

BAIL BOND BOARD MEETING

THOSE PRESENT: Judge Flores
Judge Dollinger
Judge Lively
Lt. Kelly
Catherine Presley
Tom Rugg
Becky Garcia
Keith Day
Mary Godina
Liz Parks
Rhonda Brode
Tom Roebuck

September 19, 2013,

JUDGE FLORES: Calling the Jefferson County
Bail Bond Board to order. The first item is to review
minutes of the last meeting.

Any comments, discussion or further
submissions on the minutes?

(NO RESPONSE.)

JUDGE DOLLINGER: Move for approval.

JUDGE LIVELY: Second.

JUDGE FLORES: Second item is the report
from the district attorney's office. Mr. -- Mr. Rugg

1 was here somewhere.

2 JUDGE DOLLINGER: I have -- we have the
3 report.

4 MARY GODINA: He was just in here.

5 BECKY GARCIA: I passed out the report.

6 JUDGE FLORES: Any comments, discussions on
7 the DA's report?

8 JUDGE LIVELY: Congratulations, good job.
9 Well done.

10 JUDGE FLORES: Okay. Mrs. Presley, any
11 applications to be considered?

12 CATHERINE PRESLEY: Yes, sir. I have two
13 new renewals. The first one I have is Gary Leach, doing
14 business as Ace Bail Bonds.

15 JUDGE FLORES: Okay. Anybody on the board
16 have any questions or any review or discussion of the
17 application?

18 JUDGE DOLLINGER: Everything in order?

19 RHONDA BRODE: Do you have a copy of the
20 report from the treasurer's office?

21 JUDGE FLORES: I already gave it to him. I
22 gave it to him.

23 Okay, what is the next one, Lisa Martin?

24 CATHERINE PRESLEY: The next one is an agent
25 renewal license for Lisa Guidry.

1 JUDGE FLORES: What's the name?

2 CATHERINE PRESLEY: Lisa Guidry Martin. She
3 works for Al Reed Bail Bonds; and everything is in
4 order.

5 JUDGE FLORES: Any questions on either
6 application?

7 JUDGE LIVELY: No.

8 JUDGE FLORES: No questions; everything's in
9 order; and I'll sign the appropriate paperwork when it's
10 presented.

11 Mrs. Godina, any complaints against
12 bondsmen?

13 MARY GODINA: No, sir.

14 JUDGE FLORES: I believe there is no
15 representative here from the treasurer's office?

16 RHONDA BRODE: I did disburse his report,
17 though. It looked fine. I matched the general ledger.

18 JUDGE FLORES: Okay. Any other questions,
19 comments on the treasurer's report?

20 (NO RESPONSE.)

21 JUDGE FLORES: Okay. Anything from the
22 auditor's office?

23 RHONDA BRODE: Yes, sir. I've disbursed my
24 reports; and -- on the bail bondsmen's report and the
25 attorneys reports, I highlighted areas of interest.

1 What concerns me is if a bail bondsman is expired and
2 they have unpaid forfeitures, I've highlighted those,
3 just to look at. Maybe you-all have -- maybe -- the
4 board has answers. I don't know. I see that Floyd
5 Batiste has unpaid forfeitures of 28,000. I saw no
6 collateral; and he is expired.

7 BECKY GARCIA: Do we know if these are
8 misdemeanor or felony?

9 RHONDA BRODE: No.

10 BECKY GARCIA: Okay.

11 RHONDA BRODE: Is it possible --

12 MARY GODINA: We can look them up.

13 RHONDA BRODE: We can look it up? Who is
14 "we"? Who do I follow-up with?

15 MARY GODINA: I can. If you've got your
16 information out of the system then --

17 RHONDA BRODE: Yes, ma'am, I did. Richard
18 Coulter owes 105,000. He's expired. That was --

19 JUDGE FLORES: I understand he may have
20 already filed bankruptcy, also; right?

21 MARY GODINA: I thought I read that; and it
22 was in the *Examiner* last week.

23 BECKY GARCIA: Well, but let's -- let's back
24 up here. When you're saying unpaid forfeitures, is it
25 from the judgment rendered and the judgment NISI case or

1 is that just what's been flagged in the criminal case as
2 a bond forfeiture? Because it's not truly unpaid until
3 it goes to judgment in the civil case; and that judgment
4 is rendered.

5 RHONDA BRODE: I can't answer that question.
6 I don't know. MIS has created the report for me and it
7 just pulls quote "unpaid forfeitures".

8 KEITH DAY: On our printout that we get, if
9 we have a person forfeits, the very next day it shows
10 unpaid forfeiture. It doesn't show unpaid judgment. It
11 could have been where the person was already re-arrested
12 and it just hasn't gone to -- they haven't had a hearing
13 on it yet or something of that nature.

14 MARY GODINA: I think the system
15 automatically puts it in when we put it in as a bond
16 forfeiture, when we mark a forfeit, its back in there.

17 JUDGE FLORES: If they're back in custody in
18 that time frame, it will show unpaid until the hearing.

19 JUDGE LIVELY: Would it be possible to add a
20 column that shows unpaid judgments?

21 RHONDA BRODE: I can ask MIS.

22 BECKY GARCIA: My information can be
23 extracted.

24 RHONDA BRODE: Okay.

25 BECKY GARCIA: Through my new NISI program

1 that I have I can extract that. I'm not sure how that
2 works in the district clerk's office. I can tell you
3 Richard Coulter as of today does not currently owe me
4 any money. There are some that will -- that are coming
5 up to be paid.

6 RHONDA BRODE: Okay.

7 BECKY GARCIA: And he has some that will be
8 going to docket soon.

9 RHONDA BRODE: Okay.

10 BECKY GARCIA: And then going back to
11 Michael Barborek right above it, those are felonies; and
12 I don't know what has been done to pursue those
13 judgments.

14 JUDGE FLORES: Okay. So the auditor's
15 office will get with Mrs. Godina to figure out the
16 misdemeanors and felonies?

17 RHONDA BRODE: Yes.

18 JUDGE FLORES: Any other comments, Judge
19 Dollinger?

20 JUDGE DOLLINGER: I'm curious, Judge, on Mr.
21 Batiste who is deceased, it shows that his bonding limit
22 was \$360,000; and yet there's 0 collateral showing. How
23 did that occur? How did he get \$360,000 limit and he
24 had nothing up, no cash, no property?

25 TOM RUGG: I guess that collateral had been

1 applied to outstanding judgments.

2 JUDGE FLORES: Because he had to have
3 something.

4 TOM RUGG: So the collateral has been
5 exhausted in the payment of judgments and there's
6 nothing left.

7 RHONDA BRODE: These two I added this month;
8 and it was Floyd Batiste and Schott Goodman. They
9 didn't have any current collateral. I ran out of time
10 before I could go back and research that.

11 BECKY GARCIA: I took all of Batiste's money
12 that he had.

13 TOM RUGG: It's what she does best.

14 RHONDA BRODE: What about Goodman? Do you
15 recall anything about Goodman?

16 BECKY GARCIA: No.

17 JUDGE FLORES: Just for a point of
18 information -- Ms. Garcia -- Batiste, wasn't that --
19 isn't that Stella Morrison's brother?

20 BECKY GARCIA: Yes.

21 JUDGE FLORES: That's Stella Morrison's
22 brother.

23 BECKY GARCIA: Step or half brother.

24 JUDGE FLORES: That's what I thought.

25 RHONDA BRODE: Now I'm going to turn to the

1 attorneys report. At the very top, there is a status,
2 any status I put it all at the top. Default,
3 forfeiture, over; and there was some the same, like I
4 said. I need -- still need to clear up what unpaid
5 forfeiture means in our system. That's about it.

6 MR. ROEBUCK: May I pose a question?

7 JUDGE FLORES: Yes, sir.

8 MR. ROEBUCK: Have we been filing claims
9 against the estates on deceased bonds person's?

10 BECKY GARCIA: In the previous -- under the
11 other administration in D. A.'s office, I was told no,
12 we were never going to file claims against the estate.
13 However since then, we will pursue that option.

14 MR. ROEBUCK: Who appointed the D. A.'s
15 office as the person?

16 BECKY GARCIA: Well, I get my direction from
17 the D. A.'s office.

18 TOM RUGG: We kind of help represent them.

19 MR. ROEBUCK: What am I, chopped liver?

20 TOM RUGG: You represent the board. The
21 board doesn't have a dog in that fight.

22 JUDGE FLORES: That's the county.

23 TOM RUGG: That's all the county's business.
24 It's interesting for us to monitor so we don't end up
25 letting a bondsman inadvertently dig a real big hole;

1 but the pursuit, judgment and collection of that is not
2 a function of this body.

3 JUDGE FLORES: Correct.

4 MR. ROEBUCK: Okay.

5 JUDGE FLORES: Anything further on the
6 auditor's report?

7 RHONDA BRODE: No, sir.

8 JUDGE FLORES: Any new business, Mrs. --
9 okay. Apparently there's been a request by one of the
10 bondsmen, Mr. Keith Day, he'd like to have some of his
11 collateral released.

12 Did everybody get a copy of this or --

13 BECKY GARCIA: No.

14 JUDGE FLORES: Let's pass it that way.

15 Mr. Day, you'd like to go ahead and kind
16 of --

17 KEITH DAY: I didn't know -- I thought Tina
18 was going to put it on next month's agenda. I didn't
19 get it in on -- that's fine. I have \$32,500 in
20 cashier's checks up with the county I just wanted to
21 have released; and I have, as you can see, 408,110 in
22 property up with the county now; that -- and I have -- I
23 can pull the 32,5 without it --

24 JUDGE FLORES: -- affecting any
25 outstanding --

1 KEITH DAY: -- without -- yeah, exactly.

2 JUDGE FLORES: Any questions, comments or
3 anything? Mr. Roebuck?

4 MR. ROEBUCK: No.

5 TOM RUGG: I don't have a problem with that.
6 I move we release those funds to Mr. Day.

7 JUDGE FLORES: Second?

8 JUDGE DOLLINGER: Second.

9 JUDGE FLORES: Been moved and seconded. All
10 in favor signify by say aye.

11 (RESPONSE.)

12 JUDGE FLORES: It's done. Mrs. Presley, you
13 had information about background or history or something
14 that was --

15 CATHERINE PRESLEY: Tuesday we got
16 information from the NCIC, TCIC --

17 THE COURT REPORTER: I'm sorry?

18 CATHERINE PRESLEY: NCIC, TCIC. I can't run
19 criminal histories anymore. If they're getting a
20 license to make money, I can't run criminal histories.
21 So I'm trying to find a different way to run a criminal
22 history on the applicants; and I don't know if it will
23 be free or what.

24 JUDGE FLORES: See my question, here we are
25 required that bondsmen are not to have criminal

1 histories or convictions or felonies or crimes of moral
2 turpitude; and now the state's saying we can't run
3 criminal histories.

4 MR. RUGG: Couldn't they go to DPS and then
5 we require the bondsmen to provide it to board through
6 DPS?

7 CATHERINE PRESLEY: That's what --

8 BECKY GARCIA: That was one of my questions
9 because I am authorized and have my security clearance
10 and have all my multiple certifications to get my
11 security clearance; but my purpose for going onto that
12 site and logging in is court business. I cannot
13 disclose or put in writing any information I see in that
14 system.

15 TOM RUGG: Yes, I know how picky they are
16 about accessing the information on that system; but I
17 think you can request a report on yourself from the DPS;
18 and they'll -- for a fee they'll provide that.

19 JUDGE FLORES: And just make that part of
20 application, Mr. Rugg?

21 TOM RUGG: Make that part of the application
22 process, just like we do, with the -- you know, the
23 collateral and investigation relative to real property.
24 I don't see a problem at all requiring that. We'd have
25 to post that and adopt that as a rule change; but I

1 think we can do that.

2 JUDGE FLORES: I think DPS is leaving us no
3 option.

4 TOM RUGG: I think you're right.

5 CATHERINE PRESLEY: Yes.

6 BECKY GARCIA: It can be done online. It
7 can be done online, everything is on their web site.
8 They can log in, purchase it, pay for it, and so on.

9 JUDGE FLORES: Really?

10 BECKY GARCIA: Uh-huh.

11 JUDGE FLORES: Do we need some kind of a --

12 KEITH DAY: Do we have to make it a rule
13 change, Tom, if it's going to be added to the
14 application -- if it's going to be added to the
15 application?

16 TOM RUGG: I think probably it ought to be
17 done as a rule change.

18 CATHERINE PRESLEY: I do, too.

19 JUDGE FLORES: What do you think, Mr.
20 Roebuck?

21 TOM ROEBUCK: I think you're probably right.
22 I'm going to need, however, the specific information, so
23 that I can put specific details as to what has to be
24 done and how it has to be done.

25 BECKY GARCIA: Uh-huh.

1 MR. ROEBUCK: And then we'll add it to the
2 process.

3 JUDGE FLORES: When did the process --

4 CATHERINE PRESLEY: Tuesday.

5 JUDGE FLORES: So as of Tuesday?

6 CATHERINE PRESLEY: I was able to run these
7 two because I ran them prior; but I can't run any more.

8 JUDGE FLORES: We'll discuss -- as of this
9 meeting, Mr. Roebuck, whatever is required so we can
10 present it to the board at the next meeting and adopt a
11 rule change, then --

12 MR. ROEBUCK: As soon as I get what I need.

13 CATHERINE PRESLEY: I have two applications
14 next month, two renewals.

15 JUDGE FLORES: Okay.

16 CATHERINE PRESLEY: So go ahead and let them
17 know to get a criminal history ran?

18 JUDGE FLORES: Yes, ma'am, because that's
19 what the state's going to require.

20 CATHERINE PRESLEY: Okay, I'll call them.

21 JUDGE FLORES: Any further discussion on
22 this issue? Who do you need to get the information
23 from, Mr. Roebuck?

24 BECKY GARCIA: I'll provide it to him.

25 JUDGE FLORES: Okay, that's great. Anything

1 further?

2 MR. ROEBUCK: I'm not sure I have the latest
3 application either, if you can send it.

4 BECKY GARCIA: I have that as well.

5 JUDGE FLORES: Good deal.

6 BECKY GARCIA: I would like to go back and
7 visit the auditor's report on the second page, the
8 attorneys showing the ones that have unpaid forfeitures.
9 Some of these attorneys might also be court appointed;
10 and for the county -- so the county should not be paying
11 them court appointed fees if they actually owe the
12 county money. So that's something that the courts
13 would, you know, through the auditor's office, you might
14 want to look at.

15 RHONDA BRODE: If they're in default or --

16 TOM RUGG: No, final judgment.

17 BECKY GARCIA: The final judgment rendered,
18 they owe the county money for bonds.

19 RHONDA BRODE: What if they defaulted?

20 TOM RUGG: Well --

21 RHONDA BRODE: I think we can set that one
22 up, if they're in default, we don't pay them.

23 MARY GODINA: I can tell you these are not
24 on the felony appointed list. I don't know about the
25 misdemeanor list.

1 JUDGE FLORES: All right. So, anything
2 further on this issue, Ms. Garcia?

3 BECKY GARCIA: No, sir.

4 JUDGE FLORES: Okay. Any other new
5 business?

6 (NO RESPONSE.)

7 JUDGE FLORES: Any old business?

8 KEITH DAY: Judge, we were going to discuss
9 today about the bonding practices of the attorneys; but
10 David Fregia -- of course, Tom is here; but David Fregia
11 was going to speak on behalf of that, about what they're
12 doing in other counties; but he didn't show up today; so
13 I'll have to contact him and see if I can get him next
14 month; but I don't know that Tom will be here next
15 month; and we might just keep going through this whole
16 thing.

17 JUDGE FLORES: All right. If there's
18 nothing further, Judge Dollinger?

19 JUDGE DOLLINGER: Move to adjourn.

20 JUDGE FLORES: Judge Lively?

21 JUDGE LIVELY: Second.

22 JUDGE FLORES: Been moved and seconded. All
23 those in favor signify by saying aye.

24 (RESPONSE.)

25 (END OF HEARING)

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