

BAIL BOND BOARD MEETING

MAY 19, 2016

THOSE PRESENT: Judge Clint Woods
Judge Raquel West
Judge Dollinger
Cindy Ferguson
Pat Knauth
Cory Kneelan
Casi DeLaTorre
Becky Garcia
Theresa Goodness
Tim Funchess
Keith Day
James Makin
Mary Godina
Tina Landry
Rhonda Brode
Brandi Sewell

JUDGE DOLLINGER: It is 12:30. Looks like we have, certainly, a quorum. First item is to review the minutes, although the minutes have not yet been posted so we will hold that until next month's meeting.

Second is a report from the district attorney's office regarding status of collections. These have been passed out. I think everybody got a copy. Any questions or comments about the DA's report to the board? Hearing nothing, I will move on.

Applications to become bondsmen or agents or renewals of the same, and I think we have one renewal. Is that correct?

MS. GARCIA: Yes, sir. We have one.

JUDGE DOLLINGER: Jamie Bettis.

MS. GARCIA: Yes. And this is an application for bail bond representative who works for Stan Stanley.

JUDGE DOLLINGER: Okay. And everything in order?

MS. GARCIA: Yes, sir.

JUDGE DOLLINGER: Anybody have any questions or comments on the application of Ms. Bettis – Miss or Mr?

MS. GARCIA: Miss

JUDGE DOLLINGER: Ms. Bettis. Anybody got any questions or comments on her application? Then I guess it will take a motion to approve.

MS. GOODNESS: So moved.

MR. FUNCHESS: Second.

JUDGE DOLLINGER: Motion and second to approve Ms. Bettis' application. All those in favor signify by saying "Aye."

(RESPONSE)

JUDGE DOLLINGER: Anybody opposed?

(NO RESPONSE)

JUDGE DOLLINGER: That carries unanimously.

Next is complaints against bondsmen.

MS. GODINA: I don't have any.

JUDGE DOLLINGER: No complaints.

Treasurer's office report: It's on cash and CD's for collateral. Mr. Funchess has just passed that out. Anybody have questions or comments? Is there anything on there, Mr. Funchess, you need to bring to the board's attention?

MR. FUNCHESS: I have one little item on Booger Hollier. He has a CD that's up for renewal, and he wants to move it to another bank closer to him. I'm trying to figure out how to – I have an assignment on that CD. I would have to release the assignment, have him transfer and then reassign it; but I'm exposed to that risk during the transfer. I'm trying to figure out how to do that.

JUDGE DOLLINGER: Do we know what kind of liabilities Mr. Hollier currently has or can that be researched fairly easily?

MS. BRODE: It's on my report.

JUDGE DOLLINGER: It is on your report?

MS. BRODE: Yes, sir.

JUDGE DOLLINGER: Maybe you can help me with your report.

MS. BRODE: Bondsmen – it's the second line item. He has – out of 500,000, he has 365,000 out in bonds.

JUDGE DOLLINGER: Okay.

MR. DAY: But I think the question is: Can he take – he only has the 50,000 up, which is the minimum required. Right?

JUDGE DOLLINGER: That's correct.

MR. DAY: So he won't be able to. Because if he takes it off, it's going to leave him with –

JUDGE DOLLINGER: Well, all he's – he's not planning on taking it off. As I understand Mr. Funchess, he wants to move it from Bank A to Bank B. It's not a get off but just a move.

MR. FUNCHESS: But my risk is in between.

MS. BRODE: Why can't he fund it prior, and then we give the money back?

MR. FUNCHESS: Because he doesn't have an extra 50,000 to put in, I guess.

JUDGE DOLLINGER: Would it be possible to meet him at the institution? I realize that's a little bit of an inconvenience for you, but would it be possible to meet him at the institution where it's on deposit now and then go to the next institution and see it deposited and get your assignment from them? And that way it all happens within the matter of a few minutes.

Mr. Hollier has been in business in this county for eons. I mean, I've been here 30 something years and he's been – he's been working bonds as long as I have been working here, if not longer.

MR. DAY: I don't think he's about to skip away after being in business that long. I just didn't know the proper procedure.

JUDGE DOLLINGER: Right. And I certainly understand your concern and don't want to put you and your office at any kind of risk. I'm just wondering if that might be a method where we could satisfy both concerns – him getting it moved and you staying protected.

MR. FUNCHESS: I don't know. I thought maybe if they released a cashier's check to the other bank and then –

JUDGE DOLLINGER: Or wire transfer.

MR. FUNCHESS: They wouldn't do a wire. I have gone through all of the –

JUDGE DOLLINGER: Okay. Well, if you can come up with a way to stay protected, I certainly don't think there would be any objection to him moving to a different financial institution closer to his place of business or residence but I sure don't –

MR. FUNCHESS: You can't use it one way or the other, so I don't see what it hurts if we keep it where it is but we will try to work something out.

JUDGE DOLLINGER: Okay. Report back to us.

MR. FUNCHESS: But I will not put this bail bond board at risk.

JUDGE DOLLINGER: Okay. Then just report back to us next month just as to whatever you come up with by way of solution, or if not a solution, by way of status quo.

MR. FUNCHESS: Okay.

JUDGE DOLLINGER: All right. Next is the report from the auditor's office. Do you have any items of note that need to be brought to the board's attention?

MS. BRODE: No, sir.

JUDGE DOLLINGER: Wow. I'm shocked. Okay.

Next, Keith, is the concern over bonds over 60 – accusations, surety bonds over 60. And I think you were going to try to have a meeting with the bondsmen, if not –

MR. DAY: We did kind of meet up after the last meeting, and I think we are all in agreeance that we would like to keep the 60 days on everything we can but obviously, you know, for the reasons on the DWI and drug charges, that we also understand, you know, that's not really the courts – not much the court can do about that. So I think – we never really did agree on a – on a – what to change that to, I don't think. You know, I guess that's going to be ultimately up to the judges, but we were all in agreeance that we were okay with the changes on the drug charges and the DWI charges, if that's going to be possible.

JUDGE WOODS: Well, let me ask the DA's office: How much time do y'all need in order to file the DWIs and the drug cases? What's the time as far as getting back the results on the drugs and the DWI blood or breath tests?

MR. KNEELAN: Sure. Drugs are in better shape because the majority of them go local and we're getting that turnaround in a matter of weeks. But blood that has drugs or anything sent to the DPS lab, we're looking at six to eight months. We have no control over that. In fact, with the DPS now contracting out to Tennessee, that's a whole other issue. I don't know what the delay is going to be from that. But I would say six months for DPS, two months for everything else would be fair. And I can't – I wouldn't be able to tell you those numbers. I don't know how much goes to DPS versus – and you wouldn't know that on the face of the case anyway.

JUDGE WOODS: So you're saying that drug cases can be turned around in 60 days?

MR. KNEELAN: If they're local, sure.

JUDGE WOODS: Well, how – what's the – how many locals do we have?

MR. KNEELAN: The vast majority is local. The only hesitation to that is – and, again, it's an issue depending on the agency, if they're holding their cases because of a CI or something like that. But 60 days for drug cases is fine.

JUDGE WEST: Then I think to be safe, it would be better to do the same thing on both just because they do hold – like, I get cases held all the time for different reasons.

MR. KNEELAN: I would agree with that statement.

JUDGE WEST: So if we're going to go up, go up on both the same so it's a little less confusion. All drugs, all DWI, 180 days; everything else, 60 days.

JUDGE DOLLINGER: You think that would be agreeable, Keith, to the vast majority of your colleagues?

MR. DAY: Yeah. I think everybody that was here that day agreed to that. We would just need to – we would have to change the language on the bond -

JUDGE DOLLINGER: Right.

MR. DAY: -- in order to do that. And then obviously we would need time because we get our bonds preprinted so I've got stacks of bonds at my office so I don't know if maybe there is a way to add that somehow.

MS. GARCIA: Slap a sticker on there.

MR. DAY: Stamp, a sticker. I don't know. Once we decide how to do that.

JUDGE DOLLINGER: If you don't mind – if you don't mind bringing that to them and tell them that the board would like to see 180 on alcohol related – misdemeanors and felonies or just –

JUDGE WOODS: All DWI charges and all drug charges.

JUDGE DOLLINGER: Okay. I think we may have a solution there.

And the final is the report of your visit and Tina's visit to the bonding companies.

MS. GODINA: We visited probably more than half, and all were good except for one, which we've talked to Roebuck about numerous time. And we need to visit the ones that are in Beaumont now.

JUDGE DOLLINGER: Okay. The one that you visited with Mr. Roebuck about, is there any action that you believe the board needs to take; or are we waiting on some recommendation from him or has it been resolved?

MS GODINA: We are waiting for him. No, it has not been resolved. We are waiting on him to get a letter together to do a formal complaint.

JUDGE DOLLINGER: Okay. Would you mind, one of the two of you, checking to see if he may be able to have that done by our meeting next month?

MS. GODINA: Okay.

JUDGE DOLLINGER: I know. I know where you are coming from. Just an inquiry. Okay. That's the last of the items on there. Does anybody have any new business they need to take up in front of the board? Hearing none, does anybody have any holdover business that needs to –

MR. DAY: One question on new business, I'm not sure – I don't think this is a bail bond board issue so if it's not, I can just talk to Judge West about this afterwards. We're having an issue at the jail on this, you know, if they're required on – to be on bond to have an interlock device or drug patch, I think we've had this discussion before.

JUDGE WEST: We have.

MR. DAY: And on the interlock device, there was – there is some confusion. Because everything else you can get done while you're in jail. As a matter of fact, Chris goes down and puts the ankle monitors on while they're in jail. But the interlock device is something different.

JUDGE WEST: Right.

MR. DAY: So I was wondering if we can have – because I had a girl – I had talked with Lt. Mills – was it last week? Maybe last week -- a girl that needed to post bond, had to have an interlock device and the jail wouldn't release her. The jail wouldn't release her so I had to end up calling – it was out of Judge Stevens' court but I had to end up calling Lacy and Lacy was able to call the jail.

JUDGE WEST: In talking to – who's at the –

MS. GODINA: Was it Angela?

JUDGE WEST: Major –

MS. GODINA: Cassidy?

JUDGE WEST: Cassidy. And I thought that was all taken care of.

JUDGE DOLLINGER: I've had that same conversation with them, Judge. And I keep trying to explain to them, it is not a condition of release.

JUDGE WEST: It is a condition of bond. It is not a condition of release.

JUDGE DOLLINGER: Correct. And I've tried and tried to get that across to them and it's as if I'm talking to this wall.

JUDGE WEST: Well, they finally found a sheet of paper that was posted on a bulletin board that had some information that was signed by someone at the jail, not a judge but someone at the jail that said before you release anybody with the – not the interlock. The typed part of it had to do with releasing them with GPS monitors and things like that. And then handwritten in a Sharpie at the bottom it said, oh, and same thing for interlock. So he took that down and I specifically asked him to go see if there was anything else ridiculous like that on the bulletin board because it wasn't an order and it doesn't make sense so I don't know how else to say they can't get an interlock while they're sitting in jail. That's just such common sense. So I will call again and talk to whoever I need to out there to say that it's still happening.

JUDGE DOLLINGER: I believe – and I'll have to go back and revisit it – but I believe there is something in the statute that gives a person released with an interlock requirement, a certain number of days after release before the installation.

JUDGE WEST: What about people who don't own cars?

JUDGE DOLLINGER: Exactly. If you don't have – it says on the card, owned by you or most frequently operated by you is the language. Well, if you don't own one and you're not operating one –

JUDGE WEST: Or you choose not to drive. I have people who say, "I'm not going to drive." And I say that's fine. But if you drive a vehicle, every vehicle that you have, has to have it on it.

JUDGE DOLLINGER: Absolutely.

JUDGE WEST: You can't force them. I'm not going to make them drive. It's just their – and again, it's not a condition of release. It's a condition of bond.

MR. DAY: Right. And it's was a simple solution. I mean, I just

picked up the phone and called the judge's office and they contacted the jail and approved it.

JUDGE WEST: You shouldn't have to do that.

MR. DAY: If they're not using me and using another bonding company, they may not know to do that, or may not even call a bondsman because they see that requirement on there.

JUDGE WEST: I'll make another call.

JUDGE DOLLINGER: On the pre-indicted ones that I issue for, Karen and I even spoke of getting a little red stamp that says the requirement for an interlock is a requirement of the bond, not a requirement to be released and make it as plain as we know how to make it on the warrant.

LT. MILLS: A memo has been sent out earlier this year when we talked about this for them not to put it to be released on bond but some of these officers have been on the desk for 12 years and they've have that memo from Lt. Beadle that they had to have it prior to release and they've got it stuck in their brain so it's a matter of retraining them before they'll take it off.

JUDGE DOLLINGER: Okay. Any other business old or new that needs to come before the board before we adjourn? Hearing none, I'll accept a motion to adjourn.

MR. FUNCHESS: I'll move.

MR. KNAUTH: I'll second.

JUDGE DOLLINGER: Moved and seconded that the board adjourn.
All those in favor?

(RESPONSES)

(MEETING ADJOURNED)