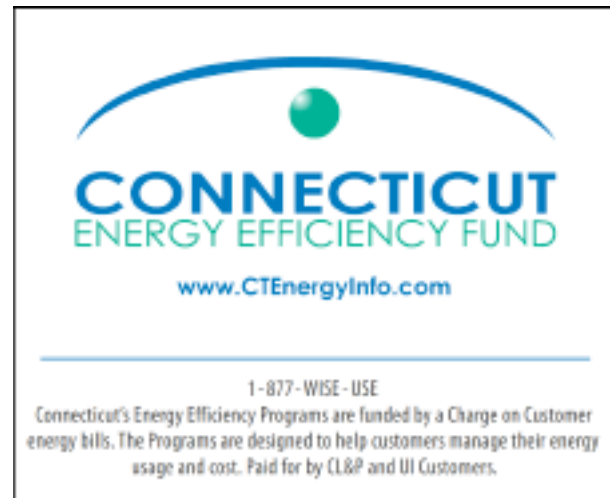
n Eric Stiggle, awaiting trial for allegedly stabbing and kidnapping his wife in Bridgeport this year and leading police on a chase through three states, walked out of prison, where he was held on \$1.3 million bond after giving a bail bondsman a letter claiming he has money in a bank account (he doesn't). Once out, he gave his wife a call. He was recaptured after a citywide manhunt.

Ostensibly Christopher DiMeo, awaiting trial for the murders of Fairfield jewelers Tim and Kim Donnelly, could walk out of prison tomorrow without spending a dime if a bail bondsman wanted to post his \$5 million bond.

Bondsmen and state officials say the state's bail industry is not protecting the public. While dangerous felons walk free from prison, homeless drug addicts remain in their cells until their cases are disposed of.

"It's a circus, but it's a dangerous circus, a danger to the public," said Douglas Davenport, a veteran bail bondsman who does business across the state.

"There are probably hundreds of examples of people who were out on discounted bonds and then



killed somebody," said bail bondsman Patrick Moynihan, who also operates statewide. "It happens once a month, but you don't know about it."

Lawmakers, criminal justice officials and bondsmen themselves have proposed reforms. So far, none have advanced in the state Legislature.

How the system works

In Connecticut there are two kinds of bail bondsmen. There is the dwindling list of bail bondsmen, now down to about 25, who use their own money to back their bonds and are overseen by the State Police. And then there is the majority, the surety bail bondsmen, whose bonds are backed by insurance companies and as agents of an insurance company are under the auspices of the state Insurance Commissioner.

There are currently 436 surety bail bondsmen in the state, more than the number in New York and New Jersey combined. Surety bail bondsmen pay premiums to insurance companies based on the number of bonds they post. In exchange the insurance companies guarantee their bonds up to a set amount. To become a surety bail bondsman, applicants must show they are backed by an insurance company, take a short course offered by private companies licensed by the state, then take an online exam. Applicants cannot have a felony record.

Police departments set the initial bonds on a defendant after they are arrested, but those bonds are reviewed when the defendants come to court days later. Judges have the ultimate authority to decide bond and can order a defendant held without bond, but that is rarely done. Instead, a judge will set the bond based on the recommendation of a state bail commissioner, who has interviewed the defendant, and following arguments from prosecutors and defense lawyers.

Under the regulations set by the insurance commissioner's office, bail bondsmen must charge their clients to post bonds for them. They are required to charge 10 percent of the first \$5,000 of the bond and 7 percent of the remainder. They are required to charge that, but bail bondsmen, the insurance commissioner and legislators acknowledge that often does not occur.

Instead, most criminal defendants end up paying bondsmen 1 or 2 percent -- and sometimes nothing -- to get bonded out of even very high bonds. State law even allows bail bondsmen to accept promissory notes in lieu of payment. This discounting of bonds is called undercutting.

Bail bondsmen say they often get calls from potential clients telling them that another bail bondsman has offered to post the bond for a lower price and asking if they can beat that price. Police say it is common to find when they arrest a repeat offender a bail bondsman's card in his pocket.

"There are now probably 80 percent of bondsmen who routinely bond people out without collecting the full fee because of the market forces," said Moynihan. "They know if they don't do it,

some of them else will. They are either hoping to make a portion of what they should be doing healthy will make nothing. Cars Get More Hair Hair Color Get Celebrity Pasta Salad News Rentals Volume Soup Recipes Hairstyles Recipes He said he doesn't necessarily blame the bondsman. Eye's like if you be a beauty be a group and a bag of dog food in the middle of the room. They are all going to eat what they can and as much as they can.

Business SERVICES & INFO Virtual Par Dating Trends Diet Entertainment INFO Hairstyles Stations Medium Length Low Calorie Living Customer Care Find Haircut Twilight Trivia Hair Recipes Opinion Mobile Ideas Twilight Quizzes Cover Under Eye Best Diet Plan Blogs Contact Us Get Wavy Hair Best Haircuts Circles Mixed Drinks Obituaries Advertise With Get Rid of Ever Treat Damaged Recipes

Some have lost licenses. The criminal are running the system, not us. And if the bondsman wants to eat, then he's got to join the fray because there is no way to write a legal bond in this state anymore. In many cases, people get arrested for punching their wives or whatever and five minutes later they are out but they are still a threat to the victim.

There are no public records that detail this undercutting, and bail bondsmen privately acknowledge that when they report bonds they have posted to their insurance companies, they claim in their monthly reports that they charged the required percentage.

The idea of bonds is to ensure that defendants show on their court date; if they don't, the money their bondsman put up will be forfeited. But even that has been thwarted by state law.

Under the law a judge is required to order the bond forfeited if the defendant doesn't show up, but that forfeit is immediately stayed for six months. If the defendant either shows up or is captured within that six months, as most are, the surety loses no money. Within a year, they get to keep most of it.

According to the state Judicial Branch, there are 17,856 pending cases in the state in which criminal defendants failed to appear for their court cases while either free on bonds or on written promises to appear.

Insurance Commissioner Thomas Sullivan has done more than any other insurance commissioner to try to crack down on industry violators, but he admits he is barely making headway. Since 2008 he has suspended the licenses of three bail bondsmen, fined 36 and revoked the licenses of 43. Three of those were for undercutting and the rest were for various reasons including physical altercations with other bail bondsmen and not carrying the proper business licenses.

"Go over to the Bridgeport G.A. (geographical area court on Golden Hill Street) especially on a Monday morning at about 8:30, 9 o'clock and just walk around outside and tell me how many times you get approached by a bondsman outside," he said. "If I had my druthers and I was writing the law, I would require 100 percent of the premium due and payable at the time you are bonded out. It would seem to me from a public safety perspective, when a judge orders a defendant

released on bond, the bond system is there for a reason."

'It's totally dangerous'

On May 30, police said Eric Stiggle, who was free on bond for allegedly previously beating his wife, confronted his wife at her mother's home on Wilson Street here.

Police said he forced his way into the home, then began choking her first with his hands and then with the cord from a cell phone charger. They said the victim bit Stiggle on the hand and managed to break free of him, but he grabbed scissors and began stabbing her over and over, telling her he intended to rape her.

Stiggle then grabbed his wife by her bloody arm and dragged her out of the apartment house, stopping to grab a bottle of rum on the way out. Once outside police said he shoved her into the back seat of her car and began driving away.

Ordered held on \$1.3 million bail on attempted murder and kidnapping charges, Stiggle was bonded out from prison by local bail bondsman Brandon Wilson. Stiggle should have been required to pay Wilson more than \$100,000 for the bond but instead Wilson agreed to post the bail after Stiggle gave him a letter from a lawyer stating that Stiggle had the money in a bank account. In fact, police said, the letter was phony; the lawyer on the letter had died a few years ago. But Stiggle was free and contacted his wife despite a protective order against doing so. Stiggle was recaptured by police.

"That shows the desperation of bail bondsmen," said Moynihan. "That somebody would get that letter from him and believe it probably thinking, 'that's my whole pay for a year,' and take it because they weren't making any money anyway."

Bail bondsmen who try to do the right thing find not only that they are bucking the tide but actually put themselves in danger from other bail bondsmen and clients.

Jennifer McDowell, an agent for Aces Bail Bonds in Bridgeport, said she had been threatened by other bail bondsmen because she has been outspoken against those who undercut.

"They've threatened to kick my (expletive) and shoot out my car windows," she said.

Forced by state law to accept promissory notes, McDowell said, clients have threatened her when she tried to collect on those notes. "This is the most dangerous job I have had," added McDowell, who used to work in a prison.

Bridgeport State's Attorney John Smriga said the current system puts witnesses and victim in criminal cases in jeopardy.

"The current bond statute makes it possible for violent offenders to get out of jail with little

financial risk to themselves, creating a serious risk that these individuals will not comply with court-ordered conditions of release endangering victims and witnesses or simply not returning to court," he said.

"It's totally dangerous and we have the dead bodies to prove it," state Rep. Michael Lawlor, D-East Haven, co-chair of the legislature's Judiciary Committee. "And it ends up costing at least tens of millions of dollars in unnecessary expenditures in the prison system."

`This is crazy'

Lawlor said those who pose a serious safety risk are let out and those that don't often remain behind bars.

"A lot of these homeless guys who get arrested, they are mentally ill, they have HIV, they are substance abusers and they get arrested and spend a month in jail because they can't post \$2,000 bond," he said. "When they come into jail, the jail has to do detox and it's an extremely expensive process. And then a couple of months later the charges are dropped. Meanwhile, the guy who is threatening to kill his wife every 20 minutes and is friends with a bail bondsman is getting frequent flyer rates every time he is arrested. This is crazy -- he's the one who should be sitting in jail."

Lawlor has introduced bills five times in an effort to put controls on the bail bonds business. Each one has been shot down. The last bill would have required bondsmen to certify under oath on a form that they were charging the legal premium. If a bail bondsman filed a false certification, the insurance commissioner could suspend or revoke that bail bondsman's license and impose a penalty of up to \$5,000.

"We got very close this year but on the last day of the session it got blocked," he lamented, even though he admits this year's bill was a slightly muted version. He said much of the opposition to bills that would affect bail bondsmen has come from the legislature's Black and Latino Caucus.

"Right now, it's a system that's filled with loopholes and vague language and unenforceable rules and, of course, these guys (bail bondsmen) have figured it out and know they can get away with it and they are getting away with it," he said. "And every time the Legislature tries to pass it, these guys go out and hire lobbyists who come in and say, `If this happens everyone will be in jail and we will bankrupt the state and it will be unfair to minorities.' "

State Rep. Charles "Don" Clemons Jr. D-Bridgeport is chairman of the Black and Latino Caucus. While he acknowledged that the caucus has blocked legislation that would reform the bail bonds business, he said he certainly doesn't want to see dangerous people getting out on little or no bonds.

"Bail bonds are a business, and I just don't think there should be too much regulation," he said.

"Some of the bills were disingenuous and would affect small bail bondsmen who are just trying to earn a living."

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