

BAIL BOND BOARD MEETING

(VIA ZOOM)

MAY 20, 2021

THOSE PRESENT:

JUDGE RAQUEL WEST

JUDGE CLINT WOODS

SHERIFF ZENA STEPHENS

BECKY BERTRAND

KELLIE HOLMES

GLENDIA SEGURA

PAT KNAUTH

THOSE PRESENT VIA ZOOM:

THERESA GOODNESS

JOLEEN FREGIA

JAMIE SMITH

KEITH DAY

RHONDA BRODE

JUDGE CRAIG LIVELY

CHARLIE HALLMARK

VALENCIA SIMPSON

TAMIKA MARTIN

1 JUDGE WEST: How's everyone doing? I'm
2 going to go ahead and call the meeting to order.
3 Welcome, everyone. The minutes from last month's
4 meeting, everybody should have been e-mailed those. Did
5 we also get -- we were behind -- do you know if she
6 e-mailed out, Becky? What was it January -- like, there
7 was one month we kept skipping on the minutes.

8 MS. BERTRAND: I haven't seen it come
9 through, but I wasn't here last month.

10 JUDGE WEST: So, which came one through
11 this time?

12 MS. BERTRAND: Last month's.

13 JUDGE WEST: So, we will need a motion to
14 approve the meeting -- the minutes from the April
15 meeting, and I think we're still behind one, possibly.

16 JUDGE WOODS: I make a motion to approve
17 April's.

18 JUDGE WEST: Judge Woods made a motion.

19 MS. GOODMAN: Second. This is Theresa.

20 JUDGE WEST: Thank you, Theresa.

21 Any discussion on that? All those in
22 favor, please raise your right hand.

23 (RESPONSE)

24 JUDGE WEST: Hey, Pat.

25 Any opposed?

1 JUDGE WOODS: I'm opposing to him coming
2 in.

3 JUDGE WEST: That passes.

4 Mr. Knauth, report from the District
5 Attorney's Office regarding status of collection on
6 judgments?

7 MR. KNAUTH: I believe it's the normal one.

8 JUDGE WEST: He walked in and said he
9 believes it's the normal one. I think that's just for
10 our consideration; right? We don't vote on that. I act
11 like I've never done this before.

12 Any applications or renewals?

13 MS. BERTRAND: No, ma'am.

14 JUDGE WEST: Okay. Any complaints?

15 MS. HOLMES: No, ma'am.

16 JUDGE WEST: Good.

17 Report from the treasurer?

18 MR. HALLMARK: There is nothing to report.

19 JUDGE WEST: Thank you, Mr. Hallmark.

20 Any release of property that we need to
21 take care of?

22 MS. BERTRAND: Not that we're aware of.

23 JUDGE WEST: Anybody else?

24 (NO RESPONSE)

25 JUDGE WEST: Okay. Report from the

1 auditor's office?

2 (NO RESPONSE)

3 JUDGE WEST: I guess it was e-mailed out;
4 right?

5 Rhonda, anything on the auditor's report?
6 Can you hear us, Rhonda? She can't hear me. Y'all can
7 hear me, though; right?

8 (RESPONSE)

9 JUDGE WEST: Yes. Rhonda can't hear me.
10 Okay. You might -- if you want to --

11 MS. BERTRAND: I'm texting her.

12 MS. BRODE: I got it. I hit enough
13 buttons. Sorry.

14 JUDGE WEST: Okay.

15 MS. BRODE: I have nothing on the bail
16 bondsmen and attorneys. I'm working with the County
17 Clerk and the District Clerk right now on the new
18 report. As soon as we start making progress, I'll
19 report on it.

20 JUDGE WEST: Okay.

21 MS. BRODE: That's it.

22 JUDGE WEST: Thank you, ma'am.

23 MS. BRODE: Uh-huh.

24 JUDGE WEST: Bondsmen license renewal,
25 revisit from January. What's that?

1 MS. BERTRAND: This is the subject where we
2 temporarily suspended having the bondsmen that were
3 applying for their applications to get their certificate
4 from the -- their continuous education course.

5 JUDGE WEST: Right.

6 MS. BERTRAND: Although most have gone
7 ahead and supplied it, those that we've already approved
8 -- I think there was one, I think -- Booger was the only
9 one that didn't. So, we were going to revisit that in
10 six months, and that's kinda now, if we're going to put
11 that in place. There is another bondsman that did call
12 me about this topic that wanted me to discuss about --
13 his concern is he has major health issues. He can't
14 travel that far, and all the local ones for this year
15 have already passed. The closest one in Houston won't
16 be until December. And that was his only concern, if
17 we're going to reinstate this. And, of course, his
18 license will renew two months prior to that class that
19 he can attend.

20 JUDGE WEST: I mean, one thing we could do
21 is -- did everyone hear Becky? Back in January, we
22 suspended the requirement of the continuing education
23 for the bondsmen. My thought -- one thing we could do
24 is go ahead and put it back in place, and just kinda on
25 a case-by-case basis, if somebody has some kind of

1 health issue and they're signed up for one, two months
2 after, can't we take care of that at their renewal and
3 still renew them pending something like that instead of
4 just postponing the whole thing? I think everything's
5 getting a lot more back to normal and probably time to
6 go ahead and do that is my thought. Anybody else,
7 thoughts? Crickets.

8 JUDGE LIVELY: This is Craig. Case-by-case
9 basic works.

10 JUDGE WEST: Okay. I mean, we're really
11 talking about one person she said that is -- might be
12 having an issue. So, I think we can take care of that
13 at the time. Did we vote on doing that or did we
14 just --

15 MS. BERTRAND: (Nodding head up and down)

16 JUDGE WEST: We did. So, we would need a
17 motion and a vote on reinstating the continuing
18 education requirement.

19 JUDGE LIVELY: Make a motion to reinstate
20 the continuing education requirement. This is Lively.

21 JUDGE WEST: All right. Thank you,
22 Judge Lively.

23 JUDGE WOODS: Second.

24 JUDGE WEST: Judge Woods seconds. Is there
25 any other discussion about this?

1 (NO RESPONSE)

2 JUDGE WEST: All those in favor, raise your
3 hand, please.

4 (RESPONSE)

5 JUDGE WEST: Any opposed, raise your hand.

6 (NO RESPONSE)

7 JUDGE WEST: That passes.

8 Last thing -- well, I have one -- two
9 things. The last one on the agenda is to discuss the
10 Sheriff's Department changing classifications on bonds.
11 Oh. I feel like we've talked about this several times.

12 SHERIFF STEPHENS: Classification of bonds?

13 JUDGE WEST: Keith, I think this is -- you
14 had talked to Glenda or somebody about when cases come
15 in and they are classified as one thing and then it
16 actually gets filed or indicted as something else.
17 Right, Keith?

18 MR. DAY: Well, no, that's not the
19 particular issue. You're talking about with charge --
20 the actual charge that's charged after an indictment or
21 something.

22 JUDGE WEST: All right. So, explain.

23 MR. DAY: This issue came up -- and I don't
24 -- is Sheriff Stephens there? My screen is real small.

25 THE COURT: She is here.

1 SHERIFF STEPHENS: I'm here.

2 THE COURT: She is here in the courtroom.

3 MR. DAY: Tamika's there. I think maybe I
4 talked to Tamika about this. I can't remember if I
5 talked to her about this specific issue. We had an
6 issue where we had posted a bond for a gentleman on --
7 you know, the misdemeanor bonds are being set a little
8 bit higher by some of the JPs. But this particular
9 bond, I can't remember if it was a 5- or \$10,000 bond.
10 I don't want the sheriff to think this is a
11 normal problem. I just don't want it to become an
12 issue. I want to make sure everybody understands why
13 I'm bringing it up.

14 We posted a bond -- I think it was a 5- or
15 \$10,000 bond, and it was listed as a felony. So, he
16 sends the bond over. Well, after he posted the bond and
17 the gentleman got out of the jail, we got a phone call
18 from the jail saying that the bond was actually supposed
19 to be a misdemeanor. They had mis-categorized it in the
20 screen, and they changed it on the bond. Well, I know
21 that y'all -- some people may think that a \$5,000
22 misdemeanor bond is less risky than a \$5,000 felony
23 bond, but in the bonding world, it's not. It's a more
24 risky bond. As Sheriff knows, if somebody absconds to
25 across state lines with a misdemeanor, there's nothing I

1 can do about it because they won't -- they won't arrest
2 them over there. So, a misdemeanor bond really is --
3 truly is a riskier bond for us to take on than a felony
4 bond, especially at that amount. So, whenever they
5 changed the classification from a felony to a
6 misdemeanor, all of sudden that puts me at a greater
7 risk on a bond that I may not have written had I known
8 it was such a big misdemeanor bond. So, I just want to
9 make sure if those cases come up, again -- now, this
10 person had already been released from jail, but I -- I
11 think what needs to happen is the bond needs to be sent
12 back to the bondsman and say this bond's no good. We
13 need a whole new bond. Because I don't even think a
14 phone call at that point -- because there's no telling
15 who in the office you would talk to if you called the
16 office for the jail to just meet the classification.

17 SHERIFF STEPHENS: I agree with you, Keith.
18 Did you talk to Tamika on that specific incident? Did
19 y'all get that fixed?

20 MS. MARTIN: No, I didn't speak to him
21 about that. I spoke with him about the AFRS.

22 MR. DAY: I can't remember who we talked
23 to, Tamika. I think Tamara had actually talked to
24 somebody. I couldn't remember. I know I talked to
25 Tamika about something else I'm going to bring up here

1 shortly.

2 Like I said, Sheriff, this is not an
3 ongoing issue. I just want to make sure that it doesn't
4 become one, but I don't want the jail to be responsible
5 for having to change that classification on bonds. I
6 think it would be better to send the bond back to the
7 bond and say, Look, this is not right, regardless of
8 whose fault it was, whether it was the bondsman's fault,
9 whether it was the jail gave us the wrong information,
10 whichever, because I don't want that responsibility
11 having to fall -- you know, if it was -- if it was
12 written out improperly. Because it does -- it does
13 increase our risk from misdemeanor to a felony.

14 SHERIFF STEPHENS: I agree. Just let us
15 know that, Keith, and we will send it back. I will make
16 sure everybody at the jail knows that.

17 JUDGE WEST: I don't know if you could
18 hear. She said she said agrees, and they will make sure
19 they do that in the future.

20 MR. DAY: Okay. Thank you.

21 JUDGE WEST: All right. So, that's all on
22 the agenda.

23 Did you say you had something else, Keith?

24 MR. DAY: Yeah, I did. And the reason I
25 did not contact Glenda about putting this on the agenda

1 is because I was under the understanding -- and I'm
2 hoping -- you said Glenda's not there.

3 JUDGE WEST: She's here.

4 MS. SEGURA: I'm here.

5 JUDGE WEST: She is here now.

6 MR. DAY: My screen's small. I can't see
7 who all's there. My -- I was under the understanding
8 that Judge Stevens's office was going -- he was going to
9 be here at this meeting because he's having an issue
10 with the voluntary surrenders again, and I wanted to
11 bring this back up. I know we had talked about this --
12 I think it was well over a year ago. Matter of fact, I
13 think it was the last time Sheriff Stephens was at a
14 meeting and she was going to have somebody look into
15 this --

16 JUDGE WEST: Well, you just totally called
17 her out and threw her under the bus.

18 SHERIFF STEPHENS: Throw me under the bus.

19 MR. DAY: Yeah, I apologize. I wasn't
20 calling you out, Sheriff. I was just -- I just remember
21 things like that. So, I -- because it was an -- that's
22 the reason -- I think she was there was because of the
23 issue that we were actually talking about. I think
24 that's why she actually came to the meeting. But it's
25 regarding the 17.16, this voluntary surrender. And once

1 we file these and the defendant is in the custody of the
2 Sheriff's Department, the sheriff was -- there was an
3 issue whether y'all can place a detainer on these
4 people. But, you know, it's in 17.16 that we can. And
5 once the bondsman does that, then we're released from
6 the bond. But I've got right now, just one particular
7 court, I've got over \$300,000 worth of cases that aren't
8 being released from my own liability because he hasn't
9 signed off on them, and I'm relieved as the bondsman.
10 Once they're in custody and I file this 17.16, if
11 they're in custody of the Sheriff's Department in
12 Jefferson County or another county -- but I'm
13 specifically talking about Jefferson County because it's
14 two -- there's two different, you know, rules within
15 that law or whatever --

16 JUDGE WEST: So, is there a reason --

17 MR. DAY: -- I'm --

18 JUDGE WEST: Was there a reason given that
19 a judge wasn't signing those?

20 MS. BERTRAND: I'm going to be able to shed
21 some light --

22 JUDGE WEST: Talk into that microphone,
23 please, ma'am.

24 MS. BERTRAND: I may be able to shed some
25 light on the whole situation. Keith, when a surrender

1 is presented to the Court -- I kinda discovered it like
2 an hour ago -- I'll talk to you about it -- yes, the
3 verification has been done at the jail. Yes, it has
4 been presented to the Court. Yes, the judge has signed
5 it. And I know you hear us talk about the back bond
6 page; okay? That's where you're tied in. That's where
7 it comes in on your liability. What's happening is when
8 the surrender is processed through the Court and the
9 surrender has properly been signed by the judge, it is
10 not being taken out of the back bond page.

11 MS. HOLMES: Yeah. That's the Court.

12 MS. BERTRAND: That's the Court. That --
13 only the Court has that action. So, it's not just you.
14 It's all bondsmen. And this is something that I briefly
15 just talked to Rhonda about, because that's kinda one of
16 the things that she and I have been working on on
17 another report. I briefly talked to Kellie about it
18 before the meeting. They should come off but not
19 necessarily they do come off. And that's something, I
20 think, we're all going to have to have a meeting about.
21 By that, I mean the Courts and coordinators.

22 JUDGE WEST: We need to talk to the clerk
23 of every court to make sure that they know that's part
24 of what they have to do when their judge signs the AFRS.

25 MS. BERTRAND: That's part of the problem.

1 MS. HOLMES: Whenever they're in custody.

2 MR. DAY: That's the back end of the
3 problem. Front end of the problem is that I don't --
4 according to the law -- and I wish Dustin or Tom were
5 here today to talk to them about this. I talked to a
6 representative as well. The -- once -- once that
7 detainer -- okay -- can Sheriff hear me?

8 SHERIFF STEPHENS: I remember.

9 MR. DAY: Sheriff, remember when he had
10 this discussion before and there was an issue about
11 placing detainer on it without the judge's
12 authorization? Do you remember that?

13 SHERIFF STEPHENS: Yes.

14 MR. DAY: We were discussing that. And --
15 and that may be the case, but I want to make sure that
16 everybody -- that the board understands that the
17 bondsman, regardless of whether the judge signs off on
18 it or not, we're released as the bondsman once that
19 verification's made if that person's in custody. That's
20 what the 17.16 is. Now, you may not like the law -- you
21 know, there's a lot of laws I definitely don't like.
22 I'm sure there are a lot of laws y'all don't like. But
23 that's what 17.16 says. So, I'm hoping that maybe we
24 can bring this, you know -- I would like for everybody
25 to look into this to 17.16, Texas Occupational Code,

1 because it clearly states in there that once I file that
2 voluntary surrender, once a bondsman files that
3 voluntary surrender and they're in the custody of the
4 Sheriff's Department or anyplace there in custody as
5 well -- but I'm speaking specifically about our county
6 -- if they're in custody of the Sheriff's Department,
7 once they're verified to be there, then I'm released as
8 the bondsman; okay? But there's also, you know, in the
9 statute as well it says if they're in another county and
10 I file a voluntary surrender as well, then I will be
11 off, too. But I'm -- 99 percent of them are based off
12 of this particular one. So, what has basically happened
13 on a couple different occasions -- I will give you a few
14 scenarios, and we talked about them in the past -- when
15 we file a voluntary surrender on a Friday or over the
16 weekend and to get off a person's case that maybe we
17 have been looking for for a while or jump -- you know,
18 the cosigner may want off, whatever the case may be, we
19 get off the bond; but they're not putting a detainer on
20 them. So, by the time Monday or Tuesday rolls around,
21 the judge has a chance to look at it, sign it and get it
22 all in the computer, this person's already bonded back
23 out of jail. So, this leaves a whole another issue.
24 The person is going to end up forfeiting on the bond.
25 We're going to have to deal with Quinton. It's just

1 going -- it's just going to cause a big problem. So,
2 that's why I'm hoping maybe Dustin or Tom were at the
3 meeting, that they can discuss this. Because I talked
4 to Dustin about this, and it says in 17.16 that I'm
5 resolved of my liability. So, once I file that
6 voluntary surrender and they're in the custody of the
7 jail, I can -- I should be able to shoot a copy of that
8 to the judge's office and they take it off right then
9 and what Becky's talking about, going in and taking us
10 off the back end. But this is a problem, you know, from
11 the initial standpoint.

12 JUDGE WEST: With the detainers as well.

13 SHERIFF STEPHENS: Right.

14 JUDGE WEST: So, the clerk part, we can
15 work on. The detainer part is something that Sheriff
16 can look into with her people and make sure --

17 SHERIFF STEPHENS: They're doing that.

18 JUDGE WEST: -- that they're doing that,
19 and, then, hopefully that would help. I will work on
20 the clerk part.

21 MS. BERTRAND: Keith, this is something
22 that -- I'm not sure if you are aware, but the entire
23 county -- at least on the court side -- the sheriff, the
24 Courts, the county and district clerk, the D.A.'s
25 Office, we're going into a new system. We're having a

1 new system created. This is one of the issues that I
2 have listed to address that there has to be -- there has
3 to be a way to instantly communicate this information.
4 And with this new system, that is what we're going to be
5 able to get, realtime changes that need to be made. So,
6 in the event that, yes, this is brought out to the jail,
7 if this is entered, it's updated in realtime. There's
8 not going to be a delay in passing the form the next
9 day, then this person's going to get it the next day,
10 then the Court may get it the third day. So, we are
11 aware that there is a problem, and we are aware that
12 the -- there's two different sides to this position.
13 One, where it's on accusation, and the next, where it
14 actually gets filed with the Court. So, we are doing
15 our best right now to correct the issue currently, but
16 moving forward, we are aware this is a problem, and
17 we're going to be doing our best to get that issue
18 resolved.

19 MR. DAY: No, I didn't know about the
20 system.

21 JUDGE WEST: Yeah. We're -- but that won't
22 be in place until some time in 2022, who knows when.
23 So, let's go ahead and everybody work on what we can now
24 to do our best to fix it under the system we do have and
25 then --

1 SHERIFF STEPHENS: Our --

2 JUDGE WEST: Tyler Technologies is going to
3 help all of that because all of our computers are going
4 to be able to communicate where they can't now with the
5 Sheriff's Office.

6 MR. DAY: I want to make sure everybody --
7 I'm not complaining.

8 JUDGE WEST: We understand.

9 MR. DAY: I'm not complaining about this,
10 but to make it easier for everybody to understand, if --
11 like I said, I have got 300- -- over \$300,000 --

12 JUDGE WEST: We get it.

13 MR. DAY: -- sitting in a judge's office
14 right now waiting to be taken off my liability. That's
15 \$30,000. If I ask any of you y'all if somebody owes
16 y'all \$30,000, y'all would want it; right? That's kinda
17 where I'm standing on this. Even though it's all on
18 paper sometimes, people forget this is still money that,
19 you know, that I'm dealing with. That's why I have to
20 kinda press the issue.

21 But, no, I didn't know about that, Becky.
22 But also, too, it's not only on these voluntary
23 surrenders and AFRSs, it is also just normal case
24 resolved lot of times and I'm finding it more in the
25 County Courts than I am the felony courts that cases

1 aren't being taken off because they're not getting --
2 taken off that back end like Becky's talking about. So,
3 it is not just voluntary surrenders. We're just not
4 being released as the bondsman.

5 JUDGE WEST: We -- let's set up a meeting
6 next week with all the clerks and all the Courts. We
7 will do that part of it as quick as we can.

8 MS. HOLMES: Can you ask him to send our
9 office a list of -- if he has any in our court?

10 JUDGE WEST: You know what might be helpful
11 is for all the Courts, possibly. Keith, if -- but then
12 it's asking one bondsman to do that. If y'all have
13 specific ones you're -- that you know of in each of the
14 courts, if you want to let the bondsmen know and you
15 know to send that -- get a list together and get that so
16 that when we have our meeting, I can hand them out to
17 everybody and say, You guys need to make sure and get
18 these off or here's the situation and we can check them.
19 Do you want to send something out to the bondsmen in
20 your group that if they're all having that issue and
21 they all have some that are outstanding that shouldn't
22 be, if they will get us those specific ones, then we can
23 work on those. And then for future, obviously, we will
24 get them to start doing it. But the ones that are out
25 there now, it may be hard for them to find and know

1 which one you're talking about.

2 MR. DAY: Okay.

3 JUDGE WEST: Okay.

4 MR. DAY: I will do that.

5 JUDGE WEST: All right. Thank you.

6 Any other business that's anybody else
7 needs to bring up?

8 (NO RESPONSE)

9 JUDGE WEST: I was going to bring up --
10 would everyone like to start coming back and having
11 meetings in person so I don't have to be on YouTube
12 anymore like this?

13 MR. DAY: No.

14 JUDGE WEST: I knew you were the only one
15 that was going to say no.

16 MR. DAY: This is very convenient for me.

17 JUDGE WEST: I said that out loud when I
18 was discussing this earlier. I think what I would like
19 to do, at least maybe we can start transitioning back in
20 together into the courtroom. We will keep doing maybe
21 Zoom but a hybrid. If you guys want to start showing
22 up, that would be great, and then eventually maybe we
23 can -- I don't know. Some people want to do this
24 forever and they love it. I'm -- I get tired of looking
25 at myself on TV anyway. Anything else?

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(NO RESPONSE)

JUDGE WEST: All right. Y'all have a great
weekend. Thanks.

Meeting's adjourned.

(MEETING CONCLUDED)