

BAIL BOND BOARD MEETING

APRIL 25, 2019

THOSE PRESENT:

Judge Clint Woods

Judge Raquel West

Betty Limbrick

Becky Garcia

Theresa Goodness

Charlie Hallmark

Keith Day

Mary Godina

Tina Benoit

Rhonda Brode

Tonja Voorhies

Joleen Fregia

Lt. Charles Ford

Tamika Martin

Quentin Price

Capt. Vertis Malv

1 JUDGE WEST: We'll get the meeting called to
2 order and start off with the first item on the agenda which is
3 to review the minutes from January, February meetings. And has
4 everyone had an opportunity to review those?

5 MS. GOODNESS: I make a motion the minutes be
6 approved as written.

7 JUDGE WOODS: Second.

8 JUDGE WEST: Got a motion and second. Any
9 other discussion about that?

10 All in favor?

11 (RESPONSES MADE)

12 JUDGE WEST: Any opposed? Okay. They pass.

13 And then for the DA's office regarding the
14 status of collections on judgments. Everybody should have been
15 handed a print-out of that. Is there anything, Mr. Price?

16 MR. PRICE: No, none from me.

17 JUDGE WEST: That doesn't have to be approved,
18 does it? It's just for our -- okay.

19 Number three, consideration and approval of
20 applications to become bondsmen or agents and renewals.

21 MS. GARCIA: We don't have any.

22 JUDGE WEST: Number four, complaints. Any
23 complaints?

24 MS. GODINA: I do have a complaint that was
25 given to me last month. We're still trying to get information

1 on that so we'll table it until next month's meeting and
2 hopefully we'll have our ducks in a row and we'll do it then.

3 JUDGE WEST: Anything else? Any others?

4 MS. BENOIT: Actually we did spot checking
5 probably a couple of weeks ago and we found something that needs
6 to be investigated further, me and Mary did. And so we really
7 don't -- we're really -- we want to table it until next time as
8 well, simply for the fact we can get with the bonding company
9 and go over it and try to understand it better as to why --

10 JUDGE WEST: All right.

11 MS. BENOIT: -- it's not right.

12 JUDGE WEST: Anything else?

13 We've got treasurer's report. Everyone should
14 have a copy of that. Anything we need to look at or questions
15 about that? Anybody?

16 MR. HALLMARK: Nothing.

17 JUDGE WEST: We've got auditor's office report.

18 MS. BRODE: I have distributed that. I have no
19 comment. I'm good.

20 JUDGE WEST: Anyone have any questions about
21 that? Okay. Any -- let's see, release of property or CDs or
22 anything requested this time? Is there something?

23 MS. BENOIT: I didn't receive anything.

24 JUDGE WEST: Okay. The deed of trust draft
25 that we all -- we have talked about I guess what meeting or two,

1 everyone should have a copy of that. Mr. Galmor is here.

2 MR. GALMOR: I think it's been looked at. I
3 never got a response from Tom. I know he was in mediation,
4 might not have been able to make it. As far as I know, there is
5 no problems with it.

6 MS. GARCIA: Other than the highlighted part
7 that you looked at, because we added to make it specific for our
8 county, those changes have been passed out to a few of the board
9 members with the changes. I haven't heard anything else from
10 it. I think we're good to go on it.

11 MR. GALMOR: I don't see why a change can't be
12 made in the future if we have to.

13 JUDGE WEST: We're ready to approve. Is there
14 a motion?

15 JUDGE WOODS: I'll make a motion to approve the
16 deed of trust as submitted by Mr. Galmor.

17 MS. GOODNESS: Second.

18 JUDGE WEST: Motion and second. Any other
19 discussion about? And for those who weren't here, just so that
20 the bonding companies are -- will have a standard deed of trust
21 to use so it's always the same in each of the cases when they
22 have property that they're putting up, correct?

23 MS. GARCIA: Uh-huh, that's correct.

24 JUDGE WEST: All in favor?

25 (RESPONSES MADE)

1 JUDGE WEST: Any opposed? All right. That
2 passes.

3 MS. GOODNESS: I would ask that we put a copy
4 of this on the website so they can download it at their leisure.

5 MS. GARCIA: It's under the "Forms" section of
6 the Bail Bond Board web page as well as e-mailed out to those
7 bondsmen that I have e-mail addresses and mailed to the ones
8 that I don't.

9 JUDGE WEST: Perfect.

10 Clarification on insurance policies.

11 MS. BENOIT: That was -- I was asked to put
12 that on there for -- because I think there was a bondsman not
13 wanting to add the Bail Bond Board to his insurance policy on
14 his.

15 MS. GARCIA: (Inaudible)

16 MS. BENOIT: I did speak with Mr. Roebuck on it
17 and he did -- you -- were you able to check on that?

18 JUDGE WEST: The insurance --

19 MS. BENOIT: May be some discrepancy anyway.

20 MR. ROEBUCK: I walked in late. What are you
21 talking about?

22 MS. BENOIT: Okay. We're talking about where
23 the bondsmen were required at one time to put us --

24 MS. FREGIA: First lien.

25 MS. BENOIT: -- on the insurance policies.

1 MR. ROEBUCK: As initial insurer.

2 MS. BENOIT: Yes, yes.

3 MR. ROEBUCK: We had a guy that was suggesting
4 that -- and I don't remember what his real concern was but I
5 said -- I said I can fix the language. I don't remember exactly
6 what he was bothered about. Do you, Tina?

7 MS. BENOIT: I don't know. It was brought to
8 my attention by I think -- Becky, were you the one who brought
9 it to my attention?

10 MS. GARCIA: I brought it up, but Keith talked
11 to them as well.

12 MR. DAY: Just got a vague response from him.
13 It had something to do with a property that caught fire years
14 ago, which I vaguely remember him, and he's concerned that if
15 that happens again, Jefferson County is not going to give him
16 the money to fix the house up and that's really all I got out of
17 it, you know.

18 MS. GARCIA: Which is the thing I got.

19 MR. ROEBUCK: Most -- almost all insurance
20 policies says if it burns, the proceeds are first to go to pay
21 off any outstanding loan proceeds. Now, the problem here, of
22 course, is it's merely being pledged so we probably ought to
23 have some language in the deed of trust that says that the
24 proceeds will be disbursed to the homeowner upon proof of -- of
25 reconstruction of the property. I can -- I can draft some

1 language that does that to alleviate, I hope, his concerns. Am
2 I making sense?

3 MS. GARCIA: You are but we just voted on the
4 deed of trust form right before you walked in.

5 JUDGE WEST: That is where that would go, deed
6 of trust form?

7 MR. ROEBUCK: It would go to the deed of trust.

8 JUDGE WEST: We can put the deed of trust form
9 as it was voted on, go ahead and do that and between now and the
10 next meeting if you can add that, we can -- we can do an amended
11 form.

12 MR. ROEBUCK: Yeah, this just came up like two
13 weeks.

14 JUDGE WEST: Okay. So that will need to be on
15 the agenda again for next month as far as a new deed of trust
16 regarding the insurance.

17 Anything else on that insurance, or is that all
18 that was?

19 MS. BENOIT: That's all that was.

20 JUDGE WEST: Okay. Thank you.

21 Give bond conditions on subsequent DWIs and
22 drug cases set out by the judges to representatives of bondsmen.
23 What is that?

24 MS. BENOIT: Okay. That's the misdemeanor
25 courts and y'all's court, too. The bond conditions that they

1 have to have interlock on DWI thirds or whatever. From our
2 understanding, they weren't -- some bonding companies were not
3 giving that out so I believe Judge Stevens redrafted and you
4 signed.

5 JUDGE WEST: Uh-huh.

6 MS. BENOIT: Well, I went down there and I was
7 unable to get a copy of it to give to them and I am unable to
8 get a copy right now of the misdemeanor so I'm going to table
9 that to get those copies to hand those out at the next meeting.

10 JUDGE WEST: I'll try to help you get a copy.

11 MS. BENOIT: Thank you.

12 JUDGE WEST: You're welcome. So does that --
13 the next item says decision on how to get the defendant notice
14 of interlock requirements. Is that similar? Is that the same
15 issue, or is that something different?

16 MS. BENOIT: Yeah, to get the notice to the
17 court because I think that's what -- yeah, they have it in the
18 bond condition but the court isn't getting notified that they
19 have this and I know in County Court 2 that we're regiving them
20 conditions, making them come back to bring the proof of the
21 interlock which they already are supposed to have known that
22 they have to have an interlock and that is supposed to be
23 brought to the court on the first court appearance anyway.

24 JUDGE WEST: By the defendant?

25 MS. BENOIT: By the defendant.

1 JUDGE WEST: And they're supposed to know about
2 because?

3 MS. BENOIT: The bond conditions.

4 JUDGE WEST: The bond conditions say for them
5 to bring that?

6 MS. BENOIT: I believe that's what it says. I
7 don't know. I haven't seen it.

8 MR. DAY: Well, I think the question that came
9 up the last meeting was where -- at what point they are notified
10 of it. Right, Mary? We were trying to decide why the bondsmen
11 have them sign it when they sign the form when they're booked
12 into the jail. We were trying to decide at that point where
13 they need -- at what point they needed to be notified because my
14 argument was initially it said once a case was filed or indicted
15 and then by that, you know, because if we bond somebody on
16 accusation and they wait until the case is filed before they go
17 get this, you know, two or three months down the road, they have
18 forgotten about it because like I was explaining to everybody
19 here, they hear about half of what our office tells them at the
20 moment they're getting out of jail because, you know, their
21 minds are going all different directions. They're just glad
22 they're out. They hear check in every week and pay and anything
23 above or beyond that, they don't remember. So I think the
24 question come up as to when they needed to be notified about
25 this. We get them to sign the paperwork showing that they have

1 to -- I know our office does. I know Al's office does. Stan's
2 office does. We have them sign the moment that they post bond;
3 but we don't have -- you know, they show up for court the first
4 time I guess is when they're supposed to notify the courts
5 but --

6 MS. BENOIT: I think the new bond conditions
7 say that they are supposed to get it once they get out of jail.

8 MR. DAY: Now, it does. I was saying prior to
9 this last -- now, it says once they get out, they're supposed to
10 get it immediately, which we've changed our procedure at the
11 office and we notify them but I think the question come up is
12 when they need to be notified and I felt like it was better
13 they're notified once they post bond because, you know,
14 that's -- they're signing the bond right then. Why not go ahead
15 and sign the conditions at the same time and all the paperwork
16 stays right there together because, otherwise, they're coming
17 over to our office, signing the paperwork that we need, then
18 send what we're getting signed to the courts at that point.
19 Whenever they can sign at the time they're posting the bond, and
20 they can attach to the bond showing they've been notified.

21 MS. GOODNESS: That's what we talked about last
22 meeting, like maybe putting it on the back side of the bond
23 because even the cash bond, they need to know what the bond
24 conditions are, that way it would come back to the court with
25 the signature on that paper. It would be of record for the

1 Court to see, yes, they were notified; yes, they signed off on
2 it and they do know what the conditions are.

3 MS. GARCIA: As well as the PR bond.

4 MS. GOODNESS: Any kind of bond. But the jail
5 would need to give them a copy of it so they have something to
6 look at.

7 JUDGE WEST: To me it would be better if it was
8 done at the jail, I would think, because then it's --

9 MR. DAY: Attached to the bond.

10 JUDGE WEST: -- attached with it so we would
11 have it with the file.

12 LT. FORD: Is it coming in attached from
13 y'all's office?

14 MR. DAY: That I don't know. I guess it's a
15 procedural issue if it needs to come with the bond, we can but
16 it's going to be something y'all keep with the bond so I don't
17 know if it's something we can -- I mean, I hate to have the
18 whole surety bond rewritten with it in it but if there is some
19 sort of paperwork that we can -- I mean, I don't know if it's
20 something we really need to attach to it or the jail is going to
21 have it or what. Well, the jail is going to have a way --

22 LT. FORD: Cash bond?

23 MR. DAY: Cash bond, you're going to have a
24 copy anyway.

25 LT. FORD: Right.

1 MR. DAY: Might as well have the same for
2 everybody. I don't know why the bondsmen is going to send it.

3 LT. FORD: I didn't know if it would have to be
4 a different form for cash versus surety or not.

5 MR. DAY: I don't think it would.

6 MS. GOODNESS: It's not different conditions.

7 JUDGE WEST: The conditions are the same.

8 LT. FORD: I didn't know if it was different
9 condition for cash or surety or not.

10 MR. DAY: It's not.

11 JUDGE WEST: It's our condition.

12 MR. DAY: It's y'all's condition.

13 JUDGE WEST: Right.

14 MR. DAY: The only reason we have them sign
15 it --

16 JUDGE WEST: So anything -- we don't need to
17 make some formal policy, right? We're just -- is there
18 something --

19 LT. FORD: We would have to keep a policy on
20 signed releases on, you know, what the outline, what charges
21 need to have this, you know, form filled out and signed and have
22 it available and, you know, have several, you know, copies of it
23 printed up so we can have them on file.

24 JUDGE WEST: Who has that? Who would -- do we
25 have that all written up? I mean, is that a similar document

1 that what we were already talking about that you need a copy of
2 for the other stuff?

3 MS. GODINA: I think so.

4 MS. BENOIT: Yeah, just the bond conditions.
5 If they could just give them a copy, you know, where they sign
6 it, they received a copy of the bond conditions.

7 MS. GOODNESS: Then we could put it in the
8 file.

9 MS. BENOIT: And all we would need is a paper
10 where they signed that they -- the jail did give them a copy of
11 the bond conditions.

12 JUDGE WEST: So just a simple form --

13 MS. BENOIT: I would say --

14 JUDGE WEST: -- says I received a copy of my
15 bond conditions.

16 MS. BENOIT: One form for the client showing
17 they received it. We don't even have to have it spelt out
18 because we know what it says.

19 LT. FORD: We don't have the bond conditions at
20 the jail, I don't believe.

21 MS. BENOIT: No, because I meant to -- I was
22 going to get them to y'all today.

23 LT. FORD: Oh, okay.

24 MS. BENOIT: I'm working on that.

25 JUDGE WEST: So we'll get the copies of the

1 bond conditions to the jail and we'll get some form -- who can
2 do that? Just a simple form that says received a copy of my
3 bond conditions and have them sign it?

4 MS. BENOIT: And have them sign it, yeah.

5 LT. FORD: That would be just on subsequent
6 DWIs?

7 MS. BENOIT: And drug cases because I think
8 it -- on the drug cases, it's to be drug tested on any, you
9 know.

10 JUDGE WEST: We'll make it once we find that
11 form, get the list.

12 MS. BENOIT: Yeah.

13 JUDGE WEST: Make a separate list with that
14 form and then with something for them to sign and we'll get
15 y'all all of that.

16 MR. GALMOR: Since there is bond conditions
17 technically on every kind of case, shouldn't there just be, you
18 know, the standard conditions and then subsequent DWIs
19 conditions, it all just be on one piece of paper and it's given
20 to everybody? You got to give them that one, right, I mean --

21 MS. BENOIT: It does state in the bond
22 conditions subsequent DWIs, this is what you have to have. If
23 you're bonding out on trespassing, you know, no, that condition
24 does not apply to you.

25 MR. GALMOR: Right, right.

1 MS. BENOIT: Just the standard bonds, we gave
2 it to every single person that bonds out and signed a piece of
3 paper that said they got them, it should cover it all.

4 JUDGE WEST: Okay. Let's just -- I mean, for
5 me, I just need to see it, the standard bond conditions. And
6 let's get that other thing I obviously signed and don't know
7 where it is and the misdemeanor one that they signed.

8 JUDGE WOODS: I signed it.

9 JUDGE WEST: We got to find where it is and see
10 if we need two separate things for them to get and just do one
11 and see if they received all that. We'll work on that in
12 between now and the next meeting day.

13 What is exactly -- the defendant, obviously
14 they show up in court with the -- I've never had somebody show
15 up with something they have got it, not a single time.

16 MR. DAY: I would venture to say, I don't know,
17 at least half of the people we post bond on don't have a
18 vehicle. Now, they may drive auntie's vehicle or grandma's
19 vehicle or whatever. I'm wondering if they have to bring to
20 y'all to show that, well, I don't have a car.

21 JUDGE WEST: Well, what I do on the record with
22 mine is ask them at their initial appearance. If it's a DWI,
23 I'll ask do you -- is having an interlock already a condition of
24 your bond? Sometimes they'll say yes and I already have one.
25 Sometimes they'll act like they don't know what I'm talking

1 about. I'll make it a condition that day if it's not already.
2 I'll explain to them that's their condition on the record. Half
3 of them will say I don't have a car. All I'll say at that point
4 is -- you can't know. You just have to do your best with what
5 you're telling me. And what I'll tell them is you're not
6 allowed to drive any vehicle, period, unless it has that on it.
7 If you don't drive and don't have a car, then obviously you're
8 not going to have to find a car to put that on. If you're
9 caught driving anyone's car without one, then it's going to be a
10 violation. It's just kind of a scary thing. You have to depend
11 on them to do the right thing.

12 JUDGE WOODS: This is when I say if you don't
13 drive a car, then you're going to have the in-home device which
14 is more money and you're going to have to be required to blow in
15 that every so often. It just doesn't hook up to the car. It's
16 probably twice as much money so that -- I've had them wear the
17 bracelets before.

18 A big problem I'll have is the drug patch. If
19 it's a DWI where it's drugs involved, the interlock doesn't do
20 any good anyway. So I have those people wear the drug patch.
21 On some of mine I have some of the in-home. If it's others and
22 it's just alcohol, I do interlock but I do that in court on my
23 own anyway. I don't rely on them to already know.

24 MS. GARCIA: I'm reading the code of criminal
25 procedure, Article 17.441, the conditions requiring motor

1 vehicle ignition interlock and it says the magistrate shall
2 require on release that this is done.

3 JUDGE WEST: Right. But you can't require that
4 it's done if you don't have a car. You can't make them do
5 something if they don't have it. That's the problem we run in
6 to with it.

7 MS. GARCIA: One the things says the magistrate
8 may not require the installation of the device if the magistrate
9 finds that to require the device would not be in the best
10 interest of justice.

11 JUDGE WEST: For instance, if it's a drug case.

12 MS. GARCIA: Oh, I get it.

13 JUDGE WEST: So we have the ability to make
14 these decisions whether we order it on some or not on others.

15 JUDGE WOODS: Because if they have a pill
16 problem, the interlock ain't going to help them.

17 MS. GARCIA: Getting it on the magistrate
18 warning maybe on the spaces there and provided the requirements,
19 the bond requirements to the defendant.

20 JUDGE WEST: Instead of having them sign
21 something separate?

22 MS. GARCIA: I would still probably have them
23 sign it and put it in the court's file but, you know, if it's
24 given to all the magistrates, directing the magistrates to do
25 this, then it would just be another line on the magistrate's

1 warning, that he or she is saying I provided this to them. It's
2 just one of those -- just another check mark that says I did
3 this, I explained to them the charge, I explained what the bond
4 is, I explain that and it's also checked off.

5 JUDGE WEST: Do we know that it's not already
6 on there?

7 MS. GODINA: It's not.

8 JUDGE WEST: It's not.

9 MS. GARCIA: Yeah, we've already looked at that
10 before.

11 JUDGE WOODS: Then what would be easier, just
12 add another check off or do something separate where they sign
13 off on something?

14 MR. PRICE: Don't they get a copy that has the
15 bond conditions when they leave that the magistrate's checked
16 off on?

17 MS. GOODNESS: Because the jail says they don't
18 have a copy of it so how can a person know what the bond
19 conditions are if the jail says they don't have a copy?

20 MR. GALMOR: I think that if the court wants to
21 hold their feet to the fire for not doing it, it's a good idea
22 having them sign something saying they acknowledge and they know
23 they have some. That's what is happening through the bondsmen?

24 MR. DAY: Right.

25 MS. GODINA: But it never gets to the court.

1 JUDGE WEST: It doesn't get to us, right?

2 MS. GODINA: Another thing, and I'm looking at
3 Lieutenant Ford, at the jail when you have people that can't
4 even stand up, how are they going to sign a piece of paper? I'm
5 just saying, they can't fill out the indigent form that's
6 required by the State of Texas. How are they going to sign a
7 piece of paper? Until you come to the jail and see the
8 condition these people are in --

9 CAPT. MALVO: Yeah.

10 LT. FORD: If they can't stand up to sign the
11 conditions of bond, I don't think it's safe enough to let them
12 out the door anyway.

13 MR. DAY: They're not any more sober when they
14 get to our office.

15 MS. GODINA: The magistrate is not going to be
16 there in two or three days when they're ready to get out when
17 they're now good enough to walk out the door.

18 MR. GALMOR: Magistrate doesn't have to order
19 it. Magistrate doesn't have to see them. Magistrate says shall
20 require it. Doesn't say the magistrate shall tell them
21 face-to-face, hey, you have to do the notice when they're
22 signing a piece of paper acknowledging they received the
23 conditions is I think probably the best as far as holding their
24 feet to the fire for it.

25 JUDGE WEST: Yeah, so we'll go back to get the

1 conditions and get something for them to sign saying they
2 received a copy of that. Okay. Anything else on that?

3 MR. DAY: In the meantime, want us to continue
4 to have them sign the paperwork at our office?

5 JUDGE WEST: Please. And let's get all of that
6 between now and the next meeting, some short little form saying
7 they got it, copy of the conditions and have that out there for
8 you guys to hand them. I mean, it wouldn't hurt probably for, I
9 mean, for practice purposes, it's probably not a bad idea for
10 them to get it at the jail. Then you guys to tell them again
11 and then they're still not going to get it, still show up to
12 court and not have done it but at least we can try so -- okay.

13 Anything else on that?

14 Then the last thing is information about
15 appeals bond, getting information to the bondsmen regarding
16 appeal bonds. What was that?

17 MS. GARCIA: Was that Tina?

18 JUDGE WEST: Tina.

19 MS. GARCIA: Your judge wanted to inform
20 everyone that if a defendant appeals the case, that the surety
21 is still on their bond.

22 MS. BENOIT: Right, right.

23 MS. GODINA: The case is over.

24 MS. BENOIT: I don't really know anything about
25 it. I was just asked to put it on here because supposedly if

1 somebody comes up and they are found guilty and they appeal it,
2 that the bondsmen that was on their original case is still on
3 that appeal bond.

4 JUDGE WEST: That's not the law.

5 MR. DAY: No.

6 MS. BENOIT: I didn't -- I was asked to put
7 that on there so I don't know anything about it.

8 MR. DAY: No. I think probably what it is -- I
9 don't think my office brought this up but we just had this come
10 up is that, you know, obviously when they're found guilty, they
11 can post an appeal bond in some cases.

12 JUDGE WEST: It's a separate bond. If the
13 judge allows it and sets it.

14 MR. DAY: If the judge allows it, they can post
15 the appeal bond. We have one now we called about because it --
16 I can't remember. I would have to ask Tamara and get back with
17 you on it, but it's not on our printout that we get everyday
18 showing everybody's court date because obviously it's an appeal.

19 JUDGE WEST: Right.

20 MR. DAY: I had called, I think your court, as
21 a matter of fact, I think it was your court. I don't remember
22 the case but they said I needed to call Kim because she handles
23 the appeals.

24 MS. GODINA: There is nowhere to put it.

25 MR. DAY: There is nowhere to put it so it was

1 hard for us to keep track of it. I guess maybe that's what
2 you're talking about. I don't know what went on.

3 MS. BENOIT: Becky asked me to put it on here.
4 I don't know anything about it.

5 MS. GARCIA: Judge Holmes came down to my
6 office. He said he read something in the code that says the
7 surety is not relieved of their duty if the case is on appeal.
8 I'm trying to find it right now.

9 MR. DAY: Well, that has nothing to do what I'm
10 talking about; but that's only if you post an appeal bond. I
11 mean, once the case is disposed of, say, for instance, Judge
12 Woods' case is disposed of and the second we're relieved of our
13 duties, at that point if they appeal it, then I guess you set an
14 appeal bond.

15 JUDGE WEST: Yeah. Like I'm being asked -- I
16 have two in my box right now where I'm being asked to set appeal
17 bond to those cases. It's a separate bond. It's a new bond and
18 I don't -- I would like to see where the law says that y'all
19 would have to be on that. I think they have to go post a new
20 bond.

21 MR. DAY: We're responsible -- if you put them
22 on five years' probation, we're responsible at that point and
23 that's --

24 MR. GALMOR: There is one situation where
25 Holmes is correct and that may be what he's referring to. If

1 the State appeals a criminal case, the surety is required to
2 stay on the bond. So if you win a motion to suppress, State
3 appeals, the surety must stay on the bond. But if it's the
4 reverse or at the end of trial and you're convicted, then I
5 think then they may automatically -- I have to look more into
6 that but I do know for a fact if it's the State appealing the
7 granting of a motion to suppress or if the State was somehow
8 appealing the motion to dismiss or a writ of habeas corpus that
9 the court granted that was releasing the defendant from the
10 charge and the State appeals, the original surety is required to
11 stay on the bond but I would have to look at it in the reverse
12 and see if there is a situation in the reverse. I don't know
13 that there is.

14 JUDGE WEST: On the motion to suppress, the
15 case isn't over?

16 MR. GALMOR: No, it is over.

17 MR. ROEBUCK: If that's the case, why should
18 there be a bond at all?

19 MR. GALMOR: Because the case is on appeal,
20 it's not final. That's -- I can't -- if you win a dispositive
21 motion to suppress that there is no evidence, file a dismissal
22 and appeal but the case -- well, I get that the State's not
23 going to file a dismissal; they're going to file an appeal so
24 the case is not over.

25 JUDGE WEST: Right.

1 MR. GALMOR: So the original surety stays on
2 the bond.

3 JUDGE WEST: Well, that makes sense if the case
4 is not over but if the case is over and it's an appeal of a
5 final --

6 MR. GALMOR: Even if the Court grants a writ of
7 habeas corpus, you know, on a motion to quash or something, then
8 the case is over but then the State appeals, then there is no
9 mandate, you know, finalizing the case and the original surety
10 does stay on the bond in that situation -- might be what he's
11 talking about.

12 MR. DAY: Twenty-five years, I've never had
13 that come up.

14 MR. GALMOR: I've never seen it.

15 MR. DAY: Not on one of my bonds.

16 JUDGE WEST: I can -- we can find out before
17 the next meeting specifically what he's talking about.

18 MS. BENOIT: He didn't bring it to my
19 attention. He brought it to Becky's attention so I was asked to
20 put it on here so I don't know anything about it.

21 JUDGE WEST: We need more specific information
22 if he's talking about a finalized case or some kind of appeal
23 that's happening while the trial court -- I mean, the case is
24 still pending. Okay.

25 | Anything else?

1 So that's the end of the agenda. Tina is
2 retiring. When, Tina? At the end of July?

3 MS. BENOIT: End of July.

4 JUDGE WEST: The end of July. So we appoint, I
5 think as a board, that position and I -- my thought would be
6 that the sooner we can figure out who to replace her, the better
7 so that she can start training them because she has such a
8 wealth of knowledge and has done this for a long time, it would
9 be nice to have somebody already learning.

10 MR. DAY: Aren't we going to vote first to see
11 whether we're going to allow her to retire?

12 JUDGE WEST: Well, there is that. Yeah, maybe
13 she can retire from her position and still we can make her stay
14 on the board but -- maybe. I don't know what everybody thinks
15 about having it on the next, you know, maybe in May to go ahead
16 and see who is interested. I don't know if we have -- how that
17 works.

18 MS. GOODNESS: Maybe we should take
19 applications from people that are interested in serving.

20 JUDGE WEST: Is that something that has to be
21 posted, or is that something we just do? Does anyone know?

22 MS. BENOIT: I know when Kathy at the sheriff's
23 department, when she retired, that the board itself just kind of
24 got together and got -- decided on Becky because Becky already
25 knew the job. It was somebody that was knowledgeable because

1 somebody that doesn't know anything at all and throwing them
2 into it would probably --

3 JUDGE WEST: No, it would be nice to have
4 somebody that's already up here that has some ideas about what's
5 going on and works in these areas. So I don't know, though, do
6 we need to put the word out, put something formal out, wait till
7 you're gone to do it? I think we should have somebody ready to
8 go. Even if we don't appoint them technically until August 1st,
9 it would be nice to say you're going to be appointed August 1st,
10 start learning and coming to the meetings in May and June and
11 July but I don't know if there's a policy that we have on how to
12 do that. And if there is not, do we just start throwing some
13 names out there and we can do that in May or --

14 MS. GARCIA: There is nothing that I have read
15 specifically in our local rules as well as the rules that we're
16 governed by how an administrator is selected. It just says that
17 the board shall have an administrator --

18 JUDGE WEST: Okay.

19 MS. GARCIA: -- or "s" plural and an
20 investigator. So I think it's going to be up to the board to
21 determine how they want to approach that.

22 JUDGE WEST: Anybody have any ideas?

23 MS. GOODNESS: I think we should just put the
24 word out, discuss that -- submit a letter to the Bail Bond
25 Board. That way we can review the names at the next meeting and

1 make a selection.

2 JUDGE WEST: Okay. Does that sound --
3 everybody kind of put the word out if you know anybody that's
4 interested. Obviously, we can let all the clerks know that are
5 up here anyway that have been a part of that that may be
6 interested and go from there.

7 MS. GOODNESS: What's the pay? I know there is
8 a stipend associated --

9 MS. BRODE: 450 a pay period.

10 MS. BENOIT: 150 a pay day; it's 300 a month, I
11 believe is what it is.

12 MS. GOODNESS: Yeah, 300 per person.

13 MS. BRODE: It's 450 a pay day that hits the
14 budget so --

15 MS. GODINA: Because there is three of us.

16 MR. DAY: That is why we don't get lunch
17 anymore.

18 JUDGE WEST: 150 per pay day. Pay day is every
19 two weeks.

20 MS. BENOIT: Correct.

21 JUDGE WEST: Anything else?

22 MR. DAY: I say we cut that position and get
23 free lunches again.

24 MS. GODINA: Well, the bondsmen can do that
25 because we do so much for y'all.

1 JUDGE WEST: I was just about to say Keith
2 could take that position.

3 If there is nothing else, we'll adjourn the
4 meeting. Thanks.

5 MR. DAY: Judge, could I see you, Judge Woods
6 and Tina for about five minutes after the meeting?

7 JUDGE WEST: Meeting is adjourned.

8 (MEETING CONCLUDED)

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