

Legislative History for Connecticut Act

PA 14-184 HB5588 2014

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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 7
2884 - 3360**

2014

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are advised that it is safe to do so. In the event of a lockdown announcement please remain in the hearing room and stay away from the exit doors until an all-clear announcement is heard.

As is usually the case, we have two lists, and we will hear from state agency heads, legislators and chief elected municipal officials first. That would be during our first hour. At the conclusion of the first hour we will hear from members of the public who have signed up to address the committee.

Generally speaking, each person on the public list will have approximately three minutes to address the committee. I'd ask that members of the public please be aware that some of the members are attending other meetings, but those members who are not present during the time that you testify will have access to your written testimony as well as any replays of this public hearing.

Turn our attention first to the state officials list. The first person signed up on that list is Kevin Kane Chief State's Attorney.

SB488

SB489

HB5586 HB5587

HB5588 SB487

HB5585

HB5589

CHIEF STATE'S ATTORNEY KEVIN KANE: Thank you, Senator Coleman, Representative Fox, members of the committee. My name is Kevin Kane. I'm here to testify on behalf of the Division of Criminal Justice, which is the 13 state's attorneys and myself here. And we've submitted written testimony Friday afternoon and earlier today concerning some many bills that are on today's agenda. I'll just go through them quickly and point them out.

We've submitted written testimony first in support of the following bills. 461, the bill dealing with correction officers, giving them -- making them law enforcement officers

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particularly when they're assigned a task force such as the shooting task force that exists in Hartford and New Haven and Bridgeport.

488, grand jury reform which I'll mention it in a minute in more detail, we're in favor of.

489, revenge porn, it's a bill that it's been submitted or raised by this committee recently. We are in support of that.

5586 which is a bill, primarily technical, with amendments to many different sections of the general statutes. We're in favor of that.

And 5587, a bill to amend the search warrant statute so it can appropriately deal with the installation of GPS devices and so that search warrants can reach computer records and phone records of companies that do business in the state of Connecticut, but their records are actually stored in another state.

And finally, we're in support of 5588 which proposes, the portion at least -- that's a bill that proposes a study to reduce the cost of extradition in cases where people have posted bond and left and gone to another state, and we have to extradite them back.

We've also submitted written testimony opposing three bills. We're opposed to 487 which is a statute -- that would amend the statute providing for civil remedies for recording telephone communications. We're also opposed to 5585, a bill entitled Surveillance of Cellphone Communications by Police Officers. And we're opposed to 5589, AN ACT CONCERNING CUSTODIAL INTERROGATIONS.

The bills I'd like to talk about -- are actually just two that I want to talk about in

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destabilized the operation of subsection 53(a)187(a)1 eliminated opportunities for citizens to provide evidence of crimes and even made voice recording -- or voicemail recording illegal. Raised Bill 487 fixes the unwittingly enacted broken provisions and restores harmony among the associated laws.

I'll take a moment to express my appreciation to the committee's staff for the assistance they provided me in understanding the legislative process and assisting me in filing my testimony. I also want to inform the committee of the staff's professional conduct and friendly demeanor.

Do you have any questions?

SENATOR COLEMAN: Are there questions for Mr. Jezouit?

Chairman Fox has a comment.

REP. G. FOX: Mr. Jezouit, I just want to say that I agree with you on our staff's courtesy. And they truly do a terrific job, but I also -- I know that when you had your interactions with the staff, that you're also a perfect gentleman that they appreciate that as well. So thank you.

LAWRENCE JEZOUIT: Thank you, sir.

SENATOR COLEMAN: Mark Motuzick.

MARK MOTUZICK: Good morning, Senators and Representatives. My name is Mark Motuzick I work at a Capitol Bail Bonds located right here in Hartford. I'm here to voice my support for House Bill Number 5588, AN ACT CONCERNING BAIL BONDS.

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This bill is essentially the same bill that passed unanimously through the House and Senate last year. The House Bill 6689 and Public Act 13158 which passed the Judiciary Committee last year by 44 to 0, it was vetoed because the Governor basically -- we appreciate the support that he gave last year -- that you guys gave, but he vetoed it for some other reasons.

As bail bondsman we serve a crucial role in the criminal justice system, working to help, not only ensure that the people accused of crimes appear in court, but also lessen the burden of overcrowding in the jails and working with law enforcement to help capture and detain those parties who fail to show up at their court dates.

Section 2 of the bill would relieve us from our obligation on bonds when a person fails to appear. This we're looking to change when they abscond and the bond is forfeited. However, at the time the bond was written the State has information or has unknown basically aliases and that we would have never written the bond again. These are things that we're basically trying to change in this bill.

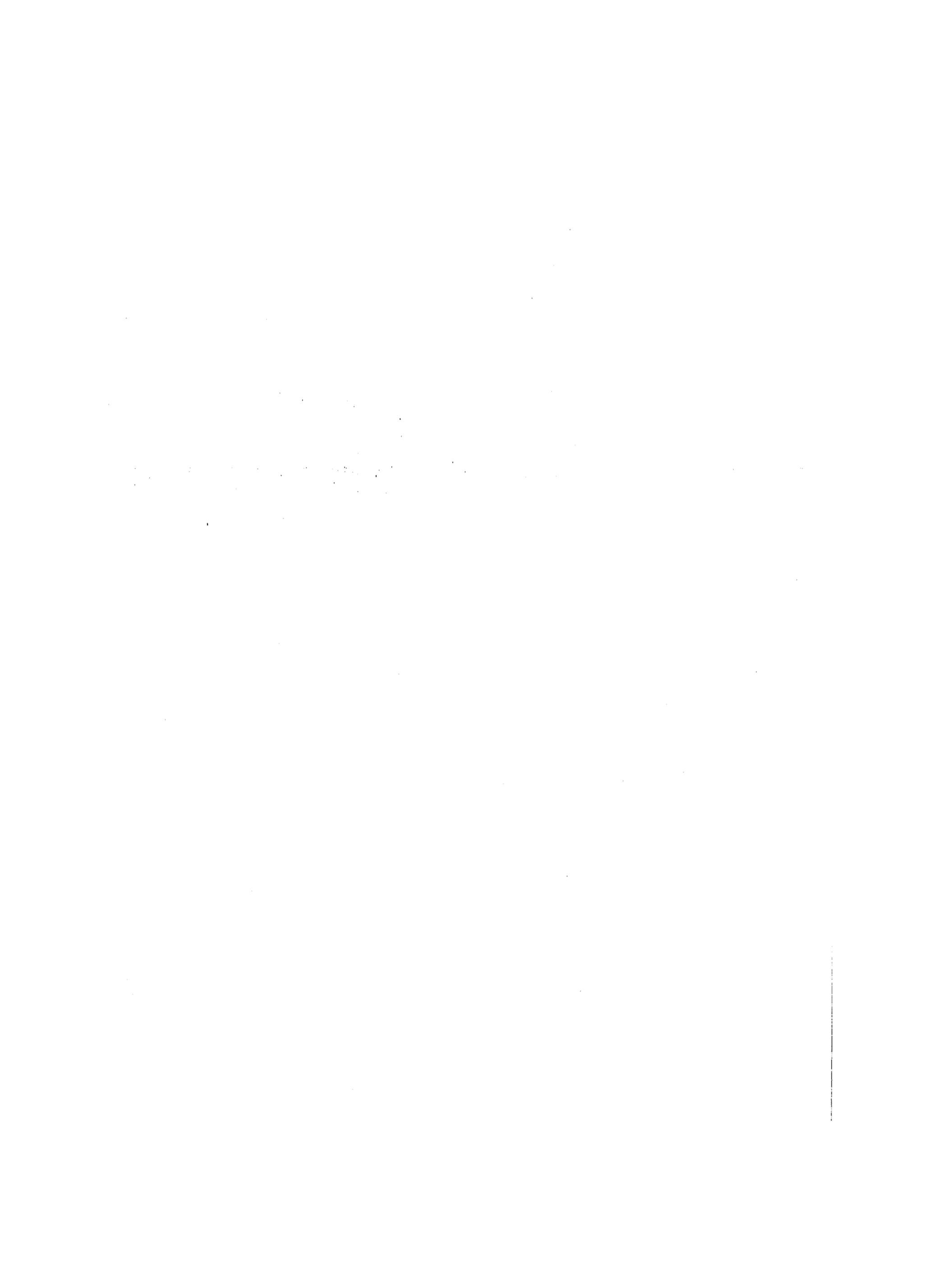
Basically in writing bonds is our job to ensure that a client appears in court and it is our job to financially indemnify the State if the party absconds. In order to protect ourselves against the financial liability associated with a client absconding we perform in-depth background checks and perform a risk assessment on our clients to determine whether we are willing to write a specific bond. Sometimes, despite our thorough background checks, there is certain information that is available to the State that we do not have access to, that if we did we would have never written the bond.

Although the State might not be able to share this information with us, it seems unjust for us to be required to pay the State on a forfeited bond when the whole time they had information that would demonstrate a client with a higher risk than normal, and that they would have absconded. That we do not have access to -- or however we have -- deterred us from writing the bond. Therefore in these types of circumstances it comes to light that the State had this type of information it seems only fair that we be let off the bond if we show good cause.

The division of criminal Justice provided this language to us and we agreed to it last year. Section 3 of the bill would give judges the explicit right to extend a stay of bond forfeiture beyond the current six-month period. Extensions beyond the six-month period are not barred by the statute, and the majority of judges already allow for these extensions. However there are a minority of judges who are unwilling to grant these extensions because the statute doesn't overtly provide for it.

Giving judges the discretion to extend the stay of bond forfeitures beyond the six-month period for good cause will be beneficial to all parties including the State and the public at large. In addition, sometimes there are situations where we know where a fugitive is and the six months is narrowing, however the police want us to refrain from picking the person up because they are in the midst of investigating the person for another more serious crime.

Another part, real quick, and I'll try to get to it, relieves us from our obligation when a bond party comes back to court more than five days after the bond is vacated. If this



Right now it's kind of unfair where the State says, okay. We know where they are, but the bondsman should still pay the bond even now we know where they are. And it's bad enough when we do have to pay a bail when we don't know where somebody is and we can't get them, but to know where they are and to turn around and still be forced to pay -- and the State is ultimately going to get them back anyways. If they're in the system and they extradite them we'll get that back. But they're still telling us, you know, we should pay. So I think some of this stuff should be addressed.

Thank you very much for your time and concern on this. If you have any questions I'd be free to answer them.

SENATOR COLEMAN: Are there questions?

How does that work? When the bond is forfeited are you on the hook for the total amount of the bond?

MARK MOTUZICK: The way it works in Connecticut -- and I've been doing this about 13 years -- if somebody forfeits and the judge orders a rearrest bond forfeiture we have six months amount of time to bring an individual back. And at that point if we don't get them within the six months we can apply to the to the court for an extension to show, you know, hey, why we need more time. There's always extenuating circumstances --

Whether they're under investigation, the police at times have told us to back off, to not get the person. They're a confidential informant, or they're working something else out with them. There's a lot of extenuating circumstances, but if we don't get the

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individual and we can't provide any proof that wherever he is, we have to pay 50 percent. We have a compromise with the State of Connecticut, and in that six months. But if we don't pay that within the time that's prescribed we'll end up having to pay 75, then 100 percent of the bond so obviously we'd rather pay 50 percent than the full hundred percent.

But that's how it pretty much works, but if we find somebody that's locked up somewhere and we show that -- we have a couple of examples right now -- I'm not going to get too far into it -- but the gentleman is locked up. He's most likely --

SENATOR COLEMAN: In another jurisdiction?

MARK MOTUZICK: Yes, he's up in Massachusetts. He's going to be up there more beyond the six-months stay. And the court is well aware of it. And I picked up the transcript and they come out, call the bond. And you know where he is. And under federal law they say the court should be informed, and some people you just now, you know, you keep tabs on them. Others the amount that you write, you just can't. It's not practical to keep checks on everybody. You don't know where they're going and what they're doing.

And there's no conditions on the court. They get free to go wherever and they get jammed up somewhere else and then they're locked up. So here we have a case. The gentleman has been locked up in the state of Massachusetts for three months. It's a sizable bond and he's not going to be back here within the six months. They know they're going to extradite him, most likely and we're turning around saying, they called the bonds. Forfeit the bonds. So

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we're -- basically now it's going to become an argument. And again, if it was explicitly written out in the law it would help us. We understand that, you know, sometimes people do what they do. And again -- but if we have the opportunity to bring them back then we should be given that opportunity. And here, this is an act of law even though it's another state that's preventing us from doing that.

SENATOR COLEMAN: Well, is another State that prevents you from doing it? Or is it the State's decision not to exercise extradition, the State of Connecticut's decision not to exercise extradition.

MARK MOTUZICK: You know what I found? In different jurisdictions, they, from my understanding, is they gauge whether the severity of the crime, where the individual is, cost measures, all that. They won't extradite somebody for simple motor vehicle if they went missing across the country. They're not going to do that. It costs too much.

But it warrants, it's a close enough, like, some jurisdictions might say, okay. In the Northeast states we'll bring, you know, we'll bring them back, things of that nature, but it all depends.

And so I find it's independent of the GAs, whoever is in charge and I've talked to a few individuals who are in charge of extradition seedings. I've had the other day in Manchester. The gentleman is known in the Carolinas. He says, I'm not going to extradite him. So we have to present something to the court and say here he is. And it just becomes -- it goes back and forth.

SENATOR COLEMAN: Which official is saying, we're

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not going to extradite him? Is it the North Carolina official or Connecticut?

MARK MOTUZICK: No. No. Connecticut wants him back. He missed court here. He's known to be done there and they're not going to, you know.

Down there, and South Carolina, said -- and we interacted with the police department down there. We had agents down there and they basically said, well, he should be in the system, NCIC, which is, you know, make it know they put a hold on him for another state. Connecticut has no desire to put that in there. So therefore it's not worthy enough for Connecticut to go and bring them back, I guess.

It's not cost, you know, it's counterproductive for them. I guess his charges up here were motor vehicle. The specifics, he said, I'm not going to extradite unless he's a third-time DWI offender, then he's not going to.

So you know, we present that, but when people are locked up and we present that, the State right now, they could say, yeah, we do want to extradite. We do want this guy back. Okay. He's not going to be back for two years, three years. Whatever it is. You still have to pay the bond. I mean, so that's why we're talking this thing with the Chief State's Attorney about, you know, a task force and so forth in terms of getting, you know, look at the feasibility of us, you know, assisting with the cost measures and so forth. What would be a good setup for us to work with to try to be fair about this?

I had one in particular, southern part of the state last year, quarter of a million. He got sentenced to 12 years in Louisiana. The judge understood and they want him back in

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Connecticut, and she exercised the right, you know, I'll release you. He'll be back in 12 years. But they know where he is. He's not a threat to any Connecticut resident or anywhere else. He's locked up. He went over there. And I know the state's contention is, hey, you know, we maybe make some decisions and they're not always the best.

We don't have a crystal ball. Nobody does, or knows what anybody is going to do, unfortunately. If we did we would say, okay. We try to minimize what we can in terms of our losses, but again to know and investigate where somebody is and say, here is an act of law, whether it's Connecticut law, state law, federal law, you know, it doesn't seem fair to us. Like I said, if we truly make a bad decision we have to pay. We can't find somebody then we do what we have to do in terms of business.

But we're constantly running into problems where people are in federal custody, they've been reported. ICE is -- I have one right now, I went to immigration the other day. Again they notified the court, he's been imported and removed. Those are his words. He gave me his name. He said, are there any problems? The court is refusing, is refusing to remove us and, you know, there's things, like okay. Again it was a law enforcement agency on the federal level that took this individual, you know.

And we're not always privy to the information that law enforcement -- and nor do we expect that. There are things that are sensitive and we shouldn't, but when something is blatant that, You know, law enforcement we found in the past, when they want to let you know something to a certain extent they'll let us know this

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person has multiple aliases. This person has multiple addresses. This person has this, that, whatever, when they try to deter from somebody writing then bail.

But when there's things that, okay. It's not going to compromise their investigation and it would only be right, I mean to say, to convey to us that you know that this individual has this or that, it would make the decision a lot easier. It would help us and we don't expect them to do our jobs, but we would like to have an informed decision if somebody has knowledge of something and they're in a law enforcement capacity. I mean, I understand, again certain things they can't release to the general public, or us as well, but something that I feel is not going to harm their investigation, they give us the paperwork, you know, we should be made privy to it.

SENATOR COLEMAN: Okay. Thank you.

Senator Kissel has a question for you.

SENATOR KISSEL: Just in line to -- because when Senator Coleman asked this question, when they do the rearrest and you say you have six months, if the police rearrest the individual are you on the hook or does that end it right there?

MARK MOTUZICK: No we end it. We get reports every week and those reports will reflect if somebody misses court, they vacate, if they get rearrested. That automatically, to my understanding, through the chief state's attorneys office is updated to them and we're off it. We submit our reports to our insurance carrier to tell them, hey, you know, reiterate that the person has been arrested within that six months and we are released. So we do get

that every month.

But aside, that's Connecticut. If they get arrested in another jurisdiction outside of Connecticut we don't know. We will get the forfeiture, nor does the State of Connecticut know. There isn't a universal setup and then therefore we have to basically investigate. And then that would become similar with, as I said right now, to the case in Massachusetts, where it would have to be conveyed through a motion to the court saying, hey, they're locked up here. And then we would have to see if they want to extradite and so forth, and that's what we're looking to try to spell out a little bit and help us along with the chief state's attorneys, which we're trying to be fair, just make a happy medium.

SENATOR COLEMAN: Representative Klarides.

REP. KLARIDES: Thank you, Mr. Chair.

Welcome. Okay. So, I'm just trying to get this clear in my head. So your issue is when they're rested somewhere else, like the Massachusetts example.

MARK MOTUZICK: Yes.

REP. KLARIDES: That's where the problem comes in. You had mentioned that when that happens -- so in this circumstance the Massachusetts arrest, so this guy is up there now. And you said you have to make an argument that the court?

MARK MOTUZICK: Yes.

REP. KLARIDES: How does that do?

MARK MOTUZICK: Basically if we made -- we first have to start off. We don't always get total

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cooperation with the court. We have to find out according to the law if they're willing to extradite the individual. We have to show the person has been arrested. They're -- currently where they're locked up. Is the State of Connecticut willing to extradite?

Now if they say, we're not willing to extradite, then we're supposed to, under current law, be released. If they say, yes, we do want to extradite, okay. Now if that person is brought back within the six months, that's good for us, but say, it's something of serious gravity, so serious they're going to be locked up for a well,, technically they're saying, we have to pay. Now we have to apply to the court even if they want to extradite or if they don't want to extradite we're automatically -- we still have to apply to the to the court to be released inside the laws.

So we can have -- that motion has to got be forwarded, because it will not go to the chief state's attorney. We still have to file the appropriate paperwork, forward a copy of our motion to the chief state's attorney saying, hey, we've been released from a judge from this bond, and then we have to provide and to our insurer is well.

But no, so that won't reflect. We have to do that accordingly. Again if they say no, we are, we're going to extradite and they respond to us, then technically, you know, they're going to extradite someday, but they still want us to pay the bail.

REP. KLARIDES: And how long have you been in this business?

MARK MOTUZICK: Approximately 13 years.

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REP. KLARIDES: Has anything changed since you started it? I mean, has this process changed?

MARK MOTUZICK: Dramatically. When I first started as I got more and more in tuned to it, especially now for the last five, six years, when these new laws came into effect obviously, we try to adapt to them, acclimate and everything else. Before that all we have to do if somebody was incarcerated or detained -- the laws says, detained, so I guess that's just not even sentence -- we had to provide proof to the chief state's attorneys office who automatically just released us.

And as things, in the last couple years, especially with these new laws that went into effect in October of 2011, some of it became -- it was ambiguous in terms of some other factors, too, concerning the bail bonds. But with the extradition and things of that nature, that was the biggest thing that I think can be detrimental to any of us because, you know, you talk a hundred-thousand-dollars bail and you don't know where somebody is, being forced to pay \$50,000, it can be detrimental. And it's like, okay. If we make that decision and it's a bad one, then we're forced and that's the name of the game, but to know where they are, that's the thing.

And some of the other things that I've seen changes with they're forcing us to sue people and other aspects of it. They've had us basically now -- I don't know any other industry in the state or anywhere where you're forced to sue a client if they're unable to pay. And like any business, we need our money. We want our money. We need it to support our cause, our business, but it's counterproductive if you know somebody has lost their house, somebody has lost their job, they're barely

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getting by, but you're going to get served with a lawsuit from us and say, hey, the law says you've got to sue.

I mean, does that seem fair if you had somebody that they don't have it? They don't have it. And you try to collect what you can, but there's a lot of changes that they've made throughout these last couple of years that, okay. We've learned to try to adapt and go with them, but it's difficult. But I'm thinking of the extradition majorly is going to -- is very damaging.

REP. KLARIDES: So you feel that the way the laws have changed throughout the past, however many years, that of it kind of hasn't caught up on your end, basically.

MARK MOTUZICK: I understand the laws changing to regulate, make it more professional, things of that. There's some things that, yeah, I totally agree with. But you know, we're adapting and, you know, we're trying to basically do and stay within the parameters of what's written right now and do what we can, but filing paperwork for the extradition, which I know ultimately is going to be a severe problem if we can work something out like that with the chief state's attorney, we're more than happy to sit down and say, hey, they were receptive last year. Everything was good. As long as it's not -- we have somebody that we can work with and say, hey, we're willing to bring somebody back. We'll pay the cost, things of that nature. Let's look at the feasibility of how much this is going to cost to get somebody back and relocate them.

You know, some of the other issues that we touched on, and I really don't have any problems. The thing with the five days that I

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need something with some grit, with some law
that will stand behind us in that respect.

REP. KLARIDES: Thank you.

SENATOR COLEMAN: Are there any further questions?
If not, thank you very much for your testimony.

MARK MOTUZICK: Thank you. Thank you very much.

SENATOR COLEMAN: Deborah DelPrete Sullivan.

DEBORAH DELPRETE SULLIVAN: Good afternoon, Senator
Coleman, members of the Judiciary Committee.
My name is Deborah DelPrete Sullivan. I'm
legal counsel to the chief public defender's
office. Our office did submit testimony on
several bills today, but I would like to at
least address Raised Bill 488, AN ACT
CONCERNING GRAND JURY REFORM.

The office of chief public defenders is
adamantly opposed to this bill and asks that
this committee take no action on it. The bill
raises numerous constitutional and procedural
concerns and it should not be adopted in a
state whereby the prosecutors here in
Connecticut only need to file in information in
order to charge based upon probable cause.

The office of chief public defender has been
engaged in discussions with the chief state's
attorneys office, judicial and the CBA criminal
justice section, but as of just a couple weeks
ago there had been no consensus that has been
reached. At each meeting there was extensive
discussions in regard to grand jury reform that
has been sought by the chief state's attorney
in years past.

Previous years reports, which I have attached
to our testimony, and when you look at those

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need something with some grit, with some law that will stand behind us in that respect.

REP. KLARIDES: Thank you.

SENATOR COLEMAN: Are there any further questions? If not, thank you very much for your testimony.

MARK MOTUZICK: Thank you. Thank you very much.

SENATOR COLEMAN: Deborah DelPrete Sullivan.

DEBORAH DELPRETE SULLIVAN: Good afternoon, Senator Coleman, members of the Judiciary Committee. My name is Deborah DelPrete Sullivan. I'm legal counsel to the chief public defender's office. Our office did submit testimony on several bills today, but I would like to at least address Raised Bill 488, AN ACT CONCERNING GRAND JURY REFORM.

The office of chief public defenders is adamantly opposed to this bill and asks that this committee take no action on it. The bill raises numerous constitutional and procedural concerns and it should not be adopted in a state whereby the prosecutors here in Connecticut only need to file in information in order to charge based upon probable cause.

The office of chief public defender has been engaged in discussions with the chief state's attorneys office, judicial and the CBA criminal justice section, but as of just a couple weeks ago there had been no consensus that has been reached. At each meeting there was extensive discussions in regard to grand jury reform that has been sought by the chief state's attorney in years past.

Previous years reports, which I have attached to our testimony, and when you look at those

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I know working with condo associations is very thankless and you all put in a lot of work and I just wanted to thank you for that.

KIM McCLAIN: Well, thank you for the thank you. And we love the opportunity to be able to work with others who may not always agree with us, but I think we made a good effort to try to come together and reach reasonable solutions. So thank you for your time.

REP. G. FOX: Thank you.

Any further questions from the committee?
Seeing none, thank you.

The next speaker is Marc Forschino. Is Marc here? Yes. Marc is here. Then it's Andrew Bloom and Rebecca Bombero but Marc Forschino.

ANDREW BLOOM: My name is Andrew Bloom. Marc and I are switching, if that's okay, the two of us. We go back to back because I have to be at a fire department drill.

REP. G. FOX: Sure. That's fine.

ANDREW BLOOM: These become long days. Sorry. I know they are long for you guys as well, and I don't mean that in any disrespect. My name is Andrew Bloom, bail bondsman. Bail enforcement. I've been a bail bondsman for 18 years in the bail industry. I'm here to voice my support for Raised House Bill 5588.

The bill addresses many issues that face our industry today. This bill basically in very similar form passed unanimously last year through the House and the Senate, ran into a little trouble on the Governor's desk. We're hoping that this year there was some provisions that were made to help that along so it doesn't

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happen again.

The bill addresses issues with the length of time to collect on a promissory note. It allows for a judge to extend time to the bail agent who shows good cause to find and apprehend a fugitive. The bill addresses issues when a defendant is removed from jurisdiction by federal officials. The bill stops judges from reinstating bonds on defendants returned to the court more than five days after missing court.

The bill will help establish a task force to examine solutions to the costs of extradition which is a big problem. Obviously everything financial is a big problem. There was one little thing in the bill that I didn't agree with, but I believe that with discussions it can be worked out. There was a small line in there that I'm sure can be straightened out down the road.

So I urge this committee to keep this bill moving. It's a good piece of legislation and it will help with public safety in my opinion, especially considering the length of time that people are out on a run and bail agents being the ones that go and get these guys and bring them back. I as a bail enforcement agent have brought back to 1281 defendants to the jurisdiction here in Connecticut from places as far as Puerto Rico, California, Texas, Florida, all over the country. That's one of the things I do.

And I'm here every year testifying about every bill. You guys may recognize me. Most of you do. Some of you don't, but again I support this bill and I hope you guys will and as you guys did last year. If you have any questions I'd be happy.

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REP. G. FOX: Thank you.

Any questions from the committee? Seeing none, thank you very much.

The next speaker again is Marc Forschino. Marc is here. After Marc it's Rebecca Bombero then Jason Thody and Bruce Biel. So Marc Forschino.

MARC FORSCHINO: Good afternoon, Senators, Representatives. My name is Marc Forschino. I work and own Capitol Bail Bonds located in Hartford, Connecticut. I'm just here to voice my opinion on House Bill Number 5588, AN ACT CONCERNING THE BAIL BONDS. This bill is essentially the same bill that unanimously passed House and the Senate last year.

I just want to touch on this section that seeks to extend the time from 15 to 24 months for collecting on a promissory note. This language is similar to the same bill that passed last year. We got Raised House Bill Number 5588, which served to lessen some of the stringent requirements that currently face our industry, while at the same time ensuring that we continue to provide a quality service to the residents of the state.

Kevin Kane and the division of criminal justice supports this bill. We have all worked together on this bill for over a year now. I'm just going to touch on section 1 of the bill deals with requirements that bill bondsmen must file lawsuits against our clients who get behind on their payments or who do not pay us in full within 15 months. This requirement is extremely anonymous on the bailbonds industry because it effectively punishes us when a client doesn't pay. Requiring us to require legal fees and costs, despite the fact that

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March 24, 2014

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those who cannot pay their bill typically have no assets that we could recoup through a lawsuit. Further, this lawsuit is unfair to those folks who needed our services to be put on a payment plan and then subsequently have fallen on hard times.

I have had clients who at the time they need to be bonded out had jobs and constantly had made consecutive payments for several months. Then they lost their jobs and are unable to make payments. The law requires my company to sue these clients despite the fact I knew that they were -- despite the fact I knew they were out of work and had no sources of income and no assets.

This section changes the installment contract from 15 months to 24 months to address some of the concerns that I have just noted. I'd like to add that this bill with the current laws favor the wealthy and has a definite negative impact on the middle and lower class.

If there's any questions -- I mean, everything else was touched by all the other agents, you know, about the task -- We're working on the task force. If you guys got any questions about the payments please feel free to ask. I just feel it's not there.

REP. G. FOX: Thank you very much. Any questions from the committee? Seeing none, thank you very much. Thanks for waiting.

At the next speaker is Rebecca Bombero. Is Rebecca here? There she is. After Rebecca Jason Thody and Bruce Biel.

Good afternoon.

HB 5538

REBECCA BOMBERO: Good afternoon Senator Doyle,

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has to be a pattern or practice. There has to be several issues before we can use this ordinance. When it comes to the juice bar, 18 and over, the way it's written is that just upon notification of this, of a bar operating as a juice bar the chief can then put a police officer at the door or inside.

REP. D.J. FOX: Thank you.

REP. G. FOX: Thank you very much.

Any further questions from the committee? Seeing none, thank you. And get back to work, Officer.

The next speaker is Bruce Biel. Is Mr. Biel -- yes he is. And Sandra Staub and Giselle Jacobs. Mr. Biel.

BRUCE BIEL: How are you? Good evening. My name is Bruce Biel. I was a bail agent in Connecticut for 15 years. Now I represent Surety, which is the insurance company that represents many of the bail bondsmen in Connecticut. I am here in support on behalf of the insurance company on Bill Number 5588.

As a couple people have mentioned, Chief State's Attorneys Office, Kevin Kane, he is in support of this bill and he has submitted written testimony on behalf of this bill. So I urge everybody to take a look at that. There are a lot of good things in this bill, 5588, that will help our agents run a bailbond business as a business. It's a big concern, I know, over the years and I think this bill introduces a lot of very good things that will help our agents conduct business in Connecticut.

There's many things that people have brought up

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as they have spoken up here and if we decide to tweak a couple things and this bill moves forward, which I urge everybody to help us do, I really appreciate that as an insurance company who represents the agents in Connecticut. I think this is a very good bill.

And if you have any questions I'd be happy to answer.

REP. G. FOX: Thank you.

Any questions from the committee? Seeing none, thank you very much. The next speaker is Sandra Staub. Is Sandra here? Yes, she is. And Giselle Jacobs and Daniel Share.

SANDRA STAUB: Distinguished members of the Judiciary Committee, I'm Sandra Staub, Legal Director of the American Civil Liberties Union of Connecticut and I'm here to testify in opposition to Senate Bill 489, AN ACT CONCERNING UNLAWFUL DISSEMINATION OF AN INTIMATE IMAGE OF ANOTHER PERSON.

As a civil rights advocate and a former sex crimes prosecutor, it is my opinion that you will not be helping victims of revenge porn by passing this unconstitutional law. The ACLU recognizes that when someone shares intimate images that were meant to be kept private, the impact can be devastating, particularly in the context of an intimate partner sharing images without permission as revenge porn.

Yet laws concerning this issue must be narrowly drawn, that is the law of the land under the First Amendment, and they must be carefully tailored to address the harm of revenge porn without chilling protected speech, which includes taking and communicating photographs and other images. This can only be achieved

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The next speaker, Daniel Share. Is Mr. Share here. I don't see him. Is Daniel Toner here?

DANIEL TONER: Here.

Good evening. Members of the Judiciary Committee, this audience, and perhaps most importantly, the people who we're all here to serve, the people of Connecticut. I'm here in favor of Raised Bill 5588, AN ACT CONCERNING BAIL BONDS.

I mentioned in earlier testimony a couple of weeks ago that I'm extremely proud to have been a bail agent for 19 years. I began as an entry-level bail agent and have progressed to building one of Connecticut's largest bailbond retailers. I am the President of 3D Bail Bonds, Incorporated, presidents of Dad's bail bonds, LLC, Vice President of Fugitive Recovery Agency. I'm a member of the Bail Association of Connecticut as well as Professional Bail Agents of the United States.

I'm before you here today, though, as a citizen of this great state who happens to have extensive knowledge of the bail industry. Commercial bail is the only form of pretrial release that monitors a defendant's criminal case while ensuring compliance and guaranteeing the defendant's appearance in court, all at no cost and at no risk to the taxpayers.

All other forms of pretrial release leave the expense and burden of monitoring the compliant defendants and locating and apprehending absconding fugitives to the taxpayer. Without commercial bail we're simply left with hoping that the police are lucky enough to stop an absconding fugitive on a good day. The officer will then be forced to bring the absconder into custody at the risk and expense of their

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 8
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2014

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STATE OF CONNECTICUT

INSURANCE DEPARTMENT

Testimony

Judiciary Committee

March 24, 2014

Raised Bill No. 5588 AN ACT CONCERNING BAIL BONDS.

Senator Coleman, Representative Fox, and members of the Judiciary Committee, the Insurance Department respectfully opposes section one of Raised House Bill No. 5588: An Act Concerning Bail Bonds and asks that this bill be amended to remove this provision. Section 1 extends from 15 to 24 months the time for repayment of a promissory note executed by the principal and indemnitor under a surety bail bond issued as part of a premium financing arrangement.

If this provision were to be enacted into law, the increased time frame would create additional problems for surety bail bond agents when they attempt to collect, given that in 24 months a defendant's case has been over for quite some time in the great majority of the cases. Additionally the extended timeframe would increase the possibility that some unscrupulous bondsmen may be able to use the longer time period to game the system by coming up, for ex., with plausible excuses why they are unable to collect because of the passage of such long time.

The Department thanks the Judiciary Committee Chairs and members for the opportunity to provide this testimony on this bill and once again asks that the collection extension found in Section one be struck from the underlying bill.

About the Connecticut Insurance Department: The mission of the Connecticut Insurance Department is to protect consumers through regulation of the industry, outreach, education and advocacy. The Department recovers an average of more than \$4 million yearly on behalf of consumers and regulates the industry by ensuring carriers adhere to state insurance laws and regulations and are financially solvent to pay claims. The Department's annual budget is funded through assessments from the insurance industry. Each year, the Department returns an average of \$100 million a year to the state General Fund in license fees, premium taxes, fines and other revenue sources to support various state programs, including childhood immunization.

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Andrew (Drew) Bloom
President of the Bail Association of Connecticut
EVP 3-D Bail Bonds, Inc. DADs Bail Bonds, LLC
President of Fugitive Recovery Agency, Inc.
57 Fishfry Street, Hartford, CT 06120
860-247-BAIL(2245)

March 10th, 2014

Good Afternoon distinguished Senators and Representatives,

I would like to demonstrate my **strong support of Raised Senate Bill 5588.**

My name is Andrew Bloom. I am a licensed surety bail bondsman, bail enforcement agent, and one of the owners of 3-D Bail Bonds, Inc. which employs about 20 people.

I am also one of the owners of DADs Bail Bonds, LLC representing nearly 10,000 bail bonds written a year, a longtime member of The Professional Bail Agents of The United States, and a founding member and current President of the Bail Agents of Connecticut Association.

In my career as a Bail Enforcement Agent and as president of the Fugitive Recovery Agency, Inc., I have 1281 defendants arrested.

Bail Bonds is the only form of pretrial release to self monitor and self enforce non-compliance. No other form of pretrial release is held accountable when the principal fails.

This bill addresses issues with the length of time to collect on a promissory note.

This bill allows for a judge to extend time to the bail agent who shows good cause to find and apprehend the fugitive.

This bill addresses issues when a defendant is removed from the jurisdiction by federal officials.

This bill stops judges from reinstating bonds on defendants returned to the court more than 5 days after missing court without the permission of the surety or bail agent.

This bill will help establish a task force to examine the costs of extradition.

A bill similar in form passed unanimously last year through the House and the Senate.

The only thing I do not support is the addition of "and such sentence commences" to part (8) of Sec. 6. Section 54-66a for the same reasons I rejected similar language in Raised Senate Bill 389. This language will allow convicts to walk out of court free to victimize the public again.

Thank you,

Andrew Bloom

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LIVE 1

TESTIMONY OF MARK MOTUZICK CAPITOL BAIL BONDS, LLC

IN SUPPORT OF HB 5588 AAC BAIL BONDS

JOINT COMMITTEE ON JUDICIARY

MARCH 24, 2014

Good Morning Senators and Representatives. My name is Mark Motuzick. I work at Capitol Bail Bonds, LLC located in Hartford, CT. I'm here to **voice my support** for H.B. No. 5588, An Act Concerning Bail Bonds. This bill is essentially the same bill that passed unanimously through the House and Senate last year. The only changes are (1) some technical language changes made by LCO; and (2) Section seeks to extend the time from 15 to 24 months for collecting on a promissory note. This language is similar to that of last year's bill (HB 6689 and P.A. 13-158), which passed the Judiciary Committee 44-0.

As bail bondsmen we serve a crucial role in the criminal justice system, working to help not only assure that people accused of crimes appear in Court, but also lessening the burden on our overcrowded jails and working with law enforcement to help capture and detain those parties who fail to show up to their Court dates. Raised House Bill No. 5588 would serve to lessen some of the stringent requirements that currently face our industry, while at the same time ensuring that we continue to provide a quality service to the residents of this state.

This bill will do the following great things:

Section 2

Section 2 of the bill would relieve us from our obligation on a bond when a person fails to appear, they abscond and the bond is forfeited, however at the time the bond was written the state had information such as other known aliases or a report that if we had access to, we never would have written the bond in the first place. In writing bonds it is our job to ensure that our clients appear in Court and it is our job to financially indemnify the state if the party absconds. In order to protect ourselves against the financial liability associated with a client absconding, we perform in depth background checks and perform a risk assessment on our clients to determine whether we are willing to write a specific bond. Sometimes, despite our thorough background checks, there is certain information that is available to the state, that we do not have access to, that if we we would not write the bond. Although the state might not be able to share this information with us, it seems unjust for us to be required to pay the state on a forfeited bond when the whole time they had information that would demonstrate a client was a high risk to abscond, that we do not have access to, however would have deterred us from writing the bond. Therefore, in these types of circumstances if it comes to light that the state had this type of information, **it seems only fair that we be let off the bond if we show good cause.** The Division of Criminal Justice provided this language to us and we agreed to it last year.

Section 3

- **Section 3 of the bill would give Judges the explicit right to extend stay of bond forfeiture beyond the current 6 month period. Extensions beyond the 6 month period are not barred by the statute and the majority of Judges already allow for these extensions. However, there are a minority of judges who are unwilling to grant these extensions because the statute doesn't overtly provide for it. Giving Judge's the discretion to extend the stay of bond forfeiture beyond the 6 month period for good cause would be beneficial to all parties including the state and the public at large. Many times after as the 6 months near we will know where a fugitive is, or have a lead on his whereabouts that we want to go pick him up. By granting us time beyond the 6 month period, this give us the additional time we need to find the fugitive, get him or her off the streets and bring them into custody. In addition, sometimes there are situations where we know where a fugitive is, and the 6 months is nearing, however the police want us to refrain from picking the person up because they're in the midst of investigating the person for another more serious crime. This Section would also allow us to get extensions when these types of situations arise.**

- **Another part of Section 3 relieves us from our obligation on the bond when a party comes back to Court more than 5 days after a bond is vacated. As currently written the law says that if a party returns to Court within 5 days after a failure to appear, the Court, at its discretion, can vacate the rearrest order and reinstate the bond. The law also says that when a person fails to appear and the bond is forfeited, a rearrest is ordered and the 6 month stay is put in place, bail bondsmen are released from their obligation if the absconding party is returned to custody within that 6 month period. However, in practice some Courts will vacate the rearrest and reinstate the bond when a party returns to Court more than 5 days after the failure to appear and the rearrest is ordered. The proposed bill requires Courts to relieve the bondsmen of their obligation under the original bond and impose new conditions of release. This provision would demonstrate to those parties who failed to appear the importance of showing up for their Court dates and also, if they fail to do so, would highlight the importance of turning themselves in and reappearing in Court in a timely manner.**

Section 6

- **Section 6 terminates a bond when a Court sentences a party but then allows them time to clean up their affairs. Sometimes Courts will impose a sentence and then give the Defendant a certain amount of time to handle personal affairs before the imposition of the sentence. If the Court is willing to engage in this risky behavior, it is our belief that the bond should be terminated because the Court has unilaterally created a situation where the Defendant is a high risk to abscond.**

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Section 7

- The Task Force in this section was part of last years Public Act 13-158. We look forward to working with the Division of Criminal Justice and all other affected interests to examine the issues of reducing the costs to the state associated with extradition.

Thank you for your time. I am happy to answer any questions that you might have.

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State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

H.B. NO. 5588: AN ACT CONCERNING BAIL BONDS

JOINT COMMITTEE ON JUDICIARY
March 24, 2014

The Division of Criminal Justice respectfully recommends the Committee's JOINT FAVORABLE SUBSTITUTE REPORT for H.B. No. 5588, An Act Concerning Bail Bonds. The Division specifically speaks in favor of Section 7 of the bill, which deals with the question of who should properly pay the costs of extraditing fugitives who abscond while free on bail.

Section 7 creates a task force to study ways to reduce the costs of extradition and the feasibility of establishing a system under which a professional bondsman, surety bail bond agent or insurer would be responsible for paying the costs of returning to Connecticut a person for whom they posted bond who absconded and became a fugitive. A similar study was approved last year as part of Public Act 13-158, which was vetoed by the Governor for reasons unrelated to the task force. It is our understanding that the Governor's objections have been addressed in this year's legislation.

The Division's intentions with regard to the task force proposed in Section 7 would be to develop a recommendation for a system by which the costs of extradition of fugitives who abscond while free on bail would be shifted from the taxpayers of Connecticut to the bail bondsman or other who wrote the bail bond. Extradition costs to the state, as reflected in the Division's budget, total approximately \$190,000 annually.

When a professional bondsman, surety agent or insurer issues a bail bond, they are in effect extending a guarantee that the person will appear in court. It is the professional bondsman, surety bail agent or bail insurer who should be held financially responsible to assure the appearance of their client – not the taxpayers of this state. If the bondsman, surety agent or insurer makes what basically turns out to be a bad business decision, then he or she should be responsible for the consequences, not the taxpayers.

Given this background, the task force would seem to be the least that should be done. The Division would request that the Committee amend line 238 of H.B. No. 5588 to allow the Chief State's Attorney to appoint a designee to chair the task force. While it is the intention of the Chief State's Attorney to participate to as great an extent as possible in the task force process, we would appreciate the flexibility of allowing for a designee given the many other demands placed on the Chief State's Attorney.

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In conclusion, the Division respectfully requests the Committee's JOINT FAVORABLE SUBSTITUTE REPORT for H.B. No. 5588. The Division would be happy to provide any additional information the Committee might require or to answer any questions you might have.

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Testimony of Daniel Toner

President: 3-D Bail Bonds, Inc

President: DAD's Bail Bonds, LLC

Vice President: Fugitive Recovery Agency, Inc.

Member: Bail Association of Connecticut

Member: Professional Bail Agents of the United States

Good day Senators, Representatives, Members of the Judiciary Committee, this Audience and perhaps most importantly, the people we are all here working for, the Residents of this Great State.

I am here in **favor of Raised Bill 5588 – AN ACT CONCERNING BAIL BONDS**

As I have mentioned in recent testimony, I am extremely proud to have been a Bail Agent for almost 19 years beginning as an entry level Bail Agent, to building one of Connecticut's largest retail bail operations with offices in Hartford, New London and New Britain. We employ nearly 20 people most of whom are the chief bread winners in their respective families. I have been a strong advocate for bail reform for my entire career.

I am before you again as a citizen of this great state who has extensive knowledge of bail bonds.

Commercial Bail is the ONLY form of pretrial release that monitors a defendant's criminal case while ensuring compliance and guaranteeing the defendant's appearance in court; at NO COST, and NO RISK to the taxpayer. All other forms of pretrial release leave the expense and burden of monitoring the compliant defendant and locating and apprehending absconding fugitives to the taxpayer. Without Commercial Bail, we are simply left with hoping the Police are lucky enough to stop an absconding fugitive on a good day. The Officer will then be forced to bring the Absconder in to custody at the risk and expense of their already overburdened Departments and Taxpayers. We must concur, Bail Agents and Bail Enforcement Agents work in very ugly circumstances at horrible hours in the worst parts of town. We bring defendants back to court so their criminal case can be adjudicated.

Raised Bill 588 primarily cleans up the language and ambiguities of last year's Bill which unanimously passed both the House and Senate.

As I testified on March 10th, the bail contract is written and executed under the **presumption of innocence**. The risk to the indemnitors of the bail contract is drastically and completely changed when a Principal is no longer a Defendant. They are now a convict and are no longer presumed innocent – they've been found guilty.

It was formerly the Bail Agencies responsibility to ensure a Defendant's appearance until their case was adjudicated. - as soon as guilt or innocence was established - the Agent and Indemnitor fulfilled their obligation. It changed several years ago to until the defendant was sentenced. It CAN NOT now be changed to "FOR SUCH SENTENCE TO COMMENCE" Line 198 has those 4 words that must be eliminated. Other than those words – I am absolutely in favor and whole heartedly recommend you pass this bill again.

I understand there are legitimate reasons for the Court to delay sentencing; however it should be at the Courts discretion - not at the expense of Bail Indemnitors and Bail Agencies.

Thank you for your time and attention, and I would be happy to answer any questions you may have.

TESTIMONY OF MARC FORSCHINO, CAPITOL BAIL BONDS, LLC

IN SUPPORT OF:

H.B. NO. 5588: AN ACT CONCERNING BAIL BONDS

JOINT COMMITTEE ON JUDICIARY

MARCH 24, 2014

Good Morning Senators and Representatives. My name is Marc Forschino. I work at Capitol Bail Bonds, LLC located in Hartford, CT. I'm here to voice my support for H.B. No. 5588, An Act Concerning Bail Bonds. This bill is essentially the same bill that passed unanimously through the House and Senate last year. The only changes are (1) some technical language changes made by LCO; and (2) Section seeks to extend the time from 15 to 24 months for collecting on a promissory note. This language is similar to that of last year's bill (HB 6689 and P.A. 13-158), which passed the Judiciary Committee 44-0.

As bail bondsmen we serve a crucial role in the criminal justice system, working to help not only assure that people accused of crimes appear in Court, but also lessening the burden on our overcrowded jails and working with law enforcement to help capture and detain those parties who fail to show up to their Court dates. Raised House Bill No. 5588 would serve to lessen some of the stringent requirements that currently face our industry, while at the same time ensuring that we continue to provide a quality service to the residents of this state.

This bill will do the following great things:

Section 1

- Section 1 of the bill deals with the requirement that bail bondsmen must file law suits against our clients who get behind on their payments or do not pay us in full within 15 months. This requirement is extremely onerous on the bail bonds industry because it effectively punishes us when a client doesn't pay, requiring us to incur legal fees and costs, despite the fact that those who cannot pay their bills typically have no assets that we could recoup through a law suit. Further, this law suit is unfair to those folks who needed our services, were put on a payment plan and then subsequently, have fallen on hard times. I have had clients, who at the time they needed to be bonded out had jobs and consistently made consecutive payments for several months. Then they lost their jobs and were unable to make payments. The law requires my company to sue these clients despite the fact I knew that they were out of work had no source of income and no assets. This Section changes the installment contract from 15 months to 24 months to address some of the concerns that I have just noted.

Section 5

- **As the law is written, when a party is out on bond in Connecticut, and they are detained in another state, territory or country, bail bondsmen are released from their obligation if the State declines to extradite the party. However, if the state determines that they want to extradite then the bail bondsmen are still on the bond.** This creates a situation where the state could say that they want to extradite and then drag their feet in actually extraditing causing the bond to be forfeited and the bail bondsmen to be forced to pay on the bond. This is inherently unfair because the party is incarcerated in another state, and the state will have the opportunity to get the accused back in Court when matters are resolved in another state. The persons whereabouts are known, they pose no risk to CT residents and their appearance will occur upon extradition.
- This bill simply requires the Court to vacate a bond forfeiture order and surety bail bond agents and insurers who posted a bond for the accused if the accused is held by a federal agency or is removed by ICE. The Division of Criminal Justice provided this language to us and we approved of it last year.

Section 7

- **The Task Force in this section was part of last years Public Act 13-158. We look forward to working with the Division of Criminal Justice and all other affected interests to examine the issues of reducing the costs to the state associated with extradition.**

Thank you for your time. I am happy to answer any questions that you might have.

Marc Forschino
Capitol Bail Bonds, LLC

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CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2014**

**VETO
SESSION**

**VOL. 57
PART 11
3246 - 3508**

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SENATE

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May 7, 2014

SENATOR LOONEY:

Madam President, some additional items to add at this time, Madam President.

THE CHAIR:

Please proceed, Senator Looney.

SENATOR LOONEY:

Yes. Madam President, Calendar Page 14, Calendar 455, House Bill 5325, move to place that item on the Consent Calendar.

THE CHAIR:

So ordered, sir. That's already been on the Consent Calendar, sir.

SENATOR LOONEY:

It's already on there? Okay.

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

And Calendar Page 15, Calendar 465, House Bill 5341, move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President, and an additional item from Calendar Page 24, Madam President, at the top of Calendar Page 24, Calendar 551, Substitute for House Bill Number 5588, I move to place that item on the Consent Calendar.

THE CHAIR:

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SENATE

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May 7, 2014

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President. And also, Madam President, Calendar Page 21, Calendar 533, Substitute for House Bill Number 5290, move to place this item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Madam President, if the Clerk would now read all the items on the Consent Calendar so that we might proceed to an immediate vote on the Consent Calendar.

THE CHAIR:

We're going to stand at ease for a moment and as soon as they have it all together, we will start calling them.

(Chamber at ease.)

SENATOR LOONEY:

Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Madam President, while we're waiting for --

THE CHAIR:

Can I just ask everybody to quiet down? I know it's the end of the evening, but it's very hard to hear Senator Looney, thank you.

SENATOR LOONEY:

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SENATE

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Calendar 500, House Bill 5547.
On Page 18, Calendar 507, House Bill 5530.
On Page 19, Calendar 512, House Bill 5386.
Calendar 514, House Bill 5521.
Calendar 516, House Bill 5500.
Calendar 517, House Bill 5305.
On Page 20, Calendar 527, House Bill 5592.
Calendar 528, House Bill 5453.
On Page 21, Calendar 531, House Bill 5299.
Calendar 533, House Bill 5290.
On Page 22, Calendar 541, House Bill 5456.
Calendar 539, House Bill 5294.
On Page 24, Calendar 551, House Bill 5588.
Calendar 552, House Bill 5269.
On Page 25, Calendar 564, House Bill 5489.
Calendar 562, House Bill 5446.

(HB5466)

On Page 26 --

THE CHAIR:

Hold on. Okay. Sorry. Please proceed.

THE CLERK:

On Page 26, Calendar 568, House Bill 5434.
Calendar 569, House Bill 5040.
Calendar 566, House Bill 5535.

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SENATE

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SENATOR LOONEY:

If we might pause for just a moment to verify a couple of additional items.

Madam President, to verify an additional item, I believe it was placed on the Consent Calendar and Calendar Page 30, on Calendar Page 30, Calendar 592, Substitute for House Bill 5476.

THE CHAIR:

It is, sir.

SENATOR LOONEY:

It is on? Okay. Thank you. Thank you, Madam President. If the Clerk would now, finally, Agenda Number 4, Madam President, Agenda Number 4 one additional item ask for suspension to place up on Agenda Number 4 and that is, ask for suspension to place on the Consent Calendar an item from Agenda Number 4.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President, and that item is Substitute House Bill Number 5566 from Senate Agenda Number 4.

Thank you, Madam President. If the Clerk would now, if we might call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk. Will you please call for a Roll Call Vote on the Consent Calendar. The machine will be opened.

THE CLERK:

An immediate Roll Call has been ordered in the Senate.

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SENATE

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An immediate Roll Call on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk will you please call the tally.

THE CLERK:

Consent Calendar Number 2.

| | |
|-----------------------------|----|
| Total number voting | 36 |
| Necessary for adoption | 19 |
| Those voting Yea | 36 |
| Those voting Nay | 0 |
| Those absent and not voting | 0 |

THE CHAIR:

The Consent Calendar passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Two additional items to take up before the, our final vote on the implementer. If we might stand for just, for just a moment.

The first item to mark Go is, Calendar, to remove from the Consent Calendar, Calendar Page 22, Calendar 536, House Bill 5546. If that item might be marked Go.

And one additional item, Madam President, and that was from Calendar, or rather from Agenda Number 4, ask for suspension to take it up for purposes of marking it Go, that is House Bill, Substitute for House Bill 5417. Thank you, Madam President.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

**VOL.57
PART 14
4451 - 4800**

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HOUSE OF REPRESENTATIVES

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May 1, 2014

If all the members have voted, the machine will be locked and the Clerk will take a tally. The Clerk please announce the tally.

THE CLERK:

House Bill 5037.

Total number voting 141

Necessary for passage 71

Those voting Yea 141

Those voting Nay 0

Those absent and not voting 10

SPEAKER SHARKEY:

The bill passes.

Will the Clerk please call Calendar 389.

THE CLERK:

House Calendar 389 on page 19, favorable report of the joint standing committee on Judiciary, Substitute House Bill 5588, AN ACT CONCERNING BAIL BONDS.

SPEAKER SHARKEY:

Representative Matt Ritter.

REP. RITTER (1st):

Thank you, Mr. Speaker. I move acceptance of the joint committee's favorable report and passage of the bill.

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SPEAKER SHARKEY:

The question is on acceptance of the joint committee's favorable report and passage of the bill.

Will you remark, sir?

REP. RITTER (1st):

Yes, Mr. Speaker. I believe the Clerk is in possession of an amendment, LCO 4848 and I ask that the amendment be called and that I be granted leave of the Chamber to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO 4848, which will be designated House Amendment "A".

THE CLERK:

House Amendment "A", LCO 4848 introduced by Ritter and Fox.

SPEAKER SHARKEY:

The gentleman seeks leave of the Chamber to summarize. Is there objection? Seeing none, you may proceed with summarization.

REP. RITTER (1st):

Thank you, Mr. Speaker. This bill makes changes relating to bail bonds in criminal cases. In particular, it allows a surety to apply to a court to

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be released from a bond after a principal absconds and
I move adoption of the amendment, Mr. Speaker.

SPEAKER SHARKEY:

The question is on adoption of House Amendment
"A". Will you remark?

The distinguished ranking member of the Judiciary
Committee, Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker. I rise in support of the
amendment, and I'll wait to speak on the underlying
bill. Thank you.

SPEAKER SHARKEY:

Thank you, madam.

Would you care to remark further on House
Amendment "A"?

If not, let me try your minds. All those in
favor of House Amendment "A" please signify by saying
aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay? The ayes have it. The
amendment is adopted.

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Would you care to remark further on the bill as amended? Would you care to remark further on the bill as amended?

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker. I rise in support of the bill as amended. We certainly had a public hearing and there was a lot of testimony and there was a few parts where there was some concerns during the testimony and those sections, portions of the bill were addressed and I believe that they were actually omitted from the bill that's before us.

So I certainly do rise in support of the bill that's before. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, madam.

Would you care to remark? Would you care to remark further on the bill as amended?

If not, staff and guests to the well of the House. Members take your seats. The machine will be opened.

THE CLERK:

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The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the chamber post haste.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? If all the members have voted, please check the board to make sure your vote is properly cast.

And if all the members have voted, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally.

THE CLERK:

House Bill 5588 as amended by House "A".

| | |
|-----------------------------|-----|
| Total number voting | 142 |
| Necessary for passage | 72 |
| Those voting Yea | 142 |
| Those voting Nay | 0 |
| Those absent and not voting | 9 |

SPEAKER SHARKEY:

The bill as amended passes.

Will the Clerk please call Calendar 451.

THE CLERK:

House Calendar 451 located on page 27, favorable report of the joint standing committee on General Law, Substitute Senate Bill 153, AN ACT CONCERNING THE