

Date: May 23, 2022  
To: Representatives LaRe and Leland  
cc: Ohio House of Representatives, Criminal Justice Committee  
From: Eric Granof  
Company: AIA Surety  
RE: **Letter of Opposition to HB315**

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I am writing you today to voice my opposition to HB 315. My name is Eric Granof, and I am a Vice President with AIA Surety, one of the nation's largest underwriters of surety bonds. This includes contract bonds, commercial bonds, and bail bonds. Our company is licensed to write surety bonds in all 50 states including Puerto Rico and of course Ohio. I listened to last week's testimony in support of HB315 and I couldn't believe my ears, when I heard several of the proponents claim that Harris County Texas was a model for successful bail reform and that the committee should follow in their footsteps. I have to respectfully disagree with this assessment. Yes, Ohio should keep an eye on Harris County, but not to copy what they have done, but instead avoid what they have done.

All one must do is pick up a newspaper, and one could see that crime is spiraling out of control in Harris County and has been for the past 2 years. The county has been releasing the majority of misdemeanor defendants on Personal Recognizance bonds (PR bonds). These bonds are not backed by any financial security but are rather simply a promise by the defendant to show up for court. This new policy was driven by the ruling in a Federal lawsuit that claimed that defendants could not be held in jail because they could not afford a bail bond.

Since that ruling and the implementation of "Bail Reform" Harris County's criminal justice system has fallen apart. In a recent study from the Harris County Police Officers Union, an analysis was done of one random week of Harris County's sixteen misdemeanor courts. This analysis was both shocking and informative. Of the 9000 cases on the docket for the week of October 11-15, 2021, only 24% of the defendants required to appear in court did. That means 3 out of every 4 defendants failed to appear for court. Several of the 16 courts had failure to appear rates exceeding 90%. Harris County spent over \$100 million to implement their bail reform policies and what did they get? A system that has no accountability. A system that is failing in its duties to dispense justice to victims of crime. A system that is no longer protecting the public but rather putting them in harm's way.

Over the past decade the Harris County court system has maintained a backlog of cases in the 5%-15% range. Since 2017, when these bail reform policies were implemented, the backlog of cases has skyrocketed with the latest year showing a 173% increase over the previous year. These backlogs are impacting the courts' ability to dispense justice effectively and efficiently. In fact, more cases are now being dismissed in order to keep up with the volume of cases. Prior to 2017, about 25% of the cases in Harris County were dismissed. Since 2017, once again, when the bail reform policies were implemented, case

dismissals have increased substantially. In 2020 and 2021, more than 71% of the cases were dismissed. Another failure of the system. A link to the report is below....

<http://texasbailnews.com/Downloads/Report.pdf?fbclid=IwAR18bPe1AySfBEBrBi6GGM-dDR2nDB3A5DASISFbkGwLQ-D7SgM3Y5Puyk4>

The proponents for HB315 argued that the Monitors Report in Harris County shows that the reforms are working as intended. But last year, the Harris County District Attorney, Kim Ogg, someone who supported these reforms initially, noticed that crime was increasing despite the claims being made in the Monitors report. DA Ogg decided to do her own analysis of the same data used by the Monitor and found that the policies that were implemented as part of bail reform in Harris County were directly responsible for the increase in crime. According to Ms. Ogg, "*Bail reform [in Harris County] has led to declining community safety and disintegration of the purpose of bail reform.*"

Among the findings in her report, they found that the number of suspects released on PR bonds who reoffended while out on bond went from 6,344 in 2015 to 13,160 in 2020, a 107% increase. Additional data showed that there had already been 18,820 cases in 2021, by the time the report had been written in September. The report also found that people are committing crimes sooner than previously. The number of people who reoffended within a year rose 95 percent and the number reoffending within 90 days rose 139%. A link to the report is below.

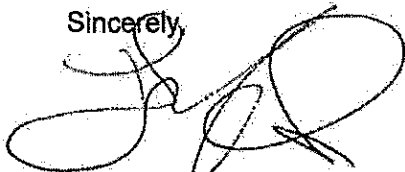
[https://www.scribd.com/document/523055073/HCAO-Bail-Crime-Public-Safety-Report-09-02-21#download&from\\_embed](https://www.scribd.com/document/523055073/HCAO-Bail-Crime-Public-Safety-Report-09-02-21#download&from_embed)

After reviewing both these reports, this committee should at a minimum question the Harris County Monitors report being used by the proponents of HB315 to justify its passage. In these two reports alone, there is plenty of data to question the legitimacy of these bail reform policies. Additionally, all one must do is Google "crime" and "Harris County" and they would see the results of a failing criminal justice system.

I would like to strongly recommend that this committee vote no on HB315. This piece of legislation will set up a similar catch and release system in Ohio that was set up in Harris County. It will result in the same increase in court appearance rates and case backlogs, while making Ohio a less safe place to raise a family. It really makes no sense for Ohio implement similar bail reform policies that have failed miserably in other states. Ohio already had a robust criminal justice system that is able to dispense justice in a fair and efficient manner. Implementing HB315 would be a step back in the wrong direction.

Thank you for your time. I am more than happy to answer any questions or provide you and your committee with any additional documentation/research. I can be reached at [eric.granof@aiasurety.com](mailto:eric.granof@aiasurety.com).

Sincerely,



Eric Granof

Vice President – AIA Surety