

BAIL BOND BOARD MEETING

March 16, 2012

4 THOSE PRESENT: Judge Flores
5 Lt. J. Kelly
6 Catherine Presley
7 Tom Maness
8 Lolita Ramos
9 Theresa Goodness
10 Becky Garcia
11 Sonny Cribbs
12 Liz Parks
13 Tina Gillespie
14 Keith Hawkes

20 (No response.)

21 JUDGE FLORES: Okay, hearing none.

24 TOM MANESS: No comments. Once again,

25 county clerk and district clerk pumping that paperwork

1 out, doing a good job, my compliments.

2 JUDGE FLORES: Anything further on the
3 report from the D. A.'s office?

4 (No response.)

5 JUDGE FLORES: Third item is the
6 consideration and approval of any applications from any
7 bondsmen. Mrs. Presley?

8 CATHY PRESLEY: Yes, sir. We have a renewal
9 application for Keith Day, doing business as
10 Professional Bail Bonds. It will be a three-year
11 license because he's been in business over eight years
12 ago. It's a renewal; but, Judge, I have a question.

13 JUDGE FLORES: Okay.

14 CATHY PRESLEY: Okay. There are bondsmen
15 that can write bonds say like in Hardin County; but
16 they're don't have a bail bond board. They don't have a
17 board. They're not actually licensed. So do we require
18 letters just like we do for the counties that have bail
19 bond boards to say they're in good standing? Because
20 I -- if you're in good standing, it shouldn't be a
21 problem to get letter if they're doing good business.
22 They're saying they're not licensed there, we shouldn't
23 have a --

24 JUDGE FLORES: I think we'll ask our
25 attorney, Mr. Sonny Cribbs.

1 SONNY CRIBBS: I think they ought to provide
2 a letter.

3 TOM MANESS: We'll take our legal advice.

4 JUDGE FLORES: I agree with Sonny.

5 CATHY PRESLEY: That's what I -- the
6 bondsmen that aren't -- they don't have an actual
7 license, they don't want to submit it. That's why I
8 wanted to submit it to the board.

11 CATHY PRESLEY: Like in Hardin County
12 there's no bail bond boards; so the sheriff decides
13 whether you will write bonds or not.

14 JUDGE FLORES: We need to get a letter from
15 the sheriff.

16 CATHY PRESLEY: They're in good standing;
17 okay, that was my thought too.

18 JUDGE FLORES: Because if you're delinquent,
19 it doesn't matter if you're delinquent in a bail bond
20 state or just with a sheriff in charge. You're
21 delinquent.

22 CATHY PRESLEY: Okay. Keith Day can write
23 bonds in Chambers, Hardin, Tyler, Newton, Sabine and San
24 Augustine. I'm missing two letters.

25 JUDGE FLORES: Okay. Just hold this until

1 he provides us these two letters, unless -- when does
2 his license expired?

3 CATHY PRESLEY: Next month.

4 JUDGE FLORES: Then we need to take action
5 on it today?

6 Tell him that we're going to go ahead and
7 approve it; but he has to have those letters in. If
8 they're not in, we may have to go ahead and suspend it.

9 CATHY PRESLEY: Okay.

10 JUDGE FLORES: I mean that gives him 30
11 days.

12 TOM MANESS: By the next meeting? Okay,
13 yeah.

14 JUDGE FLORES: That way --

15 CATHY PRESLEY: See, they say in Chapter
16 17.04 it says hold the license; and that's what it does
17 say; but what does the bail bond board, our rules say is
18 my question.

19 JUDGE FLORES: Well, I think we need to
20 approve it. We need to tell him that he needs to have
21 the other two things in by the next meeting.

22 CATHY PRESLEY: Okay. Okay.

23 JUDGE FLORES: Anybody have any questions,
24 Ms. Ramos?

25 LOLITA RAMOS: I may have next meeting but

1 not this time.

2 JUDGE FLORES: Okay; okay. Are there any
3 questions or any further discussion on the application
4 by the Profession Bail Bonds?

5 (None.)

6 JUDGE FLORES: All right. Well, if
7 everything is in order, we'll approve it.

8 CATHY PRESLEY: Okay.

9 JUDGE FLORES: Any other applications; or is
10 this the sole one?

11 CATHY PRESLEY: That's the only one, sir.

12 JUDGE FLORES: Okay. Are there any
13 complaints against bondsmen, Mrs. Gillespie?

14 TINA GILLESPIE: No, sir.

15 JUDGE FLORES: Okay. And we received a
16 report from the treasurer's office; is that correct?

17 CATHY PRESLEY: Yes.

18 JUDGE FLORES: Okay. Any questions or any
19 further submissions on the treasurer's report?

20 (None.)

21 JUDGE FLORES: Okay. Moving to the
22 auditor's office. Everybody has got a copy of the
23 auditor's office, any questions or any further
24 submissions on that report?

25 KEITH HAWKES: Nothing out of the ordinary

1 on it; it's just --

2 JUDGE FLORES: Okay.

3 KEITH HAWKES: Okay.

4 JUDGE FLORES: All right. If there's -- any
5 new business from any member of the board?

6 (No response.)

7 JUDGE FLORES: If not -- yes, ma'am, go
8 ahead.

9 CATHY PRESLEY: Judge, I just wanted to
10 address the board with this; like -- they're financial
11 statements, they're not providing sworn financial
12 statements; and I have drawn up some forms just to
13 protect the bail bond board where they swear to it and
14 it's notarized.

15 JUDGE FLORES: And that's going to be
16 attached to the application?

17 CATHY PRESLEY: With you-all's approval,
18 because I'm not an attorney; and I just did some
19 research; and I also did an affidavit regarding --
20 regarding the chapter 17.04, that they'll comply and
21 that if they have property, that they'll agree to pay
22 the taxes, keep the insurance; because they're not --
23 they're not providing proper forms.

24 THE COURT: Okay. Let's do this --

25 CATHY PRESLEY: They're not swearing to

1 them. They're not in letter form.

2 JUDGE FLORES: Especially since we've got
3 the -- the -- since we have Mr. Tom Roebuck.

4 CATHY PRESLEY: Yes.

5 JUDGE FLORES: I think we need to submit
6 those, not only because he's board certified in criminal
7 law but he's also in real estate, the best form to do.

8 CATHY PRESLEY: For the financial
9 statements.

10 JUDGE FLORES: If we can hold it to the next
11 meeting.

12 CATHY PRESLEY: Okay.

13 JUDGE FLORES: Make sure Mr. Roebuck gets a
14 copy so we can go ahead and -- he can give us his advice
15 on it.

16 Okay, Lieutenant, you have something you
17 wish to state?

18 LT. KELLY: Yes. I don't know how they do
19 it; but -- some of those bondsmen have access. They
20 have the resources to look at those jail screens; and
21 sometimes we put hold notes in there that's -- that we
22 need to look at as far as the jail.

23 JUDGE FLORES: Basically an internal note to
24 yourselves.

25 LT. KELLY: Right, or what a judge said or

1 whatever; and they're giving that information out to the
2 family members.

3 TOM MANESS: How do they get access to our
4 screens?

5 LT. KELLY: That's the million-dollar
6 question. We have no idea.

7 TOM MANESS: You're talking about at their
8 office they have access?

9 LT. KELLY: Yes, sir.

10 TOM MANESS: We need to ask Ken at MIS.
11 Judge, I recommend we have the sheriff get with our MIS
12 people and see how -- one, how they did it; and two, how
13 to prevent it.

14 LOLITA RAMOS: Yes.

15 JUDGE FLORES: Make a --

16 TOM MANESS: Make a presentation -- I didn't
17 think any bondsman would have access --

18 JUDGE FLORES: Lieutenant, clarify something
19 for me, too, some bondsmen have actual copies of the
20 probable causes and have all this stuff that other
21 people can't get.

22 LT KELLY: Yes, sir.

23 JUDGE FLORES: And they're able to -- and
24 somehow they're providing that information to attorneys,
25 Judge, who are sending out those letters.

1 TOM MANESS: But --

2 JUDGE FLORES: And there's nothing wrong
3 with the solicitation letters, according to the Rules of
4 Ethics; but I don't know how they're getting them.

5 TOM MANES: They -- they're public records
6 when filed with the justice of the peace. They're maybe
7 getting them from the JP, Judge. I bet that's where
8 they're getting them, because we file the cases with the
9 JP initially. And they're probably going by there and
10 picking them up.

11 If they're getting them from the sheriff's
12 department, you-all have an internal problem.

13 LT. KELLY: No, they're not getting it from
14 us. We don't give out anything.

15 JUDGE FLORES: Yeah, but if they're able to
16 get into your screens and get all those jail notes,
17 they're probably able to do the same thing.

18 CATHY PRESLEY: They've had access to that
19 for years. They see the charge, the case number, the
20 bond amount.

21 LOLITA RAMOS: Do you know who the specific
22 bondsman is?

23 CATHY PRESLEY: Most of them that have
24 access.

25 LT. KELLY: Most have been for awhile.

1 CATHY PRESLEY: The processing gave them
2 access but it was part of the authority of someone down
3 at the jail, maybe like ten years ago; they have had
4 access for awhile.

5 TOM MANESS: Okay. Let's revisit that.

6 JUDGE FLORES: Yeah, because attorneys are
7 getting them; and I know they're using that to send out
8 letters. That's not improper; but some say how come he
9 gets to do it; and we don't?

10 SONNY CRIBBS: I didn't think we could --

11 JUDGE FLORES: Lieutenant and judge.

12 TOM MANESS: Yes, sir.

13 JUDGE FLORES: He needs to get with MIS.

14 TOM MANESS: I recommend the sheriff's
15 department get with MIS to see exactly what they're
16 doing -- if it's public --

17 LOLITA RAMOS: That's right.

18 TOM MANESS: It's apparently a screen that
19 anybody can go to, I would suspect; and it may be all
20 right. Who knows. But we need visit it and look at it
21 next time.

22 LT. KELLY: The only problem I have with
23 that, is if someone comes to jail and has family
24 violence or whatever, we'll put in that screen, contact
25 the victim before this subject is released or whatever.

1 And that's a note we have to have in there so we know
2 when we booking them out, what we need to do.

3 JUDGE FLORES: Sure, sure.

4 LT. KELLY: And they get access to that; and
5 then we have people calling us and wanting to know
6 why -- why this person needs to be contacted because we
7 got that information from the bondsman.

8 TOM MANES: Okay.

9 LT. KELLY: And that's why I kind of -- have
10 a little situation with that. Because someone could
11 get --

12 TINA GILLESPIE: Well, there's information
13 on that screen also, like their -- their date of birth,
14 their address, their social security number.

15 LT. KELLY: Right.

16 TINA GILLESPIE: There's driver's license
17 numbers, that shouldn't be accessible.

18 TOM MANESS: Something is going on though,
19 that we're overlooking. Would you make sure on next
20 month that we have that on the agenda.

21 TINA GILLESPIE: You bet.

22 TOM MANESS: Maybe even request that MIS
23 person be here, feed them lunch.

24 JUDGE FLORES: Sure, absolutely.

25 TOM MANESS: Let them make a presentation on

1 how it happen, what they're doing, so the board make
2 some decision.

3 JUDGE FLORES: So --

4 TOM MANESS: There may be some parts that
5 may be public; but surely all these notes aren't picked
6 up.

7 LT. KELLY: Right, right.

8 TOM MANESS: That could cause a problem and
9 maybe cause some injury.

10 LOLITA RAMOS: What else are they getting in
11 that jail screen?

12 JUDGE FLORES: The thing about that is they
13 can start being able to change stuff.

14 TOM MANESS: But you know, we have a breach.

15 LOLITA RAMOS: And may be able to add stuff.

16 JUDGE FLORES: Judge, we had to change our
17 procedures back in the criminal courts several months
18 ago; and Tina can probably talk about that; that
19 apparently there were several people here and others
20 that were able to change like who the attorney of record
21 was, and all kinds of stuff. So we just --

22 TOM MANESS: They shouldn't have that
23 access.

24 JUDGE FLORES: We limited the access to who
25 could do that.

1 THERESA GOODNESS: I was going to comment on
2 what you said early; probable causes in the misdemeanor,
3 the probable causes are all scanned. I do know we have
4 several attorneys come in daily to the public works
5 station and look at those; and write all that down. So
6 I just want you to know that's public; unless I'm told
7 otherwise --

8 TOM MANESS: That's how they're getting it.

9 LOLITA RAMOS: I don't accept them in my
10 office. I never accept a probable cause. They're not
11 on my system.

14 | TOM MANESS: It's fine.

15 JUDGE FLORES: A probable cause is --

16 TOM MANESS: A probable cause has never been
17 a real problem.

18 JUDGE FLORES: But that's how they're
19 getting the information to send out the letters.

20 THERESA GOODNESS: Right, right. They're
21 looking at the information -- -- the information has
22 defendant's name and address on it anyway.

23 JUDGE FLORES: You got it.

24 TOM MANESS: Right, right. That's public.

25 JUDGE FLORES: Okay. Anything further? If

1 there's nothing further, Judge Maness?

2 TOM MANESS: I recommend we disperse.

3 LOLITA RAMOS: I second it.

4 JUDGE FLORES: Second by Ms. Ramos. All

5 those in favor to adjourn?

6 (All responded by saying "aye".)

7 (END OF MEETING)

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