

BAIL BOND BOARD MEETING

2

3 THOSE PRESENT: Judge Flores

4 Judge Dollinger

5 Lt. Beadle

6 Catherine Presley

7 Pat Knauth

8 Emma Richardson

9 Becky Garcia

10 Tim Funchess

11 Keith Day

12 Mary Godina

13 Liz Parks

14 Tina Gillespie

15 Rhonda Brod

16 Tom Roebuck

17

18 JUDGE FLORES: Okay. We're going to call
19 this meeting of the Jefferson County bail bond board to
20 order. First item on the agenda is the review of the
21 minutes from the last meeting.

22 Are there any comments or any further
23 discussion on the minutes?

24 (None.)

25 JUDGE FLORES: Hearing none, move on to the

1 next item. It is the report from the district
2 attorney's office. Mr. Knauth, any comments you wish to
3 make?

4 PAT KNAUTH: None.

5 JUDGE FLORES: Any questions or anything on
6 the district attorney's report?

7 (None.)

8 JUDGE FLORES: Okay. Ms. Presley, any
9 applications?

10 CATHERINE PRESLEY: No, sir.

11 JUDGE FLORES: Mrs. Godina, any complaints
12 against bondsmen?

13 MARY GODINA: No, sir.

14 JUDGE FLORES: Mr. Funchess?

15 TIM FUNCHESS: I passed out my report. I'll
16 take questions if you have them.

17 JUDGE FLORES: Any questions on the
18 treasurer's report?

19 (None.)

20 JUDGE FLORES: Report from the auditor's
21 office?

22 RHONDA BRODE: I distributed my report. I
23 was speaking with Tina and Emma about some questions
24 from the last meeting; and would either of you like to
25 elaborate and ask judge the question?

1 JUDGE FLORES: Emma?

2 EMMA RICHARDSON: Two of the old bonds we
3 had out. I forgot who they were on. I have it in my
4 binder. I went back and researched and that was before
5 I came on that desk. Carolyn was over the desk at that
6 time; and she did -- she did have a writ and an abstract
7 done on both of them. Nothing was ever collected; so we
8 just need to know what do we do now.

9 BECKY GARCIA: And what bondsman was that?

10 EMMA RICHARDSON: I forgot.

11 JUDGE FLORES: Have you contacted the
12 district attorney's office?

13 EMMA RICHARDSON: Did I contact them?

14 JUDGE FLORES: Somebody needs to contact
15 them because they're the ones if we have to file a suit
16 or whatever. You've also used who? Has it been Phillip
17 Babin.

18 BECKY GARCIA: Yeah, either Phillip Babin or
19 previous to that it was Rugg.

20 JUDGE FLORES: Okay.

21 BECKY GARCIA: But -- or depending on what
22 his --

23 PAT KNAUTH: Or if you go with me, I'll get
24 you the person who it is or whatever. You get that
25 information to us, we'll take a look at it.

1 EMMA RICHARDSON: Okay.

2 PAT KNAUTH: Either me or Phillip.

3 JUDGE DOLLINGER: Ms. Emma, do you know the
4 age of that abstract? How -- I mean is it more than
5 ten?

6 EMMA RICHARDSON: Yes.

7 JUDGE DOLLINGER: Will it still be any good?

8 EMMA RICHARDSON: I've been on that desk --

9 BECKY GARCIA: No, state abstracts are good
10 for twenty years.

11 JUDGE DOLLINGER: Oh, twenty. She said
12 state abstracts are double.

13 BECKY GARCIA: Our abstracts are good for
14 twenty years.

15 TOM ROEBUCK: Learn something new every day.

16 JUDGE FLORES: Mrs. Emma, keep in contact
17 with Mr. Knauth. The district attorney's office will be
18 the one to handle that.

19 BECKY GARCIA: Depending on what the
20 collateral is, we can do a writ of possession. If he's
21 got property, we can sell it.

22 JUDGE FLORES: Okay. All right. Any old
23 business?

24 (None.)

25 JUDGE FLORES: Any new business?

1 (None.)

2 BECKY GARCIA: I do. I have a question.

3 Whenever the criminal histories are done on an
4 individual, say a bonding company hires a new person and
5 they run a criminal history search; and then that same
6 bonding company comes up for renewal six months or a
7 year later, are they going to be required to do a new
8 criminal history search for that individual? I mean how
9 long are we going to say these criminal history searches
10 are good for?

11 JUDGE FLORES: What -- what's the normal
12 procedure, Ms. Presley?

13 CATHERINE PRESLEY: We don't have a
14 procedure. That's what she and I were talking about
15 because the question was raised to me. I'm thinking we
16 should put in the county policy in our bail bond rules
17 maybe six months; because anything can happen.

18 JUDGE FLORES: Judge --

19 JUDGE DOLLINGER: What about if we were
20 to -- Tom can tell us if we have the authority -- but
21 put an honor on the bonding companies if they have an
22 employee who gets a disqualifying conviction, that it's
23 their responsibility to notify us.

24 TOM ROEBUCK: Absolutely, I think that's
25 what we ought to do.

1 JUDGE FLORES: Keith, what do you think
2 about that?

3 KEITH DAY: I would rather that, Judge, that
4 have -- if the criminal background is only good for six
5 months, then I'd have to get a new -- a new criminal
6 background check on each one of my employees every six
7 months? Is that what you're saying.

8 CATHERINE PRESLEY: No. No, no, no, no.

9 Okay. Someone had just renewed as an agent. Now the
10 owner of the company is coming up for renewal; and it
11 was just like two months. I told them, don't worry
12 about getting that agent another criminal history.

13 KEITH DAY: But our employees each -- each
14 time I bring on an employee, whether I get them licensed
15 as an agent or not, we have to do the criminal
16 background check.

17 CATHERINE PRESLEY: Correct. Correct.

18 KEITH DAY: So it really wouldn't make sense
19 to take the agent and not the employee.

20 CATHERINE PRESLEY: It's everyone.

21 KEITH DAY: It's everyone. So I think -- I
22 think like they said, the honor should be on the
23 bondsman to notify the board if -- you know, because
24 obviously -- well --

25 BECKY GARCIA: But they're still going to be

1 required do it at the time you renew.

2 KEITH DAY: Right, when I renew. I say that
3 we would know if our employee got arrested; but you
4 don't necessarily -- I mean, if they get arrested in
5 Jefferson County, I'm going to know; but if they get
6 arrested somewhere else, I have to -- I have to trust
7 that they would tell me that.

8 TOM ROEBUCK: That's what I was going to
9 say.

10 KEITH DAY: Yeah, I can't always guarantee
11 I'm going to know if I've got an agent that goes to the
12 beach one weekend and gets arrested in Galveston County
13 that I'm going to know about it; you know.

14 JUDGE FLORES: Yes, sir, Judge?

15 JUDGE DOLLINGER: We could also make it a
16 requirement that if you receive an agent's license or
17 you receive a bondsman's license that you individually
18 are required to notify the board?

19 KEITH DAY: What if we did this, Judge?
20 Every year, January 21st -- 31st I got to turn in my
21 tax -- show them my property taxes are paid on any
22 property I have up and my insurance. January 31st of
23 every year, I also have to have whatever employees I
24 have, have criminal background check done on them once
25 again.

1 JUDGE DOLLINGER: Have them sign a
2 statement?

3 JUDGE FLORES: You're talking about like
4 every January 31st just do it all at one time?

5 KEITH DAY: Do it at one time.

6 MARY GODINA: That's a long time though for
7 somebody to be in trouble and they can go a whole eight
8 months and nobody knows anything.

9 KEITH DAY: Well, it is; but otherwise I'm
10 going to have to do it what, once a month?

11 MARY GODINA: I'm just saying.

12 CATHERINE PRESLEY: Well, no.

13 BECKY GARCIA: No.

14 CATHERINE PRESLEY: When you come up for
15 renewal, you have to --

16 KEITH DAY: But I wouldn't have to do it
17 when I come up renewal. We'd be doing it once a year
18 for everybody.

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

20 TOM ROEBUCK: I don't know, it's still
21 potentially leaving a whole year.

22 JUDGE DOLLINGER: Do a sworn statement that
23 they haven't --

24 TOM ROEBUCK: You know, Judge, may be right.
25 If they do -- I'm just thinking out loud here. If -- on

1 a -- on a periodic basis if you had them sign an
2 affidavit, that's -- that I'll be happy to draft --
3 that's locked up; you know, if -- if they lie, then,
4 that's problem. It's probably perjury; but more likely
5 than not it's securing the execution of a document by
6 deception which is felony; and seems to me that would
7 deter somebody from not coming forward.

8 JUDGE FLORES: And what would be the
9 procedures for setting up that affidavit; and when would
10 they be required -- when would they be required to turn
11 it in or whatever?

12 TOM ROEBUCK: Well, I think we'd have to
13 decide how often it ought to be.

14 BECKY GARCIA: Well, if we do a yearly
15 thing, have a criminal history done like Keith said,
16 turned in by January 31st; and then six months later
17 require them to turn in an affidavit that says since
18 that time I have not done anything; because within the
19 next six months they're going to have to turn in another
20 criminal history check again. So we're covered from six
21 months to six months.

22 KEITH DAY: Well, Tom, let me -- let me ask
23 you this. We're talking about convictions here; right?
24 We're not necessarily talking about arrests. I mean --

25 CATHERINE PRESLEY: That is true.

1 KEITH DAY: I mean convictions. I mean, the
2 courts move fast; but, you know, a year, if I got
3 somebody that gets arrested, I mean -- you know --

4 TOM ROEBUCK: Yeah, you can't --

5 KEITH DAY: The conviction is going take a
6 while, even if they get convicted. So, I mean -- so, I
7 don't see where once a year, you know -- if I had
8 somebody that was arrested the day before on January
9 30th and then they get convicted May; then when I do the
10 criminal background checks again in, you know, January
11 31st or that day, the conviction is going to pop up.
12 So -- I don't know. It just seems like it would -- the
13 once a year thing would be --

14 MARY GODINA: I don't think so. It's too
15 long.

16 TOM ROEBUCK: Well, I mean it's -- Keith's
17 right. It depends on where you are. You know, it's --
18 not much of a -- you know, it's fairly innocuous. I
19 would say a quarter have somebody do an affidavit. It's
20 just an affidavit they sign off on; just say I haven't
21 been convicted. So --

22 JUDGE FLORES: I mean, that's something they
23 would have to submit every -- every three or four
24 months, then?

25 TOM ROEBUCK: That would be my suggestion.

1 We may have to -- I'll have to look at the rules. We
2 may have to amend them. I want to make sure if in fact
3 they don't report it, or they lie, that the bonds -- the
4 company doesn't get penalized for that.

5 JUDGE FLORES: But we're going to put the
6 honors on the company to make sure that their employees
7 turns it in; right?

8 TOM ROEBUCK: Right. I think that should be
9 a requirement; but I don't think you ought to be
10 penalized if your employee lies about it.

11 CATHERINE PRESLEY: Now, Judge, when I was
12 running them, I just ran them when he was up for
13 renewal.

14 JUDGE FLORES: Right.

15 CATHERINE PRESLEY: You come up, what, every
16 three years?

17 KEITH DAY: Yeah, every three years. I'm
18 not due until, June, May or April of next year.

19 JUDGE DOLLINGER: Keith, is what you
20 mentioned earlier that you turn in every January 31st,
21 that's not just you? That's everybody licensed in the
22 same or supposed to?

23 KEITH DAY: Not necessarily. It's anybody
24 who has property up. If someone doesn't have property
25 up, then they don't have to turn anything in. So -- so

1 no, it's not everybody; but what I was saying, there
2 are, you know, a few of us that do have to turn in that
3 paperwork on January 31st. I was just trying to maybe
4 keep everything together. That way you know January
5 31st, we're not turning in some and June we're not
6 turning in some so that its back and forth. So -- you
7 know --

8 JUDGE DOLLINGER: That makes sense.

9 CATHERINE PRESLEY: I think that's a good
10 idea and then just have them sign off on that affidavit.
11 I do.

12 JUDGE DOLLINGER: Yep.

13 TINA GILLESPIE: If they don't tell the
14 truth on the affidavit, then they're going to get caught
15 six months down the line. So --

16 CATHERINE PRESLEY: Exactly.

17 KEITH DAY: And I think --

18 JUDGE DOLLINGER: And they're not going to
19 be working any longer.

20 TINA GILLESPIE: Right.

21 KEITH DAY: Yeah, I think, obviously at that
22 point if the company doesn't know about it, then it's
23 the company's responsibility they're going to have to
24 fire the person once they find out. You know, but I
25 guess we have --

1 BECKY GARCIA: Well, only upon the
2 conviction; and really it's a crime of moral turpitude.

3 KEITH DAY: Right. You know, we're talking
4 about a small -- you know, a felony or theft.

5 JUDGE FLORES: Mr. Roebuck, we're talking
6 about a change in bylaws then?

7 TOM ROEBUCK: Probably.

8 JUDGE FLORES: If we did it, we'd have to
9 make the proposal today and hear it at the next meeting;
10 right?

11 JUDGE DOLLINGER: We should.

12 TOM ROEBUCK: You know, I would -- I would
13 even go so far as to suggest that we even have -- even
14 though it's not a disqualification, to have arrests for
15 those offenses reported. That way we can keep track if
16 something happens.

17 JUDGE FLORES: But the problem is, I
18 understand where Keith is coming from. He may have a --
19 an employee who gets arrested for some kind of violation
20 at the beach.

21 KEITH DAY: I've got one right now. I've
22 got one hanging over me right now that got arrested
23 for -- her tint was too dark on her car; and she got
24 arrested and had an outstanding traffic ticket. So I
25 mean that -- now it doesn't have anything to do -- but

1 I'm saying if she would have had something -- you know,
2 that -- you know.

3 JUDGE FLORES: Yeah. Well, the chair will
4 entertain any type of motion or -- to amend the bylaws
5 if you want.

6 JUDGE DOLLINGER: I make a motion that we
7 have Mr. Roebuck work on a draft to be presented at the
8 next board meeting; and if it's acceptable to the board,
9 we publish it; and if it's not --

10 JUDGE FLORES: Sound like the way to go?

11 JUDGE DOLLINGER: I'm just trying to run
12 your fees up the best I can, buddy.

13 JUDGE FLORES: Yeah, you're going to double
14 zero.

15 TOM ROEBUCK: Double my hourly rate.

16 JUDGE DOLLINGER: What we're paying you now
17 is not enough.

18 TOM ROEBUCK: You know, I do it just for the
19 company; know what I mean?

20 JUDGE DOLLINGER: Well, you need a new
21 circle of friends.

22 JUDGE FLORES: Mr. Roebuck, will you do
23 that?

24 TOM ROEBUCK: Yes, sir.

25 JUDGE FLORES: We'll go ahead and table this

1 matter; and at the next meeting Mr. Roebuck is going to
2 present us with a proposal as far as the background
3 checks. Okay, is there any other discussion on this
4 matter?

5 Any other new business? Any other old
6 business?

7 JUDGE FLORES: Mr. Funchess?

8 TIM FUNCHESS: Move to adjourn.

9 JUDGE FLORES: Judge?

10 JUDGE DOLLINGER: Second his motion.

11 TOM ROEBUCK: I have -- before we do that.

12 JUDGE FLORES: Oh, okay.

13 TOM ROEBUCK: In the spirit of transparency,
14 I'm looking at the attorney's --

15 JUDGE FLORES: Yes, sir.

16 TOM ROEBUCK: It shows I've got a
17 forfeiture -- 250 -- I've got a \$250 forfeiture.

18 RHONDA BRODE: Yes, sir.

19 JUDGE FLORES: Would -- would it be too much
20 to ask for somebody to --

21 MARY GODINA: Fix it --

22 TOM ROEBUCK: Yeah, just --

23 MARY GODINA: -- just --

24 TOM ROEBUCK: I know. I can just charge
25 that as a fee. Would you look at it and tell me what --

2 JUDGE FLORES: It's through one of the
3 misdemeanor courts.

4 BECKY GARCIA: Come see me after the
5 meeting, Tom, I'll get with you.

6 TOM ROEBUCK: You always give me grief.

7 BECKY GARCIA: I'm only passing down the
8 chain of --

10 TINA GILLESPIE: I'll check it right now.

11 JUDGE FLORES: That doesn't disqualify you
12 from doing the other report.

13 JUDGE DOLLINGER: You thought you were going
14 to use that to get out of it. That's not a moral
15 turpitude.

16 TOM ROEBUCK: Dead gum it.

17 JUDGE FLORES: Okay. Other than Mr.
18 Roebuck's peccadillo here, anything further?

19 (None.)

20 JUDGE FLORES: Well, then there's a motion
21 and a second to adjourned the meeting. All those in
22 favor signify by saying aye.

23 (Response.)

24 JUDGE FLORES: Thank you.

25 (END OF HEARING)

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