

Testimony of

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Before the Senate Banking and Insurance Committee

Regarding Senate Bill 1441

Harrisburg, PA

My name is Jodi Lobel, and I am Deputy District Attorney for Performance and Innovation in the Philadelphia District Attorney's Office. I am very pleased to appear before you today regarding SB 1441, important legislation that will help us to better ensure that defendants show up in court and do not abscond while they are out on bail.

I have been a prosecutor for more than two decades and have tried everything from the most simple misdemeanor cases to complex co-defendant homicides. At the risk of stating the obvious, the one thing that is absolutely necessary to ensuring justice is served is that the defendant is present at his or her trial. When a defendant absconds after being granted bail, our whole criminal justice system fails. Victims are understandably upset because for at least the second time, the defendant has flouted the rules. And the impact on public safety is harmful – defendants need to be accountable and present during their trial, rather than roaming our streets with impunity.

Unfortunately, defendants do not always show up. To be sure, most of the time they do. But too often they do not. While the problem varies from county to county –in Philadelphia it is a very serious problem – every county at some time or another faces the fact that some defendants on bail decide to take a walk.

This legislation provides appropriate oversight over bail bondsmen, appropriate sanctions if they do not follow the rules, gives the Department of Insurance sufficient authority in regulation of the industry, and generally provides the flexibility that is needed in handling matters involving defendants, bail and potential absconders.

SB 1441 is a very good bill. It provides transparency and predictability. It sets clear expectations and responsibilities. It simplifies what can sometimes be a haphazard practice that, quite frankly, has not worked. It will help us ensure that forfeited bail is collected in a timely fashion. It will remove the reliance on others in the criminal justice system to be able to devote significant time to bail collection, revocation and forfeiture and, instead, establishes bright-line rules that will accomplish the goal that defendants will be accountable.

We certainly do not want to micromanage the bail bondsmen. This legislation does not. But we also want to provide a strong framework outlining responsibilities, rules and expectations. This legislation does just that.

The current system does not work as well as it could and, frankly, should. SB 1441 reflects years of discussion about how to improve the system. We commend Senator Alloway for sponsoring the legislation, Senator Stack for the years of hard work on this issue, and you, Mr. Chairman, for bringing us all together.

I will be happy to discuss any of the more specific provisions in the legislation.