

Senate Judiciary Committee
Proponent Testimony
SB 182

Testimony of Dana M. Davis
June 16, 2021

Chair Manning, Vice Chair McColley, Ranking Member Thomas, and members of the Senate Judiciary Committee,

Thank you for the opportunity to submit proponent testimony on Ohio Senate Bill 182. My name is Dana Davis and I am a resident of Franklin County. I am an African American Former Bail Bond Agent. I currently work full-time in reentry, helping individuals as they return from incarceration enter the workforce.

In 2010, I decided to expand my life & auto insurance business and I obtained my Surety Bail bonds license. I saw this as an opportunity not only to grow my clientele but grow my business financially. I soon realized that the old saying my grandmother use to say "All money isn't GOOD money" was so very true.

My first week into the actual courthouse I wrote \$28,000 in Bonds. I collected 10% from the client, which was \$2,800.00. I was paid a commission of 35%, which equates to \$980.00. This was for about 2- 4 hours of actual work for that day. Not bad, right? My partner agent made 28k during her first 30 days. Needless to say, we were not welcomed too kindly by our competition. It was an ongoing battle in the courthouse and in the community. Bail bonds are not just a "sit behind your desk job and wait for a call to post bond kind of job" by any means. It was -- and still is -- a VERY competitive male-dominated market. Everyone is competing for the highest bond, even it means the lowest outcomes. I overcame those barriers due to the fact I was thick-skinned I could handle the insults and other agent's attempts to deter business. What I could not handle, and realized after about two years into this business, was what this whole system was doing to our community financially. The fact is the bail bond business is not helping but is hindering the communities I come from. While I was making what many would see as "good money," I realized that I did not like this business at all. I did not feel good about it. I want to share with this committee from my personal experience how I have seen bail affect people and our community:

- **Job Loss and Financial Setback-** Most of those individuals losing jobs are minorities that cannot afford the bonds that are set. In one case my client (African American) was 15 minutes late to court on a misdemeanor drug possession charge and was currently out on a 50,000.00 bond. Upon entering the courtroom he was re-arrested for failure to appear for the court case he was just a little late to. The judge orders another bond of \$75,000 which he could not afford after posting the last bond. He had no history of not showing up to court on the previous bond. He was looking for a parking space he shouted, which caused his lateness. Not only did he lose his

job, he eventually lost his car, his house, he lost the case because he could no longer afford his own legal team...I was outraged!

- **Racial Disparity in Bond Amounts** - African Americans receive higher bonds than White Americans for the same crime, or in some cases, lesser offenses. I had a situation where a white American bond was 10k, however, an African American with the same charge bond was 100k.
- **Hostile Work Environment between Agents** - Agents are very aggressive with other agents, for example offering to do a bond for a lower amount which is out of compliant but they did it happen and all they got was a fine and could continue business as usual
- **Differences Between Courts / Judges** - Each court has its own process regarding setting & posting bonds. It is heartbreaking to see people impacted by this.

The money I made was at the cost of others being accountable to show up in court. I had to risk my life to go look for them if they did not show, but how was I helping them? If I post \$250,000.00, the signers of the bond application (most cases parent, sibling, or significant others) pay 10% (25k). If the person that is bonded out does not appear in court, the bail bond agency is responsible to find and bring them in or we have to pay the 250k. All it takes is **one** bond to go bad and your whole business can be shut down, all while your clients are being treated unfairly and unjustly. Nobody wins. I simply don't think this is the system that we should use in Ohio.

I do not regret the time I spent in this industry because I was able to see through a different lens the issues & reform needed in areas of which I had been previously unaware. I began to see how racial inequality and how the bail system leads to mass incarceration. This legislation is needed because it will allow people to keep their jobs & will families together. It will allow people to fight for their innocence, which is critical because our justice system is built on the premise that one is innocent until proven guilty. I am here to encourage all of you, and all our elected officials in the statehouse, to be part of the solution by reforming our bail system. Why are people doing time and being punished before it is proven that they committed the crime?

I ask you to consider my testimony and vote yes on this critically important bill. Thank you again for the opportunity to testify.