

BAIL BOND BOARD MEETING

OCTOBER 18, 2018

THOSE PRESENT:

Judge Clint Woods

Regan Shannon

Betty Limbrick

Becky Garcia

Theresa Goodness

Tim Funchess

Mary Godina

Tina Benoit

Rhonda Brode

Tom Roebuck

Dustin Galmor

Tonja Voorhies

Al Reed

Tamika Martin

Quentin Price

Sgt. J Patrick

Chief John Shaube

1 MR. FUNCHESS: All right. I'm going to call
2 this meeting of the Thursday, October 18th, Bail Bond Board
3 together.

4 First off, I'm going to remind everybody that during
5 discussion periods, please don't talk over each other so she can
6 record properly.

7 First thing we're going to look at is a review and
8 approve the minutes from the last two months. I have September
9 here. August was emailed. If everybody has had a chance to
10 review those, I'll either have amendments or additions. If not,
11 I will seek a motion to approve the last two months' minutes.

12 JUDGE WOODS: I make a motion
13 MR. FUNCHESS: I got a motion. Do I have a
14 second?

15 MS. GOODNESS: Second.

16 MR. FUNCHESS: All in favor.

17 (RESPONSES MADE)

18 MR. FUNCHESS: Any opposed? Y'all are so
19 energetic today. All right. That passes.

20 Next, we're going to have a report from the
21 district attorney's office regarding status of collections and
22 judgments.

23 MS. GARCIA: It's been passed out.

24 MR. FUNCHESS: Anybody have any questions or
25 comments on that report?

12:34 1 Well, hearing none, we'll go to item number
2 three, which is consideration and approval of applications to
3 become bondsmen, agents and renewal.

4 MS. GARCIA: We have two of them. Your copies
5 are right there. The first one is a Ronald Ducote, Butch
6 Ducote. He's unable to attend due to a health issue. His
7 application has been emailed to all members. As far as I can
8 say, it's in order.

9 And the second one, the second one is going to
10 be on Derrick Dixon, which is here today, and his application is
11 also in order and it was emailed out to all members.

12 JUDGE WOODS: I make a motion to approve both
13 applications.

14 MR. FUNCHESS: We have a motion to approve.

15 MR. DAY: Second.

16 MR. FUNCHESS: We have a second. All in favor?

17 (RESPONSES MADE)

18 MR. FUNCHESS: Any opposed? All right. Those
19 are approved. Congratulations.

20 Item number four, consider complaints against
21 bondsmen.

22 MS. GODINA: I have received two complaints. I
12:35 23 have passed them both out to a few of the members. They're both
24 against the same bonding company, the new bonding company that
25 just started a couple of -- last -- month before last, On Time

1 Bail Bonding. That way the board members can look and see if
2 they want to go through with the complaint, if they want some
3 investigating done or whatever.

4 I am just going to say I think these complaints
5 need to brought to me not to other people. I don't think they
12:36 6 need to be left at other bonding offices because I would think
7 if a bonding company had a complaint against them, I don't think
8 they would want everybody to know about it. So from here on
9 out, if I don't get them at my desk, then I'm going to consider
10 I don't have any.

11 MR. FUNCHESS: Could you kind of give us an
12 overview of what the complaints are?

13 MS. GODINA: The bonding company is contacting
12:37 14 relatives and friends of the defendants that are in jail. I
15 guess soliciting, they can get somebody out for this much money.
16 They supposedly have all the information about the defendant,
17 what the charge is, what the bond amount is, that kind of thing.
18 And they're, like I said, contacting their family members and
19 which is a violation, I would think.

20 MR. DAY: So they're contacting them without
21 being contacted by the --

22 MS. GODINA: They haven't been hired yet.

12:37 23 MR. DAY: So no family member or the defendant
24 has not contacted the bonding company. The bonding company is
25 just seeing the persons -- the person is in jail and just

1 randomly going and calling somebody?

2 MS. GODINA: Well, the one complaint just said
3 the bondsman randomly called friends and relative, and told them
4 my son was in jail. That was it.

5 MR. FUNCHESS: Al, you have something?

6 MR. REED: Yeah. Let me expand a little bit on
7 that. We were working with one of our prior clients again on
12:38 8 getting someone out of jail and so this person had called us
9 again and says, "What are you doing calling all my relatives?"
10 She says, "You know, that's on my husband's side. We don't have
11 any -- you know, why are you calling them?"

12 And, of course, my office manager Lisa says we
13 have -- "I'm the only one working here today. We haven't called
14 anybody."

15 So she says, "Would you call this number and
12:38 16 ask them if they contacted your relatives?"

17 So she did. She called them and said, yeah, we
18 contact your relatives. And she was really upset about it, and
19 at that time she told Lisa that she would like to file a
20 complaint if she could. And so I don't know where -- where the
21 complaint went to or where it ended up to. It was confirmed
22 that she did file a complaint. That was kind of what was
23 happening. She was real upset that all her relatives kind of
24 knew her business and what was going on. And people in jail, a
25 lot of times, they don't want that to happen and I think it's a

1 real serious thing, that what they're doing is going on.

2 MR. FUNCHESS: Well, I think we need to
3 investigate this further and then report back to this board next
4 month.

12:39 5 MS. GODINA: Okay.

6 MR. FUNCHESS: Is that the concensus of the
7 committee?

8 JUDGE WOODS: That's fine.

9 MR. DAY: We need to research the laws on -- I
10 mean, there is a provision in there about solicitation in the
11 Bail Bond Act so you definitely need to look into that as well.

12 MR. FUNCHESS: Well, let's investigate it, come
13 back with another report; and if we need to take action, we'll
14 do so at the next meeting.

15 MS. GODINA: Do you want me to have that
16 bonding company at the next meeting? Do we need to notify them
17 about the complaint.

18 MR. FUNCHESS: If we're going to go forward
19 with the complaint, then they need to be here to answer for
20 them.

21 MR. DAY: So, Mary, so you said it wasn't --
22 what do you mean it wasn't turned in to you?

23 MS. GODINA: Yeah, Becky had one of them and
24 one of them came from Al Reed's office.

25 MS. GARCIA: Well, the one that came to my

1 office, they were filing answers and picking up their waivers.
2 It was in an envelope that was just brought to me, and then I
3 sent it up the tube to Mary.

12:40 4 MS. GODINA: But if they can come as far as the
5 courthouse to drop off papers, they can go up one more flight of
6 stairs. The same way people are filing a complaint, file a
7 complaint. I told her where to go in the website to get the
8 form, it needed to be brought or mailed or faxed or scanned to
9 me. Three weeks later it shows up. So I just don't think it's
12:40 10 fair to this company or any company. If someone was to file a
11 complaint against you and everybody knows about it before you
12 know about it, I think you would be upset, too.

13 MR. DAY: How dare somebody file a complaint
14 against me?

15 MS. GODINA: I'm just saying what -- what is
16 fair is fair, you know.

17 MR. REED: You know, I think after we research
18 the laws, you know, if it's not in the statute, you know, we can
12:41 19 make local laws within our county and that might -- we might
20 look at that, also.

21 MR. FUNCHESS: Mr. Roebuck?

22 MR. ROEBUCK: The board might want to consider
23 amending the local rules to mandate the filing procedure, seems
24 to me, to avoid this in the future.

25 MR. DAY: I think we need to first find out if

12:42 1 it's, you know, breaking any sort of state -- anything out of
2 the statute first before we go -- I mean, no sense making a
3 local rule if it's already, you know, in the state, state law
4 so --

5 MR. FUNCHESS: Okay. Anything else on that?
6 All right. Moving on.

7 We have a report from the treasurer on cash and
12:42 8 CDs up for collateral. I passed out my report. It's for
9 y'all's review. Anybody have any questions or comments, I'll
10 answer them at this time.

11 If not, then we'll move on to item number six,
12 which is a report from the auditor's office; and that has been
13 passed out. Any comments from the auditor's office?

14 MS. BRODE: The only discrepancy I saw was that
15 Keith Day's collateral has been changed. Are we requesting --

12:42 16 MS. BENOIT: He's requesting funds back.
17 That's next on the agenda and the letter that I read for the
18 judge to sign says that I have already made the changes.

19 MS. BRODE: How much?

20 MS. BENOIT: It's 40,000 which makes it 400.

21 MS. BRODE: Thank you.

22 MS. BENOIT: Uh-huh. You're welcome.

23 MR. FUNCHESS: Okay. Item number seven is the
24 release of any property, CDs, cash or cashier's checks requested
12:43 25 by a bonding company. This is going to be a standard agenda

1 item so that way we can -- if there are any releases, we can
2 just enter them in under this category and we do have a release
3 today for -- who do we have it on?

4 MS. BENOIT: It's on Keith Day with
5 Professional and it's for 40,000 and I've already made
12:43 6 adjustments and he's contacted everybody and he's -- he's good
7 to go so --

8 MR. FUNCHESS: All right. Can I get a motion
9 to release those CDs?

10 MS. GOODNESS: So moved.

11 MR. FUNCHESS: Got a motion. Do I have a
12 second?

13 JUDGE WOODS: Second.

14 MR. FUNCHESS: All in favor say aye?

15 (RESPONSES MADE)

16 MR. FUNCHESS: Any opposed? All right. That
17 is approved. Moving on.

18 We need to elect our chairman and the vice
12:44 19 chairman. As y'all know, our chairman is Judge Ken Dollinger;
20 and I think by his absence, he should be voted in by
21 acclimation.

22 JUDGE WOODS: I make a motion for that.

23 MR. FUNCHESS: I have one motion to nominate
24 Judge Dollinger. Can I get a second?

25 MR. DAY: I second.

MR. FUNCHESS: All right. All in favor of
Judge Dollinger being our chairman for another year say aye.

(RESPONSES MADE)

MR. FUNCHESS: Any opposed? All right.

Now, it's the position of vice chairman, which is me, and I'm willing to do this again but I'll have to have a nomination from the floor.

MS. GOODNESS: I nominate Tim Funchess as vice chair on the Bail Bond Board.

MR. DAY: Second.

MR. FUNCHESS: I have a motion and second. All in favor?

(RESPONSES MADE)

MR. FUNCHESS: Any opposed?

JUDGE WOODS: Huh-uh.

MR. FUNCHESS: Funny. Guess I'm supposed to say thank you but -- all right.

Now, we're going to elect the bondsman representative.

MS. GARCIA: We actually can't elect them at this meeting. We just need to put everyone on notice. I guess, as one of the administrators, I'll send out notice to the bondsmen to attend next month's meeting.

The code says the board shall annually conduct a secret ballot election to elect the members of the board who

1 serve as the representative of licensed bail bond sureties by
12:45 2 electing a licensed bail bond surety or agent for a corporate
3 surety board member.

4 In order for that to be done, in order to
5 notify all the licensed bondsmen, a letter would need to be sent
6 out from the board asking them to attend for next month's
7 meeting in which case we can --

8 MR. FUNCHESS: Can you do that?

9 MS. GARCIA: Yes, sir.

10 MR. FUNCHESS: All right. All right. We'll do
11 that, and we'll put that on next month's agenda.

12 MS. BENOIT: Okay.

13 MR. FUNCHESS: All right. Does anybody have
14 anything else they would like to bring before the board without
15 taking action?

12:46 16 MR. DAY: I would like to bring something up
17 since we have representatives from the jail here today. I
18 don't -- I didn't want to get this into a complaint type
19 situation but there were some phone calls that I received
20 that -- and I just want to make sure that the jail is
21 notifying -- because I know y'all have a lot of new officers and
22 deputies and everything that come in out there. The only people
23 in the bonding companies that are supposed to be going back and
24 interviewing potential clients are people that are agents that
25 are licensed by the Board and I had gotten a couple of phone

1 calls that there were some agents -- and actually one of my
2 agents was, that's not licensed, was allowed to go back and had
3 an interview with a client. Of course, I told her, "Don't ever
4 do it again." But they just told her she could go back and do
5 it. She didn't request to do it. She just told her to go back
12:47 6 and have them go back and fill out their paperwork and I told
7 her not to do it again.

8 Then it was brought to my attention that other
9 bail employees -- bail bond employees were allowed to go back
10 that hadn't been licensed through the Bail Bond Board. I just
11 wanted to make sure that y'all are notifying the deputies and
12 clerks and everything out there that no one is supposed to go
13 back unless they have that -- well, they should be on a list,
14 right?

15 MS. GARCIA: They're on the list, and they
16 should present a card.

12:47 17 MR. DAY: Card or driver's license?

18 MS. GARCIA: It's a card.

19 MR. DAY: We still get the cards?

20 MS. GARCIA: You need -- you better have your
21 card.

22 MR. DAY: I need a card.

23 MS. GARCIA: But the instructions -- yes, the
24 instructions are at the top of the list that is sent out to the
25 jail facility --

1 MR. DAY: All right.

2 MS. GARCIA: -- about what that card means
3 because that's why y'all pay that money, only that person to go
4 back from your company.

5 MR. DAY: And I had gotten a phone call -- how
12:48 6 I found out about it -- through my employee who they allowed to
7 go back that shouldn't have been allowed to go back there so --

8 MR. FUNCHESS: All right. Well, that completes
9 our agenda.

10 MS. GODINA: I have one thing, please. I just
11 want to FYI everybody. I don't know where it got started, but
12 people think arraignments aren't done on the weekends and they
13 are. They're done 365 days of the year, week and the weekend.
14 They may not start at 7:00. There is a magistrate at the jail
12:49 15 every single day. So I don't know where that got started that
16 they weren't being done on the weekend. It's wrong because they
17 are. Every single day there is a magistrate at the jail.

18 MR. FUNCHESS: All right. Anything else?
19 Judge Woods?

20 JUDGE WOODS: I make a motion to adjourn.

21 MR. FUNCHESS: Can I get a second?

22 MS. GOODNESS: Second.

23 MR. FUNCHESS: We are adjourned.

24 (MEETING CONCLUDED)

25