My name is Ronnie Minnick. 1968 I received my Banking & Finance degree from the University of Arkansas, my Juris Doctric Law Degree in 1968 from the same University. I have owned and operated a total of 21 title insurance companies, have been a licensed mortgage broker in several states, a licensed residential home builder and for the last 30 years have done legal liability continuing education seminars for real estate licensees and bail bond licensees under the sponsorship of the University of Arkansas, University of Oklahoma, University of Mississippi, The Oklahoma Real Estate Commission, The Mississippi Real Estate Commission, and The Arkansas Professional Bail Bond Licensing Board. I tell you this not as a braggart, but that I am educated and I am informed about the facts of which I speak.

For well over 300 years, the American commercial bail system has served the criminal justice system well …… and without any tax payer expense. Our system of bail started in England in 1677 when there were no jails, no money to build jails (sound familiar) and the practice at the time was to release a prisoner into the custody of some reputable individual who would vouch for the defendant to appear in court on a certain date. And soon the reputable individual learned he could collect a fee for this assurance, 10% (same as it is today). In the 20th and 21 century that reputable person became a person or company licensed and regulated by the state wherein he or she operates. Releasing a person in custody by the sheriff to a licensed bail bondsman 1) eliminates the approximate $50 @ day costs from the County to house the prisoner; 2) reduces the jail population; 3) assures the defendant will appear for his scheduled court date to answer for his criminal conduct. If the defendant fails to show up for court, the bail bond licensee has to pay the amount of the bail bond to the court, so there is an incentive to have the defendant in court; 4) the released prisoner is supervised while awaiting trail, has to weekly report in to the bondsman as to his whereabouts, employment, etc… All at no tax payer expense.
Beginning somewhat in 2018, moreso in 2019 and today, we are experiencing a nationwide movement called “bail reform”. Three things are fueling this movement: 1) There is massive jail overcrowding everywhere; 2) There is massive jail budget over-runs everywhere; 3) There is no money to build more jails or to continue to fund the massive jail budget deficits caused by the overcrowding, i.e. @ $50 @ days average housing costs.

Those advocating bail reform states: 1) The commercial bail system in the US is 300 years old and obsolete; 2) Inmates cannot afford the bail bond premium and thus the result is jail overcrowding. The commercial bail system discriminates against the poor people as only the rich can afford the bail bond premium; 3) The jail population is primarily composed of our friends, neighbors, relatives, good people who simply have caught a bit of bad luck, they have families, mortgages, employment, etc that all will be lost if they don’t have the money to pay the bail bond premium. The commercial bail system creates a debtor’s prison; 4) If we were to simply release these “good people” back on the street with a promise to appear in court, they “will” appear in court (it is believed and hoped)

The above is the “Perception” of the “Bail Reform Movement”. Perception may or may not be true but to the people who see that perception it is true. The perception simply put is that the overcrowded jail population is a result of the commercial bail system which discriminates against the poor. Let the poor people go and problem solved? Policy makers have flocked to bail reform in the hopes of saving on the money issues. Organizers pushing for bail reform like the Arnold Foundation, The Bail Project, Local Policy Makers, et al all mean well but the impact these Catch & Release initiatives have on the resulting increased crime rates and lack of public safety in the community are shocking.
A large part of the perception (or misperception) is that the commercial bail system is somewhat mysterious, greatly misunderstood by most (other than the bail agent community) and that even includes ones within the criminal justice system, judges, et al who you would think would know, and all the general public which includes the state legislators voting for the bail reform measures. And this all works in favor of the movement toward “bail reform”. If one (1) thru four (4) were true, it needs to be replaced! We can all agree on that. But the facts simply are: Other than the fact the industry is 300 years old, none of the factors for bail reform are true, absolutely without any merit and inherently dangerous to the safety of the general public.

As proof are the States which have tried the bail reform “Catch & Release, New Mexico, New Jersey, Iowa, Missouri, Harris County, Texas and lastly in January of this year New York, all to devastating results. In none of the states has bail reformed worked satisfactorily. On January 1, 2020, a landmark New York law curtailing the use of cash bail went into effect, signaling a leap in a nationwide movement to reduce the number of people held in jails. But after less than 3 months under the new Catch & Release system, crime has escalated 50%. Elected officials are already having second thoughts, rattled by stories of dangerous criminals being set free, allowed to remain on the streets and committing new crimes. For criminals in New York Catch & Release has represented freedom, having no fear or respect for the criminal justice system. Very few people arrested for even the most serious crimes will face detention, and having them show up for trial will be playing the long odds. Fear for their safety is gripping law-abiding citizens.

In Chicago, The Bail Project came to the rescue of one “Christopher Stewart” a “four-time convicted felon” who shot a pistol into the ground at a six year child’s birthday party and threatened to kill the child. Stewart was charged with illegal handgun possession. The Bail Project secured Stewart’s release from custody without any supervision, accountability or cost in the interests of “social justice”. Four weeks later, Stewart deliberately set fire to an apartment with occupants inside and was charged with “attempted murder”. The Chicago Tribune documented 162 individuals who had been charged with prior felonies and had been released from custody either by The Bail Project or the Chicago Bond Fund wherein one in five were subsequently charged with serious and otherwise avoidable new crimes.

Organizations like The Bail Project and similar others may mean well but the facts and impact of these initiatives have on increased crime rates and the lack of public safety is shocking. Study after study show the Catch & unfettered release of defendants committing new and serious crimes increase by an approximate fifty percent (50%); and a failure to appear in court by seventy five (75%).
2) Inmates cannot afford the bail bond premium and thus the result is jail overcrowding. The commercial bail system discriminates against the poor people as only the rich can afford the bail bond premium.

Kamala Harris, Senator from California and past Presidential candidate: “More than 450,000 Americans sit in jail today, many cannot afford money bail. In our country whether you stay in jail or not is wholly determined by whether you’re wealthy or not, and that’s wrong. Our commercial bail system is discriminatory, wasteful and fails to keep our communities safe.” This is a statement coming from a United States Senator and a serious Presidential candidate, a person of credibility. Yet every single word of that statement is absolutely false, not a true word spoken, but the perception! Yet very representative of the perception or misperception that the majority of this country has of the bail bond industry. Because these statements from such a credible person and must be true. She gave as an example the fate of an individual having a family, having a job, having a mortgage, of being the subject of a $20,000.00 bail. “Who has $20,000.00 she says, just another example of poor people being kept in jail because they cannot afford bail.”

I continue to hear the story of the 16 year old charged with stealing a backpack that spent 3 years on Riker Island prison simply because he could not afford to pay the $3,000 bail and subsequently committed suicide, “another example of poor people being kept in jail because they cannot afford bail.” This fiasco was a product of the New York Criminal Justice System having nothing to do with a bail bondsman. These are horror stories and the message being played out successfully to legislators all over the country for the movement toward bail reform. And it also helps that legislators, decision makers, the general public do not understand bail and therefore it must be true.
Bail Reform 2020

Lets take an informed look at these two examples that are being pitched as examples for bail reform. 1) The $20,000.00 bond. No body has an extra $20,000 laying around. That much is correct. But the premium for the $20,000 bond is 10% or $2,000; and most bondsman would agree to a installment payout of this $2,000 with 10% down or $200.00. So not we have gone from Kamala Harris’s example of $20,000 to $200 but not a word was said. $200 ? If you don’t have the $200 even, get 4 credit cards and put $50 each. Everybody has credit cards. 2) The $3,000 bond. 10% would be $300. Same scenario. The tragidity here is at the feet of the New York Criminal Justice system, not the bail bondsman. Who was the Judge who sent a 16 year old minor to Rikers Island; Where was the Prosecutor who let this happen, The Sheriff, His court appointed Lawyer. Yet all the blame goes instantly on the bail bond industry who had absolutely nothing to do with this case. This case has gotten extraordinary national attention for the reason for bail reform even being on the Dr. Phil show.

The argument that jail overcrowding is the result of the inability to pay the bail bond premium is simply not true. The bail bond premium is 10% of the bond amount and bondsman will generally accept a installment payout of this amount. By the same token, I continue to hear Judges complain that bail is set at $20,000 for example and the defendant gets out of jail with no money being paid at all. All the premium is financed. How does this reconcile with jail overcrowding being the result of a inability to pay the bail bond premium ? It does not. Simply an untrue, bogus but convenient message.
3) The jail population is primarily composed of our friends, neighbors, relatives, good people who simply have caught a bit of bad luck, they have families, mortgages, employment, etc that all will be lost if they don’t have the money to pay the bail bond premium. The commercial bail system creates a debtor’s prison;

The jail population is not composed of our friends, neighbors and relatives as bail reformers would have us to believe. I believe most of us would question this fact without any proof. The jail population today and the overcrowding is a result of 1) a large increase in the overall population and migration to the cities; 2) the immigration phenomenon; 3) the negative economic impact on individuals; and 4) a dramatic decrease in the number of bail bonds written. One would logically think given the increase in crimes and the jail population the number of bail bonds being written would be increasing. In the State of Arkansas, the number of bail bonds written is down 20,000 annually from years ago. Courts are simply trying to get away from bail bonds to some alternative release method as advocated by bail reformers. The Judicial System has seemed to have bought into the bail reform message that bail bondsman are the problem.

One of the alternative pre trial release methods is the payment of the 10% bail premium into the local court system and upon the defendant finalizing his case, 90% is refunded back to the defendant minus court costs and fines. There are two apparent issues here, still stuck with the payment of the 10% upfront premium (and no financing) and it would appear the County may be better served financially if the defendant did not show up at all for his court appearances and the County could then keep all the 10% premium without any refund. Seems like a conflict of interest and what about justice for the victims? And it seems most of the 90% refund happens to be the costs of the fines and court costs.
The Bail Reform Arguments / Perceptions:

4) If we were to simply release these “good people” composing the jail population back on the street with a simple promise to appear in court, they “will in fact” appear in court. Under the Arnold Foundation, and their computer Risk Assessment Tool, inmates are assigned a number (much like a credit score) resulting from computer algorithms and this number will determine the risk of safety to the general public and the likelihood the inmate will show up for court appearance. This reform is referred to as “Catch & Release” with no supervision or accountability to anyone. The States of New Mexico, New Jersey, Iowa, others that have adopted the Arnold Foundation Risk Assessment Tool will attest to the fact that yes, the system will reduce the jail population (letting everybody go after arrest) but afterwards the results are devastating. Organizations like The Bail Project and similar others may mean well but the facts and impact of these initiatives have on increased crime rates and the lack of public safety is shocking. Study after study show the unfettered release of defendants committing new and serious crimes increase by an approximate fifty percent (50%); and a failure to appear in court by seventy five (75%).

The sole purpose of bail being the “appearance in court” the failure to appear rates (FTA) associated with the bail reform alternative measure “catch & release” is as high as seventy five (75%). Failure to Appear is a common charge among all jail book-ins. Missing a court date is pricey for everyone devouring county fiscal resources. Defendants who fail to appear impose significant costs on the judicial system, rearranging and rescheduling court dates, wasted time of judges and prosecutors, and on the general public in the form of wasted tax dollars and creating a public safety issue! County residents don’t ask much of their county governments, keep roads smooth, law enforcement help if needed, put law-breakers in jail, maintain community safety and for most part residents will be satisfied
The Bail Reform Arguments / Perceptions:

Defendants who fail to appear are four (4) times higher to commit additional crimes! Catch and release bail reform with no supervision is reckless and an inherently dangerous proposition. Law-abiding citizens expect laws to be enforced that will keep them safe and not put unsupervised criminals back on the streets within hours of arrest and at the same time costing tax payers thousands of dollars supporting the judicial system. Today’s criminal has no fear or respect of and for the judicial system. In one state, New Jersey adopted a liberal bail reform and one state legislator sent a letter to the Speaker of the State Assembly in California who was considering a similar bill stating “dangerous and career criminals are released daily within hours of arrest with no accountability or supervision. Failure to appear in court also harms victims remaining in limbo until the defendant can be relocated and returned to court for adequate justice. Bail Reform advocates for the inmate’s quick release from jail of people and no one should be incarcerated solely because they can’t afford the cost of bail. “Cash bail discriminates against poor people” said one member. Let the poor people go and the problem is then solved? Correct? If we let these poor people go unfettered 1) will they show up for trial? and 2) will not commit new crimes? It is just now that simple. Just being poor or rich or white or black, or male or female are not reasonable determinants that 1) one is likely to show up for trial or 2) will not commit a new crime. Cash bail is the incentive to 1) to show up for trial.

The follow-up question: “who goes looking for the absent defendant?” With the use of the bail reform “Catch & Release, No one! There are “Failure To Appear arrest warrants issued by the courts but local law enforcement does not have the resources and manpower to actively pursue absconding court defendants and are given a low priority. Counties are faced with a massive stock of unserved FTA arrest warrants.
NY lawmakers face wave of voter anger on botched criminal justice reforms

There is a tsunami and a backlash of public anger coming in New York. New York is the epicenter of America’s COVID-19 crisis, but it’s also the focal point of the national debate about reducing jail populations through bail reform.

On January 1, 2020, a landmark New York law curtailing the use of cash bail went into effect, signaling a leap in a nationwide movement to reduce the number of people held in jails. But after less than a week under the new system, elected officials are already having second thoughts, rattled by stories of dangerous criminals being set free, allowed to remain on the streets and committing new crimes. For criminals in New York, January 1 has represented freedom.

In 2020, under the new bail reform policy, communities across the Empire State will face the release of thousands of defendants charged with serious crimes. Already, we are seeing criminals being released before their victims have time to return home from the emergency room. Very few people arrested for even the most serious crimes will face detention, and having them show up for trial will be playing the long odds. Fear will grip law-abiding citizens. Every voter, every resident and every law-abiding citizen should become an advocate for public safety.

The debate over New York bail reform ground to a halt on Friday morning April 3, 2020, only three months since going into effect January 1, 2020. The New York Assembly voted for a “fix” to the bail reform which has dominated headlines ever since January 1 due to dramatic increases in the New York crime rate.

What was the “fix”? Monetary bail was re-introduced into the system for a wide variety of offenses, mostly felony offenses, along with some small percentage of misdemeanors. New York now become a lesson for others considering similar changes
Misplaced Benevolence

There is a backlash of public anger in New York, Chicago and other parts of the country where the bail-reform movement is putting the law-abiding general public at risk due to dramatic increases in the crime rates. Criminals are now running the criminal justice system under the guise of protecting the civil rights of law breaking individuals at the expense of the victims of the crime and the law abiding general public at large.

Two prominent Chicago criminal-justice groups, The Bail Project and the Chicago Community Bond Fund, in the pursuit of “social justice” work to get law-breaking criminal defendants out of jail without any supervision or bail costs irrespective of the threats those offenders pose to the general public. In Chicago, The Bail Project came to the rescue of one “Christopher Stewart” a “four-time convicted felon” who shot a pistol into the ground at a six year child’s birthday party and threatened to kill the child. Stewart was charged with illegal handgun possession. The Bail Project secured Stewart’s release from custody without any supervision, accountability or cost in the interests of “social justice”. Four weeks later, Stewart deliberately set fire to an apartment with occupants inside and was charged with “attempted murder”. The Chicago Tribune documented 162 individuals who had been charged with prior felonies and had been released from custody either by The Bail Project or the Chicago Bond Fund wherein one in five were subsequently charged with serious and otherwise avoidable new crimes.

Organizations like The Bail Project and similar others may mean well but the facts and impact of these initiatives have on increased crime rates and the lack of public safety is shocking. Study after study show the unfettered release of defendants committing new and serious crimes increase by an approximate fifty percent (50%); and a failure to appear in court by seventy five (75%). Policymakers deserve the blame here and should primarily first be concerned with the safety and welfare of the law-abiding general public who has elected those policymakers.
August 28, 2019: Catch and Release?

For county leaders who need to fix jail overcrowding, the choice is not between spending millions of dollars on jail expansion or some alternative that costs nothing.

The Quorum Court is advocating 1) For the quick release from jail of people accused but not yet convicted and 2) No one should be incarcerated solely because they can’t afford the cost of bail. “Cash bail discriminates against poor people” said one member. Let the poor people go and the problem is then solved?

If we let these poor people go unfettered 1) will they show up for trial? and 2) will not commit new crimes? It is just now that simple. Just being poor or rich or white or black, or male or female are not reasonable determinants that 1) one is likely to show up for trial or 2) will not commit a new crime. Cash bail is the incentive to 1) to show up for trial.

October 19, 2019: Letting Inmates Go

When a sheriff starts turning away from the county jail people accused of breaking the law, it might be a sign that political leadership within county government is failing. County residents don’t ask much of their county governments, keep roads smooth, law enforcement help if needed, put law-breakers in jail, maintain community safety and for most part residents will be satisfied.

Sheriff Tim Helder has been warning the Quorum Court for years the county jail has reached critical stages of the number of prisoners the jail can house and at present will force him to limit the number of prisoners he can accept. Quorum Court members have embraced alternatives to jail overcrowding other than to expand the jail. We now have the clearest example of how the county’s leadership favors law-breakers and fails to live up to their obligations to the people they represent.
Northwest Arkansas Times Editorials

February 13, 2020: **Washington County First!**

*Resolutions not a solution to jail overcrowding*

The demand for jail space remains strong and Washington County has a problem. Inmates are sleeping on the floor and is a recipe for lawsuits. The situation is resulting releasing people from jail the judicial system would rather see spending time in jail.

There’s hardly agreement among county leaders as to what the real problem is. Sheriff Tim Helder has said for years the jail needed to be bigger.

The Quorum Court, keeper of the County’s money, hasn’t welcomed the Sheriff’s request for $38 million to build a jail expansion and has instead looked at alternative measures to reduce the jail population: 1) Release people who cannot afford bail, 2) Develop sentences that do not involve jail incarceration, 3) Creation of diversionary programs to treat drug and alcohol addictions that lead to illegal behavior, 4) Ending a contract to house federal inmates in the county jail, and 5) Transferring state inmates awaiting state prison beds to other county jails willing to accept them.

**Problem solved, right?** Well housing federal and state inmates in the Washington County jail earns the county between $2 million and $2.5 million a year toward the annual $15 million cost to maintain the jail and therein exists an already budget deficit of $1 million a year.