



# Profiting Off Misery

Endeavour Capital and the  
Predatory Bail Industry

## Introduction

*Following a 2012 buyout, Endeavour Capital’s Aladdin Bail Bonds has grown nationally and spent heavily to maintain and expand the for-profit bail system.*

Private equity firm Endeavour Capital—backed by large public pension funds, university endowments, and foundations—owns Aladdin Bail Bonds, the largest bail bond company in the United States, and Seaview Insurance, a related insurer.

Relying on public investment dollars, Endeavour Capital has expanded Aladdin Bail Bonds to several additional states. It has also spent millions of dollars lobbying to expand for-profit bail to states where it is against the law and fighting efforts to reform the predatory system.

Over the past few decades, the number of Americans incarcerated in jails has swelled, contributing significantly to the nation’s mass incarceration crisis. On any given day, more than 400,000 people are in jail even though they have not been convicted of a crime. They are detained before trial,<sup>1</sup> many because they cannot afford cash bail.<sup>2</sup> Courts have told them they can return home if they post money bail to secure their release, but more often than not, they simply can’t afford the cost of freedom.<sup>3</sup> This crisis has become so

**“As commercial bail has grown into a \$2 billion industry, bond agents have become the payday lenders of the criminal justice world, offering quick relief to desperate customers at high prices.”**

*“When bail feels less like freedom, more like extortion,”  
The New York Times, Mar 31, 2018.*



severe that one in five people incarcerated in America today are pretrial detainees who have not been convicted of a crime.

When people cannot afford the cost of bail, they often turn to a for-profit bail bond company—which can secure their release for a nonrefundable fee. Even if the person who purchases a bail bond is exonerated or the case against them is dropped, they still owe money to the bail bond company. Bail bond contracts are confusing and often filled with vague and unspecified fees. The U.S. is one of only two countries in the world with a for-profit bail bond industry (the other is the Philippines), an estimated \$2 billion industry with upwards of 15,000 bail agents.<sup>4</sup>

Although the Eighth Amendment of the U.S. Constitution states that “excessive bail shall not be required,” critics of the system argue that bail is often set at unreasonably high rates, a factor that disproportionately impacts poor defendants.<sup>5</sup>

## The for-profit bail industry: Trapping people in a cycle of debt

A 2018 article in *The New York Times* entitled “When Bail Feels Less Like Freedom, More Like Extortion” profiled the increasingly predatory nature of the bail industry, noting:

*As commercial bail has grown into a \$2 billion industry, bond agents have become the payday lenders of the criminal justice world, offering quick relief to desperate customers at high*

prices. When clients like Mr. Egana cannot afford to pay the bond company's fee to get them out, bond agents simply loan them the money, allowing them to go on a payment plan.

But bondsmen [bail bond agents] have extraordinary powers that most lenders do not. They are supposed to return their clients to jail if they skip court or do something illegal. But some states give them broad latitude to arrest their clients for any reason – or none at all. A credit card company cannot jail someone for missing a payment. A bondsman, in many instances, can.

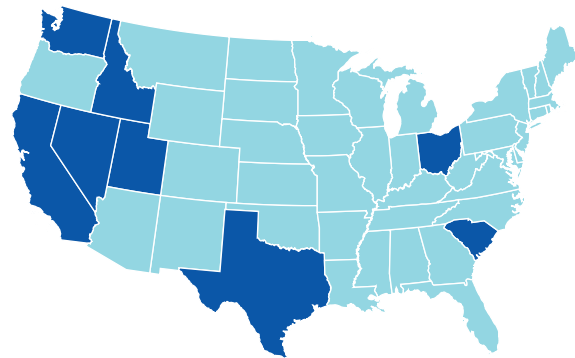
Using that leverage, bond agents can charge steep fees, some of which are illegal, with impunity, according to interviews and a review of court records and complaint data.<sup>6</sup>

The national median for bail for a felony arrest is now \$10,000, though in some jurisdictions it can be much higher. The median in California, Aladdin's primary market, for example, is \$50,000.<sup>7</sup> To get a bail bond, defendants must typically pay around 10 percent of the bail amount—e.g. \$5,000 of \$50,000 bail—as a nonrefundable payment to a bail bond agency like Aladdin.<sup>8</sup> The Federal Reserve has found that nearly half of Americans would be unable to pay for an unexpected expense of \$400, so many people borrow the payment amount and pay it back in installments along with high interest rates. The for-profit bail system is creating a two-tiered system of justice, which allows people who can afford bail to go free. Those who can't become trapped in an exploitative cycle of poverty and criminalization.<sup>9</sup>

## Communities of color impacted disproportionately

The for-profit bail system and bail bonds agencies like Aladdin disproportionately impact communities of color, who—due to structural racism, social exclusion and aggressive police practices—are much more likely than their white counterparts to be arrested in the first place and once arrested, are more likely to be incarcerated while awaiting trial.<sup>10</sup>

## STATES WITH ALADDIN BAIL BOND LOCATIONS



Source: [locations.aladdinbailbonds.com](http://locations.aladdinbailbonds.com), May 29, 2018.

For example, for low-level drug arrests, Black people are two times more likely to be detained than white people. Latinos are two and a half times more likely to be detained than white people.<sup>11</sup>

Bail amounts assigned to Black men average 35 percent higher than those for white men, even when controlling for the seriousness of the offense.<sup>12</sup>

## Aladdin Bail Bonds: The largest bail bond company in the United States

Carlsbad, California-based Aladdin Bail Bonds—owned by private equity firm Endeavour Capital—claims that it is the “largest retail pretrial release service provider in America.”<sup>13</sup>

Aladdin operates more than 50 offices in eight states—California, Idaho, Washington, Utah, Nevada, Ohio, South Carolina, and Texas,<sup>14</sup> and reports having provided bail bonds for 1.7 million people.<sup>15</sup>

Aladdin is one of the only bail bond companies in the country that also includes a bail insurer, Seaview Insurance.<sup>16</sup>

Investigations by media outlets have highlighted Aladdin Bail Bonds' role trapping clients in debt.

## TRE'VONN DOAKES

In September 2018, KQED reported on the case of Tre'Vonn Doakes. In his early 20s, Doakes had a good job, was taking college courses, providing for his two young daughters and had another baby on the way.

Then on April 21, 2017, Doakes said he came close to losing everything he cared about. He got in a fight with a family friend who came to his house, and when Doakes called the Oakland Police Department, he ended up getting arrested.

He said he sat in a holding cell in Santa Rita Jail for 12 hours, worrying about his fiancée and his daughters. "It's everything that I was fighting to keep," he said.

Meanwhile, Doakes' dad was trying to get him out of jail. Doakes said Aladdin Bail Bonds agreed to sign a \$75,000 bond in exchange for a 10 percent fee of \$7,500.

But Alameda County prosecutors never filed charges against Doakes, and he said he never had to go to court.

"So why am I having to pay a bail bond?" Doakes wondered.

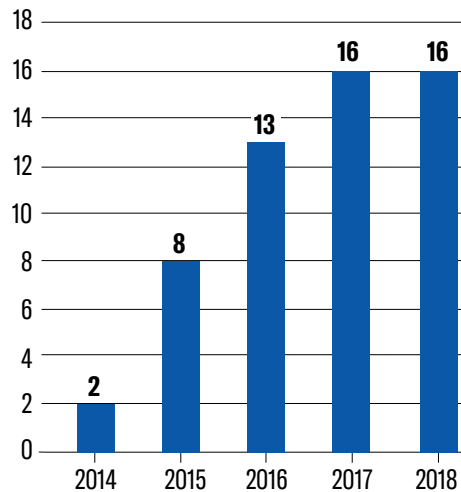
As far as the law is concerned Doakes is free and clear of any criminal case. But more than a year later, he said he is still struggling to pay back the \$3,000 he owes Aladdin.<sup>17</sup>

## Endeavour Capital investment drives Aladdin Bail Bonds growth

In 2012, private equity firm Endeavour Capital purchased a controlling stake in Aladdin Bail Bonds in order to "accelerate the timing of key strategic objectives, including vertical integration with a surety to provide bail bonds and expanding the brand across the U.S."<sup>18</sup>

Endeavour Capital, based in Portland, Oregon, manages billions of dollars on behalf of public pension

## STATES IN WHICH SEAVIEW INSURANCE IS LICENSED



funds, university endowments, foundations, wealthy individuals, and other institutional investors.<sup>19</sup>

Some of the biggest investors in Endeavour include Washington State Investment Board, Oregon Investment Council, Public Employee Retirement System of Idaho, and the University of Washington Endowment. Oregon has outlawed for-profit bail, so the fact that taxpayer-funded pension fund money is invested in this way is misaligned with state values.

Prior to Endeavour Capital's acquisition of Aladdin Bail Bonds and Seaview Insurance, Aladdin was in three states—California, Idaho, and Washington.<sup>20</sup> Aladdin now operates in eight states.<sup>21</sup> Endeavour Capital's investment also brought Aladdin and a surety company, Seaview Insurance, under common ownership, driving Aladdin's expansion.<sup>22</sup>

As of March 2019, Aladdin's insurance affiliate Seaview was licensed but inactive in eight other states including Florida, Oklahoma, and Virginia, a significant increase compared to just a few years prior.<sup>23</sup>

Two Endeavour Capital Managing Directors, John von Schlegell and Leland Jones, serve on Aladdin Group's board.<sup>24</sup>

Seaview Insurance has paid out more than \$9.8 million in dividends to its parent, controlled by Endeavour Capital, since 2016.<sup>25</sup>

## CARLOS VALIENTE

In 2016, KQED reported on the case of Carlos Valiente, who was arrested in San Francisco in 2015 and had bail set at \$70,000. Valiente called Aladdin Bail Bonds:

“They ask, ‘How much money do you have on you?’ really general questions about like, ‘How much you make?’” Valiente said. “‘How much can you get right now?’”<sup>26</sup>

Valiente, a construction worker who earned \$14 an hour, and his mother paid Aladdin \$1,000 and owe Aladdin an additional \$6,000 in installments.<sup>27</sup>

Valiente’s case was later dismissed, but he still owed Aladdin more than \$6,000, which he will try to pay off over the next four to five years.<sup>28</sup>

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\$2 Billion Bail Bond Industry Threatened by Lawsuit Against San Francisco,” KQED, May 6, 2016.

## Aladdin Bail Bonds practices draw lawsuits, criminal charges, media coverage

Beyond the issues described above, since it has been owned by Endeavour Capital, Aladdin Bail Bonds and its affiliates have paid out hundreds of thousands of dollars in a class action settlement, seen nine of its bail bond agents arrested and charged in a sweep in California, and drawn media coverage and a lawsuit after one of its bounty hunters shot the mother of an individual he was trying to apprehend in Washington state.

In 2015, Gayla Shelby filed a class action complaint against Aladdin affiliate Two Jinn, Inc. alleging the company debited funds from her and other customers’ checking accounts without prior written authorization in violation of the Electronic Fund Transfer Act of 1978. Two Jinn settled the case in Aug. 2017, agreeing to pay \$457,000. Two Jinn denied Shelby’s allegations and did not admit wrongdoing.<sup>29</sup>

While the Shelby class action complaint covered 17,300 class members, class actions brought under the Electronic Fund Transfer Act can carry maximum statutory damages in the aggregate for all class members in an amount capped at 1 percent of the net worth of the defendant, and in an amount no greater than a maximum of \$500,000, meaning Aladdin paid out nearly the maximum based on the alleged violation.<sup>30</sup>

## Nine Aladdin Bail Bonds agents arrested for “bail-capping” in Santa Clara County, California

In an August 2015 sweep called Operation Bail Out, law enforcement personnel from the California Department of Insurance and the Santa Clara County District Attorney’s Office arrested bail agents across five Bay Area counties, charging them with numerous felonies for illegal business practices.<sup>31</sup>

Nine of the bail agents arrested and charged were from Aladdin Bail Bonds.<sup>32</sup>



The sweep focused on “bail-capping,” an illegal practice in which bail bond agents compensate people in prison to identify and recruit new customers.<sup>33</sup>

People incarcerated in the Santa Clara County Main Jail Complex actively solicited clients for bail bond companies like Aladdin, according to Alison Filo, the deputy district attorney tasked with prosecuting dozens of bail agents for illegal business practices.<sup>34</sup>

Prosecutors say that bail capping creates a predatory environment in the jail. People who are experiencing incarceration for the first time are especially vulnerable, because often they’re afraid and have little information. They don’t know, for example, that they may be eligible to get out of jail without paying bail or to have their bail reduced.<sup>35</sup>

According to testimony from Sylvia Herrera, a former Aladdin employee and a witness in the bail-capping cases, Aladdin agents had to bring in \$50,000 and write 20 to 30 bonds a month. Herrera said the quota was nearly impossible to meet without bending the rules.<sup>36</sup>

Fernando Casillas, one of the Aladdin Bail Bonds agents arrested in Operation Bail Out, was charged with seven counts of violating Section 1814 of the California Insurance Code, which regulates licensed bail agents.

The investigator in the case noted:

*“Based on the content of recorded jail conversations, I believe (S1) Casillas, a licensed bail agent, is using inmates within the Santa Clara County Jail to solicit bail clients. I also believe (S1) Casillas violated numerous CCR’s when he bailed out (W3) Singh.*

*I believe there may be more recorded jail conversations where (S1) Casillas is participating in the illegal solicitation of bail, but I do not have the resources to listen to thousands of recorded jail conversations obtained from the Department of Corrections.*

*I recommend (S1) Casillas be charged with multiple counts of violating California Insurance Code Section 1814.”*



Source: California Department of Insurance

“According to testimony from Sylvia Herrera, a former Aladdin employee and a witness in the bail-capping cases, Aladdin agents had to bring in \$50,000 and write 20 to 30 bonds a month. Herrera said the quota was nearly impossible to meet without bending the rules.”

“Inside Santa Clara Jails, Predatory Bail Schemes Flourished for Years,” KQED, April 10, 2017.

Casillas pled no contest to the charges in April 2016 as part of a plea deal and agreed to serve 240 hours of voluntary community service.

According to the investigation, Casillas and other Aladdin Bail Bonds employees compensated people in jails by allowing them to make free outside calls through Aladdin:

*“Many of the recorded jail conversations I listened to, Aladdin Bail Bonds employees accommodated inmates requests for three-way conversations. Aladdin Bail Bonds employees would remind these inmates that they need to send them clients or they will not continue making these calls for them. Based on the jail-recorded conversations, I believe the three-way calls were granted because the inmates were assisting Aladdin Bail Bonds in referring potential clients to them.”*

*“Three-way phone calls facilitated by Aladdin Bail Bonds employees saves the inmates money and/or keeps them in touch with friends and family. I believe this alone can be a motivating factor for an inmate to assist Aladdin Bail Bonds employees in soliciting bail. I also believe the amount of collect calls being accepted by Aladdin Bail Bonds employees from inmates costs the company an amount of money that cannot be overlooked by owners/management.”*

Aladdin agents’ use of three-way calls to compensate people in jail who steered customers to them raises further concerns. A person incarcerated in jail would call an agent, who would then forward the call to a phone number that the incarcerated individual provided. Jail phone records would show only that the person in jail called the agent.

“If the bail agent then uses his or her cellphone or office phone and makes a three-way call to, for instance, that inmate’s domestic violence victim, who is protected by a restraining order, we would have no way to prove that phone call was made,” prosecutor Filo said.



California Department of Insurance, Santa Clara County District Attorney agents at Aladdin Bail Bonds office, August 2015. (California Department of Insurance)

## Aladdin Bail Bonds bounty hunter fatally shoot a person in Washington

In 2016, a bounty hunter working for Aladdin Bail Bonds subsidiary Washington Fugitive Investigations fatally shot Kathryn New, the mother of a person he was trying to apprehend.<sup>37</sup>

Three bail bondsmen went to the family’s home about 8 a.m. to serve two warrants on New’s 30-year-old son. New reportedly protested, went into the back room and came out with a handgun. Detectives said New did not shoot the gun and it was unclear whether she pointed the weapon at the bondsmen or was holding it. “She had a handgun, she was ordered to drop it several times and she refused to drop it,” a sheriff’s deputy said. Investigators said New was hit with a Taser and shot almost simultaneously.<sup>38</sup>

Prosecutors decided not to file charges against the bondsman who shot and killed New.<sup>39</sup>

The bondsman who shot New is a former sheriff's deputy who resigned from the Pierce County department six years ago amid an internal investigation.<sup>40</sup>

In 2017, New's family filed a civil suit against the shooter and the Aladdin Bail Bonds affiliate Two Jinn, Inc. The case was settled in Oct. 2018. Terms of the settlement were not disclosed.<sup>41</sup>

## Aladdin spends heavily to fight criminal justice reform

Despite growing bipartisan support for bail reform, Aladdin Bail Bonds, with backing from its deep-pocketed private equity owner Endeavour Capital, has spent heavily to maintain and expand for-profit bail.

In late August, the state of California passed a sweeping reform bill ending cash bail. "Today, California reforms its bail system so that rich and poor alike are treated fairly," California Governor Jerry Brown said as the legislation was enacted. While concerns about the final legislation were raised by civil rights organizations like the ACLU, the new law put California at the forefront of a national push to stop courts from imposing a heavy financial burden on defendants who have not been convicted of a crime.

Just days later, Triton Management Services LLC, an Aladdin Bail Bonds affiliate that is majority-owned by Endeavour Capital Fund VI,<sup>42</sup> contributed \$794,331 to a political committee set up to overturn the law. Triton was by far the largest contributor to the political committee opposing the California law intended to help the poor.<sup>43</sup>

According to *The Washington Post*,

*"The donations are paying for an army of campaign workers who have descended on California's shopping centers to beseech passersby for petition signatures. The campaign, which needs 365,880 names to put the measure before voters in 2020, pays the sidewalk solicitors a few dollars for each signature – the going rate around San Diego was \$3.25."<sup>44</sup>*

**"The reality is that California is the biggest bail market and has the highest bail rates in the country. If these companies can delay it for a year, they can make money for a year."**

California State Senator Robert Hertzberg  
"Private-equity money backs an effort to overturn California law intended to help the poor," *Washington Post*, Oct 29, 2018.

In November 2018, the coalition opposing the law reportedly submitted 576,745 signatures, more than enough to qualify the referendum for the November 2020 ballot.<sup>45</sup> At \$3.25 per signature, Endeavour Capital's nearly \$800,000 contribution would have paid for as many as 42 percent (244,410 of 576,745) of the signatures that the coalition submitted.

In January 2019, elections officials certified the signatures, suspending California's bail reform law until the November 2020 election, and allowing bail bond companies like Aladdin Bail Bonds to continue doing business in the state.

"Voter referendums are supposed to be about direct democracy – now wealthy people can simply write big checks," California State Sen. Robert Hertzberg, who sponsored the bail reform legislation, told *The Washington Post* in October. "The reality is that California is the biggest bail market and has the highest bail rates in the country. If these companies can delay it for a year, they can make money for a year," Hertzberg added.



In April 2019, Aladdin affiliate Seaview Insurance contributed an additional \$180,518 to the effort to roll back California's 2018 bail reform law.<sup>46</sup>

Aladdin previously opposed sentencing reform in California. In 2014, Aladdin Bail Bonds contributed \$49,900 to Californians Against Proposition 47, which opposed a California ballot proposition to re-categorize six low-level drug and property crimes from felonies to misdemeanors.<sup>47</sup>

California voters ultimately approved Proposition 47, with nearly 60 percent voting for it.<sup>48</sup> In March 2017 the Los Angeles Times reported that nearly 4,700 people have since been re-sentenced and released from state prisons, and the California Department of Corrections and Rehabilitation estimates 3,300 fewer individuals will now be incarcerated each year. The new law also lowered the state's daily average jail population by about 8,000 people.<sup>49</sup>

## Spending against reform: New Mexico

In 2016, New Mexico voters approved with 87 percent support a constitutional amendment that prohibits the detention of defendants who aren't deemed dangerous or a flight risk "solely because of financial inability" to pay bail.<sup>50</sup> After the amendment passed, the New Mexico Supreme Court subsequently published new judicial rules interpreting the amendment that have virtually eliminated bonds being set based on dollar figures.<sup>51</sup>

Aladdin does not currently operate in New Mexico.<sup>52</sup> Since 2016, Aladdin affiliate Two Jinn, Inc. has made more than \$22,000 in campaign contributions to New Mexico state legislators, including to State Sen. Richard Martinez,<sup>53</sup> who last year introduced legislation (Senate Joint Memorial 13) to rescind the state Supreme Court's pretrial release rules. The legislation was not adopted.<sup>54</sup>

## Seeking to expand for-profit bail: Oregon

Aladdin has not just opposed sentencing and bail reform efforts, but has also sought to expand commercial bail to at least one state where it is currently banned.

The state of Oregon abolished commercial bail in 1973 and put in its place its current pretrial release system, wherein a defendant may be released either on her/his own personal recognizance, with supervision and conditions, or with a 10 percent deposit.<sup>55</sup>

In 2013, the year after Aladdin was acquired by Endeavour Capital, it backed legislation (House Bill 2548) that sought to establish a commercial bail system in Oregon.<sup>56</sup>

Between 2009 and 2015, two affiliates of Aladdin, Two Jinn, Inc. and Triton Management Services, spent \$420,000 lobbying in Oregon.<sup>57</sup>

According to an article in the Oregon State Bar Bulletin, both criminal defense attorneys and prosecutors opposed the commercial bail industry's effort to reinstitute commercial bail in the state.

"The bail bonds system brings the potential for the corruption of the judicial system," said John Henry Hingson III, a past president of the National Association of Criminal Defense Lawyers and a past president of the Oregon Criminal Defense Lawyers Association. "The bail bonds system has the real potential of polluting Oregon's waters." He cites that type of system as an "example of poor people getting milked of their money" by people "who focus on profit rather than on justice." It's "a way to make money off indigents accused of crime."

HB 2548 was not adopted.<sup>58</sup>

# Conclusion: It is time to stop investing in the predatory bail bonds industry

As addressing our mass incarceration crisis in this country becomes a top-line, bipartisan priority, we can start by taking a hard look at the nearly half a million people who are detained pretrial every day. These people are not being held because they have been convicted of a crime. Most of the people incarcerated in jail while awaiting court appearances or trial dates are poor, and they are disproportionately people of color. These defendants have been asked to post money bail to secure their release but, more often than not, they simply can't afford the cost of freedom.<sup>59</sup> This for-profit system, unique to the U.S. and the Philippines, runs counter to the values of democracy and our constitution. A more just system would end wealth based incarceration, and ensure that people are incarcerated pretrial only in rare circumstances when no other options exist.

Aladdin Bail Bonds is the largest bail bond company in the U.S. and has spent heavily to block efforts to reform the bail system while also trying to expand for-profit bail to states like Oregon where it is currently illegal. Aladdin sees tremendous wealth to be made through the exploitation of poor people caught in the mass incarceration net, and it is devoting tremendous resources to protect and grow it.

Endeavour Capital, drawing on investment money from public pension funds, university endowments, and foundations, has funded Aladdin's expansion and its spending to block efforts at reform. Despite growing concern from the public and public officials about the harms caused by for-profit bail, Endeavour has stood by its investment in Aladdin.

It is time for investors to halt investments with Endeavour Capital and stop funding the predatory bail industry.

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