



"BAIL AGENTS ASSURE JUSTICE"

Kansas Bail Agents Association
2947 N. Athenian Ave., Wichita, Kansas 67204

Testimony In Support of Senate Bill 188

Rick Morey
President
Wichita, Kansas

February 13, 2025

Shane Rolf
Executive Vice-President
Olathe, Kansas

Chair Warren and Committee Members,

Dennis Berndt
Treasurer
Salina, Kansas

My name is Shane Rolf. I am the Executive Vice President of the Kansas Bail Agents Association. I am providing this testimony on behalf of the KBAA in support of Senate Bill 188.

JC. Loewen
Vice-President
Newton, Kansas

An own recognizance bond – commonly referred to as an OR bond – is the decision of the judge to release a defendant back into the population without any real or meaningful assurance that the defendant will be back to answer the charges against him. Senate Bill 188 simply calls OR bonds what they are: unsecured judicial release.

Laura Frisbee
Secretary
Wichita, Kansas

David Stuckman
At-Large Director
Manhattan Kansas

To be sure, there are instances in which no bond is necessary and unsecured judicial release would be entirely appropriate. For example, long standing members of the community arrested for minor crimes are unlikely to abandon their homes and families rather than face the charges against them. The potential sentence is less damaging than fleeing from the charges would be.

Terri Deede Ricketts
At-Large Director
Wichita, Kansas

Candy Crow
Education Director
Wichita, Kansas

However, there are many more instances where releasing someone without bail makes no sense. The bill further clarifies that when determining whether or not to release a charged defendant into an unsecured judicial release program, certain crimes and certain individuals would be excluded from this option. Defendants charged with murder, robbery, kidnapping, rape, sodomy, aggravated assaults and aggravated batteries and indecent liberties with a child, would not be eligible for unsecured judicial release. These defendants would still be eligible for secured bonds, established by the judge, which inherently carry more accountability of the defendant to the court.

Michael Crow
At-Large Director
Wichita, Kansas

Pat Hiebert
At-Large Director
Wichita, Kansas

Ryan Eastep
At Large Director
Wichita, Kansas

Cal Williams
At Large Director
Salina, Kansas

Danny Slusser
At Large Director
Wichita, Kansas

Jonathan Gear
At Large Director
Wichita, Kansas

Why is this important for the Kansas Legislature to consider? The last 4 years have seen a wave of so-called "Bail Reform" sweep across the country, with devastating results in increased failures to appear, increased crime and a loss of respect for the criminal justice system. Kansas has not been immune from Bail Reform pain. One of the first cities targeted by these "reformers" was Dodge City. After Dodge City was forced into a settlement to avoid spending hundreds of thousands of dollars defending its perfectly legal system, several other cities followed suit and began releasing defendants on signature bonds in hopes of avoiding a similar lawsuit.

Houston, Texas was the epicenter of a major lawsuit – *Dobbs vs. Harris County* – in which virtually every misdemeanor defendant was given what Texas calls a “personal bond” but what we would call an “own recognizance” bond. Failure to appear rates soared to over 80% and convictions fell to less than 15%¹. Ultimately, the 5th Circuit dismissed the *Dobbs* case with the warning that it, and other cases like it, should have never been brought in Federal Court.

But what came from these activist lawsuits was a drumbeat false claim that secured bail was unconstitutional, despite being specifically referenced in both the Federal and State Constitutions. As a result, we have seen an expansion of the use of “own recognizance” bonds. These are bonds where the defendant alone ostensibly guarantees a specific amount will be paid if he runs off and is never seen again. As one would imagine, these bonds are not worth the paper they are printed on. They provide no incentive to appear and in practice are virtually never collected by Kansas courts.

We will often see in the news that someone has been arrested for some new crime and the media will report that the defendant was “out on bond” at the time of the crime, without specifying the type of bond. However, most of these “bonds” are almost always signature bonds. Chicago’s newspapers and website are full of articles where defendants on Zero Bail release have committed terrible crimes. California’s last attempt at wholesale unsecured release died in the Legislature following a gruesome quadruple murder committed by someone out on a personal bond. In city after city we see similar stories, lenient, functionally zero bail releases being framed as released “on bond.” Inevitably, the response to this is to attempt to eliminate bail altogether, rather than just go back to the secured bail system that has worked for hundreds of years.

Senate Bill 199 represents common sense restrictions on unsecured release that should be adopted regardless of whether or not we change the name of the release. We would urge the Committee to pass the bill out favorably.

Shane L Rolf
Executive Vice-President
Kansas Bail Agents Association

¹ HarrisCountyCourtWatch.org and Harris County Sheriff’s Office report data.