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Testimony of
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S.B. 1031 - An Act Concerning Bail Set By Judges

Judiciary Committee Public Hearing – March 13, 2015

The Office of Chief Public Defender supports passage of proposed *S.B. 1031, An Act Concerning Bail Set By Judges* because it establishes the presumption that any person arrested for misdemeanor offenses will have bond in an amount not to exceed five-thousand dollars (\$5,000) unless "good cause" is found. This bill is an important step in ensuring that bonds cannot be used as a means of unfairly impacting case disposition while reducing disparity in the manner in which bonds are set by the courts throughout the state for the same or similar offense(s).

The Office of the Chief Public Defender encourages this Committee to consider adopting the presumption of a "Written Promise to Appear" or a bond "Without Surety" for persons charged with a misdemeanor offense as a more effective way to reduce recidivism while preserving the eligibility for public and other benefits which our clients typically receive. By adopting the presumption of a written promise to appear or bond without surety, the "good cause" exception, as proposed in this bill, could still exist thereby creating exceptions for offenses such as failure to appear, escape from custody, any offense involving the threatened use of force or violence, or any offense that results in physical injury. Experience tells us that the consequences of the "first chance" often determine future involvement in the criminal justice system, and any reasonable measure that we can take to reduce this cycle should be taken.

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Persons released after arrest often fare better legally for various reasons, and this is especially apparent for indigent clients who face the same or similar charges as those who have the ability to post bond. The lives of our clients and their families are so heavily reliant upon specialized benefits and services, yet their continued eligibility depends upon their remaining at liberty. Clients who remain incarcerated will lose these programs and be more vulnerable to reoffending.

The Office of the Chief Public Defender strongly urges this Committee to act favorably on this bill.