

**HARRIS COUNTY BAIL BOND BOARD MEETING MINUTES - February 12, 2020**

HARRIS COUNTY BAIL BOND BOARD

MEETING MINUTES

1001 Preston Street, 9th Floor

February 12, 2020

1:30 p.m.

**HARRIS COUNTY BAIL BOND BOARD MEETING MINUTES - February 12, 2020**

A P P E A R A N C E S

Glenn Strickland, Chairman

Angela D. Rodriguez, Vice Chairman

Michael Butera, designee for District Attorney Kim Ogg

Honorable Amy Martin

Judith Snively, designee for Marilyn Burgess

Troy McKinney, attorney

Dylan Osborne, Harris County Treasurer

Honorable Esmeralda Pena Garcia, designee for Honorable

J. Elaine Marshall

Sergeant Sisto DeLeon, designee for Sheriff Ed Gonzalez

Tommy Ramsey, Harris County's Attorney

Deputy Joseph Jackson, Harris County Sheriff's Office

Leslie Rubio, Recorder, Harris County Sheriff's Office

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## P R O C E E D I N G S

1  
2 CHAIRMAN STRICKLAND: All right. It is  
3 1:30. I'm going to call the meeting of the Harris  
4 County Bail Bond Board for Wednesday, February 12th,  
5 2020 at 1:30 to order. And we're going to go around the  
6 table starting with the Sergeant and introduce yourself.

7 Before we start doing this, I'd like to  
8 remind everybody that what we're doing is recording  
9 these and then having them transcribed. And the ladies  
10 that are doing the transcription sometimes don't hear  
11 your voices, some who are softer spoken.

12 So please lift your voice up and identify  
13 yourself when you're making a motion or doing something.

14 Sergeant ...

15 SERGEANT DELEON: Sisto DeLeon, Sergeant  
16 representing the Harris County Sheriff's Office.

17 HONORABLE GARCIA: Judge Esmeralda Pena  
18 Garcia representing Judge Marshall, City of Houston  
19 municipal courts.

20 MR. BUTERA: Michael Butera representing  
21 Kim Ogg for the District Attorneys Office.

22 HONORABLE RODRIGUEZ: Judge Angela D.  
23 Rodriguez representing the Justice of the Peace.

24 HONORABLE MARTIN: Judge Amy Martin  
25 representing the criminal district court judges.

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1 MR. MCKINNEY: Troy McKinney representing  
2 the criminal defense lawyers.

3 MS. SNIVELY: Judith Snively representing  
4 the district clerk.

5 CHAIRMAN STRICKLAND: And my name is Glenn  
6 Strickland, Chairman representing the bonding community.

7 And I'd like to also note that this is  
8 Judge Rodriguez's first time as vice chair who was duly  
9 elected last month.

10 HONORABLE RODRIGUEZ: Thank you for --

11 CHAIRMAN STRICKLAND: So congratulations.

12 All right. Starting on the agenda, the --

13 A., is reading of the prior minutes.

14 Chair will entertain.

15 MR. MCKINNEY: Move to approve, McKinney.

16 MR. BUTERA: Michael Butera. I'll move to  
17 second.

18 CHAIRMAN STRICKLAND: Any discussion?

19 All in favor, signify by saying aye.

20 THE BOARD: Aye.

21 CHAIRMAN STRICKLAND: Any opposed? Passed.

22 Old business, request made by Allegheny  
23 Casualty Company, Agent William Bill Pastor DBA Pastor  
24 Bail Bonds, License 74471 to return the security  
25 deposit, JP Morgan Chase Bank CD 010-007-0963083 for

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1 \$50,000. JP letters were mailed on 11/26/2019. I  
2 recognize the attorney.

3 (Witness sworn.)

4 CHAIRMAN STRICKLAND: State your name for  
5 the record, please, sir.

6 MR. GOOD: Ken Good, assistant secretary.

7 CHAIRMAN STRICKLAND: And raise your voice  
8 up so we get it.

9 MR. GOOD: Sure. Ken Good, assistant  
10 secretary.

11 CHAIRMAN STRICKLAND: Sergeant ...

12 SERGEANT DELEON: The Sheriff's Office  
13 knows of know past due unpaid judgments.

14 HONORABLE GARCIA: City of Houston, no  
15 undo -- no due past judgments.

16 MR. BUTERA: District Attorneys Office.  
17 There is no issues that I see to returning the  
18 collateral.

19 HONORABLE RODRIGUEZ: JP, no comment.

20 HONORABLE MARTIN: Amy Martin, no comment.

21 CHAIRMAN STRICKLAND: Chair will entertain.

22 MR. BUTERA: Make a motion to approve,  
23 Michael Butera.

24 HONORABLE RODRIGUEZ: Second,  
25 Judge Rodriguez.

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1 CHAIRMAN STRICKLAND: Any discussion?

2 All those in favor, signify by saying  
3 aye.

4 THE BOARD: Aye.

5 CHAIRMAN STRICKLAND: Any opposed?

6 Thank you very much. Passed.

7 MR. GOOD: Thank you very much.

8 CHAIRMAN STRICKLAND: Number 2, request  
9 made by Dennis Kidwell DBA Kidwell Bail Bonding  
10 Services, License No. 74408 to return the security  
11 deposit Partners Bank of Texas CD 4003595 for  
12 \$51,925.75. JP letters mailed on 12/4/2019.

13 Mr. Kidwell is not here because we told him  
14 he did not have to come back. I understand there was an  
15 issue discovered recently. Tell me about the issue.

16 SERGEANT DELEON: So the Sheriff's Office  
17 received notification that that judgment had been paid.

18 CHAIRMAN STRICKLAND: So are we -- the JPs  
19 are clear?

20 SERGEANT DELEON: No. No.

21 MR. BUTERA: There was an unpaid judgment  
22 that has been satisfied, but they are four additional  
23 bonds Mr. Kidwell wrote out of JP 4-1 which are docketed  
24 for a hearing -- a regular docket. It's not a special  
25 unique hearing but it's on a regular docket for February

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1 the 24th, 9:30 a.m., in 4-1. Those are four bonds at  
2 \$200 each. My understanding is they're docketed for  
3 full amount judgments so those cases are still out  
4 there.

5 CHAIRMAN STRICKLAND: When is it set for?

6 MR. BUTERA: February the 24th.

7 CHAIRMAN STRICKLAND: Mr. Kidwell know  
8 about these?

9 SERGEANT DELEON: No. This is (inaudible.)  
10 of them right now. We didn't -- we didn't know that --  
11 he don't know those were --

12 MR. BUTERA: (Inaudible.)

13 SERGEANT DELEON: Uh-uh.

14 MR. BUTERA: Okay.

15 SERGEANT DELEON: As -- as open? No.

16 MR. BUTERA: Right. They're not yet final  
17 so there's nothing he could have done about them --

18 SERGEANT DELEON: Yeah, exactly, exactly.

19 MR. BUTERA: -- but they're docketed for  
20 later this month.

21 SERGEANT DELEON: So yeah --

22 So we received a notification that the  
23 judgment was owed and that one was sent to Mr. Kidwell  
24 and it was paid; but these are not -- they're not money  
25 owed at all right now.

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1 MR. BUTERA: Right.

2 CHAIRMAN STRICKLAND: And these letters  
3 were sent out 12/4.

4 Did the JP where these are out of, they  
5 didn't say anything about these when the letters were  
6 mailed out?

7 MR. BUTERA: I think what the letter is  
8 asking is for unpaid judgments --

9 SERGEANT DELEON: Unpaid judgments, right.

10 MR. BUTERA: -- as opposed to open cases  
11 that have not yet resolved to final disposition.

12 SERGEANT DELEON: Right.

13 MR. BUTERA: So when we did a comb-through,  
14 trying to be more thorough, we found these four pending  
15 cases.

16 CHAIRMAN STRICKLAND: Perhaps we should  
17 rewrite that letter and ask if there's any pending.

18 SERGEANT DELEON: Now, hold on.

19 CHAIRMAN STRICKLAND: Okay.

20 SERGEANT DELEON: That's a responsibility  
21 of the bonding company. I mean, the bonding company  
22 should know what they have out and what they don't have  
23 out.

24 CHAIRMAN STRICKLAND: I'm -- I'm not going  
25 to argue with that.



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1 SERGEANT DELEON: Not the Sheriff's Office;  
2 not the Sheriff's Office.

3 CHAIRMAN STRICKLAND: I'm talking about do  
4 we send these letters. Should we ask that?

5 And I'm just asking. No? Okay.

6 So then ...

7 MR. MCKINNEY: Then if we don't -- if we  
8 don't request the information, how are we going to get  
9 it unless one of us on Board has to look it up?

10 MR. BUTERA: Well, I think we're -- just to  
11 speak for the DA's Office, Michael Butera.

12 We're doing our due diligence in emailing  
13 the court clerks for all 16 JP courts, clarifying -- I  
14 mean, that letter goes out to them so they have an  
15 option to respond to that. We're also asking them, you  
16 know, do you have any unpaid judgments, this is the last  
17 opportunity before the collateral is returned and are  
18 there any pending cases.

19 For misdemeanor A and B cases and felony  
20 cases, there's a good report system. We're able to run  
21 those and tell. For JP, we rely on individual contact  
22 with the court and the clerk's helping us out. I --  
23 they're always willing to do, but it just -- depends on  
24 getting an answer back from them on those issues so ...

25 SERGEANT DELEON: So how much you say that

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1 these are potentially owed (inaudible.)

2 MR. BUTERA: If each case is entered for a  
3 maximum possible judgment, it'd be \$200 per case plus  
4 costs. So they figured out their own cost bills so I  
5 couldn't say exactly what amount that would be. The  
6 defendants returned to custody before the docket, it'd  
7 be less than that.

8 But when we're looking to return  
9 collateral, those are the issues we're looking at: Are  
10 there any pending bonds that are not yet closed? Is  
11 everything clear or not? And I show the reports to the  
12 Board, there are these four pending cases.

13 MR. MCKINNEY: Before I move to table this  
14 for right now, perhaps that's when we get to the rules  
15 later on. That's something we consider to put in the  
16 rules, is to ask the bondmen to represent to us that  
17 there are no open bonds at the time they're requesting  
18 the return of principal.

19 HONORABLE GARCIA: Well, isn't that what he  
20 just asked about putting in the letter for unpaid --  
21 no -- that's something done as a pending?

22 SERGEANT DELEON: No. The difference would  
23 be that the responsibility -- Troy's -- Troy --

24 I'm not going to repeat for Troy -- but  
25 from what I articulated from his comments is he's

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1 putting it on the responsibility of the bondsman that's  
2 actually posting the bond to do his due diligence to  
3 make sure he has nothing outstanding. That way when we  
4 send the letter to say if any judgments are owed, that's  
5 the only things that we're really requesting, right?  
6 Just ...

7 MR. MCKINNEY: I think just if we could  
8 perhaps when we get to talking about the rules put  
9 something in there that ask them to --

10 SERGEANT DELEON: Yeah.

11 MR. MCKINNEY: -- or requires them to  
12 represent to us that there are no open unresolved  
13 bonds --

14 SERGEANT DELEON: Right.

15 MR. MCKINNEY: -- that would affect our  
16 decision about whether to return principal.

17 CHAIRMAN STRICKLAND: I would think that  
18 that would be appropriate.

19 SERGEANT DELEON: I think that would be  
20 fair.

21 MR. MCKINNEY: So with that, I move to  
22 table this current request.

23 CHAIRMAN STRICKLAND: I have a motion to  
24 table.

25 MR. OSBORNE: Second.

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1 CHAIRMAN STRICKLAND: And a second by ...

2 MR. OSBORNE: County Treasurer, Dylan  
3 Osborne.

4 CHAIRMAN STRICKLAND: And any discussion?

5 All those in favor, signify by saying aye

6 THE BOARD: Aye.

7 CHAIRMAN STRICKLAND: Any opposed?

8 MR. BUTERA: And I'll just communicate to  
9 the Board, we will make sure that Mr. Kidwell knows.  
10 Of course, he would have gotten notice of the docket  
11 anyway but we will make sure that it's clear and while  
12 the Sheriff's Department try to communicate with him to  
13 make sure when those judgments are entered, hopefully it  
14 will be clear by the next meeting and --

15 SERGEANT DELEON: Hopefully so, yeah.

16 MR. BUTERA: -- close the door on his  
17 request and get it taken care of.

18 CHAIRMAN STRICKLAND: Number 3, request  
19 made by International Fidelity Insurance Company, Agent  
20 Randy Hampton DBA A Better Bail Bond South, License  
21 No. 74358 to return the security deposit Comerica Bank  
22 CD 7827-500000-2425-1, \$50,000. JP letters mailed on  
23 12/10/2019. Already been sworn in.

24 Sergeant ...

25 SERGEANT DELEON: The Sheriff's Office

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1 knows of no past due judgments hold on ...

2 HONORABLE GARCIA: We had one but it's been  
3 taken care of.

4 MR. BUTERA: So Michael Butera from the  
5 DA's Office. There's no unpaid judgments and no pending  
6 bonds on this license so it appears to be all clear.

7 HONORABLE RODRIGUEZ: No comment from the  
8 JPs.

9 CHAIRMAN STRICKLAND: Chair will  
10 entertain ...

11 MR. BUTERA: Michael Butera. I'll make a  
12 motion to approve.

13 HONORABLE GARCIA: I'll second,  
14 Judge Garcia.

15 CHAIRMAN STRICKLAND: Any discussion?  
16 All those in favor, signify by saying  
17 aye.

18 THE BOARD: Aye.

19 CHAIRMAN STRICKLAND: Any opposed? Passed.

20 MR. GOOD: Thank you.

21 MR. MCKINNEY: Speaking of which, a  
22 reminder about public comments.

23 CHAIRMAN STRICKLAND: You know, there's  
24 always something nagging that you forget to do. And  
25 because of a bill that was passed in the legislature,

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1 everyone is offered the opportunity to comment on  
2 anything that we are talking about or discussing.

3 So if you have a comment that is germane  
4 to the topic, hold up your hand. I will certainly  
5 recognize you and give you your opportunity.

6 Okay. Number 4, request made by James  
7 Roy, Jr. Patterson.

8 MR. MCKINNEY: In the abundance of caution,  
9 perhaps we ought to ask just to be safe if anybody had  
10 any comments other the things we already dealt with so  
11 that we don't get cross (inaudible.).

12 CHAIRMAN STRICKLAND: In the abundance of  
13 caution: Does anybody have anything to say about  
14 anything we've done?

15 All right. Okay? Okay, Troy?

16 MR. MCKINNEY: Yes.

17 CHAIRMAN STRICKLAND: Okay.

18 MR. MCKINNEY: I only say that because  
19 you're aware we're in a lawsuit that's been filed with  
20 respect to this issue. It's pending right now and let  
21 them litigate it. We don't need to.

22 CHAIRMAN STRICKLAND: All right. License  
23 No. 74257 to release all collateral totalling the amount  
24 of \$278,030.75. JP letters were mailed on 2/18/2019.

25 I have a letter in front of me addressed

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1 to the Sheriff's Department, a letter of authorization  
2 appointing a representative for J.R. Patterson who has  
3 some health issues. And he is appointing Ms. Mohwinkel  
4 to speak for him. She has been in the business for a  
5 long time, worked for J.R. Patterson for a long time and  
6 now has a license under this Board and currently in the  
7 business. I don't have a problem with this.

8                   Anyone have a problem with this? Okay.

9                   (Witness sworn.)

10                   CHAIRMAN STRICKLAND: State your name for  
11 the record, please.

12                   MS. MOHWINKEL: Tessa Mohwinkel.

13                   CHAIRMAN STRICKLAND: Sergeant ...

14                   SERGEANT DELEON: This file is our inactive  
15 file. The Sheriff's Office knows of no past due  
16 judgments owed.

17                   MR. OSBORNE: Question. So is this license  
18 essentially --

19                   CHAIRMAN STRICKLAND: It's done.

20                   MR. OSBORNE: Okay.

21                   HONORABLE GARCIA: We have -- it's all  
22 clear with the City of Houston.

23                   MR. BUTERA: Michael Butera from the DA's  
24 Office. Everything is all clear.

25                   HONORABLE RODRIGUEZ: No comment and best

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1 wishes from the JPs.

2 CHAIRMAN STRICKLAND: Chair will entertain  
3 ...

4 MR. MCKINNEY: Troy McKinney, move to  
5 approve.

6 HONORABLE RODRIGUEZ: Second by Judge  
7 Rodriguez.

8 CHAIRMAN STRICKLAND: Any discussion?  
9 All those in favor, signify by saying  
10 aye.

11 THE BOARD: Aye.

12 CHAIRMAN STRICKLAND: Any opposed?

13 Passes. And he'll be getting a check.

14 All right. Under new business, I've got  
15 this -- we're doing to table this till we get to the end  
16 of the agenda for some reasons that have made known to  
17 the Chair.

18 So we're going to go to 2, request made  
19 by Alleghany Casualty Company, Agent John Murphy DBA  
20 A Friendly Bonding Company, the License No. 74463 to  
21 return the security deposit Comerica Bank CD  
22 385106119337 for \$50,000. JP letters mailed on  
23 1/22/2020.

24 And Mr. Good is up who has been sworn in.

25 Sergeant --



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1                   And Mr. Osborne, this is also a license  
2 that is defunct.

3                   Sergeant ...

4                   SERGEANT DELEON: What number is that?

5                   CHAIRMAN STRICKLAND: Number 2.

6                   SERGEANT DELEON: No, no, no.

7                   CHAIRMAN STRICKLAND: This is on John  
8 Murphy.

9                   SERGEANT DELEON: The letters were mailed  
10 out on January --

11                   CHAIRMAN STRICKLAND: 1/22.

12                   SERGEANT DELEON: 22.

13                   CHAIRMAN STRICKLAND: So we don't have  
14 enough time.

15                   Chair will entertain a motion.

16                   CHAIRMAN STRICKLAND: I move to table  
17 this, Judge Garcia.

18                   MR. BUTERA: Michael Butera, I'll move to  
19 second.

20                   CHAIRMAN STRICKLAND: Any discussion?

21                   All those in favor, signify by saying  
22 aye.

23                   THE BOARD: Aye.

24                   CHAIRMAN STRICKLAND: Any opposed?

25                   We're going to table it till next month.

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1 MR. GOOD: Thank you.

2 CHAIRMAN STRICKLAND: Number 3,  
3 notification was given by the International Fidelity  
4 Insurance Company that as of January 16th, 2020, Agent  
5 Judy Grandmason-Warren DBA Access Bonding Service,  
6 License No. 74322 has closed the satellite office,  
7 Access Bonding Service, 407 Fannin Street, Tomball,  
8 Texas 77375, (281) 351-1521.

9 Ken, is she going to kill that number,  
10 too?

11 MR. GOOD: I don't know the answer to that  
12 question.

13 CHAIRMAN STRICKLAND: Or is she going to  
14 transfer that number to the other office?

15 MS. KING: She's transferring --

16 MR. GOOD: The voice behind me said that  
17 she's transferring the number to her regular office.

18 CHAIRMAN STRICKLAND: Okay. So then we're  
19 not going to -- where's Alisha?

20 MR. GOOD: Alisha's right there.

21 CHAIRMAN STRICKLAND: So we're not --  
22 We're not going to cancel that number  
23 then.

24 MS. KING: Correct.

25 CHAIRMAN STRICKLAND: All right.

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1 MS. KING: She's keeping the phone number.

2 CHAIRMAN STRICKLAND: We're going to keep  
3 that phone number.

4 MS. KING: Yes, sir.

5 CHAIRMAN STRICKLAND: So therefore, we're  
6 going to exclude that phone number and we're going to --

7 The Board will note that she's closing  
8 the satellite office, right?

9 MR. GOOD: Yes, that's correct.

10 CHAIRMAN STRICKLAND: Okay. Duly noted.

11 MR. MCKINNEY: Will you have her identify  
12 her full name --

13 MR. GOOD: Yeah.

14 MR. MCKINNEY: -- for the record?

15 MR. GOOD: I was going to say for the  
16 record, her name is Alisha King and she is also the  
17 assistant secretary with International Fidelity and  
18 she's present today, although she was not sworn in.

19 CHAIRMAN STRICKLAND: Okay. Number 4,  
20 request for approval to pay Commissioner's --

21 HONORABLE GARCIA: Can we vote? No? Oh,  
22 it's noticed.

23 CHAIRMAN STRICKLAND: It's a notice.

24 Request for approval to pay Court  
25 Reporters Clearinghouse \$701.50 from the Harris County

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1 Bail Bond Board account for the services rendered on  
2 Wednesday, October 9th, 2019.

3                   Just for the Board's edification, I  
4 thought we were simply recording these for the last  
5 several months, but the recordings are given and  
6 transcribed so that we have a written record of what  
7 happened and that is why we have this fee. You know,  
8 we used to pay them each and every month for coming and  
9 sitting there and taking the notes on what happened. So  
10 this is just to pay them for transcribing.

11                   Any questions?

12                   HONORABLE GARCIA: And this is just for one  
13 hearing?

14                   SERGEANT DELEON: Yes. So in October,  
15 there was a bondsman that was up for renewal and because  
16 of -- it was a property license. Because of the  
17 articulation that he needed to present between the  
18 Board, it was a long transcription and anything over  
19 \$500 has to be approved by the Board. So normally, we  
20 do not see this bill. But because it's over a certain  
21 amount which is the \$500, it's on the agenda to  
22 be approved.

23                   CHAIRMAN STRICKLAND: Right. That is  
24 right.

25                   MR. OSBORNE: It's a question here.

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1                   Is this the right amount? It says on the  
2 bill that it's going to be 820.76 we're paying.

3                   CHAIRMAN STRICKLAND: Sergeant ...

4                   SERGEANT DELEON: We will review the  
5 bill --

6                   MR. OSBORNE: On Day 20, that's fine.

7                   SERGEANT DELEON: Yeah.

8                   MR. OSBORNE: But we're just going to  
9 approval for amount.

10                  SERGEANT DELEON: Yeah. Before -- before  
11 we submitted it to the Treasurer's Office, we'll -- if  
12 there is an additional fee because of the date that  
13 we're actually sending a payment, then we will -- we  
14 will adjust but we went by the top number.

15                  CHAIRMAN STRICKLAND: Chair will  
16 entertain ...

17                  MR. MCKINNEY: I move to approve the amount  
18 of 701.50.

19                  CHAIRMAN STRICKLAND: Is that Troy  
20 McKinney?

21                  MR. MCKINNEY: Yes.

22                  MR. OSBORNE: I would make a friendly  
23 amendment to that, that I would make motion that we  
24 approve up to 820.76 so we don't have to bring this  
25 back.

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1 MR. MCKINNEY: Well, I'm -- I'm not  
2 comfortable doing that because I don't know why we would  
3 be paying an extra hundred nineteen dollars.

4 SERGEANT DELEON: Because we didn't pay it  
5 when they wanted us to.

6 MR. MCKINNEY: Since when do people get to  
7 mandate --

8 SERGEANT DELEON: Since ...

9 MR. MCKINNEY: -- how much extra you pay --

10 SERGEANT DELEON: Yeah. So --

11 MR. MCKINNEY: -- just because you don't  
12 pay it by a certain date?

13 SERGEANT DELEON: In the past -- in the  
14 past --

15 MR. OSBORNE: (Inaudible.).

16 SERGEANT DELEON: No, no, no, no.

17 In the past -- and that is why I said --  
18 I'll confirm. In the past, they do know that it has to  
19 be approved by the Board and they do allow us a grace  
20 period to bring it before the Board and we have went  
21 over in the past and still sent the original amount.  
22 But because it hasn't happened in several months, we'll  
23 verify. So if it has to come back to the Board, I --  
24 you know, we'll just bring it back.

25 MR. OSBORNE: Okay. Well, then I -- I will

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1 rescind my friendly amendment.

2 CHAIRMAN STRICKLAND: All right.

3 HONORABLE RODRIGUEZ: So to clarify, it  
4 seems that we're moving forward with the 701.50 --  
5 Judge Rodriguez -- and perhaps next month if there's an  
6 overage, we could consider that as a separate agenda  
7 item.

8 SERGEANT DELEON: Yes.

9 CHAIRMAN STRICKLAND: Yeah.

10 HONORABLE RODRIGUEZ: That sounds good to  
11 me.

12 MR. OSBORNE: All right. Then I'll second  
13 Troy's original motion.

14 CHAIRMAN STRICKLAND: Announce your name,  
15 please.

16 MR. OSBORNE: Oh. Dylan Osborne, County  
17 Treasurer.

18 CHAIRMAN STRICKLAND: All right. Any  
19 discussion?

20 All those in favor, signify by saying  
21 aye.

22 THE BOARD: Aye.

23 CHAIRMAN STRICKLAND: Any opposed? Passes.

24 MR. MCKINNEY: I wish I could collect  
25 25 percent extra from somebody that doesn't pay me in

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1 30 days.

2 CHAIRMAN STRICKLAND: You and me both.

3 Okay. Notice made by US Fire Insurance  
4 Company, Agent Al Rucker DBA Midtown Bail Bonds, the  
5 License 74596 to change old address 2204 Austin Street,  
6 Houston, Texas 77004 to new location, 2615 Blodgett  
7 Street, B-L-O-D-G-E-T-T, Houston, Texas 77004.

8 This is a notice. Nothings needs -- I  
9 don't -- this is a notice.

10 Are you adding any phone numbers?

11 MR. RUCKER: No.

12 CHAIRMAN STRICKLAND: You're just getting a  
13 new address.

14 MR. RUCKER: Yeah.

15 CHAIRMAN STRICKLAND: That's notice to the  
16 Board.

17 Okay. Six, request made by Accredited  
18 Surety and Casualty Compnay, Inc., Agent Beverly Walker  
19 DBA Hassle Free Bail Bonds, License No. 74528 to  
20 return the security deposit, JP Morgan Chase Bank, CD  
21 0100073320260, 50,000 and replace it with a new  
22 certificate of deposit. JP letters mailed on  
23 2/4/2020.

24 Now, for the Board, what's going on here  
25 is they're wanting one CD back and replacing it with



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1 another.

2                   You're here to testify?

3                   MR. BELL: Yeah.

4                                 (Witness sworn.)

5                   CHAIRMAN STRICKLAND: And state your name  
6 for the record.

7                   MR. BELL: Steven Bell. I represent  
8 Accredited Surety and Casualty.

9                   CHAIRMAN STRICKLAND: Thank you very much.

10                                 And so even though the letter just went  
11 out on the 4th, what they're doing is they're asking for  
12 their old CD back and putting a new one in to replace it  
13 so we're whole.

14                                 Is that not correct, sir?

15                   MR. BELL: That's correct. So the little  
16 back story on while these are going on. Chase and  
17 Mr. Butera and I had this conversation last week --  
18 really over the last --

19                                 Chase announced a couple of years ago  
20 that they did not want to be in the bail-related  
21 business anymore so they wouldn't sign control and  
22 transfer agreements. So CDs began to shift to other  
23 places. And then over the last -- probably year, year  
24 and a half, we've been moving CDs away from Chase at  
25 Chase's request to get out of that business. And these

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1 are actually the last four CDs, is my understanding,  
2 that remain with Chase. I moved some with Fort Bend a  
3 couple of months ago and I moved some in Dallas ear --  
4 or actually I think the opposite, Fort Bend and then  
5 Dallas. This is just a -- these --

6                   The first two, Ms. Walker, those are even  
7 swap-outs. One of them for Michael Cox we put in a CD  
8 but we're requesting the full CD to come back out. And  
9 then the only one that we didn't do that was with Wisam.  
10 We're requesting the release of the CD --

11                   CHAIRMAN STRICKLAND: Let's stuck with the  
12 one --

13                   MR. BELL: Okay.

14                   CHAIRMAN STRICKLAND: -- that we've got  
15 here, okay.

16                   MR. BUTERA: Well, they're --

17                   MR. BELL: You think -- you want to start  
18 with Beverly?

19                   MR. BUTERA: They're all the same issue,  
20 although they're not treated in the same way. So I  
21 don't if you want to get into ...

22                   MR. BELL: We could do it line item --  
23 let's do agenda item one at a time.

24                   CHAIRMAN STRICKLAND: I would ask you this,  
25 Steve: This request is made by Accredited.

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1 MR. BELL: Correct.

2 CHAIRMAN STRICKLAND: Is Beverly Walker  
3 still with Accredited or did they change companies?

4 MR. BELL: No. She's with US Fire now.

5 MR. BUTERA: But she has an outstanding  
6 liability of a hundred thirty-nine thousand dollars in  
7 bail on the books, correct?

8 MR. BELL: Correct. She's still -- she  
9 still -- she's still hasn't --

10 She still has a responsibility to run off  
11 the liability.

12 MR. BUTERA: Correct.

13 MR. BELL: Then roll it back to Accredited  
14 through a contractual agreement, goes to US Fire --

15 CHAIRMAN STRICKLAND: But that license is  
16 dead.

17 MR. BELL: Yeah. There's no bail -- no  
18 bail is being written on any of these licenses and  
19 haven't been for at least since they were here and got  
20 re-licensed six months ago.

21 CHAIRMAN STRICKLAND: So basically he's  
22 just swapping out money. Am I wrong?

23 MR. BUTERA: Are you asking ...

24 CHAIRMAN STRICKLAND: I am.

25 MR. BUTERA: So for this -- I mean, that

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1 was probably a better question for Mr. Bell. But for  
2 this license, yes; for future licenses, no.

3 CHAIRMAN STRICKLAND: I know; but I'm  
4 wanting to talk about this.

5 MR. BELL: Correct.

6 MR. BUTERA: Yes.

7 MR. BELL: Correct.

8 CHAIRMAN STRICKLAND: This is the one that  
9 we're talking about.

10 MR. BUTERA: So Steven, is this a 50 --

11 What is currently up as collateral for  
12 this license for Ms. Walker?

13 MR. BELL: A 50 plus the interest but it's  
14 basically -- 50 new -- 50 new monies been put up. It's  
15 been verified and we're just asking the Chase CD be  
16 replaced -- be returned. It's an even -- theoretically  
17 it's an even swap.

18 MR. MCKINNEY: The new CD --

19 CHAIRMAN STRICKLAND: So it's just going to  
20 be a swap. Yes, ma'am ...

21 MR. BELL: The new CD --

22 The new CD's been -- it's been released  
23 by the Treasurers Office. They've received it.

24 MR. MCKINNEY: Okay.

25 HONORABLE GARCIA: But I do want to make a

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1 note -- and we discussed this earlier -- that this  
2 license has a past due amount of almost \$2,000 with the  
3 City of Houston.

4 MR. BELL: Correct. And you made me --

5 You made me aware of that this morning  
6 and it's also my understanding that Ms. Walker had also  
7 spoke with Mr. DeLeon. She was going to take care of  
8 that. I didn't know about that until we walked in the  
9 meeting. It really wouldn't affect what we're doing  
10 today because there's still going to be \$50,000 saved in  
11 there if something were to happen but I would anticipate  
12 she will take care of it. And I will assure the Board  
13 with regard to her and one other individual, they'll be  
14 getting a phone call from me on my drive back to Dallas  
15 today to talk to them about it.

16 MR. BUTERA: Just a couple of clarifying  
17 questions, if I may. So Michael Butera from the DA's  
18 Office.

19 Has Chase submitted any kind of  
20 documentation to Accredited or a letter or some kind of  
21 demand that this collateral be taken down in any way or  
22 is this a friendly request based on their desire to no  
23 longer be in the bail bonding business?

24 MR. BELL: This -- this is a request by  
25 Chase. It began with -- in some -- for some emails

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1 after you inquired to me last Thursday. Back in like  
2 2016, they indicated that they didn't -- they did not  
3 want to be in the bail-related business anymore so they  
4 were no longer going to sign control and transfer  
5 agreements and things of that nature.

6 So what that cost was at that point, then  
7 they kind of had a friendly agreement that they would  
8 begin to pull their business away from them, being this  
9 business and some related business to -- because they  
10 had collateral accounts and things of that nature with  
11 Chase.

12 Slowly, we've pulled the CDs away. We  
13 were doing that as far as back as maybe 18 months and go  
14 and moved it and if you look, a lot of newer CDs with  
15 Iberia. And then it so happens that Accredited went  
16 through the change -- as the Board is aware -- into  
17 US Fire early last year so that kind of came to a stop.  
18 And then ones they got all that cleared, August --  
19 September, then Accredited reached back out to me again.  
20 We had conversations about the CDs and they indicated  
21 that they -- in the initial emails, they had told them  
22 that if you -- they need to be taken care prior to the  
23 CD renewing or they weren't going to renew the CDs.

24 Because Accredited was working with them,  
25 they got comfortable with them. And they said as long

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1 as you're working out of the business we're not just  
2 going to put a halt to it but there is concern that when  
3 these CDs come due. That's why -- that's --

4 One of these were actually scheduled. I  
5 think all these CDs come up for renewal like in March  
6 and April. So when we visited back in the fall, we  
7 looked at dates where I was available and we could get  
8 CDs in place to be able to come and replace them.

9 MR. BUTERA: So the control and transfer  
10 agreements are already in place for these CDs obviously  
11 because they've been pledged as collateral sometime ago.

12 MR. BELL: Correct.

13 MR. BUTERA: When you say they expire --  
14 not being a financial person, maybe you guys should --  
15 could shed some light on this.

16 What authority would Chase have to step  
17 away after signing and agreeing to totally relinquish  
18 any rights to that money because it's being pledged to  
19 the Board -- and I'll just clarify for the Board. This  
20 is not so much an issue on this agenda item but it will  
21 be as we go forward.

22 What rights would Chase have after  
23 signing away any legal right to that money to come back  
24 behind it and say, "Well, now actually we're going to  
25 step away from that CD."?

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1                   Maybe I just don't understand the nature  
2 of the expiration or --

3                   MR. BELL: Well -- well, I can't -- I'll be  
4 honest with you. I can't answer that question. Maybe  
5 someone that is financially back but I can --

6                   SERGEANT DELEON: So I've got bank accounts  
7 with --

8                   CHAIRMAN STRICKLAND: Gentlemen, I have to  
9 know the nosey answer.

10                  MR. OSBORNE: David Chang, for assistant  
11 treasurer.

12                  CHAIRMAN STRICKLAND: Step up here,  
13 Mr. Chang.

14                  MR. OSBORNE: That's my body guard.

15                  CHAIRMAN STRICKLAND: And he's a --

16                         He's a resource member with the  
17 Treasurers Office so he doesn't need to be sworn in.

18                  MR. CHANG: Dave Chang with County  
19 Treasurers Office.

20                  CHAIRMAN STRICKLAND: There you go.

21                  MR. CHANG: So Chase actually --

22                         So as long as the CD is outstanding --

23                         So there are people who buy CDs, put them  
24 in their safety deposit box and then 50 years later,  
25 don't even bother. They still have a right and an



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1 obligation to honor the CD as long as the certificate is  
2 available. So they technically cannot step away from  
3 it, but what they're doing is they're inquiring for all  
4 the Casualty companies that they no longer want to be in  
5 the business, please replace our CDs.

6 MR. OSBORNE: Basically, they just wouldn't  
7 renew it.

8 MR. BELL: That is correct.

9 MR. BUTERA: Well -- and I guess that's my  
10 secondary question.

11 What is the effect of a nonrenewal if it  
12 is not revocable? Does it come associated with an  
13 expiration date?

14 MR. CHANG: All CDs have an expiration  
15 date, but it has more to do with a resetting of the  
16 interest. So you're locking into an interest rate for a  
17 certain period of time. So let's --

18 In my previous example -- let's say 20  
19 years later somebody finds it. If it was only a  
20 one-year CD, you got the stated rate on the CD  
21 certificate for that one year. Then it becomes a bank  
22 set rate and it's a much lower rate than the CD rate.

23 MR. BUTERA: I see. So the fact -- not the  
24 viability of the corpus of the CD but rather what  
25 interest you were earning on the CD.

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1 MR. CHANG: That is correct.

2 MR. BUTERA: Sorry if everyone knew that.  
3 I did not. Okay.

4 CHAIRMAN STRICKLAND: So basically --  
5 Yes, sir ...

6 MR. GOOD: I want to add one thing to that.

7 MR. MCKINNEY: State your name.

8 MR. GOOD: Ken Good.

9 We've had one instance in the bail bond  
10 world where a bank has signed a control and transfer  
11 agreement and then in the pack -- and then closed out  
12 the CD. And because of the transfer and control  
13 agreement, the Bail Bond Board actually signed -- sued  
14 the bank and they had to pay the money twice. So your  
15 control is through the transfer and control agreement  
16 and that gives you control you would not otherwise have.  
17 So I mean, it -- so I think you're --

18 What you're saying, Michael, is right. I  
19 think -- can't walk away as long as they've executed  
20 that. But if the Board wants the discretion to allow  
21 that, they can.

22 MR. BUTERA: That's helpful. Thank you.

23 HONORABLE RODRIGUEZ: But I'd like to  
24 know -- Judge Rodriguez. Why was the JP --

25 Why were the JP letters mailed just

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1 merely seven days ago and then you wished to move  
2 forward with this?

3 MR. BELL: Because I --

4 Because my request needed to be in ten  
5 days and because this is a -- this -- n

6 The effect of the JP letters would be if  
7 I was asking for the money back but I wasn't replacing  
8 it or my company -- my client wasn't replacing it.

9 HONORABLE RODRIGUEZ: I understand the  
10 effect. I'm talking about the rules, sir.

11 MR. BELL: About the rule --

12 HONORABLE RODRIGUEZ: It was a mere seven  
13 days ago. That was my question.

14 MR. BELL: Because when I spoke with Leslie  
15 about we needed to have it on the agenda and had the CDs  
16 up by was ten days prior to the meeting. We started  
17 working on this about a month ago so ...

18 HONORABLE RODRIGUEZ: Thank you.

19 CHAIRMAN STRICKLAND: So basically, we're  
20 replacing CDs. We're still -- Harris County still has  
21 the same amount of money --

22 MR. MCKINNEY: I want --

23 CHAIRMAN STRICKLAND: -- in security.

24 MR. MCKINNEY: I want to make sure I  
25 understand. You have already placed with the treasurer

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1 a new CD and a new command and control agreement from  
2 that bank.

3 MR. BELL: Yes, sir.

4 MR. MCKINNEY: On a new CD.

5 MR. BELL: Yes.

6 SERGEANT DELEON: Yes. We received  
7 notification from the Treasurers Office.

8 MR. MCKINNEY: Okay.

9 SERGEANT DELEON: A new CD was already in  
10 place.

11 CHAIRMAN STRICKLAND: So you already have  
12 the money.

13 MR. MCKINNEY: I'm going to move to approve  
14 the request, McKinney.

15 HONORABLE RODRIGUEZ: Second by  
16 Judge Rodriguez.

17 CHAIRMAN STRICKLAND: Any discussion?

18 All those in favor, signify by saying  
19 aye.

20 THE BOARD: Aye.

21 CHAIRMAN STRICKLAND: Any opposed?

22 The motion passes. Thank you, sir.

23 Okay. Number 7, request by Accredited  
24 Surety and Casualty Company, Inc., Agent Christopher  
25 Libby DBA Abacus Bail Bonds, License 74510 to return the

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1 security deposit, JP Morgan Chase Bank CD 0100072959086,  
2 \$50,000 and replace it with a new certificate of  
3 deposit. JP letters mailed on 2/4/2020.

4 Mr. Bell is still at the podium having  
5 been sworn in.

6 Is this identical to what we just did?

7 MR. BELL: Yes, sir. It's identical.

8 CHAIRMAN STRICKLAND: And they've already  
9 got the money.

10 MR. BELL: Want to -- yes, sir. But it's  
11 in --

12 HONORABLE GARCIA: And we also talked.

13 MR. BELL: There's some tickets owed --  
14 yeah.

15 HONORABLE GARCIA: Abacus has outstanding  
16 past due amount of \$500. So I've talked with --

17 MR. BELL: Yes, ma'am.

18 HONORABLE GARCIA: -- with you about that.  
19 You're going to advise them to ...

20 MR. BELL: I'm going to them on the way  
21 back.

22 MR. OSBORNE: Chair, just out of my  
23 curiosity -- the Treasurer.

24 At what point do those types of past due  
25 balances -- what type of --

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1                   What point are they called? You know,  
2 what point do we dip into those CDs to pay the City?

3                   MR. BELL: Well, I think you --

4                   MR. OSBORNE: I mean, I'm not saying -- I'm  
5 not suggesting --

6                   MR. BELL: No, no. I understand. I -- I  
7 mean, I --

8                   HONORABLE GARCIA: Well, I'm curious, too.

9                   MR. BELL: Yeah. I --

10                  The answer is I think once you figure out  
11 that somebody is not going to pay it -- but I -- I was  
12 totally unaware of it. I don't even know prior to today  
13 who knows about it but I'm sure they'll be taken care  
14 of.

15                  MR. MCKINNEY: The real kicker is if there  
16 is an outstanding unpaid judgment over, I believe,  
17 30 days old, their ability to write future bonds stops.

18                  MR. BELL: Correct.

19                  MR. BUTERA: Actually the day that it is  
20 passed due. So for a regular judgment, that would be  
21 30 days. If a motion for your trial had been filed, we  
22 give them a hundred and five days. But at that  
23 point speaking for the Harris County DA's Office, we  
24 notify the Sheriff's Office -- if they're tired of  
25 getting our emails, I know -- of a past due judgment.

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1 They then take action under the code. And as  
2 Mr. McKinney said, the licensed surety is not allowed to  
3 write bail from that point forward until that judgment  
4 is satisfied.

5 We are in communication with the surety  
6 to try to give them time to satisfy those judgments but  
7 then we will execute against any collateral held to  
8 satisfy those judgments, if necessary. Sometimes it  
9 would be insufficient. Sometimes it would involve the  
10 sale of real property which is difficult for everyone  
11 involved. And so -- and try to get them paid, you know,  
12 but -- and hold off on execution for a while to try to  
13 make that happen but we're monitoring that actively on a  
14 daily basis.

15 MR. BELL: And I don't --

16 And I don't know if -- since I learned  
17 this morning -- they could be 30 days and they could be  
18 a hundred and thirty days. We didn't -- at least I  
19 didn't know anything about it or did Accredited before  
20 this morning.

21 MR. BUTERA: Those are municipal judgments  
22 you're talking about.

23 MR. BELL: Correct. Yeah. I didn't -- and  
24 then --

25 HONORABLE GARCIA: Can I have your

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1 personal --

2 MR. BELL: As far as I know, Accredited  
3 doesn't know anything about it.

4 HONORABLE GARCIA: Can I have your personal  
5 cell phone?

6 MR. BELL: You can. Everybody else says  
7 it.

8 CHAIRMAN STRICKLAND: So with the knowledge  
9 that there's \$500 in municipal judgments, you're going  
10 to take that to get Mr. Libby to clear that up.

11 MR. BELL: Yes, sir, correct. I will --

12 CHAIRMAN STRICKLAND: Okay?

13 MR. BELL: I get back with him today. I  
14 don't know. As I said, I don't know what their back --  
15 how old they are or what they are and all --

16 CHAIRMAN STRICKLAND: No. I understand,  
17 but you're going to focus on it.

18 MR. BELL: Yes, sir, I will.

19 CHAIRMAN STRICKLAND: That's the important  
20 thing.

21 MR. BELL: Yes, sir.

22 CHAIRMAN STRICKLAND: All right.

23 MR. MCKINNEY: Well, this one like the  
24 prior one, there's already a new CD deposited with the  
25 treasurer and a command and control agreement to go with



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1 it.

2 MR. BELL: Correct.

3 SERGEANT DELEON: Correct.

4 CHAIRMAN STRICKLAND: Right?

5 SERGEANT DELEON: Correct.

6 CHAIRMAN STRICKLAND: So there's money  
7 that's already replacing it.

8 MR. BELL: Correct.

9 MR. BUTERA: For the record, the  
10 clarification question -- because we're doing Item  
11 No. 7, the amount collateral currently up is how much  
12 for this license?

13 CHAIRMAN STRICKLAND: 50,000.

14 MR. BELL: It's the same amount. It's 50.  
15 It's 50,000 plus whatever the accrued interest is and  
16 it's being replaced with the 50. So it's not exact quid  
17 pro quo but basically quid pro quo.

18 MR. BUTERA: Fifty thousand was the initial  
19 deposit.

20 MR. BELL: Yes.

21 MR. BUTERA: And then you're seeking to  
22 replace it with ...

23 MR. BELL: Fifty.

24 MR. BUTERA: Okay.

25 MR. BELL: Or it's been replaced. Fifty is

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1 already owed.

2 MR. BUTERA: Fair enough.

3 MR. BELL: Correct.

4 CHAIRMAN STRICKLAND: Chair will  
5 entertain ...

6 MR. MCKINNEY: I move to approve, McKinney.

7 MR. OSBORNE: Second, county treasurer.

8 CHAIRMAN STRICKLAND: Any discussion?

9 All those in favor, signify by saying  
10 aye.

11 THE BOARD: Aye.

12 CHAIRMAN STRICKLAND: Any opposed?

13 Motion passes.

14 Number 8, request made by Accredited  
15 Surety and Casualty Company, Inc., Agent Michael Cox DBA  
16 Cox Bail Bonds, License 74520 to return the security  
17 deposit, JP Morgan Chase Bank CD 0100073262951, \$50,000  
18 replace of a new CD. JP letters mailed on 2/4/2020.

19 Is this the same song, second verse?

20 MR. BELL: No, not -- this one's not. That  
21 one is a 300,000-dollar CD.

22 MR. BUTERA: Yes. So --

23 MR. BELL: That's not -- that's not --

24 That's not a 50,000 dollar --

25 MR. BUTERA: These are where my concerns

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1 begin.

2 MR. BELL: Correct.

3 MR. BUTERA: Michael Butera from the DA's  
4 Office. So we're addressing Agenda Item No. 8 for  
5 Mr. Cox's Accredited Surety & Casualty license. The  
6 initial or -- that's the way I want to say it.

7 How much total collateral was up for this  
8 license?

9 MR. BELL: 300,000.

10 MR. BUTERA: So 300,000.

11 MR. BELL: But it is -- it is more but it  
12 is -- it's not multiple CDs. It's one CD. So when the  
13 initial CD was put up consistent with local rule, a  
14 \$300,000 CD was put up.

15 MR. BUTERA: So ...

16 MR. BELL: So what we're requesting is  
17 we've put a 50,000-dollar CD up which meets the mandate,  
18 a requirement of 1704. This account is -- it's --  
19 actually, I think this one may be --

20 They're all inactive accounts. They all  
21 have moved over to US Fire. So we're requesting the  
22 release -- that was put up to have the capability to  
23 post a large bond. But that -- that -- moving forward,  
24 there had been no bonds posted on these accounts, I  
25 guess, for 90 days and they can't post bonds on --

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1 MR. BUTERA: So Mr. Cox had the benefit of  
2 the \$300,000 in collateral when he was operating and he  
3 used that to post what's still a current liability of  
4 \$1.4 million to the county. When I say that, I'm not  
5 trying to create a concept that you owe 1.4 million. I  
6 mean, that there are outstanding bonds that if every  
7 single one of those defendants missed court and filed --  
8 full amount judgments were entered in each and every  
9 case, the maximum potential exposure on this license  
10 would be \$1.4 million plus court costs so a little bit  
11 more than that.

12 So he had those 3,000 -- 300,000-dollar  
13 collateral up when he posted up all that bail but now  
14 you want to take back \$300,000 and replace it with only  
15 \$50,000.

16 MR. BELL: That's -- that's literally an  
17 inaccurate misstatement.

18 MR. BUTERA: Tell me what's inaccurate  
19 about that.

20 MR. BELL: Because we could have put up  
21 50,000. It had unlimited writing capability. The  
22 300,000-dollar capability was for a single bond posting  
23 by a local rule for which it's here in Harris County.

24 MR. BUTERA: So I say --

25 MR. BELL: So I don't know that he --

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1 MR. BUTERA: What's inaccurate?

2 MR. BELL: So I don't know -- no. Because  
3 the 300,000-dollar CD didn't allow him to post 1.2  
4 million. The 300,000-dollar CD allowed him to post a  
5 single bond of 300,000. He could had 50 up and had 50  
6 million in liability if he had accrued a ton of small  
7 bonds so that's --

8 MR. BUTERA: So it's true to say that  
9 insurance companies down write on a ratio like property  
10 companies do.

11 MR. BELL: That's actually incorrect.

12 MR. BUTERA: That's also true to say that  
13 there's a local rule in Harris County --

14 MR. BELL: That's correct.

15 MR. BUTERA: -- which is still a local rule  
16 and has not been changed --

17 MR. BELL: True.

18 MR. BUTERA: -- which requires a surety to  
19 put up -- to not post any bonds greater than the amount  
20 of the total collateral they have up.

21 Is that correct?

22 MR. BELL: I would agree with you. And I  
23 actually taken a look at the local rule depending on how  
24 you define it. The local rule says that a licensee  
25 shall not post a bond greater than for which they have

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1 up.

2 And my question to you would be who is  
3 licensee here?

4 For Accredited, it's the licensee. They  
5 currently have over a million dollars up over the  
6 plethora of their accounts.

7 MR. BUTERA: So my question for you is:  
8 You're taking down 300 and you want to substitute 50 for  
9 it.

10 MR. BELL: We've already put up 50 and  
11 that's correct. If we run off the liability, he's -- he  
12 writes for US Fire now but all of these accounts are  
13 Accredited and the agents. Through the contractual  
14 agreement, we'll run it off.

15 MR. BUTERA: So why not for every other  
16 license where you're doing this where you're  
17 substituting like for like, why are you seeking to do it  
18 otherwise in this case?

19 MR. BELL: Because this -- because this  
20 exceeds the mandatory requirement of 1704 --

21 MR. BUTERA: Then why did you put up the  
22 300,000 in the first place?

23 MR. BELL: So that based upon the local  
24 rule from which you've referenced, no single bond can be  
25 posted greater than that for which a licensee has up.

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1 If the licensee here is Accredited, I make the argument  
2 they've got a million dollars up right there. It  
3 determines whether you're talking about licensee or  
4 agent.

5 MR. BUTERA: That's an interesting  
6 argument, one which you've never used when you were  
7 actually putting up collateral before, right?

8 You chose to put up \$300,000 for Mr. Cox.

9 MR. BELL: That's -- that -- you're exactly  
10 right.

11 MR. BUTERA: Okay.

12 MR. BELL: And I will -- and I will tell  
13 you that, that rule has been a rule that I have pondered  
14 with Mr. Strickland. Mr. Good and I have discussed it.  
15 Several of us have discussed that rule. Because I don't  
16 know that it's necessarily applicable based upon the way  
17 I read 1704 but we've always done it. But in the  
18 process of backing this out, it's rather -- at this  
19 point, it's a rule that you and I had a conversation  
20 about it Thursday which you indicated was not a redline  
21 item that you thought was going to be taken out but I  
22 thought it was based upon a conversation in December.  
23 But I know those rules are bouncing along down the road  
24 so that may or may not happen. That being said, it's  
25 whether or not the Board wants to hold up -- I mean --

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1 that money if you want to hold that money hostage.

2 MR. BUTERA: You know, that's the whole  
3 concept of collateral. I think that's an unfair  
4 characterization. The whole concept of collateral is  
5 that you put up collateral with the -- which gives you  
6 the opportunity to post bail and that collateral is  
7 held -- not held hostage. It's held because you've  
8 chosen to work with a bank to put that collateral up  
9 with the county to give you the privilege of writing the  
10 bail against that collateral.

11 MR. BELL: That's correct. But the anomaly  
12 difference here is in any other county we would treat  
13 this like a property bondsman. So as he began to wind  
14 it down, you could pull it down. Because this is not a  
15 property account, I don't have that liberty here. So I  
16 guess my question -- hold on.

17 My question would be then: At what point  
18 are we allowed to take that money back down? Because we  
19 clearly have an excess of the 500,000 that 1704  
20 requires. So is it if the rule changes in a few months,  
21 then we can move to take the money down?

22 Because I don't have the -- as I said  
23 because we down write on ratios, if you got up the  
24 three -- if you have \$300,000 up, then you could write  
25 the 3 million. When I bring that down to 2 million, I'd



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1 have the right to come in and request a hundred thousand  
2 back from the Board if we were a property bondsman.

3 Because we're not, we don't have that luxury. So we're  
4 kind of trying to -- tried to work in between the two.

5                   So yeah, I'm asking the Board to do that.  
6 I'm asking the Board to exchange the 50 which is what  
7 1704 requires and that would obviously not allow Mr. Cox  
8 to be able to put any bonds but he's not posting bonds  
9 on this account anyway. He's writing for you -- he's  
10 writing for US Fire and through another account.

11 There's still -- you still -- you still have a corporate  
12 surety standing behind it.

13                   MR. MCKINNEY: Am I --

14                   Did I understand your implication correct  
15 that you are suggesting that perhaps the local rule on  
16 not writing a bond larger than what's on deposit may  
17 conflict with 1704 in some way?

18                   MR. BELL: Yes, sir, that's correct.

19                   I'm not aware -- for that, I'm not aware --  
20 and maybe Ken can -- I'm not aware of any other county  
21 that interprets it that way.

22                   MR. GOOD: I think there may be one other  
23 county that may have a similar local rule but I think  
24 it's Dallas. I know it applies to property bondsmen,  
25 not the corporate. I mean -- I mean, it is the current

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1 local rule. The Board's in discussions about changing  
2 the local rule but it is the current local rule.

3 MR. MCKINNEY: Here's my sense. My sense  
4 is -- and I don't know the merits of that argument. I  
5 haven't looked at that. I would certainly like to. I  
6 think it would be prudent for us to perhaps ask the  
7 county attorney to look at that as well.

8 Given that we have a rule that says --  
9 even though this is a collateral swap and we've done it  
10 on the others -- that we've kind of walked away from the  
11 30-day rule because there really weren't outstanding  
12 liabilities that mattered.

13 My suggestion would be that we table this  
14 and look at that issue between now and next month and --  
15 yeah.

16 CHAIRMAN STRICKLAND: I -- I --

17 MR. BELL: I visited with -- I mean, I was  
18 going to say I had visited with the county attorney --  
19 been probably a month or so ago about it so he might  
20 have had an opportunity to look into it for a few --

21 CHAIRMAN STRICKLAND: I have a question.

22 MR. BELL: Yes, sir.

23 CHAIRMAN STRICKLAND: The local rule that  
24 you were just recently discussing about writing a bond  
25 only to the size the amount of deposits that you have up

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1 -- and while it hasn't been redlined yet, it's on shaky  
2 legs, okay.

3 My question is: On the liability left on  
4 that license, what is the largest bond that he has?

5 MR. BELL: I have to check and see. I was  
6 trying to get in the system last night. It kept kicking  
7 me out so --

8 CHAIRMAN STRICKLAND: Because --

9 MR. BELL: Correct.

10 CHAIRMAN STRICKLAND: If you're operating  
11 under the current rule -- which it hasn't been taken out  
12 yet -- then he should leave at least the amount that  
13 of the highest bond that he has written. If he's  
14 written a 200,000-dollar bond, then they could get a  
15 hundred thousand back. But if he's written a  
16 300,000-dollar bond, that would stay there until that  
17 case was deposited.

18 MR. BELL: So agreed. And so what. If we  
19 can get that flexibility -- I told you it does  
20 complicate this a little bit -- is the fact that whoever  
21 did this initially, they put up one 300,000-dollar CD  
22 which is having done all this. I wouldn't have  
23 recommended that.

24 So that being said, I would have no  
25 objection to trying to figure out what that is and then

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1 making up the differential.

2 CHAIRMAN STRICKLAND: I -- I would --

3 MR. BELL: I believe it may -- but again,  
4 Mr. Butera, I indicated he had checked the list. And I  
5 thought he -- and again, I don't want to speak out of  
6 turn. We've talked for about 30 minutes. I would want  
7 to check first, but I don't think there's a bond that  
8 large. I think it was maybe a hundred.

9 MR. BUTERA: I don't remember which license  
10 we were looking at. We did find one 100,000-dollar  
11 bond.

12 MR. BELL: And I think it was -- I think it  
13 was the --

14 MR. BUTERA: It was the 100,000-dollar  
15 bond.

16 MR. BELL: I think it was -- I think it was  
17 that one.

18 MR. BUTERA: Sitting aside this local rule  
19 discussion, can you cite for us -- and maybe I'm just  
20 not thinking of this properly. The whole concept of the  
21 collateral is that we as the Board have held the  
22 collateral until all the runoff has gone. That's what  
23 we did this whole first part of the meeting about.

24 MR. BELL: Uh-huh.

25 MR. BUTERA: We held up --

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1 MR. BELL: Correct.

2 MR. BUTERA: -- Mr. Kidwell's return for  
3 four JP cases.

4 MR. BELL: Correct.

5 MR. BUTERA: Where have --

6 Where has the Board done a partial  
7 release of collateral with things still pending, much  
8 less \$1.4 million still pending. I think you kind of  
9 floated that as a concept that -- that if you were  
10 operating under some other model, you would be entitled  
11 to come back and ask for some overage of collateral.  
12 When --

13 When have you seen that happen or when  
14 does that happen?

15 MR. BELL: Well, it -- it happened with  
16 property bondsmen which you don't see a lot of anymore  
17 but you have to understand that we're walking into  
18 unchartered territory because you're the only Board that  
19 has anybody coming up and putting up greater than a  
20 50,000-dollar CD.

21 So every other county that I operate in,  
22 the CD is doesn't come back until the liability is run  
23 off because it's -- because the mandatory minimum 50,000  
24 so it doesn't matter if there's 1500 on there. You're  
25 still -- you could -- well, there some variables to

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1 that. But basically, until the liability comes down  
2 because it's 50,000 for all of the agents that are out  
3 there.

4                   What makes this different is because in  
5 this matter these CDs are all over the Board. The  
6 next -- the next agenda item, there's a couple CDs that  
7 are variable amounts. So I guess are we stuck -- are we  
8 stuck with that simply because that -- that was the rule  
9 and how are we going to treat it?

10                   Under a property situation, you could  
11 pull it down. And then even in this matter when we  
12 talked about it at 1.4 -- 1.5 million, maybe they put up  
13 an additional CD and they can pull part of it down but  
14 you're holding up 300,000 --

15                   MR. BUTERA: And just to clarify, we're  
16 doing this because Chase signified to you years ago that  
17 they really maybe not want to be in the bonding business  
18 anymore. You've had no demand from Chase. You've had  
19 no written request even. I asked you if you could maybe  
20 document for me what the impetus was for Chase and you  
21 said you would look into it but we haven't received  
22 anything.

23                   What -- "We're doing this just because Chase  
24 says, 'Hey, we don't want to really have these out there  
25 anymore.' "

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1                   And so we're jumping through all these  
2 hoops of doing this based on that or are there other  
3 reasons for doing it?

4                   MR. BELL: We're doing it because Chase  
5 requested several years ago that they no longer wanted  
6 to be in the bail-related business. They were not going  
7 to sign control and transfer agreements moving forward.  
8 I've seen an email of such. And ultimately, what they  
9 indicated initially is when CDs came up for renewal,  
10 they were not going to renew them. Again, this  
11 gentleman's spoke on that. I don't do banking so I  
12 can't answer that question. But to be accommodating --  
13 because the Accredited has been accommodating and we've  
14 been winding these CDs out of different places, Chase  
15 has backed off and said fine. Just as long as you're  
16 taking care of it and winding it down, that's fine. But  
17 it was a request to the bank to pull it down. That's  
18 what their -- they wanted to be out of the bail-related  
19 business.

20                   I mean, there a quite a few people based  
21 upon the social stigma that goes with this business that  
22 they don't want to be in the bail-related business  
23 unfortunately. Maybe that's what it is. I don't know.  
24 To be honest with you, the conversation I had with the  
25 CFO yesterday was if you think about it, this is much

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1 more difficult and potentially more expensive for them  
2 because under a normal CD situation, Mr. Strickland  
3 brings to me \$50,000 and I give him a CD. When it  
4 renews, he says I want to renew it or I want my money  
5 back. This is a little different dynamic because you  
6 have a control and transfer agreement. Now, you have  
7 responsibilities of a county and lots of additional  
8 liability out there. And if something goes wrong,  
9 they're on the hook. So he --

10 His suggestion was that he thought that  
11 they -- it's just too complicated for the way Chase  
12 wanted to run their business. I don't know the answer  
13 to that question. Doesn't really matter. They're the  
14 bank and they've requested to get out of the business.  
15 Accredited is trying to accommodate them with that.

16 MR. BUTERA: I understand. It's being  
17 framed as an accommodation to accommodate Chase but then  
18 it leaves Harris County in the position of having -- the  
19 corporation gets back the \$250,000 that it currently has  
20 tied up in a CD and it leaves Harris County with \$50,000  
21 on this license where we did have 300,000 as collateral  
22 to balance out that pending liability.

23 MR. MCKINNEY: In fairness though -- and  
24 this part of why I want to table this because I want to  
25 look at this some more. In fairness, his point that we



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1 still have the guarantee of the insurance company  
2 without regard to the deposit that's put up. And if  
3 they were not to make good on a forfeiture, a final  
4 forfeiture on one -- any of that 1.4 million, all of  
5 their agents would be out of business.

6 MR. BUTERA: They no longer have agents in  
7 business because Accredited has gone out of the business  
8 already.

9 MR. MCKINNEY: Ah ...

10 MR. BUTERA: This is Accredited's  
11 history --

12 MR. MCKINNEY: Okay --

13 MR. BUTERA: -- transferred all their  
14 agents to the US Fire -- they've -- they were already  
15 out of the bonding business.

16 I mean, is that fair to say? I don't  
17 want to put words in the your mouth.

18 MR. BELL: The answer is yes and no. So  
19 you actually -- to speak to that, you actually have one  
20 extra layer of liability. You go the agent first. Crum  
21 & Foster through US Fire has blocked the book of  
22 business. So then you would go to them. And if you  
23 didn't get it from them, then you would go back to  
24 Accredited. So you've actually got an extra layer with  
25 this. Accredited is a --

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1           Accredited is on a much larger and global  
2 scale, is doing bigger things and they just chosen to  
3 get out the bail-related business. They're still --  
4 they're still in line with the DOI. They're still doing  
5 business in the State of Texas, just not bail.

6           MR. BUTERA: But to Troy's point, the  
7 instant sting of having an issue with one of the agents  
8 where other Accredited agents would not be able to -- to  
9 be in business is not there because there are no other  
10 Accredited agents currently writing bail because  
11 Accredited has shifted those agents to another insurance  
12 company.

13           MR. BELL: That's true but I --

14           But again -- but the underlying actions  
15 here are not nefarious in nature. The reason we request  
16 the CD back has nothing to do with an attempt not to  
17 pay. It's to close out the business of Chase Bank.

18           MR. OSBORNE: When does the CD expire?

19           MR. BELL: I believe they expired in March  
20 or April. I have to look.

21           MR. OSBORNE: So what happens if the  
22 Board -- and I'm not suggesting (inaudible.) But  
23 theoretically if we didn't take any action before the CD  
24 expires, what happens?

25           MR. MCKINNEY: Nothing.

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1 MR. OSBORNE: And does it automatically  
2 renew or ...

3 MR. MCKINNEY: It still sits there as an  
4 obligation of the bank.

5 MR. OSBORNE: It sits there, right?

6 MR. BUTERA: They would switch to a  
7 potentially different interest rate --

8 MR. OSBORNE: Right, right.

9 MR. BUTERA: -- based on David's  
10 explanation.

11 MR. OSBORNE: Right.

12 MR. BUTERA: But the -- the main -- that's  
13 to the -- that's the corporation's --

14 MR. BELL: Yeah. I don't know.

15 MR. BUTERA: -- issue, not the -- the  
16 "corpus" that made them out would not be affected  
17 anyway.

18 MR. MCKINNEY: I don't know what's going to  
19 happen but I'm going to move to table this till next  
20 month's meeting.

21 MR. BUTERA: Second, Michael Butera.

22 MR. OSBORNE: Well, let me ask you this:  
23 What's going to change between now and  
24 next month's meeting?

25 MR. MCKINNEY: I'm going to look at the

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1 local rule in 1704 and maybe talk to the  
2 county attorney. And if -- I'll speak for me personally  
3 only.

4 If I come to the conclusion that perhaps  
5 the local rule exceeds the authority the Board had under  
6 1704, then the other issue notwithstanding, I would  
7 probably vote to return it. "Probably" being the  
8 operative word. The -- I just don't want to make a  
9 decision -- I don't want to make a decision right now  
10 without being fully informed.

11 CHAIRMAN STRICKLAND: I've got a motion on  
12 the Board to table this for one month.

13 Any further discussion?

14 All those in favor, signify by saying  
15 aye.

16 THE BOARD: Aye.

17 CHAIRMAN STRICKLAND: Any opposed? Tabled  
18 till next month.

19 Number 9, request made by Accredited  
20 Surety and Casualty Company, Inc., Agent Wisam Muharib  
21 DBA All Access Bonds, License 74511 to return the  
22 security deposit, JP Morgan Chase Bank CD 0100072974965,  
23 50,000 and replaced with a new certificate of deposit.  
24 JP letters mailed on 2/4/2020.

25 And Mr. Bell remains at the podium having

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1 already been sworn in.

2 MR. BUTERA: So very quickly --

3 MR. BELL: This one is a little --

4 MR. BUTERA: -- is this like --

5 MR. BELL: This one is a little --

6 Actually this is a little different than  
7 that. This one, he has two CDs up. He has a Chase CD  
8 of 50,000 and then he has a hundred thousand up with  
9 Iberia Bank. And so this one, there was -- there's  
10 not -- that's -- it's agenda-ed wrong. The letter was  
11 correct.

12 We were requesting the release of this  
13 Chase CD because he has a hundred thousand up with  
14 another bank and we're not -- and that's with Iberia  
15 which will remain in place. But I think it's going to  
16 be a very analogous argument depending on the prior  
17 argument that you --

18 CHAIRMAN STRICKLAND: But the hundred  
19 thousand is fine.

20 MR. BELL: Yeah, yeah. It's --

21 CHAIRMAN STRICKLAND: It's already on the  
22 license.

23 MR. BELL: It's been on the license, yeah.

24 CHAIRMAN STRICKLAND: Okay.

25 MR. BELL: It's been up. It's not going

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1 anywhere.

2 CHAIRMAN STRICKLAND: So this is just --

3 This is replacing a secondary \$50,000.

4 MR. BELL: There's no -- we're not

5 replacing it.

6 MR. MCKINNEY: There's no replacement.

7 MR. BELL: No. We're just asking for the

8 Chase CD back because it -- because there's -- there's

9 already over 50,000 up on this one. It's -- the

10 agenda --

11 SERGEANT DELEON: Yeah.

12 MR. BELL: The agenda didn't correct it.

13 SERGEANT DELEON: So if I may --

14 MR. BELL: Correct.

15 SERGEANT DELEON: The Sheriff's Office

16 interpreted the letter. We received all the letters at

17 the same time and we interpreted that letter to be the

18 same. In talking to Steve before this started, he made

19 me aware that on Muharib's, this is actually a return of

20 \$50,000 and he would still have up \$100,000 in a

21 different CD.

22 MR. MCKINNEY: What is his open ...

23 MR. BUTERA: 2.964 million.

24 MR. MCKINNEY: 9.64?

25 MR. BUTERA: 2. --

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1 MR. MCKINNEY: Oh ...

2 MR. BUTERA: -- 964. So almost 3 million.

3 MR. BELL: And he's -- he also has moved --

4 He's also with US Fire. It's a closed

5 account like the other ones are on. But it's the

6 same --

7 CHAIRMAN STRICKLAND: He's got 2.9 million

8 open on the Accredited license?

9 MR. BELL: I --

10 MR. BUTERA: That's according to the 062  
11 which is a report of all open bonds. That's where that  
12 number comes from, just FYI.

13 MR. OSBORNE: Chair, I don't think we  
14 considered this item -- if I may take a page out of  
15 Troy's book. I think this is a fatal posting error. I  
16 think it's just so far off of what we're doing, I think  
17 this has been noticed.

18 MR. MCKINNEY: That may very well -- I'll  
19 let you answer that. That may be true.

20 MR. OSBORNE: And the agenda item is  
21 totally different from what we're considering.

22 MR. BUTERA: That's also true for Number 8.  
23 They're not seeking the return of \$50,000 but the return  
24 of 300,000.

25 MR. OSBORNE: That is correct.

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1 MR. RAMSEY: We tend to view this as two  
2 different actions in a single item.

3 CHAIRMAN STRICKLAND: I can't hear you,  
4 Tommy.

5 MR. RAMSEY: I tend to view this as two  
6 different actions in a single item, deposit 50,000 and  
7 then replace it with something else. I would think you  
8 could consider it.

9 MR. MCKINNEY: I think the point he  
10 was making, though, this isn't a replace and swap on  
11 Number 9.

12 MR. OSBORNE: Correct, right.

13 MR. MCKINNEY: This is just a request for  
14 return of a hundred --

15 MR. OSBORNE: Yeah. It should --

16 MR. MCKINNEY: -- which it wasn't -- it was  
17 not agenda-ed that way.

18 MR. OSBORNE: They should be worded the  
19 same as Number 1, 2 ...

20 SERGEANT DELEON: However, on Number 9 --  
21 Sergeant DeLeon. On Number 9 to your point, though,  
22 Dylan, if we go down that path, we can most definitely  
23 table this item because the letters were sent out. And  
24 if this is actually just a 50,000-dollar request to  
25 withdraw 50, then our normal would be we send the



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1 letters, give them 30 days and then come back. So when  
2 we bring it back after on the next agenda because we're  
3 giving -- we're allowing 30 days because the letters  
4 have already been sent out, then we can make sure that  
5 it is articulated correctly. And when it comes up on  
6 the next Board, we'll be actually acting on an item.

7 MR. MCKINNEY: And we also look at the same  
8 issues that --

9 SERGEANT DELEON: Yes, sir.

10 MR. MCKINNEY: -- we're going to look at on  
11 Item 8.

12 SERGEANT DELEON: Yes, sir. So I would --  
13 I would motion -- Sisto DeLeon, I would motion that we  
14 table.

15 MR. MCKINNEY: McKinney, second.

16 CHAIRMAN STRICKLAND: Any further  
17 discussion?

18 All those in favor, signify by saying  
19 aye.

20 THE BOARD: Aye.

21 CHAIRMAN STRICKLAND: Any opposed?

22 Going to be tabled till next month.

23 MR. BELL: Thank you.

24 CHAIRMAN STRICKLAND: Okay. I want to go  
25 now to my renewal that I moved to the end of the item

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1 that's on page 2.

2                   It's under new business. Number 1,  
3 request for renewal of license, Allegheny Casualty  
4 Company, Agent Kelvin Hampton, Sr., DBA A Better Bail  
5 Bonds DT, 1416 Washington Avenue, Houston, Texas 77002.  
6 Original date is 3/10/2009. Expiration date, 3/20/20,  
7 License 74504. Phone number (713) 224-8400, three-year  
8 license.

9                   Kelvin ...

10                                   (Witness sworn.)

11                   CHAIRMAN STRICKLAND: State your name,  
12 please.

13                   MR. HAMPTON: Kelvin Hampton.

14                   CHAIRMAN STRICKLAND: Thank you, sir.

15                   Sergeant ...

16                   SERGEANT DELEON: The Sheriff's Office  
17 knows of no unpaid judgments. We requested one change  
18 on one page and Mr. Hampton completed the packet so the  
19 packet seems to be complete. No further questions.

20                   HONORABLE GARCIA: We had --

21                                   You cleared up some past due before we  
22 got here so we're clear with the -- you're clear with  
23 the City.

24                   MR. OSBORNE: I have a question for the  
25 Chair.

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1 CHAIRMAN STRICKLAND: Yes, sir.

2 MR. OSBORNE: So what was so special about  
3 the final one?

4 CHAIRMAN STRICKLAND: About what?

5 MR. OSBORNE: You mentioned earlier you  
6 needed to move the item because something had come up.

7 CHAIRMAN STRICKLAND: Because they were  
8 paying those judgments --

9 MR. OSBORNE: Oh, okay.

10 CHAIRMAN STRICKLAND: Anything else,  
11 Mr. Osborne?

12 MR. GOOD: It was not the City judgments  
13 that was the issue. I had talked to Mr. Butera before  
14 the meeting. I appreciate that and we always confirm  
15 that we don't have any issues. And he had pointed out  
16 there were four JP judgments and so with 30 minutes --

17 MR. OSBORNE: (Inaudible.) pay bills.

18 MR. GOOD: -- to go before the meeting,  
19 we --

20 'Cause you have to pay those at the JP.  
21 We sent somebody there. They texted me copies of the  
22 receipts. I showed them to Mr. Butera's office. I've  
23 emailed -- I emailed them to him and so they have been  
24 paid, the four --

25 MR. OSBORNE: You have to go pay those in

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1 person?

2 MR. GOOD: In the JP office so it was --  
3 It's like \$56 for three of them.

4 CHAIRMAN STRICKLAND: Any more questions,  
5 sir?

6 MR. GOOD: But it was 56 for three each and  
7 then 450 for one. They've been paid and I sent a  
8 receipt.

9 Yeah. Nothing like that to get your  
10 blood pressure going right around lunch.

11 HONORABLE RODRIGUEZ: Judge Rodriguez.  
12 That was fast work.

13 MR. GOOD: I don't like to people here when  
14 I call California and say we got an issue and they're  
15 like huh -- I'm like no, that's not good enough.

16 MR. BUTERA: So Michael Butera from the  
17 DA's Office. Beyond those four cases which I understand  
18 are now satisfied, there were no -- no issues.

19 MR. GOOD: No. Oh, thank you. I  
20 appreciate that.

21 CHAIRMAN STRICKLAND: Chair will  
22 entertain -- well, I have a question.

23 Do you have 29 employees?

24 MR. HAMPTON: Twenty-nine to thirty, yes.  
25 So we take care of -- we --

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1                   We are a cornerstone of the community.

2                   CHAIRMAN STRICKLAND: Okay. Chair will  
3 entertain.

4                   MR. MCKINNEY: Move to approve, McKinney.

5                   HONORABLE RODRIGUEZ: Second, Judge  
6 Rodriguez.

7                   CHAIRMAN STRICKLAND: Any discussion?  
8 All those in favor, signify by saying aye.

9                   THE BOARD: Aye.

10                  CHAIRMAN STRICKLAND: Motion passes.  
11 Approved.

12                  MR. HAMPTON: Thank you.

13                  MR. GOOD: Thank you. Thank you for your  
14 kindness.

15                  HONORABLE MARTIN: This is Judge Martin. I  
16 have an administration matter. I don't --

17                         We're working off copies. I don't know  
18 what the original looks like but the redactions are not  
19 effective. We can see peoples' home addresses and  
20 social security numbers on the copy I looked at.

21                  MR. OSBORNE: Judge just brought that up.

22                  SERGEANT DELEON: Yeah. He just brought  
23 that up. The redactions are done actually by the  
24 company, a bonding company.

25                  CHAIRMAN STRICKLAND: Yeah.

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1 HONORABLE MARTIN: Okay.

2 SERGEANT DELEON: And they -- yeah. They  
3 submit them to us --

4 HONORABLE MARTIN: That way.

5 SERGEANT DELEON: That way, yeah.

6 CHAIRMAN STRICKLAND: And it's not a  
7 requirement.

8 MR. MCKINNEY: No.

9 CHAIRMAN STRICKLAND: It's an accommodation  
10 to them for security reasons. And if they didn't do it  
11 or they don't do it good, well, that's on them.

12 SERGEANT DELEON: Judge, for the record, if  
13 they request it -- somebody -- if the public requested  
14 copy of these applications, they would get further  
15 redacted for a release. You couldn't release the  
16 document as it is to the public.

17 HONORABLE MARTIN: Okay.

18 SERGEANT DELEON: Not with social  
19 securities, (inaudible.), things like that. All of that  
20 would have to be re-redacted.

21 HONORABLE MARTIN: I just thought in my --  
22 in my mind, I was thinking someone request something,  
23 you look it up and think, oh, it's redacted already.  
24 And ...

25 SERGEANT DELEON: (Inaudible.)

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1 CHAIRMAN STRICKLAND: Okay. Going on to  
2 Number 10, the local rules workgroup will discuss the  
3 proposed rules regarding office locations, phone numbers  
4 assumed names and advertising.

5 MR. OSBORNE: Chair, may I have a point of  
6 personal privilege before we get started on --

7 CHAIRMAN STRICKLAND: Yes, sir.

8 MR. OSBORNE: So Kathryn Kase -- the county  
9 judge's appointee or representative, I guess -- she  
10 mentioned to me about three weeks ago that we were  
11 interested in potentially streaming our meetings.

12 CHAIRMAN STRICKLAND: Yes.

13 MR. OSBORNE: So I've gotten with the folks  
14 from our IT Department that handle that contractor.

15 CHAIRMAN STRICKLAND: Yes.

16 MR. OSBORNE: And they working on quote for  
17 us. I was in contact with them yesterday. I was trying  
18 to get it today but he said it would probably be about a  
19 week. So we've been in frequent contact about this over  
20 the last couple of weeks. They'll have a quote for us  
21 at our next meeting.

22 CHAIRMAN STRICKLAND: Today, have they give  
23 you any estimate of what it's going to cost?

24 MR. OSBORNE: I tried to get that out of  
25 them. No.

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1 CHAIRMAN STRICKLAND: Nothing.

2 MR. OSBORNE: Because it's handled by a  
3 company outside of Dallas that remotely does everything.

4 CHAIRMAN STRICKLAND: Okay. Whenever they  
5 record these for Commissioner's Court, do they  
6 automatically transcribe?

7 MR. OSBORNE: I'm not sure about  
8 transcription. I don't know. I asked him for a quote  
9 with, you know -- broken down by just live streaming,  
10 archiving, you know, all the additional services and he  
11 said he would work, you know, to get us something.

12 SERGEANT DELEON: Was audio -- was --  
13 Is audio separate from live stream or ...

14 CHAIRMAN STRICKLAND: Uh-huh, yeah.

15 MR. OSBORNE: Audio should be included.

16 CHAIRMAN STRICKLAND: Yeah. Well, we're  
17 not going to take any action.

18 MR. RAMSEY: Yeah --

19 CHAIRMAN STRICKLAND: I had asked --

20 MR. RAMSEY: I want to make sure I ...

21 MR. OSBORNE: Yeah. There's no action to  
22 be taken upon --

23 CHAIRMAN STRICKLAND: Yes.

24 MR. OSBORNE: This is me noticing --

25 MR. RAMSEY: I was just -- I would caution



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1 against any sort of discussion or deliberation as to --

2 CHAIRMAN STRICKLAND: No. Absolutely.

3 MR. RAMSEY: You should apply for whatever  
4 but update ...

5 CHAIRMAN STRICKLAND: You're totally right.  
6 And I mean -- and Michael just asked me that. This is  
7 just a discussion because of the way we're having to  
8 keep minutes of the meeting and recording it and  
9 whatnot. And I mentioned to Leslie that if there's  
10 cameras in here that records Commissioners Court and if  
11 we could do that and short come all this, sure, cut it.  
12 It might make it easier.

13 MR. RAMSEY: Totally --

14 MR. MCKINNEY: His point is, though --

15 MR. RAMSEY: Totally agreed, Mike. I just  
16 want to be sure that --

17 SERGEANT DELEON: We can't take action of  
18 items --

19 MR. MCKINNEY: We can't even discuss  
20 action, items that aren't on the agenda.

21 MR. BUTERA: We shouldn't be --

22 CHAIRMAN STRICKLAND: All right. So --

23 MR. BUTERA: -- discussing things that are  
24 noticed.

25 MR. MCKINNEY: Yeah.

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1 CHAIRMAN STRICKLAND: So let's go to Number  
2 10. Local rules workgroup proposal for rules regarding  
3 office location, phones, assumed names and advertising.

4 Michael, you put this on?

5 MR. BUTERA: Yes, yes. So in your  
6 packet -- which I hope is helpful. I had a -- my point  
7 exactly, Judge. Martin said the redactions are not  
8 helpful and I thought oh, no. We put all this work into  
9 it. She was talking about something else totally  
10 different, but there's a redline version of Rules 1  
11 through 15 which the Board has already worked through.

12 Before we get to 16 and 21, we noticed it  
13 in kind of scrutinizing some of the changes, I'm  
14 discussing now particularly rule -- what was Rule 13 is  
15 now redlined to Rule 10. It's on page 5 of your redline  
16 version. We tweaked that rule to add -- I think it was  
17 maybe Troy's suggestion or mine. I don't remember.

18 That rule addresses a lot of things.  
19 It's kind of a mixed bag of rules. It's got numbers,  
20 addresses, assumed names. And then we added this phrase  
21 in Line 3, "As required by Chapter 1704 of the Texas  
22 Occupations Code". I wrote up a little memo to try to  
23 describe but I'll be very brief in what we saw or we  
24 thought. Phone numbers are not addressed in any way  
25 shape or form in the Texas Occupations Code at all.

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1 Addresses are -- I believe addresses are, assumed names  
2 are. And we noticed that we have two really good rules  
3 lined out about each of those things. We already have a  
4 good rule for office locations covered by local rule but  
5 it's new -- new Number 9. We already had a good rule  
6 for assumed names which is redlined as new Rule No. 11.

7           So in trying to clarify, maybe that phone  
8 number issue and then trying to clarify the advertising  
9 parts that were in this Rule 10, we had a potential  
10 suggestion which is at the bottom of this memo. Maybe  
11 just really simplifying and narrowing down that phone  
12 rule to say, "No licensee may use a phone number in  
13 their bonding business without prior approval by the  
14 Board." That's seem to be what we were getting at and  
15 the reason for it. And then taking out the advertising  
16 portion of the rule which is a little sloppy in how it's  
17 addressed. At the bottom of the memo, the proposed text  
18 would be, "No new phone number, address or assumed name  
19 may be used for advertising or solicitation without  
20 prior notice to or approval by the Board as required by  
21 these local rules," which would refer you back to the  
22 three local rules for phone numbers, office -- offices  
23 and assumed names. Those particular rules would spell  
24 out what the proper action would be.

25           And then the last sentence would bear

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1 what's already there, "All advertising and solicitation  
2 must clearly state the licensee's or agent's license  
3 number."

4 So those were our thoughts on those  
5 rules. And before we moved on, we thought it'd be  
6 helpful to go back and revisit that possibly.

7 CHAIRMAN STRICKLAND: The only issue with  
8 the phones -- what you're saying then is that no phone  
9 could be used in the bonding business other than those  
10 licensed. So if I was over at somebody's house and my  
11 phone died on me and I needed to call about a bond, I  
12 couldn't technically do that and I was going to borrow  
13 somebody's else phone.

14 MR. BUTERA: How is it different than the  
15 rules that exist then?

16 CHAIRMAN STRICKLAND: The rule that exist  
17 now is for advertising purposes and so that we know who  
18 is actually getting calls. But you're saying that any  
19 bonding business must be licensed, any phone number and  
20 that's just onerous in my opinion.

21 MR. BUTERA: Okay. I mean, I see that as a  
22 potential issue that we did not see before so maybe we  
23 could work with the proposed draft rule.

24 CHAIRMAN STRICKLAND: Yeah.

25 MR. BUTERA: And try to tweak that to

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1 accommodate that. I agree that --

2 CHAIRMAN STRICKLAND: Yeah.

3 MR. BUTERA: That's not the intent. It's  
4 not to say that any -- any number you choose to use --  
5 your phone in your pocket -- if you want to make a quick  
6 phone call that that number has to be approved. So  
7 maybe we can work with that text.

8 CHAIRMAN STRICKLAND: I mean, if -- Angela  
9 and I were somewhere and I needed to call somebody, I  
10 couldn't use her phone.

11 MR. BUTERA: I understand. No. That makes  
12 sense. We're trying to clean up --

13 Rule 10 is really a mess despite our best  
14 efforts to try to clean it up last time since there was  
15 already an independent rule for offices and an  
16 independent rule for assumed names, we thought maybe  
17 break out an independent rule for phone numbers and then  
18 take care of advertising with all three of those things  
19 by breaking that up as well. We can keep looking at  
20 that text to try to see how we can clean that up.

21 CHAIRMAN STRICKLAND: And you know, I want  
22 to talk about one other thing. In this day and age  
23 because of the Internet and all kinds of advertising out  
24 there, there are people advertising in Harris County  
25 that don't have a license in Harris County. They've got

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1 licenses in Galveston and Fort Bend and Montgomery  
2 County and whatnot. And one time I took this to Chuck  
3 Shepherd. And I said these people are advertising here  
4 and -- he says well, their license somewhere -- okay.

5 MR. BUTERA: Well, we would only have  
6 authority to regulate, you know, the licensees who are  
7 licensed under our --

8 CHAIRMAN STRICKLAND: I understand that.  
9 And that's -- that's the problem. It doesn't regulate  
10 anybody else, just stops us.

11 MR. MCKINNEY: Well, if the other -- the  
12 other people, the other businesses can't write bonds in  
13 Harris County.

14 CHAIRMAN STRICKLAND: No.

15 MR. MCKINNEY: If they can't write bonds  
16 here, then we don't have any authority to regulate them  
17 or patrol them or --

18 CHAIRMAN STRICKLAND: But they're --  
19 they're advertising here.

20 MR. MCKINNEY: Well, why -- why would we --  
21 Why would we care about that?

22 CHAIRMAN STRICKLAND: Okay. I just --

23 MR. MCKINNEY: I don't -- I think there's a  
24 reason. That's why I'm asking.

25 CHAIRMAN STRICKLAND: If I was a lawyer, I

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1 wouldn't either; but as a bondsman, it concerns me.

2 SERGEANT DELEON: Right.

3 MR. BUTERA: You're saying it puts you at  
4 an unfair advantage.

5 CHAIRMAN STRICKLAND: Yes.

6 MR. BUTERA: You're at a disadvantage --

7 CHAIRMAN STRICKLAND: Yes.

8 MR. BUTERA: -- because they're able to --

9 CHAIRMAN STRICKLAND: Advertise.

10 MR. BUTERA: -- willy-nilly without any  
11 restrictions other than what their Board may put on them  
12 but you're bound by the --

13 CHAIRMAN STRICKLAND: Correct.

14 MR. BUTERA: Which would be true of  
15 anything. Everyone is bound by their --

16 CHAIRMAN STRICKLAND: That's correct.

17 MR. BUTERA: -- licensing Board's  
18 requirements. So ...

19 CHAIRMAN STRICKLAND: So I just want to  
20 mention that in passing.

21 MR. BUTERA: Well, I'll go back to the  
22 drawing board on that. I mean, what about just in  
23 theory the idea of having breaking up the separate phone  
24 number rule, having a separate advertising rule, if we  
25 have the text that -- or accommodate so that situation

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1 is not so restrictive.

2 CHAIRMAN STRICKLAND: Yeah. I'd be okay  
3 with that.

4 MR. BUTERA: We'll keep working on that if  
5 it's a possibility.

6 CHAIRMAN STRICKLAND: I'd be all right with  
7 that.

8 MR. BUTERA: Okay. That's it.

9 CHAIRMAN STRICKLAND: So we're through with  
10 that.

11 MR. BUTERA: Yes.

12 CHAIRMAN STRICKLAND: All right then.  
13 We're going to go to the last item on the agenda which  
14 is discussing changes and updates on Section 16 through  
15 21. And 21 is lightly, just in case ...

16 HONORABLE MARTIN: Twenty-one is long.

17 CHAIRMAN STRICKLAND: Yeah. And I know.  
18 That's why we said we were going to go over 20 because  
19 21 is a bugger and we'll decide whether we want to  
20 continue on with 21 or do we want to stop there.

21 So having said that, our first item under  
22 local rules is No. 16. No licensee, agent or  
23 representative or an employee of a licensee may -- can  
24 give or pass anything of any value to any person or  
25 anything for referring bail bonds to said licensee.



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1 MR. MCKINNEY: I've got two little  
2 technical corrections. First line between agent and  
3 representative, there should be the word "or".

4 MR. BUTERA: I think that's -- is that  
5 continued with "or employee", Troy? So it's licensee,  
6 agent, representative or employee?

7 MR. MCKINNEY: If representative does  
8 not -- if it's representative of a licensee -- if it's  
9 representative of something different than a licensee,  
10 then yes. Otherwise, if that whole phrase is meant to  
11 be one, then it should be or representative or employee  
12 of a licensee.

13 MR. BUTERA: I think it's --

14 MR. MCKINNEY: If representative and  
15 employee both modify licensee, then there should be an  
16 "or" before it. If they're meant to be separate, then  
17 there should be a comma after representative.

18 HONORABLE GARCIA: Or remove employee of  
19 licensee holder, no licensee or employee of a licensee  
20 or agent or representative.

21 Is that what you're saying?

22 MR. MCKINNEY: If representative is meant  
23 to be not to modify licensee -- although I think it  
24 probably is meant to. But if it's not meant to modify  
25 the licensee, then there should be a comma after

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1 representative; otherwise, there should be an "or"  
2 before representative.

3 CHAIRMAN STRICKLAND: If you take out the  
4 word "representative".

5 MR. BUTERA: So just to --

6 MR. MCKINNEY: No. I don't want it in  
7 there.

8 MR. BUTERA: This is one of those weird  
9 instances where someone at some point decided to pull a  
10 very select part of the Occupations Code and put it into  
11 the local rules. 1704.302 is entitled in the  
12 Occupations Code prohibited referrals of or employments  
13 with bonding business office. This is effectively an  
14 awkwardly rewritten version of 1704.302 (b) only. B.,  
15 is written from the perspective of someone in the surety  
16 shoes, "A person may not except or receive from a  
17 license holder money, property, et cetera for referrals  
18 unless they're an employee." This section is written  
19 from the surety's position, "No licensee, agent,  
20 representative or employee may give for a referral."

21 I just come back to my question of why --

22 Why do we have things like this in the  
23 rules if they're already in the Occupations Code?

24 CHAIRMAN STRICKLAND: It's already in the  
25 Occupations Code.

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1 MR. MCKINNEY: Agree.

2 SERGEANT DELEON: Strike it.

3 CHAIRMAN STRICKLAND: You want to strike  
4 it?

5 MR. MCKINNEY: "X" it.

6 SERGEANT DELEON: Yeah. It's redundant.

7 MR. MCKINNEY: Yeah.

8 MR. BUTERA: I think it is redundant. I  
9 think it also potentially overreaches because it --  
10 technically, I think as our rules are written, it may be  
11 illegal for an employee to do referrals. Employees are  
12 specifically allowed to do so if they are, in fact, an  
13 employee by the Occupations Code. So I don't -- I  
14 think it should be cut. Ken has a comment.

15 MR. GOOD: Well, I have an additional  
16 comment in the laundry list of violations. A person  
17 cannot be paid a commission for referring bonding  
18 business unless they're also licensed. So if you read  
19 that rule two bonding companies can pay other commission  
20 like, you know, you have a local rule that says you're  
21 limited on your highest bond by your security that's up.  
22 So they say well, I don't want to write that bond so I'll  
23 refer it to another bonding company. And the way I read  
24 that rule, since it's a violation to pay with commission  
25 if you're not licensed, then we'll allow them to pay a

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1 commission if they are. And so I would -- the rule as  
2 written, I think, all would violate -- would create a  
3 contradiction with that section.

4 MR. MCKINNEY: I agree.

5 MR. BUTERA: Are you referring to  
6 1704.2529?

7 MR. GOOD: Yes.

8 MR. BUTERA: I think just because it's not  
9 clear and it's already duplicated section of the  
10 Occupations Code, we can perhaps lose Rule 16.

11 MR. MCKINNEY: I agree.

12 MR. GOOD: Or -- or I mean, I've even  
13 thought -- or you couldn't just add the phrase "except  
14 as authorized by Chapter 1704" and that will fix  
15 everything.

16 CHAIRMAN STRICKLAND: I prefer --

17 MR. GOOD: Because your rule -- your rule  
18 really is outside of employees, outside of other license  
19 holders. You don't want that being done for anyone  
20 else. I mean, if they're not an employee, if they're  
21 not licensed, you don't want them to be referring stuff  
22 and getting paid -- which is probably already prohibited  
23 by the statute.

24 MR. RAMSEY: It is, yes.

25 MR. GOOD: And so -- but if you want it as

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1 a local rule, you can fix it by just saying except as  
2 authorized by the code or you can just delete it and go  
3 with the code.

4 MR. MCKINNEY: I think we've been motivated  
5 to make these simpler when possible.

6 CHAIRMAN STRICKLAND: Absolutely. Delete  
7 it.

8 All right. Everybody okay with delete?

9 So we're going to delete Item 16.

10 Number 17 ...

11 MR. MCKINNEY: My only comment on 17 is  
12 whatever language we're going to use in these rules or  
13 the Harris County Sheriff's Department Bonding Office,  
14 let's just use the same term throughout.

15 MR. BUTERA: Yes.

16 CHAIRMAN STRICKLAND: Yeah, absolutely.

17 MR. MCKINNEY: Other than -- on the form of  
18 that, other than that, I don't have any --

19 MR. BUTERA: Well, we tried to normalize  
20 that kind of usage, either Harris County Sheriff's  
21 Office Bonding Division or something like that where  
22 it's just the same throughout --

23 MR. MCKINNEY: Yeah.

24 MR. BUTERA: -- and not every time it's  
25 mentioned, something different. Sometimes it's

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1 abbreviated, sometimes it's not.

2 CHAIRMAN STRICKLAND: The truth of it is  
3 this is not right.

4 MR. BUTERA: Well, my question here is  
5 obviously, Judge, bonds are posted at JP courts.

6 CHAIRMAN STRICKLAND: Yeah.

7 MR. BUTERA: So they are not --

8 CHAIRMAN STRICKLAND: They're not Harris  
9 County sheriffs.

10 MR. BUTERA: Right. That's certainly true.  
11 And it's covered in the Code of Criminal Procedure.  
12 1720 and 1721 dictates who can accept bail in  
13 misdemeanor/felony cases. So it's already covered by  
14 the statute but then we know that in actual practice --  
15 and there's nothing wrong with it -- that bonds are  
16 being posted by both sureties and attorneys representing  
17 clients in JP courts. And so this rule is not being  
18 enforced as it's written.

19 CHAIRMAN STRICKLAND: So ...

20 MR. BUTERA: And I don't think it could be.

21 CHAIRMAN STRICKLAND: No. I agree.

22 SERGEANT DELEON: I don't think it could  
23 be, right.

24 HONORABLE GARCIA: In the City.

25 MR. BUTERA: In the City, of course. I'm

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1 sorry. Yeah. The municipal courts --

2 HONORABLE GARCIA: We accept them at the  
3 municipal courts.

4 SERGEANT DELEON: Seems a lot easier.

5 MR. BUTERA: I think it's extensive where  
6 it's already covered in the statute and it contradicts  
7 in some places which is covered in the statute. We  
8 could -- we could delete it.

9 CHAIRMAN STRICKLAND: So we're going to  
10 delete 17?

11 Everybody in agreeance? Delete it.

12 Number 18. So this -- I'm sorry.

13 Michael Butera from the DA's Office.

14 This is another example of -- not  
15 sounding like a broken record. But 1704.201 lays out  
16 acceptance of license holder, bail bonds, you know, a  
17 sheriff can only accept an approved bail bond from a  
18 license holder in the county in which the license holder  
19 is licensed. So in that sense, it duplicates, I think,  
20 what's in the Occupations Code. And I have -- I have  
21 too many notes so I've got to take them home and read my  
22 notes.

23 MR. MCKINNEY: Not only does it duplicate  
24 that but it does so in a pretty confusing and in a poor  
25 way.

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1 SERGEANT DELEON: Yeah, this is very poorly  
2 worded.

3 MR. MCKINNEY: Yeah.

4 SERGEANT DELEON: (Inaudible.)

5 MR. BUTERA: The last sentence: "This does  
6 not apply to defendants in the Harris County jail who  
7 are to be tried only in courts other than Harris County  
8 courts."

9 So you would have a defendant in custody  
10 in Harris County for an out-of-county charge. Anyone  
11 who is licensed in Harris County can post a bond in  
12 Harris County, but you wouldn't have an out-of-county  
13 bondsmen coming -- who is not licensed in Harris County  
14 coming to post a bond for a defendant in Harris County  
15 because they're not licensed here.

16 CHAIRMAN STRICKLAND: What this is saying  
17 is that whenever they're in courts outside of Harris  
18 County, a Harris County bondsman has to post the bond.  
19 This does not apply to defendants in the Harris County  
20 jail who are to be tried only in courts other than  
21 Harris County courts.

22 MR. BUTERA: Okay. As the first sentence  
23 says: "No bond shall be accepted by the sheriff from a  
24 bondsman, bonding company or surety company for the  
25 release of a defendant who has been charged for an



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1 offense committed in Harris County unless the surety is  
2 duly licensed under the authority of the Board --

3 CHAIRMAN STRICKLAND: Yep, right.

4 MR. BUTERA: -- which repeats 1704.201.

5 CHAIRMAN STRICKLAND: Right.

6 MR. BUTERA: Then the exception is the  
7 second sentence: "This does not apply to defendants in  
8 the Harris County jail who are to be tried only in  
9 courts other than Harris County courts.

10 So what does that give ...

11 HONORABLE GARCIA: That says if someone who  
12 is not licensed in Harris County can go and bond the  
13 person who has a case outside --

14 SERGEANT DELEON: That's right. What  
15 happened --

16 MR. OSBORNE: That's what it says.

17 SERGEANT DELEON: -- from the Sheriff's  
18 Office -- from the Sheriff's Office we receive mailings  
19 if somebody was out of county and they picked up and  
20 they posted a bond. So then we create that bondsman and  
21 accept that bond from Fort Bend, wherever.

22 CHAIRMAN STRICKLAND: Right.

23 SERGEANT DELEON: So the Sheriff's Office  
24 does accept bonds from somebody because they were bonded  
25 out. They were bonded out of their county --

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1 CHAIRMAN STRICKLAND: In another  
2 jurisdiction.

3 SERGEANT DELEON: Right.

4 MR. BUTERA: Posted and accepted in that  
5 jurisdiction where the body was held --

6 SERGEANT DELEON: Correct.

7 MR. BUTERA: And then it's transmitted to  
8 Harris County where it can be recorded as part of the  
9 criminal case.

10 SERGEANT DELEON: As part of the criminal  
11 case.

12 MR. BUTERA: And we do the same for  
13 other -- in reverse, right. That a Harris County  
14 bondsman --

15 SERGEANT DELEON: I don't know if they were  
16 trying to capture that in there or not because we -- I  
17 don't know the author but --

18 CHAIRMAN STRICKLAND: These were written so  
19 long ago.

20 MR. MCKINNEY: Yeah.

21 SERGEANT DELEON: It's pretty -- pretty  
22 rough.

23 MR. MCKINNEY: I think we solve all  
24 these --

25 HONORABLE GARCIA: But it doesn't -- we

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1 agree --

2 MR. MCKINNEY: -- ambiguities by nixing 18.

3 HONORABLE GARCIA: -- it doesn't say that  
4 what you just explained.

5 MR. MCKINNEY: I think we just solve all  
6 the ambiguity by nixing the entirety of 18.

7 MR. BUTERA: Don't see anything in 18  
8 that's not already lined out --

9 SERGEANT DELEON: Yeah.

10 CHAIRMAN STRICKLAND: I don't either.

11 HONORABLE GARCIA: Well, let's delete it.

12 CHAIRMAN STRICKLAND: Everybody okay with  
13 deleting 18?

14 SERGEANT DELEON: We're going way too fast.  
15 (Inaudible.) lawyers.

16 CHAIRMAN STRICKLAND: Nineteen.

17 HONORABLE GARCIA: Nineteen.

18 MR. MCKINNEY: Actually ...

19 CHAIRMAN STRICKLAND: Is this really a  
20 necessary rule?

21 MR. MCKINNEY: Nineteen -- the content of  
22 19, if we're going to keep it, ought to go down under  
23 section for identification cards in 21.

24 MR. BUTERA: I believe, Sergeant DeLeon --  
25 can you --

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1                   Because as I was reading through 19 and  
2 21, can you shed some light on --

3                   Who gets an identification card? Is it  
4 every licensee, every agent and every employee that they  
5 request one for? Is it --

6                   SERGEANT DELEON: It's the licensee and  
7 then the -- the employees. We call them bond runners.  
8 The employees that present the bonds for the -- or for  
9 the licensee. We require that they -- that they have  
10 their identification card when they're presenting  
11 their -- when they're presenting the bond for a bonding  
12 agent.

13                   MR. BUTERA: And the -- this spacing --  
14 okay. Really dumb question. Michael Butera from the  
15 DA's Office. I have not been doing that. I'm very  
16 sorry.

17                   When a bond -- quote/unquote bond  
18 runner -- so an employee who is not the actual licensed  
19 individual comes to present a bond, they only need their  
20 identification card. They don't also need the surety's  
21 identification card, correct?

22                   SERGEANT DELEON: No. Just their --

23                   MR. BUTERA: Seems like a foolish question  
24 but when you carefully read the rule, it makes sounds as  
25 if the identification card presented to the licensee or

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1 agent must be presented at the bonding desk at the  
2 time --

3 So technically when I read that, I think  
4 if an employee comes that they could potentially be  
5 questioned and say --

6 SERGEANT DELEON: So to answer your  
7 question, no.

8 MR. BUTERA: Okay.

9 SERGEANT DELEON: It's just their  
10 identification because they fail to --

11 In order to get that license -- that bond  
12 runner's license -- they fill out an application and  
13 it's authorized by the agent that's kept on file.

14 MR. BUTERA: That's part of Rule 21.

15 MR. MCKINNEY: So you know from the  
16 sureties -- whether it's property or insurance  
17 company who -- which of these bond runners are  
18 authorized to --

19 CHAIRMAN STRICKLAND: Oh, yeah.

20 MR. MCKINNEY: -- (inaudible.) for them.

21 CHAIRMAN STRICKLAND: Oh, yeah.

22 SERGEANT DELEON: Yes.

23 CHAIRMAN STRICKLAND: The surety --

24 HONORABLE GARCIA: But the way it reads is  
25 that that bond runner would show his and then have to

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1 also show the licensee.

2 SERGEANT DELEON: Yes.

3 MR. BUTERA: So I think the phrase  
4 license -- so we've been trying to clean up -- and  
5 you'll notice this in your redline version. Licensee or  
6 agent --

7 Licensee meaning a property bondsman  
8 where they themselves in their individual capacity or  
9 the licensee. Agent meaning where the insurance company  
10 is the licensee and they are the chosen agent for that  
11 insurance company.

12 So when you see licensee and agent that  
13 is compound phrase to mean the license surety. So I  
14 think the word "or employee" needs to be added here --

15 CHAIRMAN STRICKLAND: Yes.

16 MR. BUTERA: -- where either the licensee  
17 is presented the bond, the agent is presenting the bond  
18 or the employee is presenting the bond has to present  
19 their ID card.

20 MR. MCKINNEY: Here's my suggestion. Let's  
21 just put 19 on hold for now until we get through 21 and  
22 see what terminology is used in 21 to describe these  
23 same things because the same issues is going to come up  
24 in all of those. And then we can use the same language  
25 in rewording 19 that we used in all of 21.

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1 MR. OSBORNE: Yeah. I agree. Let's slow  
2 it all down.

3 SERGEANT DELEON: Nineteen or twenty-one  
4 are going to have to be rolled in together somehow.

5 MR. MCKINNEY: Yeah.

6 MR. OSBORNE: Right.

7 SERGEANT DELEON: I mean, the way that 19  
8 reads, it says the identification card. Well, assuming  
9 you haven't read past that.

10 MR. BUTERA: Right.

11 SERGEANT DELEON: What the heck is an  
12 identification card?

13 MR. BUTERA: It looks like 19 was there --

14 HONORABLE GARCIA: (Inaudible.)

15 MR. BUTERA: -- and 21 was inserted. Just  
16 the way it's written, 21 was probably inserted at a  
17 different time. Who knows?

18 CHAIRMAN STRICKLAND: So we're going to  
19 roll 19 into 21?

20 MR. MCKINNEY: Yes.

21 HONORABLE GARCIA: I'd say so.

22 CHAIRMAN STRICKLAND: All right.

23 Number 20 ...

24 MR. MCKINNEY: My only suggestion on 20 is  
25 the same uniform terminology because here it's called

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1 Bail Bond section.

2 MR. BUTERA: Right. And then Harris County  
3 Board should be obviously Bail Bond Board.

4 MR. MCKINNEY: Bail Bond Board, yeah.

5 MR. BUTERA: Those were, I think, the only  
6 cleanup notes that I had there as well.

7 HONORABLE RODRIGUEZ: You're adding "bail  
8 bond" to the first line? This is Judge Rodriguez.

9 MR. BUTERA: I think on Rule 20 where it  
10 says "Harris County Board" --

11 HONORABLE RODRIGUEZ: Uh-huh.

12 MR. BUTERA: -- it should be Harris County  
13 Bail Bond Board.

14 HONORABLE RODRIGUEZ: Yes.

15 MR. BUTERA: Yes, ma'am.

16 MR. MCKINNEY: And I -- I suggest -- well,  
17 let me rephrase. I'll speak for myself.

18 I have to leave at 3:00 o'clock which is  
19 kind of right now. So if you guys want to continue  
20 talking about 21, great but ...

21 HONORABLE RODRIGUEZ: I believe we're only  
22 going to 20 today.

23 MR. MCKINNEY: Oh, yeah, good.

24 SERGEANT DELEON: Agreed.

25 CHAIRMAN STRICKLAND: Well, we said --



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1 HONORABLE RODRIGUEZ: I'll take the only --

2 MR. MCKINNEY: (Inaudible.)

3 HONORABLE GARCIA: We're going to 20.

4 CHAIRMAN STRICKLAND: We said 21 but we all  
5 agreed (inaudible.)

6 MR. OSBORNE: Yeah. I think the vice  
7 chair comment was really accepted.

8 HONORABLE RODRIGUEZ: I don't think anybody  
9 is hanging to talk 21 (inaudible.).

10 CHAIRMAN STRICKLAND: Well ...

11 HONORABLE MARTIN: Real quick question.

12 Sorry. Since undoing a lot of the line items, is it  
13 Harris County Sheriff's Office Bonding Division  
14 Department? How do y'all want that to go down just so I  
15 can get it clear?

16 MR. BUTERA: That's (inaudible.).

17 HONORABLE MARTIN: Sorry about that. What  
18 about DA's Office?

19 SERGEANT DELEON: You can use Bonding  
20 Division at the end but it's Harris County Sheriffs  
21 Office.

22 HONORABLE MARTIN: Harris County Sheriffs  
23 Office Bonding Division. Got it. Thanks.

24 SERGEANT DELEON: Perfect. That's  
25 perfect.

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1 CHAIRMAN STRICKLAND: All right. So then  
2 we're going to stop here at 20 and next time next month  
3 we will go to 21. Goodness.

4 MR. MCKINNEY: Plus today's meeting went a  
5 little longer, by the way.

6 CHAIRMAN STRICKLAND: I tell you what. I'm  
7 going to leave it at just 21 since that covers a page  
8 and a half. We're going to leave it at 21 next time.  
9 I'll do that. Any other --

10 Anybody else have anything for the Board?

11 HONORABLE RODRIGUEZ: I have a Valentine's  
12 reception Friday, 5:00 o'clock. Feel free to come and  
13 get some sandwiches and wedding cake.

14 CHAIRMAN STRICKLAND: Yes, ma'am.

15 Yes, ma'am ...

16 MS. ROSAS: I would just like to introduce  
17 myself. I just at the end decided to invite myself.  
18 I'm Sara Rosas. I'm the Fort Bend County Bail Bond  
19 Board administrator. I just wanted to kind of come and  
20 observe. I've never been and I wanted to introduce  
21 myself. This was quite interesting.

22 CHAIRMAN STRICKLAND: Well, hello.

23 MS. ROSAS: So I wanted to introduce  
24 myself and -- I come with my bondsmen. This is Saldana.

25 MS. SALDANA: (Inaudible.) Saldana with

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1 (inaudible.) Bail Bond, Fort Bend County.

2 MS. SICORO: Thomas Sicoro with Speedy  
3 Gonzalez Bail Bonds.

4 CHAIRMAN STRICKLAND: Ms. Saldana --

5 MS. Saldana: Yes, sir.

6 CHAIRMAN STRICKLAND: -- was married to  
7 Gary Saldana --

8 MS. SALDANA: Yes.

9 CHAIRMAN STRICKLAND: -- who was a long,  
10 long, long time bondsman, well respected in the  
11 community and the state. We all miss him.

12 MS. SALDANA: Thank you --

13 CHAIRMAN STRICKLAND: Thank you.

14 MS. SALDANA: -- for saying that.

15 CHAIRMAN STRICKLAND: Any further  
16 discussion? Chair will entertain a motion.

17 MR. MCKINNEY: Move to --

18 HONORABLE GARCIA: I make a motion --

19 Judge Garcia make a motion to adjourn.

20 SERGEANT DELEON: Move forward. Before we  
21 adjourn, I would just like to thank you, Judge Garcia,  
22 because this is her last --

23 CHAIRMAN STRICKLAND: You know. What's up  
24 with that?

25 HONORABLE GARCIA: I am retiring.

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1 Basically, I will be gone Friday. Judge Oswald Scott --  
2 he will stand -- will be replacing me on the Board for  
3 Judge Elaine Marshall. And my official off payroll will  
4 be March 31st after 33 years.

5 (Applause.)

6 CHAIRMAN STRICKLAND: We're going to miss  
7 you.

8 MR. MCKINNEY: Congratulations to you and  
9 condolences to us.

10 CHAIRMAN STRICKLAND: All right. I have a  
11 motion to adjourn and a second. All those in favor,  
12 signify by saying aye.

13 THE BOARD: Aye.

14 CHAIRMAN STRICKLAND: Opposed? Thank you,  
15 ladies and gentlemen. We'll see you next month.

16 (Meeting adjourned at 2:57 p.m.)

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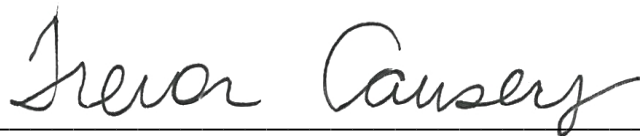
1 STATE OF TEXAS )

2 COUNTY OF HARRIS )

3  
4 I, Trevor Causey, do hereby certify that the  
5 facts as stated by me in the caption hereto are true;  
6 that the above and foregoing transcript of the  
7 proceedings was taken in stenograph, reduced to  
8 typewriting under my direction, and is a full, true and  
9 correct transcript of the proceedings.

10 I further certify that I am not, in any  
11 capacity, a regular employee of the party in whose  
12 behalf this transcript was taken, nor in the regular  
13 employee of any attorney; and I certify that I am not  
14 interested in the cause, nor of kin or counsel to any of  
15 the parties.

16 GIVEN UNDER MY HAND, on this day, the 12th day  
17 of February, 2020.

18 

19 Trevor Causey  
20 Notary Public in and for  
The State of Texas  
My Commission expires 5/24/2021

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