



May 11, 2018

Mr. Sundar Pichai, CEO  
Google LLC  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

**RE: May 7, 2018 Press Release regarding Bail Bond Agency Advertisements**

Dear Mr. Pichai:

I serve as Chairman of the American Bail Coalition, a national trade organization of insurance companies which underwrite a significant majority of the bail bond agents (more commonly known as bail bondsmen) across the United States. I am also the Chairman, CEO and President of American Surety Company.

I was deeply troubled to learn of Google's decision to ban advertisements for "bail bond agencies" per your May 7, 2018 statement. The release states "**studies**" that show such agencies **"...make most of their revenue from communities of color and low-income neighborhoods when they are most vulnerable, including through opaque financing offers that can keep people in debt for months or years."** (emphasis added) While the statement used the word "studies" the only study you cite was done in September, 2016 by In the Public Interest (<http://www.inthepublicinterest.org>), a project of a non-profit organization named the Partnership for Working Families (<http://www.forworkingfamilies.org>). I hardly think a decision as broad ranging as prohibiting an entire private industry from advertising on the Google platform could be done based upon a single study, particularly one lacking any type of academic or professional peer reviewed authorship. I strongly urge a reversal of this uninformed decision.

Your statement that Google has strict policies which exist to keep misleading or harmful ads off of our platform largely ignores the fact that these bail bond agencies are relied upon by many incarcerated people to obtain liberty as they await their day in court. Bail bond agencies are state licensed and regulated insurance producers who offer interest free payment plans. Such plans are no more opaque than auto, home or life insurance premium financing options. Any such agreements are confirmed by written contracts and with the further protections offered by state insurance regulators.

Claiming the services of a bail bond agency are deceptive or harmful is the functional equivalent of claiming that defense attorney services, drug/alcohol treatment services or mental health services are as well. These groups offer services to identical populations of accused people who are from "communities of color" as well as "low income neighborhoods." These groups also offer payment plans which could at best be described as "opaque" but yet these groups have not seen their advertisements banned from your services. In fact, these groups are free to charge any amount that the market will bear – in stark contrast to the heavily regulated commercial bail industry. Further, bail bond services are a unique and critical component of the criminal justice system in 46 states which aid those accused in exercising their right to bail – a fundamental constitutional right.

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It is an unfortunate truth that, nationally, our criminal justice system impacts communities of both color and lesser incomes. However, studies can be found which report that these are the communities where higher volumes of criminal activities occur, often reported by the residents within same.

Blaming the bail bond industry for this reality is disingenuous and suggests a causal relationship which does not exist. A significant percentage of the men and women who are employed within the bail community are themselves men and women of color and maintain their offices and residences in these lower income communities, all while providing a valuable and integral service to the accused and their families. Not to mention the crime victims who benefit from knowing the appearance of defendants in court are being guaranteed by a third party. Numerous anecdotes are available which show the community involvement and contributions they make, as evidenced by one of the speakers at your May 8, 2018 event in Washington D.C.

Our industry would not dispute the need for meaningful criminal justice reform. However, clamoring for bail reform without an educated consideration and understanding of the effectiveness and impact holistically of any replacement would itself be a detriment to public safety. This debate is ongoing and the proper public policymakers (judicial, legislative and law enforcement) should be the parties responsible for this analysis.

Google's intention to prohibit bail bond advertising as injurious to the public is not supported by the facts. If Google possesses internal analytics which indicates there are bad actors within this space, by all means, address them. But forbidding all bail bond ads is patently unfair and essentially censors an industry which traces its roots in the United States Constitution (8<sup>th</sup> Amendment) and earlier.

Our industry has always been open to any dialogue to improve the existing system, but it must be available equitably and include robust due process, guarantee appearance and remain a judicial prerogative. Ultimately public safety must remain paramount.

I strongly urge Google to abandon, or at least suspend, implementation of this policy until a meaningful dialogue can be had together on how we can work in concert to make the system fair and equitable. I welcome your response.

Respectfully,

DocuSigned by:

A handwritten signature in black ink that reads "William Carmichael".

William B. Carmichael

Chairman

American Bail Coalition

(877) 958-6628

Cc: David Graff, Director, Global Product Policy, Google LLC