

Buyer Beware - Bail Bond Tricks and Traps: Learn How To Recognize Them And How To Avoid Them

By Tonya Rynerson Families experience a lot of stress when a loved one is in jail. It's a trying emotional time; they're embarrassed, worried about finances, and anxious to get their loved one out of jail as quickly as possible. That combination leaves people vulnerable to a number of bail bond scams and outright fraud. Don't be caught by one of these schemes. Some can be costly; most are illegal. The last thing you want is to have your bail bondsman sharing your cell instead of bailing you out! Be wary if any bail agent approaches you with one of these offers: **1. "Psst.... Have I got a deal for you!" *Bail agents who charge too little*** "Cheap bail bonds" may seem like a good deal, but they're not. Some bail agents promise "cheap bail" or "5% bail" or another amount that's much lower than the 10% bail bond premium required by law in most states. A company that offers a cut rate is likely either advertising deceptively or blatantly violating the law. For instance, if the court sets a bail amount of \$25,000, the bail premium - the fee that you pay to a bail bondsman - is usually 10% of the total, or \$2500. You pay that fee to the bail agent, who then promises the court that the defendant will show up for court appearances and thus arranges release from jail. The bail agent keeps the bail premium as a fee for assuming the liability of the full amount of the bond. You may see a bail bond company advertise "5% bail bonds" - which would mean a bail bond fee of \$1250 instead of \$2500 on a \$25,000 bond. That sounds like a great deal over the phone, and we all jump at the chance to save money. Unfortunately, once at the bail agent's office, many are surprised to find out that the bail company will take 5% in cash or credit cards as a down payment and finance the balance, likely with interest. It's a classic "bait and switch." But with a loved one sitting in jail and no guarantee that any other bail agent would act any differently, most people just go ahead and sign the paperwork. This practice isn't illegal, but it is misleading. Many reputable bail bond companies offer financing, often without interest charges, and will arrange this with you in advance, rather than trick you into coming to their office with false assumptions. A practice that is illegal though, is for any bail agent to charge less than the rate established by law. Bail agents can lose their license and have their businesses shut down. The state of Connecticut is currently dealing with a bail bond scandal whereby bail bondsmen routinely charge only 2-3% of the bail amount. According to reports, Connecticut judges know this happens and routinely set very high bail amounts to make up for the "discounts" being given by bail agents. This raises the cost for all defendants and undermines faith in the system. **2. "Don't like being in jail? Let me help!" *Bail agents who solicit business inside jail lobbies - or even jail cells.*** As with bail bond pricing, state laws regulate when and how bail agents can solicit business. Some agents walk a fine line between flouting and following the rules. Bail agents are prohibited from hanging out in the jail and offering bail services. Some agents ignore this law and solicit business this way anyway. There can be tension between competing bail bondsmen - as well as between reputable companies who follow the rules and those who don't. In the Connecticut bail bond scandal, Mary Casey, president of the Connecticut State Surety Association, reported that "fights have erupted in court houses" between bail agents trying to solicit the same clients. Even worse, from an ethical and legal standpoint, is the practice of paying kickbacks via reduced bail fees to jail inmates who refer other arrestees to the bail bond company. Word of mouth advertising is one thing, but this practice is illegal. Any bail agent who does this is in danger of losing his or her license and could even face felony charges and jail time. Ask yourself: "What kind of business is this person running that he has people in jail drumming up business for him?" **3. "So, I heard your brother's in jail" *Bail agents who solicit business outside the jail.*** It's illegal to cold call potential clients and solicit business, but some bail agents do it anyway. Unscrupulous agents obtain booking information online and track loved ones via the Internet. When a potential relative of an arrestee is identified, the rogue agent calls to offer services. If a bail agent ever calls you on behalf of someone in jail, find out who called the agent with the request. Be suspicious if the agent refuses to tell you or tells you they obtained the information from the police or online. Simply put, in the bail industry, a client must contact a bail agent. It is illegal for a bondsman to call and offer unrequested services. Calling a family member is perfectly legal if the defendant contacts the bail bondsman first and asks the bondsman to do so. But if a bail agent calls you - and the person in jail didn't call them first - then the agent is acting illegally. Don't deal with that person - he or she may not even be an actual bail bondsman. That was the case in a related bail bond scam reported in Norfolk, VA. Swindlers called and/or visited elderly people and told them that a loved one was in jail and needed bail money. The fake bail agents took the money, promised to get the person out of jail, and disappeared. And in Houston, TX, another bail bond con artist stood outside a bail bond company and intercepted clients. He told them the office was closed, but he could still write the bond if they paid the bail premium to him in cash. Of course, he took the money and disappeared. Unfortunately, these scams play into the misconception that people have about the bail bond industry as a shady, underhanded kind of business. True, some bail agents are unethical, but there are thousands of honest bail bond agents. Why deal with someone who cuts corners? While it may seem as though a bail bondsman is offering you a great deal, be careful. Everybody loves a bargain, but ask yourself why this person is offering an arrangement that's so different from other bail agents. Responsible, licensed bail agents work within the system and play by the rules. You can count on them to treat you fairly. But if a bail agent doesn't respect the system and follow the law, you probably can't trust them to treat clients with any more consideration.

About the Author

Tonya Rynerson provides the marketing support and is a Bail Bond expert for Rynerson Bail Bonds, an [Orange County bail bond company](http://www.888bailbond.com) that provides professional bail services throughout California through its strategic network of bail bond agents. Visit them online today at <http://www.888bailbond.com> or call 1-888-224-5266. © 2007