

BAIL BOND BOARD MEETING

July 18, 2013

THOSE PRESENT: Judge Flores
Judge Lively
Catherine Presley
Becky Garcia
Tim Funchess
Mary Godina
Liz Parks
Tina Gillespie
Rhonda Brode

JUDGE FLORES: Okay. We're going to call this meeting of the Jefferson County Bail Bond Board to order. First item on the agenda is review of the minutes from the last month meeting.

Any further comments or submissions on the minutes?

(None.)

JUDGE FLORES: Okay. If there are none, we'll move on to the next item of the agenda; report from the district attorneys office.

Anybody come down, Mr. Maness or Mr. Rugg?

(None.)

BECKY GARCIA: But you've got the report.

1 JUDGE FLORES: Okay. Any comments on the
2 report from the clerk's office?

3 BECKY GARCIA: No, sir.

4 JUDGE FLORES: Okay. And the next item is
5 consideration of applications. I believe we have
6 several, Mrs. Presley. You may proceed with the first.

7 Cathy Presley: Yes, sir, we have three
8 today. We have a renewal for Barbra Hartt doing
9 business as Across the Street Bail Bond. Everything is
10 in order.

11 JUDGE FLORES: Okay. Any members of the
12 board have any questions on Ms. Hartt's application?

13 (None.)

14 JUDGE FLORES: Okay. Everything is in
15 order, and I will sign that later. The next one, Ms.
16 Presley.

17 Cathy Presley: Again it's a renewal
18 application for Patsy Mason working as an agent for Stan
19 Stanley, Allied Bail Bonds. Everything is in order.

20 JUDGE FLORES: Okay. Anything questions or
21 discussion on Ms. Mason's application?

22 (None.)

23 JUDGE FLORES: Okay. I'll approve that one.

24 Cathy Presley: We've got another one, an
25 agent application for Tamara Ritenour. She works as an

1 agent for Keith Day doing business as Professional Bail
2 Bonding. Everything is in order.

3 JUDGE FLORES: Okay. Any questions or
4 discussion on that application?

5 (None.)

6 JUDGE FLORES: Next one, please?

7 Cathy Presley: That's it, sir. Just the
8 three.

9 JUDGE FLORES: I thought it was four.

10 Cathy Presley: They didn't have everything
11 together, so we have to do it next month.

12 JUDGE FLORES: That's fine. All right.
13 Mrs. Godina, any complaints against bondsmen.

14 MARY GODINA: No, sir.

15 JUDGE FLORES: Ms. Funchess, any comments on
16 the treasurer's report?

17 TIM FUNCHESS: No, sir. I've distributed
18 it. If anybody has any questions, I'll entertain them.

19 JUDGE FLORES: Any discussion on the
20 treasurer's report?

21 (None.)

22 JUDGE FLORES: And from the auditor's
23 office?

24 RHONDA BRODE: I've distributed my report;
25 and any -- any items that needed attention are being

1 worked between Tina and Mary and Becky.

2 JUDGE FLORES: I've got two pieces --

3 And the last one, AFRS filings on cases that
4 are on accusation. I believe, Mr. Day, you brought that
5 up.

6 KEITH DAY: I brought that up. I'm not sure
7 it's a bail bond board issue. I was hoping that
8 either --

9 JUDGE FLORES: -- Maness or Rugg --

10 KEITH DAY: -- actually Roebuck would be
11 here today to find out. The issue, Judge, is -- and
12 I'll just kind of give you an example. It was brought
13 up just recently to me, bonded a person out on a felony
14 and a misdemeanor. Okay. The felony was an accusation.
15 The misdemeanor had already been filed and had a case.
16 Within the 60 days that bond is good for, the gentleman
17 was suppose to appear in court on the misdemeanor;
18 didn't show up; was a bond forfeiture; warrant issued
19 for his arrest.

20 He was re-arrested still within the 90 days
21 for the bond being good for the felony; but while he's
22 sitting in jail, this felony is still sitting out there;
23 and obviously the guy has shown a track record of not
24 going to court now. So, the bondsman is basically kind
25 of stuck out there with this accusation bond and can't

1 do anything about it.

2 So, I was just kind of wondering -- that's
3 why I wanted to see if Roebuck or Rugg were going to be
4 here today to find out if there's any sort of -- any --
5 any situation where a bondsman can be relieved off that
6 accusation bond. Now, if it's got a JP number, we can
7 to go the JP and file the AFRS there; and the JP will
8 accept it. But to leave the bondsman hanging out there
9 knowing he can possibly be set up for a forfeiture in
10 the future -- obviously every bond we post is a risk;
11 but the risk is increased even more when we know they're
12 going to forfeit after what happened on the misdemeanor.

13 That's just one example of it; and I was
14 kind of hoping they'd be here so we can kind of discuss
15 it. So.

16 JUDGE FLORES: I don't know that's anything
17 as bail bond board we can address. It mean that's
18 inherent in any bond making -- you do have the risk
19 of -- I mean you can file an AFRS; but, you know, you'd
20 have to give a reason.

21 KEITH DAY: Right. And most of the
22 felony -- well, I know Judge Stevens and I believe
23 Judge -- I haven't had one in Judge Walker's court; but
24 somebody else has had hearings on AFRS's; you know,
25 explain why we're filing. We can file that; but the

1 question is where we file the case.

2 Now obviously if it was a drug case, I would
3 file in Judge Gist's court. If -- but it was --

4 JUDGE FLORES: You're talking about
5 pre-indicted cases -- pre-indicted cases where would you
6 file the case?

7 MARY GODINA: I assign the case to court at
8 the time of arrest.

9 JUDGE FLORES: Even accusations?

10 KEITH DAY: Would we get in touch with the
11 district clerks or just call you?

12 MARY GODINA: Me.

13 KEITH DAY: Okay. So basically what we
14 could do is file the AFRS with that court and find out
15 if the Judge would be willing to hear it or not?

16 JUDGE FLORES: Yes.

17 MARY GODINA: When I to go the jail in the
18 mornings, I enter the person's name, and see if they
19 have any pending charges anywhere; and, of course,
20 they'll follow that court. If they're on probation, the
21 new case will go with the probation, wherever that case
22 is; but I assign them every morning at the jail.

23 KEITH DAY: Okay, all right. That helps a
24 little bit; but that would allow us at least to have the
25 Judge take a look at it. Now obviously there's some

1 cases we want to get it done a little bit quicker if the
2 guy's sitting on a misdemeanor -- you know -- if
3 somebody could bond out, we can take the AFRS, try to
4 get in judge's chambers --

5 JUDGE FLORES: Mr. Day, the fastest thing is
6 going to be, you can get it to your -- contact Mrs.
7 Godina. She's in charge of all pre-indicted felony
8 cases. If you have a fear of someone not appearing in
9 court, the obvious solution you have is to file an AFRS
10 and get it to her; and she'll get to it to the right
11 court.

12 On pre-indicted you're on accusation. You
13 have a certain number of days. What I've always seen as
14 the problem is a person is on an accusation, and it's
15 not filed within the 60 days; and the bondsman gets off
16 the bond; and three or four days later the case is
17 filed; and the guy's got to make another bond.

18 KEITH DAY: Right; and that's pretty much
19 what you'd have to do in the situation above the 60
20 days. The Judge allows you -- he's not -- get off the
21 bond. He's not going to issue a warrant; so basically
22 what would happen is indict it as at large without
23 proper bond.

24 JUDGE FLORES: Right.

25 KEITH DAY: But you're relieved of the

1 liability.

2 MARY GODINA: Then there's another thing,
3 Keith, too. If they don't bond out on a felony charge,
4 then it's a sealed indictment when the indictment comes
5 down. No JP; and they don't post a bond; and they get
6 out on the three days. When that indictment is
7 returned, it's a sealed indictment; and no information
8 is supposed to be released on that until they're
9 arrested and bonded.

10 KEITH DAY: Okay.

11 JUDGE FLORES: That's to keep them from
12 running.

13 KEITH DAY: That wouldn't -- that wouldn't
14 make any difference in this situation, though.

15 MARY GODINA: Huh-uh.

16 JUDGE FLORES: No. But I think that's going
17 to be the procedure is follow-up with Mrs. Godina on the
18 pre-indicted case.

19 KEITH DAY: Okay.

20 JUDGE FLORES: If you have to file an AFRS,
21 they can tell you the Court it's going to be assigned
22 to.

23 KEITH DAY: Okay. All right.

24 JUDGE FLORES: Okay. Any other new business
25 or old business?

1 KEITH DAY: The old business, Judge, we were
2 discussing the situation with the attorneys posting
3 bonds.

4 JUDGE FLORES: Okay.

5 KEITH DAY: I invited David Fregia from Bail
6 America. He actually sits on the board, bail bond board
7 in Angleton County; and Angleton is going through this
8 same exact situation right now. I invited him to
9 explain what they were doing.

10 Do you want to bring this situation up
11 without Tom being here today?

12 JUDGE FLORES: Well, what's the pleasure of
13 the board? You want to proceed on it today; or you want
14 to wait until Mr. Roebuck is here? I thought Roebuck
15 was going to be here.

16 COURT COORDINATOR: He was but his wife's
17 retirement lunch was scheduled; and he had forgot about
18 it.

19 JUDGE FLORES: I'm sure Mr. Fregia wouldn't
20 mind --

21 KEITH DAY: I can -- I can drag him back
22 down.

23 JUDGE FLORES: Whatever. Since he made the
24 trip -- if you want to do it when Tommy's here, maybe
25 Maness and Rugg will be here.

1 KEITH DAY: Well, you know, it keeps us from
2 having to go over it at every meeting. Maybe if we just
3 wait.

4 JUDGE FLORES: Suggestion, Judge Lively?

5 JUDGE LIVELY: I suggest we table this until
6 next meeting.

7 KEITH DAY: Okay.

8 JUDGE FLORES: All in favor of tabling this
9 signify by saying aye.

10 (Response.)

11 JUDGE FLORES: Thank you, sir. Appreciate
12 you coming to help us.

13 Again any further items on the agenda?

14 (None.)

15 JUDGE FLORES: Judge Lively?

16 JUDGE LIVELY: I move at this time to
17 adjourned.

18 JUDGE FLORES: Mr. Funchess?

19 TIM FUNCHESS: Second.

20 BECKY GARCIA: Second.

21 JUDGE FLORES: Okay. All in favor?

22 (Response.)

23 JUDGE FLORES: Okay, we're adjourned.

24 (END OF HEARING)

25