

## **BAIL BOND BOARD MEETING**

NOVEMBER 17, 2022

1 JUDGE JONES: Jefferson County Bail Bond  
2 meeting is now in order and in session.

3 First order of business will be the minutes from last  
4 meeting. Do we have minutes from last meeting?

5 MS. SEGURA: Yes.

6 JUDGE JONES: Who is reading the minutes from  
7 last meeting?

8 MS. BERTRAND: They were emailed out to all the  
9 members.

10 CHIEF SHAUBERGER: Make a motion to approve.

11 MR. GALMOR: I'll second.

12 JUDGE JONES: I have a motion to approve the  
13 minutes of the last meeting.

14 All in favor.

15 (RESPONSES MADE)

16 JUDGE JONES: Any opposed?

17 No. 2, report from district attorney's office  
18 regarding status of collections, judgments. Was that what judge  
19 was just talking about?

20 MS. BERTRAND: No. Most all of those were  
21 passed out. Judge, you have your two copies; one for last  
22 month's, one is for the previous month. If y'all want a copy,  
23 I've got some extra ones up here but everything is in order.

24 JUDGE JONES: Everybody have it and everybody  
25 seen it. The chairman will entertain a motion.

1 CHIEF SHAUBERGER: I'll make a motion.

2 MS. FOURNIER: Second.

3 JUDGE JONES: All those in favor.

4 (RESPONSES MADE)

5 JUDGE JONES: Any opposed?

6 Consideration and approval of applications to become  
7 bondsman, agents and renewals.

8 MS. BERTRAND: We have none.

9 JUDGE JONES: We have none. Moving right  
10 along.

11 Consider complaints against bondsmen.

12 MS. HOLMES: There aren't any.

13 JUDGE JONES: You're kidding me. None?

14 MS. HOLMES: No, sir.

15 JUDGE JONES: Okay. Y'all been doing good  
16 then, huh?

17 MR. REED: Yes, sir.

18 JUDGE JONES: Report from treasurer on cash and  
19 CDs up for collateral or any issues regarding the insurance,  
20 property tax or CD renewals that are placed as collateral.

21 So I'm going to tell you, do we have anything that we  
22 need to deal with?

23 MS. MARKS: The report has been passed out.

24 JUDGE JONES: Report has been passed out.

25 Everything have a report? Everybody seen it? Anything that

1 y'all need to look at? We got everything.

2 MS. SEGURA: Hold on. She's passing it out.

3 MS. BRODE: I can talk and walk.

4 JUDGE JONES: Is this something I have to read?

5 I'm not good at reading. I just went to the 15th grade.

6 MS. SEGURA: If they have something, they'll  
7 tell you.

8 CHIEF SHAUBERGER: Do we need to approve the  
9 treasurer's report?

10 JUDGE JONES: We got anything here? Do you  
11 need to say anything?

12 MS. BRODE: Today, no, sir, I don't.

13 JUDGE JONES: Is it because of me? Okay. Is  
14 there anything the chair will entertain a motion.

15 CHIEF SHAUBERGER: I make a motion.

16 JUDGE JONES: Is this a --

17 MS. BERTRAND: What item are we on?

18 CHIEF SHAUBERGER: Report from the treasurer's  
19 office.

20 JUDGE JONES: Number five. I got ahead of  
21 myself. Report from the treasurer's department, collateral or  
22 anything so --

23 CHIEF SHAUBERGER: I don't think there is any  
24 action.

25 JUDGE JONES: No action on this. We don't need

1 to entertain a motion or adopt this?

2 MS. SEGURA: No.

3 CHIEF SHAUBERGER: We are on number five.

4 JUDGE JONES: We are on number five, report  
5 from the treasurer's on cash, CD and collateral.

6 MS. MARKS: Y'all got the reports.

7 MS. BRODE: I'm sorry. I have a question on  
8 the treasurer's report.

9 JUDGE JONES: Okay.

10 MS. BRODE: Keith day has some CDs released to  
11 him.

12 MR. DAY: No. Cashier's checks.

13 MS. BRODE: Okay.

14 MR. DAY: CD still there.

15 MS. BRODE: So you still have 522.

16 MR. DAY: Uh-huh.

17 MS. BRODE: Okay. Thank you.

18 JUDGE JONES: Any other questions?

19 MS. BRODE: No, sir.

20 JUDGE JONES: Moving right along. Number six,  
21 release of property, CDs, cash or cashier's check requested by a  
22 bonding company.

23 MS. SEGURA: None.

24 JUDGE JONES: None. Have nothing there. Okay.  
25 Report from the auditor's office.

1 MS. BRODE: They have been handed out, and I  
2 have no comments. Make note of that.

3 JUDGE JONES: We entertain a motion to accept  
4 that?

5 MS. FOURNIER: Make a motion.

6 CHIEF SHAUBERGER: Second.

7 JUDGE JONES: Okay. Still moving. Ready to  
8 vote. All in favor.

9 (RESPONSES MADE)

10 JUDGE JONES: All those opposed.

11 Discuss bonds being transferred on indicted  
12 cases -- re-indicted cases.

13 MR. LIVELY: That's Judge West.

14 CHIEF SHAUBERGER: That's what Judge West  
15 wanted us to hold up on.

16 JUDGE JONES: Okay. We holding up. Okay. We  
17 holding up because Judge wants to do this.

18 MS. HOLMES: They are making a victim impact  
19 statement so it's going to be longer.

20 JUDGE JONES: We going to hold up until next  
21 meeting and discuss that with Judge. Okay.

22 CHIEF SHAUBERGER: Table that.

23 JUDGE JONES: Accusation is the same thing that  
24 we discussing?

25 MR. GALMOR: Well, I mean, I wanted to talk

1 about accusations. I don't know if we should talk about without  
2 a judge here. I don't know.

3 MS. SEGURA: We can put it on the next meeting.

4 MR. GALMOR: I'll tell you what I will do.

5 I'll just tell my little short story real quick of what happened  
6 then everybody can feel sorry for my client and then we can save  
7 it for a judge, I guess.

8 So this one isn't as bad as usual but this is  
9 was another situation where an accusation kind of got in the way  
10 of something. My client was arrested, he was on probation so  
11 there was a hold put on him. He could not bond out jail. So  
12 that's normal. His new offense is a felony. I don't even  
13 remember what it was at this point. So, you know, took a day  
14 for him to tell momma and took a day for momma to tell me and it  
15 took a day for momma to give me money.

16 Then by day four, I'm asking a judge for a bond  
17 on the motion to revoke probation. And judge says sure, gives  
18 him a bond. So he goes to bond out and he cannot bond out on  
19 the new charge because he's already been released on accusation,  
20 I think, even though he's still in jail, which normally you get  
21 released on accusation, you're actually released. So that was  
22 even kind of weird to me that he's being held but he's released  
23 on accusation. So he can't bond out on the new charge. I  
24 called the Court back and I'm like, Hey, put it back on him.  
25 Like he's there and he wants to bond out so doesn't have to go

1 back to jail by surprise or by plan in the future but he can't  
2 because he's been released. Doesn't make sense. Just weird.  
3 What was the benefit? What was the benefit of releasing him on  
4 accusation?

5 MR. DAY: That issue, that's something  
6 completely different than what we were talking about last time.  
7 I don't think that's a bailing bond board issue. I think that's  
8 an issue --

9 MR. GALMOR: Who is it an issue for because I  
10 would love to talk to them about it.

11 CHIEF SHAUBERGER: That's an issue -- I'll go  
12 ahead and tell you about the accusation. That's an issue that  
13 the sheriff and I have taken up with the judges and the district  
14 attorney's office and hopefully in the future there maybe some  
15 resolution to that.

16 JUDGE JONES: It will change.

17 MR. GALMOR: It was a weird one because he's  
18 still in jail. I think the concern that we all should have is  
19 when someone is released on accusation, there is no conditions.  
20 And the judge puts conditions on them when they are magistrated  
21 don't talk to or communicate with the complainant or get a GPS  
22 device and then they're just letting them go free three days  
23 later even though they had 100,000-dollar bond.

24 CHIEF SHAUBERGER: I concur.

25 MR. GALMOR: And then they get rearrested

1 later, either by surprise or by plan and if I'm monitoring it  
2 and they've hired them, well, then I've got to find them. We  
3 check once a week. Sometimes they might be indicted on  
4 Wednesday and the police are at their employment on Thursday and  
5 then they're fired by Friday and I didn't know it yet because we  
6 only call on Mondays.

7 MR. DAY: So are you saying that you think that  
8 they should be continued to held and have to post a bond or --

9 MR. GALMOR: Yeah, yeah. I mean, in Hardin  
10 County there is no accusation. You're arrested, you don't bond  
11 out, you stay in jail. What happens is if a person really  
12 can't bond out, their lawyer goes and tells the judge, Hey, look  
13 they can't bond out. Why don't you lower the bonds. If the  
14 judge won't lower it, they have to indict them in 90 day. If  
15 they don't indict them in 90 days, the judge has to give them a  
16 PR bond at the 90-day mark. Our county usually indicts within  
17 90. That's not really a problem here. Right? But in Hardin,  
18 it's a big problem. They don't indict for two years, Orange  
19 either but Orange does accusation also.

20 MR. DAY: So would that cause -- I mean, what  
21 kind of issues would that cause at the jail as far as crowd,  
22 start holding people?

23 MS. BERTRAND: How soon are we looking at  
24 resolution?

25 CHIEF SHAUBERGER: That's a million-dollar

1 question.

2 MS. BERTRAND: Yeah. To me, my two cents, if  
3 that -- if that was brought about and if I were a judge and that  
4 was brought know to me as the judge, could even -- well, no, not  
5 a judge, the magistrate would preset the bonds.

6 CHIEF SHAUBERGER: There is a bond set but  
7 because there is no case filed, they're released in 72 hours.

8 (MULTIPLE SPEAKERS TALKING SIMULTANEOUSLY)

9 THE COURT REPORTER: Y'all can't all talk at  
10 the same time if you want me to take this down.

11 MR. GALMOR: I guess from my client's  
12 perspective and going back to jail and booking in and out is  
13 probably a bigger problem for the jail if you're having to do  
14 twice, or really three times. But from my client's perspective  
15 is when the police go to their employer looking for them,  
16 they're fired and they were in the jail and they were wanting to  
17 bond out, you know. So I don't know. That's my complaint.  
18 That's all I have. And I don't know of anyone else that does it  
19 but Orange. And I think Orange did it because they saw us doing  
20 it and decided to adopt that. That's what I think. We did it  
21 first, and they did it later.

22 MR. DAY: Yeah.

23 MR. REED: But if he's on accusation, he has no  
24 bond.

25 MR. GALMOR: That's true. If he's on

1 accusation, he has no bond.

2 MR. REED: If he's in jail on an accusation and  
3 in jail on another bond, he can bond out on the bond but he  
4 can't be released on the accusation.

5 MR. GALMOR: That's true until they file the  
6 case and then go back to jail.

7 MR. REED: Yes, yes.

8 MR. DAY: I'm sorry. What Dustin is saying by  
9 the time they got the MTRP set on that bond, the accusation had  
10 already run so he bonded out on the MTRP but he wasn't able to  
11 bond out on the accusation.

12 MR. GALMOR: Even though he wanted to.

13 MR. DAY: Even though he wanted to do.

14 MR. GALMOR: And had the money. And had the  
15 money.

16 MR. REED: But you can't because they haven't  
17 filed the case yet.

18 MS. FOURNIER: So the defendant is penalized  
19 for being rearrested.

20 MR. GALMOR: And more work involved, paperwork  
21 twice. I mean, you know, it may not be that big of a deal but  
22 --

23 JUDGE JONES: But you're saying you already  
24 talked -- you're getting -- you and the sheriff, y'all getting  
25 some things together, right?

1 CHIEF SHAUBERGER: We hope to be.

2 JUDGE JONES: No time table?

3 CHIEF SHAUBERGER: No time table.

4 MR. GALMOR: I mean, it will obviously keep  
5 some people in jail longer. No doubt about it. There is people  
6 that are never going to bond out. They're going to get out for  
7 two months and then they're going to go back to sit for, you  
8 know, until they go to court. So they're just getting a free  
9 vacation out of jail while they're waiting on the case to be  
10 filed and some of those people might not should be out, really.

11 JUDGE JONES: Okay.

12 MS. SEGURA: Okay.

13 JUDGE JONES: Any other business that needs to  
14 come before this body?

15 MR. DAY: I have something but I'm -- the judge  
16 is probably going to need to be here for it so I'll go ahead and  
17 mention it and then we can table it for the next meeting.

18 But on 1716s, when we file 1716 at the jail,  
19 which is basically most everybody knows is a voluntary  
20 surrender, when somebody is in custody and we file that  
21 voluntary surrender, you know, by -- by law the sheriff's  
22 department has a right to place a detainer on that person. We  
23 don't -- in Jefferson County you guys, y'all don't place  
24 detainers on people once we file it if they're in custody in  
25 Jefferson County. It goes to the courts and the courts have to

1 issue a warrant and then at that point -- I've had five  
2 instances in the past few months where we have filed voluntary  
3 surrenders on people and before, like in this particular  
4 situation, we filed a voluntary surrender on a guy and this one  
5 just happened this week. Kellie, this is the one I called you  
6 about the other day, Monday.

7 We filed a voluntary surrender on this guy  
8 on September 13th. The warrants were not issued until  
9 September 16th. So in the meantime while he's -- he's in there  
10 on two new felony charges. These were misdemeanor cases we had  
11 him on. He had two new felony charges he was picked up on and  
12 he ended up posting bond on the felonies before he was held on  
13 the misdemeanors. So he comes to court Monday and Judge West  
14 sees that he's got warrants now because the detainers weren't  
15 ever placed on him so he went back to jail again. I've got five  
16 different instances of that happening over the past couple of  
17 months. Now, it's no -- no skin off the bondsman's back because  
18 we are off the bond no matter what. I mean once we file that  
19 1716, we are done, whether he bonds out, whether they release  
20 him or whatever. But for the sheriff's department, it seems to  
21 me that this adds more onto y'all's officers because now you're  
22 having to go back out and rearrest somebody who was already in  
23 custody and could have taken care of it at that point. So I  
24 didn't know -- I know we have discussed this in the past and I  
25 didn't know if it was an issue that -- I don't know if a judge's

1 order can come down on these things when a voluntary surrender  
2 is filed. Back in the day --

3 MS. FOURNIER: A warrant wasn't even issued.

4 MR. DAY: Yeah. The detainer was placed and  
5 the bond was doubled. It was a standing judge's order and then  
6 over the past few years it kind of -- it kind of went away and  
7 it just seems like it's causing an added strain on the sheriff's  
8 department to me and maybe -- and I don't want to say that it's  
9 causing added -- now, I'll leave that to Dustin to defend the  
10 clients but I don't want to say it's added onto them because  
11 they're the ones that got in trouble so they have to deal with  
12 this stuff sometimes but it's added more onto them as well.  
13 Because this guy, like I said, he shows up to court Monday and  
14 then goes back to jail. Judge West sees that he's got warrants  
15 issued for him and she thinks -- she may think it's because, you  
16 know, they were dropped in the meantime. So but anyway, so I  
17 just -- I was wanting to talk to the judge about that so I just  
18 kind of briefed y'all on it and maybe bring it up for discussion  
19 at the next meeting.

20 MS. BERTRAND: Well, in the discussion that I  
21 had with sheriff shortly after she was elected, it was her  
22 position that they were not going to place detainer on someone  
23 until a warrant was issued because of the paperwork.

24 MR. DAY: Right. And it says in the law a  
25 sheriff shall -- you know, I think the wording is shall. I'm

1 not sure. I would have to pull up the wording, but I don't think  
2 she has to. And, like I said, from the bondsman perspective we  
3 don't really -- it doesn't make a difference to us because like  
4 I said once we file it, we are off anyway. So but it just seems  
5 like it's a lot of added, you know, work for everybody if -- if  
6 the detainer is not placed on it.

7 MS. BERTRAND: Well, I will say this: Going  
8 forward in the new system those of us have seen it and have  
9 whatever, it's more easily identified now in the new system of  
10 what is really going on with this defendant. And when you pull  
11 up the defendant it shows all of the cases so the judge at any  
12 time can go into every single case and see the status of that  
13 case and why the warrant is issued. It's no longer like a blind  
14 information on this person. I mean, so --

15 MR. DAY: Well, and like on this one person  
16 here, we filed a voluntary surrender on February 4th, the guy  
17 was in jail on February 4th, the warrants weren't issued until  
18 February 15th -- 11 days later.

19 MS. BERTRAND: I'm just saying, that paperwork  
20 has to make its way from the jail to the courts -- was it a  
21 weekend? Was it a holiday weekend?

22 MS. FOURNIER: Was judge here?

23 MS. BERTRAND: Was judge here? You got a lot  
24 of other factors that are factored into that.

25 CHIEF SHAUBERGER: That's one of the reasons

1 that we don't put detainers on them because we have no idea if  
2 that's actually going to even take place so it gets very  
3 complicated. The new system should clear up a lot of those  
4 issues that we have with time delays and what the judges can see  
5 on their other cases as well.

6 MS. BERTRAND: But that shouldn't matter to you  
7 because you're already off the bond.

8 MR. DAY: No. And that's why I said, it really  
9 doesn't matter to us; but it just seems like a lot of added work  
10 for everybody when this person, you know, like this guy, you  
11 know --

12 MS. HOLMES: I will say in that specific  
13 instance, judge said even if he had already bonded out on the  
14 cases, she would have raised his bonds because he committed two  
15 felonies while he was on misdemeanor probation so that was --

16 MR. DAY: In that case, yeah. But still if you  
17 don't have a situation like that -- like I said, I've got four.  
18 And I don't know what the other bondsmen have. I mean, this is  
19 just the cases that we have over the past couple of months that  
20 this has happened.

21 MS. FOURNIER: It's a penalty to the defendant.

22 MR. DAY: Dustin can argue that.

23 MR. GALMOR: If they're on probation, I guess  
24 they can be penalized a little bit. They're not innocent until  
25 proven guilty if they've got MTRPs out.

1 JUDGE JONES: Any other business?

2 MR. DAY: But I do want that tabled to the next  
3 meeting though.

4 JUDGE JONES: So number nine, discussion of  
5 accusations, we will table to the next meeting. And then we are  
6 tabling number 8. Eight and nine we are going to table till  
7 next meeting until Judge West gets here.

8 Any other business?

9 MS. BERTRAND: I thought we are waiting for  
10 Judge to come back.

11 JUDGE JONES: She is got coming back.

12 Any other business? If no other business, this  
13 meeting can be adjourned.

14 (MEETING CONCLUDED)