



The Benefits of Private Bail

Private bail agents provide a much needed service to our communities. More than 1,200 private bail agents work daily to ensure the return of defendants to court and help our state's court system run smoothly.

The North Carolina Bail Agents Association believes that, unlike taxpayer-funded pretrial release programs, private bail agents are more effective in ensuring that defendants return for their court date.

In fact, the percent of defendants who were fugitives after one year ranged from 10% for unsecured bond releases to three percent of those released on surety bonds.¹

Here are just some of the benefits provided by the private bail industry in North Carolina.

- **Saving taxpayer dollars.**

Unlike taxpayer-funded pretrial release programs, private bail provides pretrial release and monitoring services at **no cost** to taxpayers.

According to the court accepted formula provided by tax-paid pretrial release programs, the suggested low estimate amounts to \$2 billion or more in savings to the state's taxpayers per year.

- **Supporting the court system.**

Private bail in North Carolina provides an additional investigative and arrest force of more than 1,200 professional bondsmen to ensure the defendants' appearance in court.

Bail agents have a 98% arrest and surrender rate of those who fail to appear on surety bonds.

Private bail reduces jail population by providing a means for defendants to obtain pretrial release and provides the opportunity for many defendants to secure their freedom while awaiting disposition of their case.²

- **Returning defendants to court.**

Private bail agents are financially liable to the bonds they issue, which creates an incentive to ensure that defendants appear in court.

The bail agent's reputation for arrest of defendants who fail to appear is an added motivation for many defendants to appear that is not present in other types of release.

The private bail agent who signs a bond may take additional steps as necessary to ensure that the defendant will return to court, including taking collateral, requiring the defendant to report in by phone or in person, or requiring a defendant to be monitored.

Unlike the private bail industry where bail agents have a vested financial interest in returning a defendant on his or her court date, taxpayer-funded pretrial release programs do not share such an incentive and, therefore, do not offer such close monitoring of defendants.

- **Supporting North Carolina's public schools.**

The North Carolina Constitution states that all fines and forfeitures paid in court cases go to directly support North Carolina's public schools.

Taxpayer-funded pretrial release programs do not provide any financial support to the state's public schools.

1 The Bureau of Justice Statistics: Pretrial Release of Felony Defendants in State Courts; Thomas Cohen, Ph.D. and Brian A. Reaves, Ph.D.; November 2007; Page 8.

2 The Bureau of Justice Statistics: Pretrial Release of Felony Defendants in State Courts; Thomas Cohen, Ph.D. and Brian A. Reaves, Ph.D.; November 2007; Page 4.