

## 1 BAIL BOND BOARD MEETING

2 NOVEMBER 16, 2023

3

4 THOSE PRESENT: JUDGE RAQUEL WEST

5 JUDGE CLINT WOODS

6 JUDGE CRAIG LIVELY

7 BECKY BERTRAND

8 KEITH DAY

9 VALENCIA FONTENOT

10 HAYLEE FOURNIER

11 TIM FUNCHESS

12 DUSTIN GALMOR

13 KELLIE HOLMES

14 CAPTAIN AARON MORRIS

15 SANDRA MOTT

16 AL REED

17 TOM ROEBUCK

18 GLENDA SEGURA

19 VALENCIA SIMPSON

20 ROXANNE ACOSTA-HELLBERG

21 CHRIS ROMANO

22 TAMARA RITENOUR

23 DEDE ROJAS

24 BOOGER HOLLIER

25

1 JUDGE WEST: I'll call it to order. Thank you  
2 all for being here. Everyone should have received the minutes  
3 from the September and the October meeting. We'll need a motion  
4 on each of those.

5 JUDGE WOODS: I make a motion on both.

6 JUDGE WEST: Motion by Judge Woods.

7 MR. DAY: Second.

8 JUDGE WEST: Second by Keith Day. Any discussion  
9 about the minutes? All those in favor?

12:33PM 10 (AYE RESPONSES.)

11 JUDGE WEST: Any opposed?

12 All right. That passes. Report from the DA's  
13 office, do we have that?

14 MS. MOTT: I'm here, but we don't have a report.  
15 We still --

16 JUDGE WEST: Okay. Any approval applications?

17 MS. BERTRAND: No, ma'am.

18 JUDGE WEST: Any complaints?

19 MS. HOLMES: No, ma'am.

12:33PM 20 JUDGE WOODS: Any -- oh, let's see. Report from  
21 treasurer?

22 MS. BERTRAND: Rhonda's not going to be able to  
23 make it today.

24 JUDGE WEST: Okay.

25 MS. BERTRAND: Oh, wait, that's not her. That's

1 you.

2 JUDGE WEST: Oh, and I just went along with it.

3 MS. BERTRAND: Sorry. I'm in fast-forward mode.

4 MS. SEGURA: You are.

5 MR. FUNCHESS: We do look so much alike. No. I  
6 passed out my report.

7 JUDGE WEST: Anybody have any --

8 MR. FUNCHESS: We'll be looking for tax receipts  
9 over the next couple of months for property that's been pledged.

12:34PM 10 JUDGE WEST: Okay.

11 MR. DAY: Tim, are we good to go ahead and start  
12 sending you that now?

13 MR. FUNCHESS: Oh, yeah.

14 MR. DAY: I didn't know if we had to wait till  
15 the beginning of the year.

16 MR. FUNCHESS: No. Y'all can pay.

17 MR. DAY: Yeah. I got it out, so...

18 JUDGE WEST: All right. Any request for release  
19 of property?

12:34PM 20 MS. SEGURA: Yes. Looks like Booger Hollier has  
21 requested to release, it looks like, two CDs -- each of those  
22 are 5,000 -- and then cash in the amount of 2,000 and the  
23 adjustment, it looks like he'll be in good standing.  
24 Everything's fine. He's in good standing as of today.

25 JUDGE WEST: So, we would need a motion. It

1 would total \$12,000.

2 MR. DAY: I make a motion.

3 JUDGE WEST: Motion by Keith.

4 JUDGE LIVELY: Second.

5 JUDGE WEST: Got a second by Judge Lively. Any  
6 discussion on that? All in favor?

7 (AYE RESPONSES.)

8 JUDGE WEST: Any opposed?

9 All right. We'll get that done, and I'll sign  
10 off on that when you get it.

11 MS. SEGURA: Thank you.

12 JUDGE WEST: Report from the auditor's office.  
13 And Rhonda won't be here. All right. It's still on here about  
14 extending grace periods and we -- where are we? I missed last  
15 month. So, where are we on all of that?

16 MS. BERTRAND: Okay. So, I just recently asked  
17 the bondsmen to submit me that information, of the four  
18 companies that write the most bonds. It looks like most of  
19 their issues, meaning the bonds that have in the court's file  
20 been released or the case is dismissed for whatever reason,  
21 those bonds should not be active anymore. Those are slowly  
22 starting to come off. The bondsmen can speak on how quickly  
23 they're coming off, but I do see the numbers dropping. So, I'm  
24 going to throw Dede out here. She right now has 100 -- I think  
25 160,023 bonds. Lisa has, like, 277,000. However, I think I

1 left it on my desk, y'all's report.

2 MS. RITENOUR: I have it.

3 MS. BERTRAND: I think yours is over a million,  
4 right?

5 MS. RITENOUR: Over a million? Huh-uh.

6 MS. BERTRAND: Something else I'm looking at.

7 MS. RITENOUR: 403,000.

8 MS. BERTRAND: So, those are with -- those are  
9 coming off. And what the bondsmens currently doing is  
12:36PM 10 contacting the court that it's in. The court will verify, yes,  
11 it needs to come off; and then they're coming off. It is a  
12 process to go through sometimes, and you need to have the time  
13 to do it. The real problem that I have been noticing are the  
14 bonds on accusations. Those numbers seem to keep going up,  
15 which these are just bonds that were made and the cases haven't  
16 been filed.

17 JUDGE WEST: Uh-huh.

18 MS. BERTRAND: So, there's that; but as far as  
19 extending out, it looks like we are --

12:37PM 20 JUDGE WEST: Getting closer?

21 MS. BERTRAND: -- getting close to wrapping that  
22 up.

23 JUDGE WEST: I mean, do we think we might can get  
24 that done by the end of the year and start January off back  
25 where we should be?

1 MS. RITENOUR: I met with Alex last week, and we  
2 went over accusations. The issue with the accusation docket is  
3 there's people on there that have been disposed, like their  
4 cases were originally in accusation and it's been filed and  
5 they've already gone through the court system and they're on  
6 probation or disposed of years, two years. We have a 200,000 on  
7 there that was refused six, seven years ago. Those are the ones  
8 that she's having an issue because they're not on our actual  
9 docket 'cause they've been taken off by the court coordinators,  
12:38PM 10 but they're still for some reason registering on the accusation  
11 side. So, we went through and we got a couple of different  
12 scenarios of that and she's supposed to be talking to the guy  
13 but that is -- like mine is 11 pages, and probably 4 pages of it  
14 is wrong.

15 JUDGE WEST: Oh.

16 MS. BERTRAND: Yes. That's it right here.

17 JUDGE WEST: Okay.

18 MS. BERTRAND: 11 pages, 10 and a half pages,  
19 over 2 million.

12:38PM 20 MS. RITENOUR: Now, I can speak for Ronnie  
21 LeBlanc, 'cause we went over his. Almost all of his were  
22 correct. His still have not been filed but we had some that --  
23 yeah, those are all pretty much all correct on ours. There's  
24 out of counties on there that have already been disposed and  
25 taken care of. There's refusals, ones that we've dropped, so,

1 and there's quite a few that have actual case numbers that are  
2 still registering as accusations. So, that is an -- that's not  
3 on the clerk side, on the court coordinators' side at all.

4 MS. BERTRAND: Yeah, 'cause all this information  
5 that she's speaking of is in jail manager which is not in case  
6 manager 'cause --

7 JUDGE WEST: Right.

8 MS. BERTRAND: -- for whatever reason, so...

9 JUDGE WEST: So, we at least need it till the  
10 next meeting?

11 MS. BERTRAND: Yes.

12 JUDGE WEST: And probably a couple more after  
13 that.

14 MS. RITENOUR: Yeah, if you're going to use both  
15 numbers. If you just use one, the one with the case numbers,  
16 that's pretty close.

17 JUDGE WEST: I mean, I would say let's try -- I  
18 mean, I would rather us just keep talking about it a little bit  
19 every month until we're where we need to be. So, I thought  
20 about maybe putting it off for two meetings; but let's just put  
21 it off for one. Well, we have to vote on that but my thought  
22 would be let's just do it again in the next meeting and then  
23 we'll go from there.

24 MR. DAY: I was going to say January, Judge,  
25 because the meetings sometimes get a little light in December

1 because of the holidays and a lot of times we don't have --

2 JUDGE WEST: You're right. Maybe we won't have  
3 one in December. Let's do that. If anybody wants to make a  
4 motion for it to go to the January meeting, that would --

5 MR. DAY: I make a motion to move it to January.

6 JUDGE WEST: All right. So, that's to extend the  
7 grace period on the bondsmen liability till the meeting in  
8 January. We've got a motion by Keith.

9 MS. FOURNIER: Second.

12:40PM 10 JUDGE WEST: Second. And then any more  
11 discussion on that? Is this all right? Thank you. Thank y'all  
12 for -- I know y'all are working hard on all of it. All in  
13 favor?

14 (AYE RESPONSES.)

15 JUDGE WEST: Any opposed?

16 All right. That passes. So, we'll put that --  
17 make sure we get that on the January agenda.

18 MS. SEGURA: Yes. Okay.

19 JUDGE WEST: And then the last thing on the  
12:40PM 20 agenda -- Becky, you had asked me to put this on, I'll let you  
21 talk about it -- but it's to discuss and vote on possibly JP  
22 bond assessment fees.

23 MS. BERTRAND: Yes. Actually Rhonda and Keith  
24 are the ones that asked me to put this on there. I'm not sure  
25 what the issue exactly was but --

1                   MR. DAY: Well, when the -- when the bills would  
2 come, we noticed that JP -- the last two meetings ago, the  
3 September meeting, that's why I was asking for the minutes for  
4 September the other day. It's kind of my fault. I let this  
5 slip through. We were talking about municipal bonds not being  
6 charged, but it's actually municipal and Justice of the Peace.  
7 Justice of the Peaces weren't brought up that day. So, we  
8 noticed on the bond assessment receipts that -- or bills that we  
9 were having to each time contact Rhonda to have -- or contact --

12:41PM 10                   Who are we contacting?

11                   MS. RITENOUR: We just make a list and send it to  
12 Becky.

13                   MR. DAY: Send it to have the JPs taken off.  
14 Then there were some questions come up why are y'all not paying  
15 the JPs. The reason is because the law specifically states that  
16 a court, magistrate or other officer are taking a bail bond for  
17 any offense other than a misdemeanor punishable by fine only --  
18 so, that means anything Class B and up -- so, anything under  
19 that should not be charged. So, JPs and municipal bonds should  
20 not be charged an assessment fee.

21                   JUDGE WEST: Is that -- I mean, if it's the law,  
22 is it something that we need to vote on?

23                   MR. DAY: No. I don't think it's anything --  
24 yeah, because it wasn't -- we brought it up and we talked about  
25 this at the last meeting but -- and, like I said, I kind of let

1 it slip through the cracks because I had municipal bonds on the  
2 mind. I wasn't thinking about JP bonds.

3 JUDGE WEST: Do we need to get with the JPs and  
4 make sure?

5 MS. BERTRAND: No. I had a meeting earlier this  
6 week to talk to Mary and our IT team. Amongst other things, I  
7 brought this up for discussion because clearly on their reports  
8 that are sent out for billing, we had to find some way to  
9 identify Class Cs, municipality bonds.

12:42PM 10 JUDGE WEST: Uh-huh.

11 MS. BERTRAND: We are just going to go back and  
12 use that same code for any Class C bonds written. We didn't do  
13 that. It's just a matter of making that change. I wanted to  
14 wait until after this meeting until we had that discussion. So,  
15 again, I'm not going -- I'm going to say probably beginning in  
16 January, you should not see any Class Cs on y'all's reports. If  
17 you do, same process. Show me your math on that second page,  
18 and you know the rest. But we are able -- so, what's going to  
19 happen at the jail is there's going to be a drop down for if the  
12:43PM 20 person bonds out, they're going to use your --

21 Who is 188, for example?

22 MR. ROMANO: (Raises hand.)

23 MS. BERTRAND: It'll say star 188C. So, that  
24 means it's a Class C. Otherwise, you will just use their code  
25 star 188. So, that would mean it's a bond for a Class B and

1 higher.

2 JUDGE WEST: Okay. All right. Well, if there's  
3 anything we need to do, let us know.

4 That's all I have. Is there any other business  
5 that anyone --

6 MR. DAY: I'd like to bring something up under  
7 new business, Judge. So, back on the bond assessment fees, the  
8 bond assessment fee, Section 41.258 of the -- I think it's the  
9 Government Code. Is that right?

12:43PM 10 JUDGE WEST: It's Government.

11 MR. DAY: Yeah, the Government Code, it's an  
12 Assistant Prosecutor Supplement Fund and Fair Defense Account.  
13 Basically the supplement fund is created in the state treasury.  
14 In that section it calls for -- and let me read this to you --  
15 so, a court, judge, magistrate, peace officer or other officer  
16 taking a bail bond for an offense other than a misdemeanor  
17 punishable by fine only under Chapter 17, Code of Criminal  
18 Procedure, shall require the payment of a \$15 cost by each  
19 surety posting the bail bond, providing the cost does not exceed  
12:44PM 20 \$30 for all bail bonds posted at the time for an individual and  
21 the cost is not required on the posting of a personal or cash  
22 bond. Okay? Now, there is under -- let me see where I can find  
23 it here. I've got it marked.

24 MR. ROMANO: (f).

25 MR. DAY: (f). Okay. So, (f) under that it

1 states that a surety paying a cost under Subsection (b), which  
2 is what I just read, may apply for and is entitled to a refund  
3 of the cost not later than 181st day after the date the State  
4 declines to prosecute an individual or the grand jury declines  
5 to indict an individual.

6 So, basically, like these accusations that we're  
7 talking about that we post, we can request and, you know, it's  
8 not really a request-request -- we're entitled to it -- to get  
9 that money back. In the past we've never done that. Basically  
10 we've just kind of, because the bondsmen just kind of always had  
11 a, you know, not really an agreement but it was just never done  
12 but due to a bit of a strained relationship between the bondsmen  
13 and the district attorney's office now, we think that something  
14 needs to be put in place, a procedure put in place to where we  
15 can request this money back. And I'm not sure where we need to  
16 go, if it's going to be the treasurer's office or who we need to  
17 go to about, you know, starting to collect this money back.

18 JUDGE WEST: Okay. I wouldn't even know where to  
19 start, I guess.

20 MR. DAY: Yeah.

21 JUDGE WEST: It's something that we would just  
22 have to start that, talking to -- you know, through the program  
23 itself, how would that happen and then where would --

24 MR. DAY: So, I talked to David.

25 Go ahead, Chris.

1                   MR. ROMANO: Well, I'm just -- and part of it is  
2 it's an issue because we're going 180 days after disposition or  
3 refusal to start to request this money back. So, we're at this  
4 present moment like anything yesterday -- so, once it's  
5 refused --

6                   MR. DAY: Refused or no billed.

7                   MR. ROMANO: -- you have 180 days, correct.

8                   JUDGE WEST: So, I mean, the first question  
9 becomes: How will y'all know when something is actually  
10 refused?

11                   MR. ROMANO: Usually their bonds.

12                   MS. RITENOUR: No. We have not been getting our  
13 bonds back.

14                   MR. DAY: Which that is going to be -- I don't  
15 think that that's going to be something that the county  
16 necessarily would keep track of. That's going to be up to the  
17 individual bondsmen to keep up with their cases.

18                   JUDGE WEST: Right.

19                   MR. DAY: Or in my case, Tamara.

12:47PM 20                   MS. RITENOUR: Yeah.

21                   MR. DAY: But we would need to know, I mean, is  
22 it going to require --

23                   UNKNOWN SPEAKER: Who do you request it from?

24                   MR. DAY: By form. I was talking to David  
25 earlier. I don't know if he said anything to you, Chris, but

1 Henderson County -- is it Henderson County -- they do this, and  
2 they get it back from the Treasurer, Tim. Sorry. That's who  
3 they request it from. But there's going to be -- I mean, the  
4 treasurer obviously is not going to know what case -- you know,  
5 the criminal cases. So, that's why I was saying we need to come  
6 up with some sort of procedure to put in play so we know where  
7 to go and --

8 JUDGE WEST: Yes, ma'am?

9 12:47PM MS. FONTENOT: So, I handle the accusation bonds  
10 at the jail. And with the transfer from AS400 to Odyssey, a lot  
11 of bonds that were posted in AS400 did not convert over. If a  
12 case was dismissed or refused, it's not showing up on the  
13 Odyssey side. So, I cannot release a bond unless I have the  
14 paperwork.

15 I have to call the DA's office to get the  
16 paperwork. They send it to me. I send the bond back to the  
17 bondsman. There's some where the cases were not filed or either  
18 they're past their dates or whatever. I contact the DA's  
19 office. If the arresting agency never turned in a PC, the DA's  
20 office is -- I mean, they don't have a case to refuse. So, I  
21 don't know what they're doing about that. That's their side.  
22 They just contact me back and tell me what they want to do.

23 But I've gotten the list from a couple of  
24 bondsmen. I'm going through it when I can. Like I said, most  
25 of them didn't convert over. I have to get -- like they'll know

1 that it's been refused or dismissed. I don't know. And it's  
2 not in the system. It's not in Odyssey. So, I have to go back  
3 to AS400; if it's not in there, call the DA's office to try to  
4 get the paperwork for it.

5 JUDGE WEST: So, I guess what I would think is if  
6 we know a county that's doing it, then maybe whoever deals with  
7 them and maybe, Tim, you can get with them and see how they do  
8 that and how they release it between now and our next meeting  
9 and we can at least start the process by not reinventing the  
10 wheel, if somebody else is doing it, and see how they do it and  
11 if they have forms for it or whatever they have.

12 MR. DAY: Y'all know the procedure in Henderson  
13 County, exactly how y'all do it there?

14 MR. ROMANO: I can find out.

15 JUDGE WEST: If you have a contact, I'll make the  
16 call, too, if somebody would tell me kind of where to start  
17 there, if y'all already know. But I would let you guys tell me,  
18 and then I don't mind looking into it. Maybe Tim and I can look  
19 into that and, Becky, we can start the process.

12:49PM 20 MS. ACOSTA-HELLBERG: We'll have to get obviously  
21 it set up through Odyssey to do it and then figure out who you  
22 ask and who says yes and who signs off on it, who sends it to  
23 you and all that.

24 JUDGE WEST: So, we can start that process. And  
25 if you'll just make sure that stays on the agenda.

1 MS. SEGURA: Yes.

2 JUDGE WEST: Or add that to the agenda to discuss  
3 again, and we'll see where we get between now and that next  
4 meeting.

5 MS. SEGURA: Yes, ma'am.

6 JUDGE WEST: But y'all are wanting to follow the  
7 rules and make us do more work. I can't believe that.

8 All right. Anything else anybody else wants to  
9 bring up? No, you're done. Huh-uh.

12:50PM 10 MR. DAY: I have one more thing -- we talked  
11 about it a few months ago -- how you wanted to form some -- a  
12 committee amongst some of the members about the local rules.

13 JUDGE WEST: Yes.

14 MR. DAY: Did you still --

15 JUDGE WEST: I definitely want to do that, and I  
16 think we need to. I think our rules need a complete just kind  
17 of looking at. We've talked about that for a long time.

18 They've kind of been just stuck together. If anybody wants to  
19 volunteer to be on that committee, we can go ahead and get a  
12:51PM 20 committee and start working on it. I mean, obviously I'll be on  
21 it.

22 MR. DAY: Sure. I mean, I have to be on the  
23 board I'm sure Tamara's more than happy to.

24 MS. RITENOUR: Absolutely.

25 JUDGE WEST: I would think Mr. Roebuck would need

1 to be on that, possibly Mr. Galmor.

2 MS. BERTRAND: Actually we created one two years  
3 ago, but nothing was ever done.

4 JUDGE WEST: I thought we did.

5 MS. BERTRAND: We never had our first meeting.

6 JUDGE WEST: We're going to act like that didn't  
7 happen.

8 MS. BERTRAND: I still have my Post-it note in my  
9 office.

12:51PM 10 JUDGE WEST: I know we did this.

11 MS. BERTRAND: But with members that aren't even  
12 here anymore.

13 JUDGE WEST: Okay. Well, let's see. I'm about  
14 to volunteer some people. We're going to have me, we're going  
15 to have Mr. Roebuck, we're going to have Mr. Galmor, we're going  
16 to have Becky, we're going to have Keith. I mean, that's five  
17 of us.

18 Anybody else want to be a part of that? Anybody  
19 else want to be vol-un-told or feel like they should be? I  
12:52PM 20 mean, I would think our other person that shows up should be on  
21 that, Judge Woods.

22 JUDGE WOODS: All right.

23 MS. BERTRAND: I would like Haylee to be on  
24 there. Haylee's very familiar with our process.

25 JUDGE WEST: Absolutely. Okay. Anybody else?

1 All right. That's seven of us: Mr. Roebuck, Galmor, Becky,  
2 Keith, Judge Woods and Haylee. So, I'll send out an email and  
3 start a group email; and then we can start figuring it out.  
4 Everybody kind of start taking a look at the way they look now,  
5 read through them. We'll just have an initial meeting sometime  
6 and start from there. Just go through them with -- I mean,  
7 they're not that long. It's not --

8 MS. BERTRAND: No.

9 JUDGE WEST: They just need to be cleaned up.

12:52PM 10 MS. BERTRAND: Well, and a lot of it is already  
11 established in 17.04.

12 JUDGE WEST: Right.

13 MS. BERTRAND: So, we can actually remove some of  
14 those and just get down to what is really our local rules.

15 JUDGE WEST: I agree. All right. Good deal.  
16 Thanks for adding that work there, Keith. Anything else?

17 MR. DAY: You're welcome.

18 JUDGE WEST: I know that's what he does to me.

19 UNKNOWN SPEAKER: Quit asking them if they have  
12:53PM 20 any more questions.

21 JUDGE WEST: All right. Is there a motion to  
22 adjourn?

23 MR. FUNCHESS: Move to adjourn.

24 JUDGE LIVELY: Seconded, before Keith can say  
25 anything else.

1 JUDGE WEST: We're adjourned.

2 (MEETING ADJOURNED.)

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