



**OFFICE OF THE DISTRICT ATTORNEY  
EIGHTEENTH JUDICIAL DISTRICT**

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**Proponent Testimony Regarding SB 244  
Submitted by Aaron Breitenbach, Deputy District Attorney  
On Behalf of Marc Bennett, District Attorney, Eighteenth Judicial District**

Honorable Chairwoman Humphries and Members of the House Judiciary Committee:

Thank you for the opportunity to address you regarding Senate Bill 244 on behalf of Marc Bennett, the District Attorney of the Eighteenth Judicial District. Building on last year's SB473, this bill closes a loophole less scrupulous compensated sureties could use to take advantage of in-custody defendants or otherwise skirt the minimum payment requirements established in last year's legislation.

Without relating the history that led to SB473, I can share that since it became effective, we have seen some positive effects in the appearance bond market in Sedgwick County. As judges have greater confidence defendants must pay a credible amount of money to vouch for their willingness to return to court, bond amounts have gradually started to lower. While some rumors of abuse still exist (and are being investigated when possible), some of the more egregious conduct that used to accompany the bonding process appear to be abating. Time will tell if this positive trend continues.

This bill attempts to close one avenue that could otherwise undue that progress. One key provision of last year's SB473 was to set a 10% minimum appearance bond premium (i.e. bondsman's fee for posting the bond). Half of that is to be collected up front, with the remainder to be paid within a reasonable amount of time as reported to the Court.

However, what if the bondsman provides or services a loan for either of those amounts? What if a bondsman requires a defendant or family in need of a loan to only use a particular institution the bondsman has a connection with? What if a bondsman agrees to forgive that loan in exchange for provision of something of non-monetary value? None of the answers to these questions are good, and this bill avoids them by keeping compensated sureties out of the personal finance business. Candidly, it's the simplest answer to those questions, and I'd argue it's the only correct one.

Thank you for your time, attention and consideration in this matter.

Respectfully submitted,

Aaron Breitenbach  
Deputy District Attorney