

National Consumer Law Center, ACLU & Color of Change Praise Senate Inquiry into Predatory Bail Industry Practices

FOR IMMEDIATE RELEASE: August 7, 2018

CONTACTS:

Ryan Karerat, ACLU Campaign for Smart Justice, (212) 284-7388, rkarakerat@aclu.org

Jan Kruse, National Consumer Law Center, (617) 542-8010, jkruse@nclc.org

Troy Blackwell, Color of Change, (646) 828-0844, Troy.Blackwell@berlinrosen.com

WASHINGTON — Sens. Cory Booker (D-N.J.) and Sherrod Brown (D-Ohio) yesterday sent a letter to insurance companies that underwrite over \$2 billion a year in bail bonds expressing concern about potential predatory practices in the bail industry. The letter also requests information on the steps these companies take to protect consumers and curb abusive practices.

The companies contacted yesterday were featured in a report released last year by the American Civil Liberties Union's Campaign for Smart Justice and Color of Change that shed light on how the for-profit bail industry fuels mass incarceration and perpetuates racial inequalities.

Kanya Bennett, senior legislative counsel at the ACLU, issued the following statement:

"Sens. Cory Booker and Sherrod Brown are asking all the right questions of the bail bonds industry — an industry generating between \$1.4 and \$2.4 billion a year. Congressional oversight is desperately needed on the corporations driving cash bail, and today's letter from Sens. Booker and Brown should just be the beginning. The bail industry must provide answers on the policies and practices that keep poor people and people of color indebted and incarcerated simply because they can't afford not to be."

Brian Highsmith, attorney at the National Consumer Law Center, issued the following statement:

"Commercial bail imposes oppressive financial costs on heavily-policed low-income communities, especially communities of color. Senator Booker and Senator Brown's letter puts the insurance companies that underwrite these contacts on notice that lawmakers are paying attention to the abuses occurring in this industry — and that every company involved in commercial bail has a responsibility to ensure compliance with state and federal laws designed to protect consumers."

Scott Roberts, Senior Campaign Director at Color Of Change, issued the following statement:

"Commercial bail is a massive industry that had been given free rein to engage in violent exploitation of brown, Black, and cash poor people with little to no oversight or regulation. We can no longer allow the most fundamental questions of justice - who is allowed freedom and whose rights must be respected - to be made by private industry. We commend Sens. Booker and Brown's attempt to hold them accountable."

For more information about the ACLU's Campaign for Smart Justice:

<https://www.aclu.org/issues/mass-incarceration/smart-justice/campaign-smart-justice>

Written Testimony of NCLC attorney Brian Highsmith before New York State's Department of Financial Services, Division of Consumer Protection and Division of Criminal Justice Services on Bail Bond Reform, June 1, 2018:

<https://www.nclc.org/images/pdf/criminal-justice/testimony-highsmith-ny-bail-bond.pdf>