

Testimony Substitute House Bill 439

John Handler
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Chairman Manning, Vice Chairman Rezabek, Ranking Member Celebrezze and members of the House Criminal Justice Committee. My name is Jon Handler and I am the Owner of Handler Bail Bonds, located in Columbus and operating in Most major markets in Ohio. I am here today to voice my opposition to House Bill 439 currently being considered by this Committee.

My company was started locally by my grandfather in 1960 and I am a 3rd generation owner. We have been in business almost 60 years and I have had the fortune to own and operate my small business. In that time we have posted thousands of bonds and successfully led all clients to all court dates as well as their completion.

This bill in its current form can drastically change the way we have always done business across the state. The bail industry is a great example of a private sector solution to a public sector problem, and has over a 200 year history in our country. When we post bond on a defendant's behalf, we have systems and processes we use that help us ensure the citizen shows up for their court date. Contrary to popular belief, the life of a bail bondsman is not always like you would see on a reality show. Rarely are we beating-down doors and dragging defendants across state lines. We ensure compliance through communication and working pro-actively with families of the accused. We are constantly checking-in with them, their family members and those around them in the community to ensure they show up for their date in court. We do this without the use of government resources and at considerable expense to our business. We have even developed an app for all smart phones that allows all clients to check in multiple times per week to add an extra layer of protection for all parties involved. I can recall when I was growing up and watching both my grandfather and father on the phone 24/7

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7 days a week answering calls for new business but also making sure our clients stayed the course.

In addition, each of our clients are handled on a case-by-case basis, taking into consideration their unique circumstances and history when making our decision whether or not to post their bail. We do not look at our clients as a risk score or a number associated with an algorithm. A long history in this business and our track record of results has proven to us that we are able to work with most clients to ensure they show-up for court and do not commit any crimes while awaiting trial. In this business you can see many different sides however nothing is more rewarding then getting a defendant out on bond so they can continue their jobs and provide for their families.

Our current court system already has appropriate mechanisms in place to allow for pre-trial assessment input into bond determinations. In 2011, HB 86, which dealt with Felony Sentencing and Juvenile Justice Reform, put a process in place that requires a magistrate to consult with pre-trial services in setting a bond. Pre-trial services then informs the magistrate of their finding related to any interview conducted with the defendant, the defendant's previous record, determined risk level, as well as whether or not they are eligible for a personal recognizance bond. In addition, it called for a state-developed risk assessment tool that could be uniformly used by all counties, not multiple tools that could cause problems with uniform statewide data and multi-county defenders.

Data collection is one of the major flaws of House Bill 439. As a fiscal conservative or, more broadly, any overseer of public funds should take note about what it will cost to obtain that

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potentially flawed data from Ohio's counties. As I am sure many of you are very aware from the LSC Fiscal Analysis that the "Use of a risk assessment tool will create additional work for judges, magistrates, clerks when setting bail, including setting bail for individuals detained after regular office hours. The increased workload is uncertain, but expected to be significant and to potentially require additional staffing resources."

Like any system, there are ways we can improve the outcomes and address issues that have brought this legislation to this Committee. Ohio's professional bail industry stands ready to be a part of these discussions and help make the system better. I would like to thank you for allowing me to present today and would be happy to address any questions the Committee might have.

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