



# **“BAIL AGENTS ASSURE JUSTICE”**

## **Kansas Bail Agents Association**

2947 N. Athenian Ave., Wichita, Kansas 67204

### TESTIMONY IN SUPPORT OF SENATE BILL 319

**Rick Morey**  
President  
Wichita, Kansas

February 3, 2020

**Shane Rolf**  
Executive Vice-President  
Olathe, Kansas

My name is Shane Rolf, I have been a bail bondsman in Olathe, Kansas, for the past 30+ years. 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 319.

**Dennis Berndt**  
Treasurer  
Salina, Kansas

K.S.A. 22-2809 currently allows a bond surrender to be done “in any county in the state.” This creates headaches when a surety surrenders someone in a jail several counties away from where he is being actively prosecuted. This is particularly problematic for law enforcement when the surrender takes place and no active warrant exists for the defendant from the charging jurisdiction. We agree that a surety should deliver a defendant to the county that is prosecuting him. Evidently, some surety has abused the statewide surrender option that this statute currently affords. We do not have a problem with limiting that.

**JC. Loewen**  
Vice-President  
Newton, Kansas

**Paul Forbes**  
Secretary  
Parsons, Kansas

**David Stuckman**  
At-Large Director  
Manhattan Kansas

However, prior to speaking with the proponents of this bill, we were concerned that the current proposed language creates a potential for misinterpretation under certain circumstances.

**Bill Warfield**  
At-Large Director  
Wichita, Kansas

**Charles Stimatze**  
At-Large Director  
Junction City, Kansas

#### The Problem:

**Michael Crow**  
At-Large Director  
Wichita, Kansas

While most bonds are “issued” in the county that has jurisdiction over the case, a small percentage of bonds (perhaps 5-15% depending on the area) are actually written in another county when the defendant is arrested in that second county due to a warrant from the charging county. This is referred to as a “returnable bond” and is authorized under statute. This is beneficial to everyone and I don’t believe anyone wants this to change.

**Randy “Razz” McCarty**  
At-Large Director  
Wichita, Kansas

**Tommy Hendrickson**  
At Large Director  
Topeka, Kansas

**Alan Stimatze**  
KS West Liaison Director  
Syracuse, Kansas

However, the current proposed language requires the defendant to be surrendered in the county “*where such bond was issued.*” This could create a comical situation where the surety has to physically return the defendant to the county where he was initially bonded, despite that county having no direct involvement with the underlying case, rather than the surety delivering him to the county that is actually prosecuting him.

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We have spoken with the proponents of this legislation and it is our understanding that they will be offering amended language to clarify that any surrender needs to occur in the jurisdiction that is actually prosecuting the defendant without creating the potential requirement of surrendering the defendant in a county that has no active involvement in the underlying case.

**Conclusion**

If the statewide surrender prerogative is being abused, we wholeheartedly support a change to prevent this and would urge the committee to adopt the amended language.

A handwritten signature in black ink, appearing to read 'Shane Rolf', with a stylized, cursive script.

Shane Rolf  
Executive Vice-President  
Kansas Bail Agents Association