

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BAIL BOND BOARD HEARING  
JUNE 20, 2019

THOSE PRESENT: JUDGE RAQUEL WEST  
JUDGE CRAIG LIVELY  
SHERIFF ZENA STEPHENS  
JAMIE SMITH  
BECKY GARCIA  
THERESA GOODNESS  
CHARLIE HALLMARK  
KEITH DAY  
MARY GODINA  
RHONDA BRODE  
TOM ROEBUCK  
DUSTIN GALMOR  
TONJA VOORHIES  
LIEUTENANT CHARLES FORD  
CHIEF JOHN SHAUBERGER  
TAMIKA MARTIN  
QUENTIN PRICE  
CYNTHIA RENTERIA  
JAMES MILO  
MARK FONT  
RANDY ADLER  
TIFFANY MOONEY

1 THOSE PRESENT: KENISHA MILO  
2 AL REED  
3 STELLINA REED  
4 DAVID FREGIA  
5 CHRIS ROMANO  
6 TAMARA RITENOUR  
7 LISA MARTIN  
8 DEDE ROJAS  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 JUDGE WEST: All right. If everyone will please  
2 kind of come to order, we'll get the meeting started. I'm sorry  
3 I'm a few minutes late. I also have a jury that's out; so, I  
4 apologize if I have to take a break in the middle of the  
5 meeting. Apparently I'm the only one -- Judge Dollinger's gone.  
6 Judge Woods is gone. So, this is what you get.

7 Okay. First thing is to review the minutes from  
8 last month's meeting. Has everyone had an opportunity to review  
9 those minutes?

12:37PM 10 MS. GOODNESS: Yes. And I make a motion that we  
11 approve the minutes as written.

12 SHERIFF STEPHENS: I second it.

13 JUDGE WEST: All right. There's a motion and a  
14 second. Any other discussion?

15 (NO RESPONSE.)

16 JUDGE WEST: All in favor say aye.

17 (RESPONSES GIVEN.)

18 JUDGE WEST: Any opposed?

19 (NO RESPONSE.)

12:37PM 20 JUDGE WEST: Thank you. That passes.

21 Everyone should have a report from the district  
22 attorney's office regarding the status of collections. Is there  
23 any input regarding that report?

24 MR. PRICE: No.

25 JUDGE WEST: No? Anybody have any questions

1 about it?

2 (NO RESPONSE.)

3 JUDGE WEST: All right. Is there a -- we don't  
4 have to approve it, right?

5 MR. PRICE: No, no. It's just an informational  
6 report, your Honor.

7 JUDGE WEST: Thank you. All right.  
8 Consideration and approval of any applications to become a  
9 bondsman or agents and renewals. Do we have any?

12:38PM 10 MS. GARCIA: No, ma'am.

11 JUDGE WEST: Okay. Complaints against bondsmen?  
12 So --

13 MS. GODINA: Do you want to go through that now?

14 JUDGE WEST: Yeah, I want to -- well, we could do  
15 it now; or we could save it till the end, however y'all want  
16 to -- go ahead and do it? All right. So, where are we on that?

17 MS. GODINA: I have the formal complaint against  
18 On Time Bail Bond. The complaint was filed by Becky. We sent  
19 it out certified mail to the company, also to the attorney for  
12:38PM 20 the insurance company, submitting copies of things -- a few  
21 copies of things that were wrong. I passed it out to the voting  
22 members, or as many as I could find because of the scares we've  
23 had the last two days. So, if anybody has any comments or  
24 anything?

25 JUDGE WEST: Has everyone had an opportunity to

1 review that? If you haven't, there's copies here.

2 MR. DAY: I haven't.

3 JUDGE WEST: You haven't?

4 MR. DAY: I have not.

5 MR. ADLER: Madame Chairman, may I address the  
6 board?

7 JUDGE WEST: Would this -- sure. Go ahead.

8 MR. ADLER: My name is Randy Adler and I am an  
9 officer, as well as the attorney for Bankers Insurance Company,  
10 and I was given notice of this complaint hearing and I am  
11 present to answer any questions that the board may have.

12 I'm not familiar with your local protocol on how  
13 complaints are presented and how complaints are heard; but if I  
14 may just make a brief opening statement to the board, with the  
15 chairman's permission?

16 JUDGE WEST: Sure. Go ahead.

17 MR. ADLER: So -- and I guess I could come up  
18 here?

19 JUDGE WEST: You can come up. That's fine. Yes.

12:39PM 20 MR. ADLER: So, just for background, there's a  
21 lot of familiar faces in the audience, 'cause I've had the  
22 pleasure of representing bail bondsmen now for 42 years; and I  
23 am an officer, as well as the attorney for Bankers Insurance  
24 Company. I have been since 1998, 1999.

25 We take -- when I say "we," I'm talking about the

1 insurance company -- we take complaints of violations or alleged  
2 violations extremely seriously. We have a vetting process that  
3 we have with our agents. Before we sign them up, we do a  
4 background check. We do our due diligence. We interview them.  
5 We do credit checks. We make sure that, No. 1, they're  
6 knowledgeable about the bail industry, they've had their work  
7 experience that's required under the Code.

8 So, when I received this complaint from the  
9 board, the first thing I did in my capacity as general counsel  
10 is I reached out to the company; and I asked them to run the  
11 vitals. That's their term for how an agent is complying with  
12 their rules and regulations. And I was given a report that  
13 indicated that Mr. Milo was in total compliance with all of the  
14 rules and regulations that Bankers Insurance Company  
15 contractually obligates him to do with the company. Some of  
16 those things are reporting timely, which means once he executes  
17 a bond, he has a certain number of days to make that report to  
18 the company, let them know if he's executed that bond. He also  
19 must pay his premium and his build up, a BUF, on time. Any time  
20 there's a large bond, we set floor limits on our agents.  
21 Depending on their financial strength and their background, that  
22 floor limit could be 25,000, 50,000, a hundred thousand. And  
23 what that means is if they want a bond over their floor limit,  
24 they have to contact the company; and they have to get verbal  
25 and written permission to do that bond.

1                   So, all the facts and all the stats we had at our  
2 disposal indicate that in the short time that he's been writing  
3 bonds for us, which is I believe August, he's been in total  
4 compliance. We had no issues with him. So, it was a surprise  
5 when I got the complaint and the company got the complaint to  
6 find out that y'all had issues with local compliance.

7                   Now, I'm remiss that I wasn't advised of this  
8 before it reached the point of a complaint level because there  
9 are things that we do, I do and the people on staff at Bankers  
10 do, to get people back on track if they're not on track. And I  
11 know I've had a long-standing relationship with Ms. Becky and I  
12 know if she would've reached out to me, I certainly would have  
13 been attentive and responded properly, but that's not generally  
14 how it works. I find out after the fact.

15                  So, I don't know if I'm going to save the board  
16 some time or maybe give the board some option to consider, but  
17 because we were just notified that there's some issues and there  
18 may be -- I don't know if there's -- how serious they are until  
19 I get in to look at them. We have an audit team, an independent  
20 audit team that works for Bankers Insurance Company that come in  
21 and do audits for us and they will go through all the files,  
22 they'll make sure that the receipts are in order, they'll make  
23 sure that all the documents that are required on a local level  
24 are in the file. Every board has their own little particular  
25 rules and regulations that they follow. You know, I have

1 counties that require people to put an alien notice in the file,  
2 I mean, whatever that's supposed to be. I've recently learned  
3 that y'all have a disclosure form that y'all require. So, if  
4 this board would indulge my company the opportunity to conduct  
5 our audit, make sure that we think the company is in compliance,  
6 remedy any situation that we see, working closely with Becky and  
7 the board and Ms. Godina, the investigator, to make sure those  
8 things are done, that would give us an opportunity to put this  
9 company back on track if, in fact, they're off track and, from  
10 the allegations, that's what this board believes.

12:44PM

11 JUDGE WEST: What would be the time frame?

12 MR. ADLER: I would ask for at least 60 days, but  
13 I'm -- I'm at the mercy of the board, whatever the board feels  
14 is reasonable. We'll comply with whatever this board tells us  
15 we need to do.

16 JUDGE WEST: Okay.

17 MR. ADLER: Now, the option, of course, is this  
18 board having a hearing, this board moving forward with the  
19 suspension, revocation hearing. As an insurance company, the  
20 last thing we ever want is a complaint that results in a  
21 suspension or revocation of a license because that requires us  
22 to report it not only to y'all but to every bail bond board on  
23 every application, either new or renewal, from now until the  
24 cows come home. And I don't want to have that black mark  
25 against the company if we can avoid it. I can tell you since

12:44PM



1 I've been general counsel for 18 years now, we have never had a  
2 suspension or revocation of a license. So, we try to be good  
3 stewards and good citizens of every community we do business in.

4 I know Mr. Day very well. Al, I think I've known  
5 you for 40-plus years. So, I've been involved in the bail  
6 industry, like I said, for a long time. I also teach at the  
7 school that's required of the bail bondsmen and have done that  
8 for 17 years. So, I take any alleged violation serious; and I  
9 will make sure that it gets remedied or we'll remedy the  
10 situation.

12:46PM

11 JUDGE WEST: Thank you. Does anybody have any  
12 specific questions?

13 JUDGE LIVELY: Yeah, just a point of  
14 clarification. These violations are well beyond just our little  
15 local rules. These are Occupation Code violations.

16 MR. ADLER: Yes, sir.

17 JUDGE LIVELY: This is much broader than just our  
18 local rules.

19 MR. ADLER: And if I minimized, I certainly  
20 didn't intend. Any violation of local or state regulations is a  
21 serious violation and could result in a revocation of a license,  
22 even just one being sustained. I'm -- I recognize that, and  
23 that's why I want the opportunity to fix it if it can be fixed.

12:46PM

24 JUDGE WEST: Any other questions of him? Yes,  
25 ma'am?

1 MS. BRODE: When was the insurance notified?

2 MR. ADLER: I received the 10th -- hold on one  
3 second (perusing document). June the 10th is when I got it. It  
4 was on a Friday afternoon, certified mail.

5 JUDGE WEST: And after, I guess -- you know, this  
6 was brought up at our last board meeting with the bondsmen  
7 themselves that, just to make it clear, they did not come to you  
8 and say that there was an issue or a complaint coming after that  
9 meeting?

12:47PM 10 MR. ADLER: No, ma'am. When I received notice of  
11 the complaint, the first thing I went is online to the website  
12 and I tried to pull up the minutes for the May meeting and I saw  
13 the April meeting, but it didn't give me a whole lot of  
14 information. It didn't give me particulars. I guess your May  
15 meeting minutes aren't on there until y'all approved the minutes  
16 today. So, now they'll be on your website. So, I didn't have  
17 privy to what happened.

18 JUDGE WEST: Any other questions of this  
19 gentleman?

12:47PM 20 (NO RESPONSE.)

21 JUDGE WEST: Thank you, sir.

22 MR. ADLER: Yes, ma'am.

23 JUDGE WEST: So, I guess we can talk about the  
24 options of either kind of holding this again to give him time to  
25 get that potentially remedied or if there are other things that

1 we want to do at this point. I think 60 days personally is too  
2 long but --

3 MS. GODINA: Me, too.

4 MS. GOODNESS: I would like Mary to explain the  
5 complaint a little bit more than just the copies. Mary, is  
6 there more than just these couple of cases that you made copies  
7 of that --

8 MS. GODINA: Yes.

9 MS. GOODNESS: -- had problems?

12:48PM 10 MS. GODINA: Tina and I and Glenda went out on  
11 May the 30th and made copies of stuff that were in the files.  
12 At that time we notified Mr. Milo. We also called the insurance  
13 company, and Tina spoke with a lady there to let her know they  
14 were just -- had just as much interest in it as Mr. Milo did.  
15 We let them know all the complaints we had, brought up at the  
16 last meeting; and then we decided to file -- the board decided  
17 to file a formal complaint.

18 I went back out maybe a week, two weeks after  
19 that meeting and wanted to bring the files back here and make  
12:48PM 20 copies of them; and they instead made copies for me, which I sat  
21 right there. But everything in blue is what's wrong in the  
22 files. It's different files. I probably pulled 10, maybe 12  
23 files. But everything in blue is wrong, 'cause I didn't make  
24 copies of the same thing 'cause it's the same wrong things over  
25 and over again.

1 I mean, just on the disclosure statement, what  
2 they have on there, another form says -- they have people  
3 signing as agents on the receipts that are not an agent for the  
4 company. One of the things said, "It's the defendant's  
5 responsibility to obtain their court date. We will try and call  
6 the defendant the day before court to remind them," although  
7 they told us when we went on the first visit that they call the  
8 defendant two days before, one day before, and the day of court,  
9 they get an automatic text message as to court date. So, which  
10 do they do? Try to call or send a -- call two days before, one  
11 day before, and a text message? There's no notes in their files  
12 as to who they talked to, if they talked to anybody, how they  
13 contacted the person. I mean, the voting members got copies of  
14 stuff. There's people that are signing here that we don't have  
15 listed as employees of the company. We've asked for lists of  
16 people. Becky got two background checks. We still have other  
17 people that are employed with the company that we don't have  
18 background checks on. I don't know.

19 MS. GOODNESS: So, when you went to their  
20 business to get these copies, there were people there that were  
21 not on the list of employees that were working at the location?

22 MS. GODINA: Correct. And they're still -- the  
23 girl that made the copies for me actually is still not on the  
24 ones that Becky got yesterday or day before yesterday. So,  
25 there was a guy that went that -- when we went the first time,

1 there was a guy that was there. He wasn't there the second time  
2 that I went; but we don't have anybody except for James, a male,  
3 except for James listed as employee of the company.

4 MS. GOODNESS: And what people are running bonds  
5 to the sheriff's office, then, if they're not listed as  
6 employees on an application?

7 MS. GODINA: Anybody can drop a bond to the jail.  
8 But as far as to get a defendant out and speak with them or  
9 whatever --

12:51PM 10 MS. GOODNESS: Uh-huh.

11 MS. GODINA: -- they have to have the  
12 identification card, right?

13 CHIEF SHAUBERGER: Correct.

14 MR. DAY: To interview when they're in custody,  
15 right.

16 MS. GODINA: Right. Yeah. So, I don't -- from  
17 what the monthly bonding report shows, only one person can do  
18 that; and that's James.

19 MS. GOODNESS: Okay.

12:51PM 20 MS. GODINA: And I don't know, 'cause I'm not at  
21 the jail; but maybe the jail people can say if they get people  
22 out to interview them, the defendants while they're in jail or  
23 whatever. I'm not sure.

24 LIEUTENANT FORD: I'd have to pull records and  
25 see. I don't recall that name as someone that visited with

1 inmates, though.

2 MS. GODINA: I mean, I don't know. I think  
3 60 days is a long time.

4 JUDGE WEST: I agree.

5 MS. GODINA: The scary thing is they can write  
6 bonds forever, 'cause they're unlimited; and that puts us, the  
7 County, in -- I think in a bad way if they start forfeiting on  
8 bonds or whatever.

9 JUDGE WEST: So, I guess just so that everybody  
10 knows -- and because I don't, either -- our options are what?  
11 We can hold it, give them time to try to remedy it. We can  
12 temporarily suspend, right?

13 (UNIDENTIFIED WOMAN ENTERS HEARING.)

14 MS. GARCIA: Uh-huh.

15 JUDGE WEST: What else? Revoke altogether?

16 MS. GARCIA: (Nods head up and down.)

17 JUDGE WEST: What other options are there?

18 MS. GARCIA: Those were the only two options  
19 right now.

12:52PM 20 JUDGE WEST: Either temporarily suspend --

21 MS. GARCIA: Uh-huh.

22 JUDGE WEST: -- revoke altogether, or just hold  
23 it for another -- some amount of time?

24 MS. GARCIA: Right.

25 JUDGE WEST: Thoughts on those options?

1 MS. GOODNESS: Well, I'm not keen to let this  
2 problem keep going on for any length of time at all.

3 JUDGE LIVELY: Mary, those papers were retrieved  
4 after you put them on notice of the issues, correct?

5 MS. GODINA: Correct. So, what we did, like I  
6 said, we went and did a spot-check and we called James and  
7 called the insurance company and just let them know we're going  
8 to bring it up at the next Bail Bond Board meeting. So, we did  
9 as just the FYI kind of thing and let the board tell us or tell  
10 me what needs to happen and, so, he was at the last meeting and,  
11 so, we went over it then and then Becky filed a formal complaint  
12 and it got sent certified mail to his office, also to the  
13 attorney, with just a couple of copies of things because, I  
14 mean, there's tons.

15 MS. BRODE: When was the insurance called?

16 JUDGE WEST: Before the last meeting, right --

17 MS. BRODE: Before the last --

18 JUDGE WEST: -- or after?

19 MS. BRODE: So, they were notified before

20 June 10th?

21 MS. GODINA: Oh, yes, they knew. It wasn't him,  
22 but it was the insurance company. We called, because what  
23 happened was the phone number we had in the computer for  
24 Mr. Milo, no one answered.

25 MS. BRODE: Uh-huh.

1 MS. GODINA: So, that was the only phone number  
2 we had. So, we said, "Let's look up the insurance company,"  
3 because we would figure they would have just as much interest in  
4 it as him. So, we called; and Tina spoke to a lady and just  
5 said exactly that: "We have some complaints. We want to  
6 address them with him. We can't get ahold of him. We thought  
7 y'all would like to know what's going on." Within 5 minutes he  
8 called back.

9 JUDGE WEST: So, that's about 45 days. I mean,  
10 12:54PM our meetings are 30 days. So, if there's already been 45 days  
11 out there where people were made aware at the bonding company  
12 and at the insurance company of the issues.

13 MS. GODINA: What I did, we printed this docket  
14 on May the 30th; and that's the day we went out in the  
15 afternoon. And, so, we found problems then. So, I have a set  
16 of papers from files from then; and then I went back and did  
17 another check just after knowing -- I mean, I knew they weren't  
18 going to have everything in order; but could we at least see a  
19 little bit of progress going on. And then I find the disclosure  
20 12:55PM statement, which is a plus, that it's in there. And they did  
21 say they are getting the people to come in and sign them, which  
22 I knew they weren't going to have them done. It wasn't enough  
23 time, with the amount of bonds they have out. But even things  
24 that are listed on the disclosure statement are not correct or  
25 shouldn't be on there. The things that are on this other



1 paperwork that, "We will try and call you for your court date.  
2 It's the defendant's responsibility to obtain the court date."  
3 I mean, like I said, people are signing the receipts that show  
4 agent and they're not an agent and we just got the background  
5 checked on them two days ago and these receipts are from a month  
6 or so, or longer, April, March.

7 MR. DAY: Judge.

8 JUDGE WEST: Keith.

9 MR. DAY: David, don't y'all write underinsureds?

12:56PM 10 Y'all do? What exactly -- do y'all have internal audits at any  
11 point at your office?

12 MR. FREGIA: I mean, we turn in powers --

13 JUDGE WEST: Can you stand up just so she can  
14 hear you? Thank you.

15 MR. FREGIA: Yeah. We --

16 MR. DAY: I didn't mean to put you on the spot.

17 JUDGE WEST: Sorry.

18 MR. DAY: Do y'all have internal audits by the  
19 insurance company?

12:56PM 20 MR. FREGIA: I have never had an internal -- I  
21 mean, every two weeks we turn in powers. That's --

22 MR. DAY: But the insurance company doesn't come  
23 and check --

24 MR. FREGIA: I mean, they haven't --

25 MR. DAY: -- and do a random check, kind of

1 like --

2 MR. FREGIA: I'm sure they can. If my stuff  
3 wasn't in order, I'm sure they would.

4 MR. DAY: Randy, exactly -- when you say y'all  
5 would go in and do an internal audit, explain again exactly what  
6 it is you guys and who would be coming in and exactly what y'all  
7 would be doing.

8 MR. ADLER: So, because of the Department of  
9 Insurance, we are required to conduct audits of our agents. And  
10 12:56PM what we do is they hire a totally independent, separate entity  
11 from Bankers Insurance Company, so there's no conflict of  
12 interest, and they're armed with the state statute and the local  
13 rules of the county that they're conducting the audit and they  
14 go through the files to make sure that the person's in  
15 compliance. Generally that does not occur until the agent has  
16 been writing for us about a year; and then after that, they'll  
17 do -- probably every two years they'll do an audit, unless  
18 there's an issue or problem.

19 Hearing what I'm hearing, what I would prefer to  
20 12:57PM the board is this: We will, with the board's permission, impose  
21 a suspension of the writing authority of this agent starting  
22 effective at whatever time this board deems reasonable for a  
23 30-day period where they cannot write any more bonds. We'll  
24 withdraw their authority to write bonds. That doesn't affect  
25 the fact that the license is not suspended or revoked. So, they

1 still have the authority to do all the other things a bondsman  
2 does -- notify people, put people in custody if they don't go to  
3 court, do off bonds, surrenders, all those things -- but no new  
4 bonds would be posted for a period of 30 days.

5 We would get that audit conducted within 30 days,  
6 report back to this board or your designated investigator or  
7 have that person come back in to the office and then, with the  
8 board's permission, that 30 days would be a finite period. It  
9 would end. They would be reinstated, unless this board decides  
10 to move forward and have a formal revocation or suspension  
11 hearing.

12 MR. DAY: Now, are the employees of the company,  
13 are they -- are they sort of retrained on exactly what it is --

14 MR. ADLER: Absolutely.

15 MR. DAY: -- what they need to be doing --

16 MR. ADLER: Absolutely.

17 MR. DAY: -- as far as the information they need  
18 to be gathering from the clients and whatnot?

19 MR. ADLER: From what I'm hearing, absolutely.

20 MS. GODINA: Well, first we need a list of all  
21 the employees that work there, 'cause we don't even have that.

22 MR. ADLER: And during that 30-day period, even  
23 though they're not writing bonds, they still need to be in  
24 compliance. So, anybody that's working in the bond office has  
25 to be approved through your normal channels and either have a

1 bond card or permission to work in the bonding company. To me,  
2 that's a simple fix.

3 MS. GODINA: Well, when I went to get these  
4 copies, the girl that made the copies for me is not even listed  
5 as an employee; and she did all the work. Yeah, Shelly was  
6 there and Felicia was there. That's true. But Jasmine I think  
7 was her name -- because I asked. There's a Jasmine Taylor.  
8 She's not even listed, nor do we have a background check.  
9 There's a Tiffany Mooney, who is his assistant. She's not  
10 listed, and we don't have a background check on her. So, and we  
11 don't know how many other people.

12 MR. ADLER: You will have all that on your desk  
13 if not -- tomorrow's Friday? Tomorrow afternoon.

14 MS. GODINA: But it should've already been done.

15 MR. ADLER: No question about it. Again, if all  
16 those things had been done, we wouldn't be having this  
17 discussion.

18 MS. GODINA: That's exactly right.

19 MR. ADLER: So, I'd just ask this board to  
20 indulge us an opportunity to correct the situation. If it can't  
21 be corrected, I'll correct it. I don't -- I don't want this  
22 board to have to deal with it if they don't have to deal with  
23 it.

24 JUDGE WEST: My thought would be if we did allow  
25 them to impose their own kind of suspension of writing bonds

1 that it would not necessarily be a finite date but it would be  
2 at least until our next meeting and that way we -- there's not  
3 some date certain that it happens without us making that -- I  
4 mean, that would be my thought, that we have to say, yes, it's  
5 all been done right. We don't want it to automatically go back  
6 into effect and then us have to have a hearing or anything like  
7 that would be my thought.

8 JUDGE LIVELY: Agree.

9 MR. ADLER: That seems fair to me because the  
01:00PM 10 meetings are every 30 days?

11 JUDGE WEST: Correct. But just in case something  
12 were to happen with the meeting or something were to happen with  
13 us getting information or anything like that, I don't like the  
14 idea of a finite date. It's just effective today and then we  
15 put it on the agenda for the next board meeting and then a  
16 decision's made then to either say yes or no would be my  
17 thought.

18 MR. DAY: Well, how long, Randy, will it take you  
19 guys to have your team come in and do it? 'Cause you were  
01:01PM 20 asking for 60 days. So, I didn't know if maybe --

21 MR. ADLER: Like I said, if the board says  
22 30 days, it's going to be done.

23 JUDGE WEST: Well, I mean, it kinds of sounds  
24 like I think everybody -- I mean, I see faces shaking when you  
25 said a self-imposed suspension, so that we don't have to do

1 that, then it would just be indefinitely until --

2 MR. FONT: Madame Chairman --

3 JUDGE WEST: -- until we --

4 MR. ADLER: It's in our best interest to get it  
5 done.

6 JUDGE WEST: Sure.

7 MR. ADLER: If I can get the team here next week,  
8 I will.

9 JUDGE WEST: And then we revisit it at the next  
01:01PM 10 meeting and see where they are.

11 MR. FONT: Madame Chairman, if I may, my name is  
12 Mark Font. I'm the attorney for Mr. Milo, and I just wanted to  
13 interject for a minute. He does desire to comply with your  
14 rules with the state law.

15 I don't know if y'all know my background. I  
16 worked in Harris County in the bond forfeiture division for ten  
17 years. I've probably put more bondsmen out of business than  
18 anybody in the state. I've been retained to come in and assist  
19 him in his compliance with the law, so, I could sit and address  
01:02PM 20 the complaints today. I'd much prefer that he be given an  
21 opportunity to address the complaints specifically with the  
22 investigators to take care of his business in a much quieter  
23 way, without imposing any burdens upon this board. So, I just  
24 want to let the board know in addition to Bankers -- and  
25 ultimately Bankers has the say on whether he continues in

1 business -- but he has retained me, and I can assure you I'm one  
2 of the toughest graders in the state. His files will be in  
3 order, and he is trying to take care of his business. So, if  
4 you would table this matter for 30 days till your next meeting,  
5 I think that would be in everybody's best interest.

6 JUDGE LIVELY: I can't agree with that.

7 JUDGE WEST: I don't know that it needs to be  
8 tabled. I don't -- or if there needs to be a motion or an  
9 actual vote on accepting that that's what they're going to do.

01:03PM 10 I mean, that's -- we're getting your word of that, but I think  
11 that needs to be a board -- in my opinion, I would think there  
12 would need to be something formally done that says a motion that  
13 we're allowing them to self-impose a suspension for whatever  
14 period of time or an indefinite period of time until the next  
15 meeting and then we revisit it and put it on the agenda but not  
16 just table it today.

17 MS. GARCIA: Because with that, we would have to  
18 put something in the system that would allow the sheriff's  
19 department to see that a bond can't be made --

01:03PM 20 JUDGE WEST: Right.

21 MS. GARCIA: -- with them.

22 MR. REED: May I ask a question?

23 JUDGE WEST: Sure.

24 MR. REED: Does this company operate in another  
25 county as we speak, or are they -- have they operated in another

1 county?

2 MR. ADLER: No, just this county.

3 MR. REED: Okay.

4 JUDGE WEST: Is there any other discussion or  
5 questions of either counsel?

6 MR. REED: One other question is: In order to  
7 get a license, you have to know all facets of the bail bond  
8 business. Evidently this person has worked for another bail  
9 bond company in all facets of that company. To me, they should  
01:04PM 10 already know. They don't -- they shouldn't have to be schooled,  
11 'cause they sign a sworn affidavit that they know all the facets  
12 of the bail bond business.

13 MS. GODINA: And they would abide by the  
14 Jefferson County Bail Bond rules and Occupations Code.

15 SHERIFF STEPHENS: Are we talking about 2.1  
16 million dollars?

17 MR. SMITH: 2.1 million.

18 MS. BRODE: 2.1.

19 MR. SMITH: That's how much they've got on bond  
01:04PM 20 right now.

21 SHERIFF STEPHENS: That's how much they've got  
22 out on bonds right now?

23 MS. BRODE: Yes, ma'am. If you look at...

24 MS. GODINA: The report that I ran May the 30th,  
25 total out was 2 million, eighty-two five.



1 MS. BRODE: I ran it this week on the bondsman  
2 report. If you'd look, it's 2.1 this week.

3 MS. GOODNESS: Mary, weren't there problems in  
4 the files with the receipt information?

5 MS. GODINA: There was. That's why I'm  
6 saying --

7 MS. GOODNESS: Can you expand on that a little  
8 bit, please?

9 MS. GODINA: Some of the receipts are signed by  
01:05PM 10 people that we don't show as the employees of the company, with  
11 the wording "agent" behind it. Nyasha Johnson, which now we do  
12 have the background check on her, but this was dated March 13th  
13 and it shows "agent" for On Time Bail Bonding. Shelly Connor,  
14 agent, On Time Bail Bonding, there's promissory notes that are  
15 blank. There's no figure in there as to what they're promising  
16 to pay and when. I guess the defendants, their customers, are  
17 fine with signing a blank form. I don't think I would. And  
18 some of them aren't even signed by the company, either. I  
19 mean -- now we do have a background check on the one girl and  
01:06PM 20 Shelly was already -- had a background check in before but...

21 JUDGE LIVELY: I would be willing to make a  
22 motion for the self-imposed suspension until we meet again to  
23 review the progress as you stated it, Judge.

24 JUDGE WEST: All right. There's a motion.

25 MS. GOODNESS: And the insurance company agrees

1 to be back here at the next meeting?

2 MR. ADLER: Yes, ma'am.

3 MS. GOODNESS: I'll second the motion.

4 JUDGE WEST: All right. There's a motion and a  
5 second to allow the insurance company to impose a self -- or  
6 have a self-imposed period of not writing any new bonds between  
7 now and -- not really an end date but that we will revisit it at  
8 the next board meeting.

9 SHERIFF STEPHENS: Before we vote, Judge, I kind  
01:07PM 10 of want to hear from Mr. Milo. Are they here? Out of protocol?

11 JUDGE WEST: It's not. He is represented. So, I  
12 think it's up to him and his attorney if he would like to...

13 SHERIFF STEPHENS: I mean, we just want to know  
14 what's up?

15 MR. MILO: I mean, I don't know what you want me  
16 to say. We're in the process of making all the corrections, and  
17 actually a lot of corrections have been made.

18 SHERIFF STEPHENS: Do you understand -- and this  
19 is not being flippant at all. Do you understand, you know, the  
01:07PM 20 process and the procedure and I guess can you give us -- just as  
21 lay people, we all get busy -- a reason that, you know, that you  
22 have people who are working for you, is there some reason that  
23 we are unaware of, that you can't get their backgrounds or that  
24 kind of stuff?

25 MR. MILO: So, I'll take full responsibility for

1 that. That was something I should've did; and, like you said, I  
2 got busy and wasn't even thinking about it. And I understand  
3 that, hey, I signed a contract stating that, hey, this is what I  
4 was going to do; and I apologize. I take full responsibility  
5 for it. It won't happen again.

6 MR. FONT: If I might, if it please the Court, as  
7 far as the information and receipts, he does use Bond-Pro, which  
8 is an internationally recognized program that's been on the  
9 market for 25 years. It's statutorily compliant. A number of  
10 bondsmen in the community use it. I know a number of bondsmen  
11 in Harris County that use it. The receipts should all be  
12 compliant. They may not be in exactly the form that your board  
13 wants and are more than happy to work with them; but as far as  
14 the forms go, they comply with 17.04 and the requirements there.

15 JUDGE WEST: I think some of the issues  
16 specifically that were on the complaint show that some of the  
17 receipts had incorrect information. So, whatever program was  
18 being used, I think the problem was -- doesn't matter. I mean  
19 the problem was that there was wrong courts, wrong amounts,  
20 wrong balances, charging late fees when payment was made within  
21 two weeks. There was issues that didn't have to do -- it had  
22 nothing to do, I don't think, with the actual form of the  
23 receipt. It's the content of the receipt that is the problem.

24 MR. ADLER: If the right information is put in,  
25 it gets populated correctly. If it's not put in right, it's not

1 populated. But the end result is if the receipt is deficient,  
2 it needs to be addressed.

3 JUDGE WEST: Sure.

4 MR. DAY: Judge, I want to say one other thing  
5 since -- and I spoke with his attorneys before the meeting. And  
6 Mr. Milo and his office staff are here; and since everybody else  
7 is here, too, I think from what I've overheard over time is a  
8 lot of -- also a lack of communication between their office and  
9 people on the board that have done some of the investigations  
01:10PM 10 and whatnot, I've been dealing with most people in here, a lot  
11 of people in here, for 25 -- probably 25 years now, and I'll say  
12 this: An open line of communication with anybody in this -- in  
13 this courthouse, for the most part, is the way I've been able to  
14 stay in business for so long. I feel like I've got a good  
15 rapport, a good relationship and a lot of us do, myself, Al --  
16 well, maybe not Al -- but David, we --

17 JUDGE WEST: Even Al.

18 MR. DAY: Yeah. We have good relationships with  
19 a lot of people up here; and regardless of what happens, you  
01:10PM 20 know, in this entire situation, I think it's important for y'all  
21 to understand you have to keep lines of communication. You work  
22 in a lot of cases side by side with the people at this  
23 courthouse. So, you know, rudeness and things like that, I  
24 don't -- that's really not even tolerated by a lot of the people  
25 up here and there's no reason to be that way and you have to

1 stay in communication with these people. Ask them questions.  
2 They'll answer you. I mean, I've been doing it and I still --  
3 25 years I've been in business. I've still got to call and ask  
4 Becky sometimes how to do certain things and, you know, she  
5 usually has to call me to ask me questions, you know, how to do  
6 things --

7 MS. GARCIA: I don't think so.

8 MR. DAY: -- but it's important that y'all  
9 understand, to be in business here -- and I think I can speak  
01:11PM 10 for all the bondsmen that are here today -- you have to keep an  
11 open line of communication with people here; and if you do,  
12 things will run smoothly. You will have hiccups over time; but  
13 I can promise you if you're nice to people, they will help you  
14 out up here. I promise you that.

15 MS. GODINA: I never heard from either Mr. Milo  
16 and/or the attorney for the insurance company, and I'm the one  
17 that sent the certified letter. I haven't heard from anybody  
18 yet.

19 JUDGE WEST: I want to just add on that because  
01:12PM 20 I've heard throughout this 45 days or so now some information  
21 about certain ways people have communicated probably  
22 inappropriately with the ladies that we have here doing the  
23 investigations and this job. No one 's picking on anyone.  
24 Every bonding company is looked at the same. The rules are what  
25 the rules are. Everyone has to follow them. So, becoming

1 defensive and ugly is absolutely not going to be tolerated.

2 I know with me being a head of a department and  
3 many other people here, if people treat our staff in an  
4 inappropriate way, then I take over that phone call or I take  
5 over that. And as the -- I mean, Judge Dollinger is typically  
6 in this spot. I'm the second. But if there's information that  
7 people that we're sending as a board out to any bonding company  
8 that are not treated appropriately, then it's going to start  
9 coming back to us and we'll take over that and that's not going  
01:13PM 10 to be a good thing if that has to happen. And that's not a  
11 threat. That's just -- everybody needs to treat everybody with  
12 respect.

13 There's clearly things that are done wrong.  
14 There's no doubt about it. I think that's been said. That's  
15 been admitted to. So, becoming defensive when there are things  
16 being done wrong isn't the way to go about it. It's, "Okay. We  
17 did it wrong. Help us fix it."

18 SHERIFF STEPHENS: And I think that's why we  
19 wanted to give you an opportunity or your staff an opportunity  
01:13PM 20 to talk. You know, again, most people here are here to help;  
21 and, so, it's about how you get that information that you're  
22 having problems.

23 JUDGE WEST: Anything else? Yes?

24 MS. BRODE: I do have one question. I don't like  
25 to assume things. So, I'd like it if you could actually say it

1 out loud. The insurance company, if any of these bonds go into  
2 forfeiture, will pay?

3 MR. ADLER: So, that question is asked all the  
4 time. The license belongs to Bankers Insurance Company. We are  
5 the surety behind each and every one of those bail bonds. The  
6 County does not look to the agent primarily to pay a forfeiture.  
7 We look to them to pay the forfeiture as contractually obligated  
8 through us. If they don't, it's our responsibility. It's The  
9 State of Texas versus Bankers Insurance Company. So, you have  
01:14PM 10 the full faith and credit of the insurance company behind every  
11 single bond.

12 If a bond goes into default, 31 days, then I can  
13 no longer write bonds in your county; but that prevents my  
14 insurance company from getting any license, new or renewed, in  
15 any bail bond board county in the state of Texas, as well as  
16 having to report it to the Department of Insurance, where we get  
17 a cease and desist letter if we don't clear it in 10 days, which  
18 will domino across the country, which means we're shut down. It  
19 ain't going to happen.

01:15PM 20 MS. BRODE: Thank you.

21 MR. ADLER: Yes, ma'am.

22 MS. GODINA: Just an FYI, I'm looking at their  
23 account now. They have \$2,114,000 out. Their unpaid  
24 forfeitures are 416,000. The computer gives a ratio of their  
25 writing ability as to the forfeiture limit. Their forfeiture

1 limit is set at \$1,999,000.

2 MR. ADLER: So, if I could just address that.  
3 They are unlimited as far as what they can write. That's what  
4 insurance companies are. We, through our -- our records show  
5 354 open bonds at this time, in compliance with what he supplied  
6 us -- and, of course, that can change at any moment -- roughly  
7 50 NISIs, or bonds that are in forfeiture status.

8 Having talked to him prior to this meeting and  
9 his staff, I was advised 40 of those have already been  
01:15PM 10 rearrested or cleared and I guess need to go through the  
11 judicial process of court costs and interest and rearrest fees;  
12 but maybe 10 are at large at this point, that they're still  
13 hunting for. So, based on the numbers he's given me, those --  
14 those don't look as bad. But we monitor that stuff.

15 I get served by this county on all the bond  
16 forfeitures and I open a file in my system and then send it to  
17 the insurance company and they assign it a claims file. If it's  
18 a large bond -- and that's determined by the people at the home  
19 office -- they call them periodically, "What's going on with  
01:16PM 20 Johnny Smith?" You know, "Are you getting close? Your two  
21 seventy's starting to run." So, this is not just happening out  
22 there where we don't know about it. Insurance companies can't  
23 do business that way. They won't do business very long if they  
24 do business that way. So, we have a vested interest in making  
25 sure these bonds are taken care of; or we're going to have to



1 pay them. We don't make money paying forfeitures.

2 JUDGE WEST: All right. Any other discussion?  
3 There's a motion and a second on the floor. Anything else,  
4 questions or discussion about that motion or of the bondsmen or  
5 their agents or attorneys?

6 (NO RESPONSE.)

7 JUDGE WEST: All right. All those in favor of  
8 allowing them to self-impose a no writing until further notice  
9 of this board or at least until the next hearing, say aye.

01:17PM 10 (RESPONSES GIVEN.)

11 JUDGE WEST: Any opposed?

12 (NO RESPONSE.)

13 JUDGE WEST: All right. That's passed. And  
14 we'll just make sure it's on the agenda for the next board  
15 meeting.

16 MR. ADLER: Thank you.

17 JUDGE WEST: Thank you.

18 MR. ADLER: I appreciate the board's time.

19 JUDGE WEST: Thank you both. We appreciate you.

01:17PM 20 MR. FONT: May we be excused?

21 JUDGE WEST: Yes. Thank you.

22 (INDIVIDUALS EXIT HEARING.)

23 JUDGE WEST: All right. Next up is the report  
24 from the treasurer on cash and CDs up for collateral. Anything  
25 on that?

1 MR. HALLMARK: Nothing to report other than the  
2 fact that we do have -- last month there were some comments  
3 about some of these that were in limbo. The intention is to  
4 bring those before the Bail Bond Committee and have them  
5 released, vote to release the funds so that we can clear this  
6 up.

7 JUDGE WEST: Any questions or comments about  
8 that?

9 MR. PRICE: I don't know whether this is the  
Ø1:18PM 10 appropriate time to talk to you about the attorneys. We've got  
11 the attorneys that -- 'cause it may fall under the release of  
12 property, CDs, cash, or cashier's checks. So, I'm not sure  
13 whether -- where it goes. But just to give the board some  
14 information -- like I said, I'm not sure it falls under this or  
15 the other one -- but we've been working trying to get rid of a  
16 number of these attorneys that are shown on your report as  
17 having deposits with the treasurer's account. As most of you  
18 know, this board does not govern attorneys who write bonds for  
19 their clients. That's governed by the Sheriff.

Ø1:18PM 20 We've prepared packages for a number of the  
21 attorneys -- and that's Paul Buchanan, Phillip Dowden, Kenneth  
22 Furlow, Donald Moye, and John D. Stone -- to present to the  
23 Sheriff so that she can review that and determine whether or not  
24 it's appropriate to have the funds or direct the treasurer to  
25 release those funds. We also were working on Tom Sibley's

1 account, as well; but we've not gotten that one to the point to  
2 present a package to the Sheriff. But we're hopeful that -- we  
3 plan on submitting that to the Sheriff this afternoon. We're  
4 hopeful that the Sheriff can sign those, and we should get rid  
5 of five of the attorneys that are listed as having collateral  
6 with the treasurer's office. And we've got everybody -- the  
7 auditing office -- I mean auditor's office is on board, the  
8 treasurer's office is on board, the county clerk's office, the  
9 district clerk, everyone's on board. So, now it needs to be  
01:19PM 10 presented to the Sheriff for her approval. So, anyway, FYI,  
11 hopefully next month these five attorneys, possibly Mr. Sibley's  
12 estate, as well, will be no longer on this report. So, I just  
13 wanted to let you know what's going on.

14 JUDGE WEST: Thank you very much. Any other  
15 questions about that, or the report?

16 MS. BRODE: I just want to clarify. We are not  
17 coming back to the board because I know one of them has to be  
18 unclaimed funds and it's due by July 1st.

19 MR. PRICE: We're not coming back to the board,  
01:20PM 20 correct, I mean, because the board has no action to take, has no  
21 authority to govern. So, this is just to tell you that next  
22 month we're hopeful that these people are no longer on here and  
23 that is the reason why.

24 JUDGE WEST: Perfect. All right. Thank you both  
25 very much. Auditor's office report?

1 MS. BRODE: Yes, ma'am. I've distributed it.  
2 There is one question I do have, and it's for the Sheriff.  
3 Mr. Crenshaw's bonding limit has been raised, and I see that his  
4 bonds out have been lowered down to 28,500. It's -- he went  
5 from 50,000 because he was given his twenty --

6 SHERIFF STEPHENS: Uh-huh.

7 MS. BRODE: -- collateral of thirty. So, I was  
8 wondering if you want to reduce his bonding limit because his  
9 bonds have reduced? Or I'm just not sure how you want to handle  
10 it.

01:21PM

11 SHERIFF STEPHENS: He generally calls any time he  
12 wants to increase it, yeah.

13 MS. BRODE: But I'm asking you if you want to  
14 decrease it, because you've increased it twice.

15 SHERIFF STEPHENS: Uh-huh.

16 MS. BRODE: I didn't know if you wanted to  
17 decrease as his bonds go away.

18 SHERIFF STEPHENS: No, because he'll call again  
19 when he gets another one.

01:21PM

20 JUDGE WEST: He'll call somebody, right?

21 SHERIFF STEPHENS: Yeah. He'll call one of us.  
22 No.

23 JUDGE WEST: Anything else from the auditor's  
24 office on that report?

25 MS. BRODE: No, ma'am.

1 JUDGE WEST: Thank you. Any release of property,  
2 CDs, cash requested by bonding companies?

3 MS. GARCIA: Yes. Mary, did you have this; or am  
4 I doing this?

5 MS. GODINA: You're doing it.

6 MS. GARCIA: Stan Stanley is going to be  
7 releasing all of his CDs that he has pledged. He has already  
8 pledged a piece of property that is valued at more than all  
9 those CDs that we are going to be releasing.

01:22PM 10 JUDGE WEST: Is there -- do we need to -- is  
11 there a specific motion or amounts that we need to act on or do  
12 we -- that just happens?

13 MS. GARCIA: It just happens, and there's a form  
14 that Tina didn't give me. So, I'll get you or Judge Dollinger  
15 to sign it to give to the treasurer's office to get that.

16 MS. GOODNESS: Don't we need to have a motion to  
17 release those CDs?

18 MS. GARCIA: Yes, we do.

19 JUDGE WEST: I thought we did, yeah.

01:22PM 20 MS. GOODNESS: I make a motion that we release --

21 MS. GARCIA: All of Stan Stanley's CDs.

22 MS. GOODNESS: -- all of Stan Stanley's CDs.

23 JUDGE WEST: There's a motion.

24 MR. HALLMARK: Second.

25 JUDGE WEST: And a second. Any other discussion

1 about that?

2 MS. BRODE: Again, I'd like to clarify. Do you  
3 have a number that his bonding limit will come to? Have you...

4 MS. GARCIA: You and I discussed this on the  
5 phone.

6 MS. BRODE: I just wanted to make sure that -- we  
7 didn't ever say the number. So, we're reducing it by his  
8 \$280,000 CDs and raising it by the --

9 MS. GARCIA: Uh-huh.

01:23PM 10 MS. BRODE: -- 434,027?

11 MS. GARCIA: Yes.

12 MS. BRODE: Okay. Thank you.

13 MS. GARCIA: You're welcome.

14 JUDGE WEST: Anything else? All those in favor?

15 (RESPONSES GIVEN.)

16 JUDGE WEST: Any opposed?

17 (NO RESPONSE.)

18 JUDGE WEST: All right. That passes. Thank you.

19 Additional business concerning the deed of trust.

01:23PM 20 We have -- I think there's one -- everyone should have a copy of  
21 the deed of trust.

22 JUDGE LIVELY: Tom, is it perfect? Is it  
23 perfect?

24 MR. ROEBUCK: (Indicating.)

25 JUDGE WEST: Mr. Roebuck has done --

1 MR. ROEBUCK: Pursuant to the mandate that I was  
2 given at our last meeting by Judge West, I have perused and  
3 redrafted the deed of trust and I am pleased with the work that  
4 I've done and I would recommend that the board substitute this  
5 deed of trust as the form deed of trust to be used in  
6 appropriate circumstances.

7 JUDGE WEST: The primary change on this one had  
8 to do with -- was it the insurance information?

9 MR. ROEBUCK: I changed the insurance provisions  
01:24PM 10 significantly.

11 JUDGE WEST: Okay.

12 MR. ROEBUCK: The other deed of trust just  
13 required insurance to be maintained. I required -- I left some  
14 discretion with the board on issues of flood insurance, for  
15 example, which we may or may not require. It just depends on --  
16 and that's what all mortgage companies do in circumstances where  
17 property may be in a floodplain. We did have 64 inches of rain  
18 a couple of years ago, and I thought it would be appropriate to  
19 stick that in there. I changed the language. Some of the  
01:25PM 20 language needed to be modified. I changed it. I added the -- I  
21 added the county and the state as beneficiaries under the  
22 provision in the deed of trust as the beneficiary under the  
23 payment plan and just did some other things to comply, I think,  
24 with the -- with the statute that deals with foreclosures.

25 JUDGE WEST: Does anybody have any questions?

1 MR. ROEBUCK: I spent quite a bit of time.

2 JUDGE WEST: We really do appreciate that.

3 MR. ROEBUCK: You're quite welcome.

4 JUDGE WEST: I know I gave you a hard time last  
5 time. Sorry.

6 Any other questions or concerns about the new  
7 deed of trust that's been prepared?

8 (NO RESPONSE.)

9 MS. GOODNESS: I make a motion that we adopt  
01:25PM 10 the --

11 JUDGE LIVELY: Second.

12 MS. GOODNESS: -- new deed of trust as prepared  
13 by the board's attorney, Mr. Roebuck.

14 JUDGE WEST: Thank you. There's been a motion.

15 JUDGE LIVELY: Second.

16 JUDGE WEST: And a second. Any other discussion?

17 MS. GARCIA: It'll be posted to the Bail Bond  
18 Board page.

19 JUDGE WEST: All those in favor?

01:26PM 20 (RESPONSES GIVEN.)

21 JUDGE WEST: Any opposed?

22 (NO RESPONSE.)

23 JUDGE LIVELY: We can also make a motion to let  
24 Tom pat himself on the back.

25 JUDGE WEST: Yes. We really do appreciate that.



1 Okay.

2 Update on insurance policies? What was that?

3 MS. GARCIA: (Indicating.)

4 JUDGE WEST: Was that something new, or did that  
5 have to do with --

6 MR. ROEBUCK: I think I covered it. The deed of  
7 trust language contains language that requires that the board or  
8 the county, depending on however we want to do it, is shown as  
9 an additional insured and the magic language is what they call  
Ø1:26PM 10 the appropriate mortgage clauses so that any insurance company  
11 should include us as an additional insured on the policy and  
12 that is contained in the deed of trust.

13 JUDGE WEST: Thank you. Okay. So, nothing else  
14 on that. Determine how surrenders will be signed off on and  
15 processed.

16 MS. GARCIA: Okay. So, there was a bonding  
17 company that came to bug me and Mary I think at different times,  
18 same issues. They were trying to get a surrender done. Mary,  
19 correct me if I'm wrong or misspeaking.

Ø1:27PM 20 MS. GODINA: Uh-huh.

21 MS. GARCIA: They went out to the jail to get it  
22 signed. They couldn't -- they were turned away. They were told  
23 to come to the sheriff's office here at the courthouse. The  
24 sheriff's office here at the courthouse said, "We don't do those  
25 anymore. You'll have to go out to the jail."

1                   They said, "Well, I just came from the jail."  
2       So, they went back out to the jail.

3                   The jail said, no, that's not where you go. So,  
4       then they started coming up to the offices and the frustrating  
5       part was did they go to one of the -- you, Mary, or --

6                   MS. GODINA: They went to Tonja, I think. Right,  
7       Chris?

8                   MS. GARCIA: And they had the supporting  
9       documents --

Ø1:28PM 10                  MR. ROMANO: I went to Tonja at the end, after I  
11       had run in circles.

12                  MS. GARCIA: The supporting document -- Chris,  
13       you may be able to speak on this -- was attached to it. They  
14       were in Orange County, and you were just trying to find someone  
15       to sign off on it and basically were told that no one was going  
16       to sign off on it?

17                  MS. VOORHIES: 'Cause he wasn't in our jail.

18                  MS. GARCIA: 'Cause he wasn't in our jail.

19                  MS. VOORHIES: Yes.

Ø1:28PM 20                  MS. GARCIA: So, thus began the conundrum of who  
21       was going to sign off on the surrender. And I think the problem  
22       came in because the form said officer's name and when I was  
23       reading it, I think the officer's name got reduced over officer  
24       of the court. The rule just keeps on saying sheriff's office,  
25       sheriff's office. So, I don't know if there's another place I'm

1 not reading, that there's another spot that I don't know.

2 CHIEF SHAUBERGER: I think the issue comes in,  
3 Becky, is we can't verify custody if they're not in our custody.  
4 It has to be the sheriff's office that maintains custody of that  
5 inmate.

6 MS. GARCIA: Okay. So, what happens if they're  
7 in Dallas County?

8 CHIEF SHAUBERGER: Dallas County will have to  
9 verify it.

01:29PM 10 MS. VOORHIES: That's right. We won't call, our  
11 office call Dallas County to verify or anything.

12 CHIEF SHAUBERGER: There's no way for us to.

13 MS. VOORHIES: That the bondsman's  
14 responsibility.

15 CHIEF SHAUBERGER: But even if we call, there's  
16 no way for us to actually verify that that person's in custody.

17 MS. GARCIA: Okay. So, here's -- here's our  
18 situation. When something changes, no one's notified, not the  
19 bonding company, not the courts, not the staff. I mean, it was  
01:29PM 20 all --

21 MS. VOORHIES: It hadn't changed.

22 SHERIFF STEPHENS: So, it's really not changed.  
23 What we're finding is there are a lot of things that are being  
24 done --

25 MS. GARCIA: Right.

1                   SHERIFF STEPHENS: -- not appropriately. And,  
2 so, to notify you -- you know, we assume that you know that and  
3 that you're reading the same information that we're reading.  
4 So, the only way we know is if you call and tell us, like you --  
5 like you just did and then you say exactly what John is saying.  
6 We're really not supposed to be doing that; and we're finding  
7 things all over, you know, our process -- and we've talked to  
8 you guys about it before -- that we've been doing the wrong way  
9 for a lot of years.

01:30PM 10                   MS. GOODNESS: So, what is the proper procedure  
11 and how would it be done in another county if a bondsman writes  
12 a bond in a county and they find that they're in another  
13 jurisdiction and they want to say, "Okay. I want to get off  
14 this bond. This guy's in Dallas County"? What would be the  
15 proper procedure for them to be able to basically, you know, get  
16 off the bond or give notice that the defendant is in custody?

17                   CHIEF SHAUBERGER: They'd have to contact the  
18 agency where they're held, where they're in custody.

19                   MS. GOODNESS: And they would get a form from  
01:31PM 20 them and then be able to file that here in the case perhaps?  
21 I'm just trying to --

22                   JUDGE WEST: I mean, would it come to  
23 eventually -- I guess would it come to the courts?

24                   MR. DAY: I think -- I think an example would  
25 probably -- let's say it's a Saturday afternoon. Everybody's --

1 everything's shut down, the courthouse, everything's shut down.  
2 I've got a guy that I've been looking for that I haven't been  
3 able to find. I find out he's in custody in Dallas County. I  
4 want to get off the bond. What -- you know, what do I do?  
5 Because according to 17.16, it says that as long as they're in  
6 the custody of any county of the state, that I can get off. But  
7 the question arises, what is the sheriff -- is the sheriff's  
8 department the jail, or is the sheriff's department --

9 SHERIFF STEPHENS: I think the question is the  
01:31PM 10 verification.

11 MR. DAY: Right, who's actually --

12 SHERIFF STEPHENS: It's not -- yeah, who's going  
13 to verify on that, the person that you're getting off of the  
14 bond; and, so, we can't verify that. I think all our team is  
15 saying is there's no way for us to confirm that if we don't have  
16 the ability to do that. He's not in our custody or care. It  
17 could've been the wrong person arrested that they're verifying.

18 MR. DAY: So, that would be even down here --

19 SHERIFF STEPHENS: Right.

01:32PM 20 MR. DAY: -- downtown the sheriff's department  
21 couldn't verify that that person's in custody.

22 MS. GOODNESS: So, is there a form that y'all  
23 have to verify that you have someone in custody that you do  
24 provide bondsmen from other -- from other counties is what I'm  
25 saying? Like if you --

1                   SHERIFF STEPHENS: Oh, so, if somebody's in our  
2 jail --

3                   MS. GOODNESS: Yes.

4                   SHERIFF STEPHENS: So, do we have a special form  
5 or are y'all just going through all the identifiers, our  
6 checklist of identifiers?

7                   LIEUTENANT FORD: Checklist of identifiers and if  
8 it is indeed the person, you know, that is in our custody, then  
9 we can offer a copy of their jail card which shows the dates in  
10 and out that they were in custody.

01:32PM

11                  JUDGE WEST: So, that's what you would do for  
12 another county if they needed to verify?

13                  SHERIFF STEPHENS: Right.

14                  LIEUTENANT FORD: If another county called me to  
15 verify whether or not I had someone in custody, I could give  
16 them that information and then email it to them or fax it to  
17 them, provided that I'm verifying that it is another agency  
18 contacting me.

19                  JUDGE WEST: But if another agency contacts you  
20 and says, "Here's our jail card" or "our information," you're  
21 saying still that you can't verify that?

01:33PM

22                  MR. DAY: Yeah, I think, 'cause that's what Chris  
23 had. He had verification from Orange County, right?

24                  MR. ROMANO: Orange County. Uh-huh.

25                  MR. DAY: They were in custody.

1 JUDGE WEST: But you're saying you can't verify  
2 it, even though you're getting that verification from another  
3 county?

4 CHIEF SHAUBERGER: If we're getting a  
5 verification from somebody outside the law enforcement agency,  
6 either way, we can't -- I mean, I'm not going to take  
7 something -- even though he's a bondsman, I'm not going to  
8 take --

9 JUDGE WEST: No. I'm saying from another law --

Ø1:33PM 10 CHIEF SHAUBERGER: If we receive something from  
11 Orange County, yes.

12 JUDGE WEST: From the jail.

13 MR. DAY: If he receives something from Orange  
14 County jail and he brings it --

15 SHERIFF STEPHENS: Not him. Orange County jail  
16 would have to.

17 JUDGE WEST: Has to directly send it to you.

18 SHERIFF STEPHENS: Yeah, like a warrant  
19 confirmation --

Ø1:33PM 20 MR. DAY: Right.

21 SHERIFF STEPHENS: -- or something. We're not  
22 going to take a bondsman's, you know --

23 MR. DAY: Right. No, no.

24 SHERIFF STEPHENS: Been knowing you 30 years.

25 MR. DAY: I'm just trying to --

1 JUDGE WEST: So, there is --

2 MR. DAY: I'm just trying to make sure that we do  
3 it in the proper way.

4 SHERIFF STEPHENS: I mean, we have warrant  
5 confirmations all the time that we --

6 JUDGE WEST: That's a good --

7 SHERIFF STEPHENS: -- take from other agencies,  
8 yes.

9 CHIEF SHAUBERGER: For us, it's not the  
Ø1:34PM 10 determination -- it's the Court's determination whether they're  
11 going to accept that verification or not. I mean, for us, we're  
12 providing verification to you that people are in our custody.  
13 It would be no different from Orange County providing that same  
14 information to you and you submitting it to the court.

15 JUDGE WEST: So, it could be done one of two  
16 ways, I would think. Either you get verification. I say "you";  
17 the bondsman gets what they feel like is appropriate  
18 verification from another jurisdiction and brings it to the  
19 court. We can decide if we think -- I mean, we can always say  
Ø1:34PM 20 it is or it isn't verified, correct, and sign a surrender?

21 CHIEF SHAUBERGER: From what he's saying, he had  
22 verification from Orange County but they were sending them back  
23 to us even with that verification.

24 JUDGE WEST: Or he needs to get Orange County  
25 jail to send that directly to our jail would be the -- it's



1 either --

2 CHIEF SHAUBERGER: I don't -- if he had something  
3 from Orange County jail, why would he come to our jail?

4 MS. GODINA: Who's going to sign up on the form?

5 MR. DAY: No. It's a Jefferson County charge.

6 JUDGE WEST: But why wouldn't he come to the  
7 judge? I guess I'm confused on --

8 MR. DAY: Because it's a Saturday afternoon.

9 MS. GODINA: No. That's something different.

01:35PM 10 No. It was a weekday. I'll get into that one in a minute.

11 MR. DAY: Yeah. But I want to -- yeah. I think  
12 the example should be when the courthouse is closed.

13 MS. GODINA: Yeah. I got that one --

14 MR. DAY: That's when it all -- that's when all  
15 this...

16 MS. GODINA: That's a different one.

17 MR. DAY: Right.

18 MS. GODINA: Chris came on a weekday and he had  
19 the verification and he took it to the jail, right? And they

01:35PM 20 said they don't do that. So, he came here to the window, to the  
21 sheriff's office window; and they told him they don't do that  
22 anymore because they're not an officer.

23 MR. ROMANO: Yes, ma'am.

24 MS. GODINA: Right?

25 MR. ROMANO: Yes, ma'am.

1 MS. GODINA: So, then he came to me and said,  
2 "What do I do?" So, we went to Tonja.

3 CHIEF SHAUBERGER: But we talked about that  
4 months ago about if it was during the week, coming straight to  
5 the court because the bailiffs have access to -- they can verify  
6 if they're in custody or not.

7 MS. GODINA: They can verify it in our jail.

8 CHIEF SHAUBERGER: In our jail.

9 MS. GODINA: But this guy was in Orange County,  
Ø1:36PM 10 and he had verification from Orange County that he was in  
11 custody.

12 CHIEF SHAUBERGER: And then why would we even be  
13 involved if you have a verification in Orange County?

14 SHERIFF STEPHENS: If you already have  
15 verification.

16 MR. PRICE: Why wouldn't that go straight to the  
17 judge?

18 CHIEF SHAUBERGER: Straight to the judge.

19 MS. GODINA: Well, the order on here says for the  
Ø1:36PM 20 judge to order a capias.

21 CHIEF SHAUBERGER: We're asking you if you have  
22 verification from --

23 MS. GODINA: I understand what -- yeah, I  
24 understand what you're saying.

25 CHIEF SHAUBERGER: -- the sheriff's office in

1 Orange County, why do you need to get a second verification?

2 JUDGE WEST: So, you come to the judge. The  
3 judge signs off of it and says issue a capias. I mean, that has  
4 to happen --

5 MS. GOODNESS: From the court, yeah.

6 JUDGE WEST: -- from the court.

7 CHIEF SHAUBERGER: The sheriff's office can't  
8 issue capiases.

9 JUDGE WEST: No. We would do that.

01:36PM 10 MS. GODINA: Uh-huh.

11 JUDGE WEST: Right. So, if it's a -- I mean, I  
12 thought that's -- I thought maybe I was signing these -- I think  
13 I am. I think I do this already for some people. So, I think  
14 if there's --

15 MS. GODINA: Talk.

16 MR. ROMANO: My only question is is -- on this is  
17 this is a time sensitive issue when we do some of these 17.16s,  
18 which is -- like, they're in custody now. We hadn't found them  
19 in months and now they're in jail and we need a hold placed on  
01:37PM 20 them now or at least somebody sign off showing that, hey, they  
21 did do their due diligence. They brought it to us. We signed  
22 off on it. We didn't get the hold placed in time. He did get  
23 out of jail but the bondsman did his side of it to try to get  
24 the hold placed on him and basically what that would do is  
25 relieve us of any kind of forfeiture or something that would

1 come down the road later if the gentleman or whoever, defendant,  
2 got out of jail.

3 MR. DAY: That's what 17.16 was written for, to  
4 relieve the bondsmen of liability at that point, that the  
5 person's in custody.

6 JUDGE WEST: I have a verdict in a capital murder  
7 trial. So, somebody want to take this over?

8 MR. GALMOR: I'll just say one thing on that,  
9 though. The requirements -- that's what the bondsmen are  
10 required to do. They have to turn in a complaint with a  
11 verified statement to the Sheriff --

12 MS. GODINA: Theresa, go ahead.

13 MR. GALMOR: -- to verify the thing. So, I mean,  
14 that's the process it has to go. I mean, he can't just  
15 short-circuit.

16 SHERIFF STEPHENS: Yeah. But we're saying -- I  
17 think their only issue is they had verification in Orange  
18 County. They brought it to us. Well, that is the Sheriff.

19 MR. GALMOR: Y'all would still need to verify it  
20 yourself.

21 SHERIFF STEPHENS: Right. I can't verify for  
22 Orange County. So, that verification would go straight to the  
23 judge. That's -- yeah. The Sheriff to the judges.

24 MR. GALMOR: To attach it as a --

25 MS. GOODNESS: Okay.

1 (JUDGE WEST EXITS THE HEARING.)

2 MS. GODINA: Okay. So, that's clear as mud.

3 MR. DAY: Now, the questions --

4 MS. GODINA: You had -- well, y'all had given  
5 Tina, Tamara had given Tina a verification that was done on a  
6 weekend and --

7 MR. DAY: This person was in Jefferson County.

8 MS. GODINA: Right, was in Jefferson County. And  
9 nobody was here as far as us, the judges, whatever the case may  
01:39PM 10 be. They got out before this got done; and, so, they're still  
11 on the bond even though they had the paperwork filled out before  
12 the person got out of jail but it was a weekend, right?

13 MR. DAY: Yeah.

14 MR. PRICE: Well, now, let me ask a question.  
15 Are you-all trying to get off the bond before they're in default  
16 in their appearance?

17 MS. GODINA: No, because they picked up a new  
18 charge.

19 MR. PRICE: They picked up a new charge. So,  
01:39PM 20 they're not in default on appearing before the court. So, the  
21 Court's not had an opportunity to issue a capias.

22 MR. DAY: Right. Right. This could be a  
23 situation where --

24 MR. PRICE: You're just feeling queasy because we  
25 bonded the guy out and the guy is now getting arrested in Orange

1 County --

2 MR. DAY: Could've got --

3 MR. PRICE -- on a new charge?

4 MR. DAY: Yeah. Could've picked up a new charge.

5 It could be a situation where this person's in custody. We  
6 received a phone call from the person maybe who cosigned, you  
7 know, Mom called and said, "Hey, he told me the other day he's  
8 skipping town and he's not going to go to court," you know. It  
9 could be any number of things. And basically what we're trying  
10 to do is just get them held while they're in custody to relieve  
11 us obviously but, you know --

12 MR. PRICE: But the sheriff's office --

13 MR. DAY: -- before they forfeit.

14 MR. PRICE: The sheriff's office can't issue a  
15 capias.

16 MR. DAY: Right.

17 MR. PRICE: That's what I'm not understanding.

18 MR. DAY: Yeah. But that's the way 17.16 is  
19 written, you know.

01:40PM 20 CHIEF SHAUBERGER: But is it --

21 MR. DAY: We didn't write it, you know.

22 MR. PRICE: Some lawyer did. Is that what you're  
23 saying?

24 MR. DAY: Yeah. We didn't write it. So, I mean,  
25 that's the way that's written; and this wasn't an issue, I

1 think, until the -- seems like all this started when the whole  
2 60-day thing, when we started having different voluntary  
3 surrenders for different things. It had always been kind of  
4 streamlined up to that point.

5 Now, there's always been issues with people out  
6 of county. I think that's something we've been fighting for a  
7 long time, filing voluntary surrenders on people that are out  
8 of, like, Orange County, for instance, or Dallas County or  
9 whatever. But if they're in custody here, it was never an issue  
Ø1:41PM 10 before. We filed a voluntary surrender. I think the judges had  
11 a standing order that the bonds were doubled. So, if it was a  
12 500-dollar bond, I filed a voluntary surrender, it automatically  
13 doubled to a thousand-dollar bond and the person was held on  
14 that charge. And then the next business day the voluntary was  
15 sent to the courts and -- or to the sheriff's department.  
16 That's the way it had been in the past.

17 MR. PRICE: So, out of county is a different  
18 scenario than -- I mean, because you've always had some  
19 difficulty with out of county.

Ø1:41PM 20 MR. DAY: Well, I think the out of county,  
21 there's no difference. Everything's still exactly the same. I  
22 think what Sheriff's trying to say is whose responsibility is it  
23 to get verification of this person being in custody. Now, like  
24 she was saying, in the past we've always gotten our own  
25 verification. We've always done our own legwork, filed it with

1 the voluntary surrender, and it was taken. But what they're  
2 saying is they can't just take that, you know.

3 CHIEF SHAUBERGER: I think the difference is, I  
4 mean, the verification affidavit is is these affidavits aren't  
5 filed with the sheriff's office. We're just verifying that the  
6 person is in custody.

7 MR. DAY: Right.

8 CHIEF SHAUBERGER: They're filed with the court.  
9 We have no authority to hold and I think part of the deal with  
10 doubling the bonds came to the issue, also, is whenever case law  
11 came out about preset bonds. That's a preset bond if you just  
12 automatically double it. That's illegal. You can't do that  
13 anymore. So, the Court actually has to take action on this  
14 before the Sheriff can even hold them on it.

15 MR. DAY: And, look, you know what? It really  
16 makes no difference to us what anybody does with them. You can  
17 put another bond --

18 CHIEF SHAUBERGER: Yeah. I mean, I think you're  
19 protected --

20 MR. DAY: Yeah.

21 CHIEF SHAUBERGER: -- because you filed it.

22 MR. DAY: I mean, I would prefer the person not  
23 be out on the street because if I'm doing a voluntary surrender,  
24 I'm telling y'all the guy probably doesn't need to be on the  
25 street.



1 MS. GODINA: I disagree.

2 MR. DAY: You know, my responsibility is, you  
3 know, myself first. You know, so, I cover myself. Whether  
4 judge wants to hold them on the same bond amount, double his  
5 bond, or hold them at all really makes no difference to me one  
6 way or the other. We're just going by the way the law is  
7 written. That's --

8 MS. GOODNESS: I think the gentleman back there  
9 has something to say.

Ø1:43PM 10 MR. FREGIA: And I could be offbase on this, but  
11 I just want everybody to -- you know, 17.16 and 17.19 are two  
12 different things; and the Sheriff and them do have a valid point  
13 on that. And the weekend thing, I mean, I could -- nothing  
14 against us, but the weekend thing's tough on them anyway trying  
15 to verify things for the sheriff's department.

16 But the 17.16, I just want to, you know,  
17 that's -- that's if someone's incarcerated, wherever it's at,  
18 and we have a Jefferson County charge and we're wanting to get  
19 off the bond, where it says the Sheriff shall place a warrant on  
Ø1:43PM 20 there. That's different than the 17.19 that goes through the  
21 judge. Yes, it ultimately goes through the judge again, but the  
22 17.16 is to get an instant warrant through the sheriff's  
23 department. It's not putting a new charge on them. It's a  
24 charge that's already there.

25 Now, I do -- the Sheriff has got a valid point.

1 I mean, the weekend thing, I mean, I understand it through our  
2 aspect; but it is tough for the sheriff's department. Any time  
3 after 5:00 o'clock really when the daytime shift is there, it's  
4 tough for things to be done like that. So, that's just the  
5 point I want to make. The 17 -- I think we're not clear totally  
6 on the 17.16 and the 17.19. It's a totally different thing from  
7 where the judge don't see the 17.16 at the beginning and says  
8 the Sheriff shall place a warrant on the defendant, you know,  
9 makes it tough, and then the 17.19. That's all I was wanting to  
10 say is about the 17.16 and the 19 and the afterhour things does  
11 make it tough on the sheriff's department. That's all I was  
12 wanting to say. Thank y'all.

01:44PM

13 MS. GOODNESS: Chief, let me ask you a question:  
14 The way that the affidavit of sureties of surrender says for  
15 y'all to verify, that you personally verified that the defendant  
16 is presently incarcerated, what if the wording was changed to  
17 say that you verified if they're incarcerated here or that  
18 you've received verification from another jurisdiction?

19 Would that -- is the wording of the affidavit what bothers you  
20 and that if they're not actually here or that you've received  
21 some information from the other jurisdiction that they're  
22 incarcerated?

01:45PM

23 CHIEF SHAUBERGER: I mean, we would have to look  
24 at the language from the Code; but, you know, to personally  
25 verify something, I mean, that's -- you have to be there --

1 MS. GOODNESS: I agree.

2 CHIEF SHAUBERGER: -- to verify it.

3 MS. GOODNESS: And I can see why you have a  
4 problem saying somebody is incarcerated in another jurisdiction.

5 CHIEF SHAUBERGER: It happened with us, too. I  
6 mean, we were -- released people before anybody else knows that  
7 they're released and if you say, "Yeah, they're still in  
8 custody" or if I have a book-in officer that's looking in the  
9 screen that says, "Yeah, he's still in custody" and we hang up  
01:46PM 10 and then the releasing officer hits release and they're gone --

11 MS. GOODNESS: Right.

12 CHIEF SHAUBERGER: -- that's an issue. It  
13 happens in every county across the state. So, how can I verify  
14 that they're actually in custody --

15 MS. GOODNESS: Right.

16 CHIEF SHAUBERGER: -- if I'm not personally in  
17 control of those inmates?

18 MS. GOODNESS: And I would imagine the Court  
19 would have -- has an issue of ordering a capias being issued if  
01:46PM 20 they don't have some kind of verification that they were  
21 actually in custody from someone.

22 CHIEF SHAUBERGER: The bondsmen have the ability  
23 to get the verification from the agency that they're held,  
24 correct?

25 MR. DAY: Most of the time. You know, sometimes

1 you may run into counties that are a little, you know, tough on  
2 getting that; but I think for the most part --

3 CHIEF SHAUBERGER: I think we had --

4 MR. DAY: -- we can usually get verification  
5 but...

6 CHIEF SHAUBERGER: -- a separate issue here. I  
7 mean, the verification, I think we've talked that out; but, I  
8 mean, as far as I know, the Sheriff or the sheriff's office  
9 doesn't have the authority to issue any warrants --

01:46PM 10 MS. GOODNESS: No.

11 CHIEF SHAUBERGER: -- or capiases or anything.

12 MR. GALMOR: Well, actually what he's referring  
13 to is the Code says under those scenarios, when they turn in the  
14 affidavit saying that they're in custody somewhere, after  
15 verification by the Sheriff, the Sheriff is to immediately place  
16 a detainer on them at the facility they're at. Then the  
17 magistrate does an official capias warrant. The Code talks  
18 about this as being two different things.

19 CHIEF SHAUBERGER: Well, as far as I know, I  
01:47PM 20 mean, I still on the weekends, without a magistrate, we don't  
21 have the authority to just say you're detained. I mean, we have  
22 to have an order to do that.

23 SHERIFF STEPHENS: And, yeah, I want to see the  
24 language in the Code.

25 MR. DAY: Does 17.16 give them that?

1 MR. GALMOR: 17.16 says (Reading) Upon  
2 verification, the Sheriff shall immediately place a detainer on  
3 the defendant and then notify the magistrate that -- of their  
4 verification findings. So, the magistrate -- and then the  
5 magistrate shall issue a capias warrant for their arrest.

6 It refers to those as two different things, the  
7 Sheriff being able to place a detainer outside a court process.  
8 I mean, that's what it contemplates. I mean, I've never done it  
9 myself. So, I don't know.

01:48PM 10 CHIEF SHAUBERGER: Well, that's -- I think  
11 there's some conflict in it, too, as far as the Code of Criminal  
12 Procedure on what we're allowed to do and what we're not allowed  
13 to do.

14 MS. GODINA: Well, I don't think the magistrate's  
15 going to issue anything.

16 SHERIFF STEPHENS: I know the Sheriff's not going  
17 to be doing a detainer without --

18 CHIEF SHAUBERGER: Without a judge's order.

19 SHERIFF STEPHENS: -- without a judge's order. I  
01:48PM 20 can assure you of that.

21 MS. GOODNESS: Okay. So, it sounds like we need  
22 to gather some more information and revisit this next meeting,  
23 Sheriff? Does that sound right?

24 SHERIFF STEPHENS: Yeah.

25 CHIEF SHAUBERGER: I think the judge or Judge

1 Dollinger or Judge West need to maybe research that, figure out  
2 the best way --

3 SHERIFF STEPHENS: We want to -- yeah. We want  
4 to come to a happy medium; and, so, I'm going to go read it and  
5 try to get a better understanding of it, too, when I leave here.

6 MS. GOODNESS: Can I get a motion to table this  
7 item till next meeting?

8 MR. DAY: I make the motion.

9 SHERIFF STEPHENS: I second.

01:48PM 10 MS. GOODNESS: All in favor, say aye.

11 (RESPONSES GIVEN.)

12 MS. GOODNESS: Any opposed?

13 (NO RESPONSE.)

14 MS. GOODNESS: Okay. We'll table this until the  
15 next meeting.

16 MS. GODINA: I have one other thing, Theresa.  
17 I'm sorry.

18 MS. GOODNESS: That's all right.

19 MS. GODINA: I need to go back to complaints  
01:49PM 20 against bondsmen. I got a complaint -- I'm sure y'all probably  
21 know him -- Tom Retzlaff. I guess that's how you say his name.

22 MS. GOODNESS: Yeah.

23 MS. GODINA: He's filed 25 other complaints  
24 before, against -- I guess it's -- he says that Al Reed and  
25 Philip Klein need to be investigated by the D.A.'s office and I

1 have all the paperwork here and I've been getting emails every  
2 other day on what needs to be done. So --

3 MS. GOODNESS: Does he have a complaint about a  
4 specific bond or bonding company, other than Al Reed and what --  
5 what part of the complaint has to do with a bond that he wrote?

6 MR. DAY: Yeah, 'cause if it's just a broad  
7 complaint, then I've got a complaint against Al, too.

8 MS. GODINA: You want to go off the record for a  
9 minute?

01:50PM 10 MR. PRICE: No. I don't think you can go off the  
11 record.

12 MS. GODINA: I mean, I didn't read it, to tell  
13 you the truth, because I think it's a piece of garbage. Here  
14 you go (tenders documents). Sorry, D.A.'s office. That's why  
15 you get paid all the big bucks.

16 MS. GOODNESS: So, you did not find anything  
17 identifiable --

18 MS. GODINA: I didn't read it. That man's crazy.

19 MR. SMITH: He's got a nice thick file up there.

01:50PM 20 MS. GOODNESS: All right.

21 MS. GODINA: So, I'm going to answer him back and  
22 say that I've turned it over to the District Attorney's office  
23 and he'll let me know.

24 MR. PRICE: My boss is going to fire me over  
25 taking that email from you.

1 MS. GOODNESS: Okay. So, we're going to -- we'll  
2 let the D.A. look at that a little bit further, and we'll take  
3 it up next meeting. Does that sound reasonable to everybody?

4 MR. PRICE: Mary's over there, "Yes, yes, yes."

5 MS. GOODNESS: Yeah. Okay. Judge West asked  
6 that we hold on a few minutes before we do our last agenda item.  
7 She needs to come back before we cover that. So, we're going to  
8 recess for a few minutes.

9 MR. DAY: One quick other thing is -- it's not a  
Ø1:51PM 10 Bail Bond Board issue, but I'm hoping somebody here can answer  
11 the question. There is a new four digit code that is required  
12 for us to get any information, or two digit code.

13 MS. RITENOUR: 3 dash number.

14 MR. DAY: 3 dash --

15 MS. RITENOUR: 3 dash number.

16 MR. DAY: 3 dash number for us to get any  
17 information on cases. Anybody know anything about that?

18 MS. GARCIA: It's the year the case was filed.  
19 So, if the case was filed this year, '19 --

Ø1:51PM 20 MR. PRICE: Does that need to be discussed right  
21 now? I mean, it's not on our agenda.

22 MR. DAY: No. I --

23 MS. GOODNESS: We're recessed for a few minutes  
24 until -- don't go far.

25 (RECESS TAKEN.)



1 JUDGE WEST: At this time -- at this time my  
2 understanding is that we're going to go into executive session  
3 to discuss the Bail Bond Board Administrator qualifications and  
4 go through that process. So, if you are not a voting member, at  
5 this time we're going to ask you to please leave the courtroom.

6 (RECESS TAKEN.)

7 JUDGE WEST: All right. Let's go back in  
8 session. The courtroom has been opened. Everyone's back in.  
9 After executive session and just by means of making the record  
10 clear, we do have Cynthia here for Judge Woods as his designee  
11 to nominate and/or vote during this.

02:28PM

12 MR. PRICE: Also, your Honor, I would note that  
13 I'm the designee for the D.A.'s office today, as well.

14 JUDGE WEST: All right. Thank you. And, so,  
15 what we're doing now is we've talked about qualifications and I  
16 think as far as actual qualifications, if there are going to be  
17 any that are instituted, what we discussed would be after this  
18 process, because we're already at this process, if we want to  
19 make any qualifications and change our policy, we can put that  
20 on an agenda item at a future date.

02:29PM

21 So, at this time I will open up the floor to any  
22 nominations for the new Bail Bond Board Administrator.

23 MR. SMITH: I'd like to nominate Glenda Segura.

24 JUDGE WEST: All right. Thank you. Yes?

25 MR. PRICE: I'd like to nominate Halee Fournier,

1 if I'm pronouncing that correctly.

2 JUDGE WEST: Okay. Any other nominations?

3 MR. HALLMARK: And I'll nominate Joleen Fregia.

4 SHERIFF STEPHENS: You absolutely have to do  
5 that.

6 MR. HALLMARK: That's right I have to.

7 JUDGE WEST: All right. That's three  
8 nominations. Any other nominations?

9 (NO RESPONSE.)

02:29PM 10 JUDGE WEST: All right. Then at this time we'll  
11 close the nominations; and what we'll do is, for voting members  
12 only, I will go through and just ask -- I guess the easiest way  
13 would be by a show of hands on each one or by saying "aye" or  
14 whatever and we'll count them up and see where we are.

15 MS. GOODNESS: She probably needs a verbal.  
16 Don't you?

17 JUDGE WEST: Do you need a verbal?

18 THE REPORTER: Yes, or give me time to --

19 JUDGE WEST: So, let me ask this: Do we know if  
02:30PM 20 it's a majority, or do we have runoffs if they're -- is it just  
21 who gets the most votes?

22 MR. PRICE: However we want to do it. Do we want  
23 to do a majority; or do we want to do a runoff, I mean, if  
24 there's not a clear winner? We can decide.

25 MR. DAY: We have one, two, three, four, five,

1 six, seven, eight. We have eight.

2 JUDGE WEST: There's eight. I mean, I don't  
3 think it's in our policy how to do it. So, any suggestions?  
4 Just who gets the most votes?

5 MS. VOORHIES: Yes.

6 JUDGE WEST: Do you want to just do it that way  
7 and be done with it? Okay. I'll start with those in favor of  
8 Joleen Fregia?

9 MR. HALLMARK: Aye.

02:30PM 10 JUDGE WEST: We've got one. And those in favor  
11 of Glenda Segura?

12 MR. SMITH: Aye.

13 SHERIFF STEPHENS: Aye.

14 MS. RENTERIA: Aye.

15 JUDGE WEST: Aye.

16 Got that? So, that's four. And then those in  
17 favor of Halee Fournier?

18 MS. GOODNESS: Aye.

19 MR. PRICE: Aye.

02:31PM 20 MR. DAY: Aye.

21 JUDGE WEST: All right. Then it looks like  
22 Glenda Segura is the new Bail Bond Board Administrator, and we  
23 will let her know and --

24 MR. DAY: When would she start? As soon as --

25 JUDGE WEST: I guess at the end of Tina -- we can

1 talk to Tina. I think she's --

2 MS. GODINA: She said the end of July; but I  
3 think she's going to need to train for a little bit, as the new  
4 coordinator should be training, as well. Don't put that on the  
5 record. No.

6 JUDGE WEST: Oh.

7 MS. GODINA: Whoever's going to be the new  
8 coordinator.

9 JUDGE WEST: Oh, Tina's going to be training.

02:31PM 10 MS. GODINA: Yeah.

11 JUDGE WEST: Right. I mean, I would say if we  
12 can make it effective now and without pay until Tina's gone so  
13 that she can actually start learning --

14 MR. DAY: Yeah.

15 JUDGE WEST: -- come to at least one meeting.

16 MR. DAY: Yeah. She needs to come to the  
17 meetings.

18 JUDGE WEST: Or she can do that without us  
19 actually appointing her. I guess we can make that effective as  
02:32PM 20 of Tina -- once Tina gives us something in writing, let's have  
21 her give us something in writing of her final day, and then  
22 we'll make -- does that sound appropriate?

23 MR. DAY: I think she's -- I think in her resume'  
24 it said she's been to the meetings before.

25 JUDGE WEST: She has. She's already gone and

1 done stuff with Mary and Tina, as well. So, we'll just make it  
2 effective, if everyone approves that, make it effective on  
3 Tina's last date, once we know when that date is. Does that  
4 make sense?

5 MS. GODINA: The last day of July.

6 JUDGE WEST: The last day of July? So, we'll  
7 make --

8 MR. PRICE: First day of August.

9 JUDGE WEST: Okay. Then we'll make August 1st,  
10 effective August 1st --

11 MR. PRICE: Uh-huh.

12 JUDGE WEST: -- for this position, unless  
13 something changes? Okay. Anything else?

14 (NO RESPONSE.)

15 JUDGE WEST: Okay. Meeting is adjourned.

16 (MEETING CONCLUDED.)

17

18

19

20

21

22

23

24

25

02:32PM