



# Insurance Department

State of Utah

GARY R. HERBERT  
Governor  
SPENCER J. COX  
Lieutenant Governor  
TODD E. KISER  
Commissioner

## Bail Bond Oversight Board Meeting

([http://www.insurance.utah.gov/producers/bailbond\\_board.html](http://www.insurance.utah.gov/producers/bailbond_board.html))

**Date:** November 2, 2016

**Time:** Noon

**Place:** East Building, Aspen Room

### BOARD MEMBERS

Brad Jenkins (Chair)  
Gordon Wright (Co-Chair)  
Lt. Kati Booth  
Stephen Aina

Ryan Cooper  
Peter Stevens  
Clay Carlos  
Brett Barratt (Non-Voting)

### DEPARTMENT STAFF

Todd Kiser, *Ins. Commissioner*  
Reed Stringham, *AG Counsel*

Suzette Green-Wright, *MC Director*  
Steve Gooch, *PIO Recorder*

Cathy Burton, *Examiner*  
Kathy Stajduhar, *Rate/Form Analyst*

## AGENDA

- **General Session (Open to the Public)**
  - Welcome / Brad Jenkins, Chair
  - Adoption of Minutes for **July 13**
- **Executive Session - If Needed (Closed to the Public)**
- **General Session (Open to the Public)**
  - **Approve Recommended Actions from Executive Session** – Not needed
  - **Licensing Report for July through September** / Cathy
  - **Summary of Enforcement Reports** / Cathy
    - Proposed Penalties for Board's Review: None
    - Agency Audit Update / Cathy
  - **New Business**
    - **New App:** Lucky Bail Bonds
    - Interaction of jail commanders / Jail Commander Mike Winget
  - **Old Business**
  - **Other Business**
    - Discuss "cash bond" bulletin / Cathy
      - *Royal Consulate of the Kingdom of Saudi Arabia v. Honorable Derek Pullan*
      - October 12, 2011 meeting
        - Minutes
        - Relevant transcript
    - Bail forms / Kathy Stajduhar
- **Adjourned**
  - **Next Meeting:** **January 11, 2017**, Copper Room, East Building

### 2016 Meetings (Noon to 1:30pm)

Jan 13, 2016	Apr 13, 2016	July 13, 2016	Nov 2, 2016
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# Bail Bond Individual Monthly Report

For the month of July 2016

**New Licenses:**

Individual	Name	Original Issue Date	Expiration Date
578607	BRAITHWAITE, KATRINA	11-Jul-16	28-Feb-19
580910	DILLON, MATTHEW	1-Aug-16	31-Oct-18
580908	GONZALEZ, OSCAR	1-Aug-16	30-Apr-19
578278	MASON, MICHAEL	7-Jul-16	31-Dec-18
578388	PARSONS, GABRIELLE	8-Jul-16	31-Dec-18
580401	STOCKHOFF, HILLARY	27-Jul-16	31-May-19
579732	WHITE, MARK	20-Jul-16	31-Aug-18

**Renewed Licenses:**

Individual	Name	Original Issue Date	Expiration Date
332777	BAUCUM, LORI	11-Sep-98	31-Jul-18
109655	ERCANBRACK, BLAINE	31-Jul-98	31-Jul-18
342284	FARNSWORTH, SUSAN	13-Apr-10	31-Jul-18
214092	JUDD, GLADYS	28-Apr-04	31-Jul-18
241388	REEVE, KENDALL	8-May-06	31-Jul-18
397443	WEBB, MITCHELL	6-Dec-11	31-Jul-18

**Lapsed Licenses:**

Individual	Name	Original Issue Date	Expiration Date	Lapsed Date
454722	FIERRO, MICHAEL	12-Aug-13	30-Jun-16	30-Jul-16

**Reinstated Licenses:**

Individual	Name	Original Issue Date	Expiration Date	Reinstate Date
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# Bailbond Agency/Company Monthly Report

For the month of July 2016

## New Licenses:

Agency	Name	Original Issue Date	Expiration Date
578969	1 GOT BAIL LLC	13-Jul-16	14-Aug-17

## Renewal Licenses:

Agency	Name	Original Issue Date	Expiration Date
None			

## Lapsed Licenses:

Agency	Name	Original Issue Date	Expiration Date	Lapse Date
None				

## Reinstated Licenses:

Agency	Name	Original Issue Date	Expiration Date	Reinstate
None				

## Bail Bond Individual Monthly Report

For the month of August 2016

**New Licenses:**

Individual Name	Original Issue Date	Expiration Date
583829 BARTON, KEVIN	22-Aug-16	31-Dec-18
580910 DILLON, MATTHEW	1-Aug-16	31-Oct-18
580908 GONZALEZ, OSCAR	1-Aug-16	30-Apr-19
585678 HOLT, ANNETTE	31-Aug-16	31-Mar-19
585389 HUNTER, LINDA	30-Aug-16	31-Dec-18
581547 RICH, JOSHUA	4-Aug-16	30-Jun-19
583802 SANDBERG, TROY	22-Aug-16	31-Jan-19
581798 VARGAS, BRUCE	8-Aug-16	30-Apr-19

**Renewed Licenses:**

Individual Name	Original Issue Date	Expiration Date
109645 BARRACLOUGH, ROBIN	31-Jul-98	31-Aug-18
484067 DOBSON, TAYLA	28-Apr-14	31-Aug-18
109105 JENKINS, CARSON	15-Jul-98	31-Aug-18
392797 MERRITT, ALAUNA	17-Oct-11	31-Aug-18
216442 NORDELL, RICH	28-Jul-04	31-Aug-18
387968 PAGE, HEATHER	12-Sep-11	31-Aug-18
496612 PEARSON, CAMERON	25-Aug-14	31-Aug-18
346456 PETERSON, CRISTALIE	7-Jun-10	31-Aug-18
56360 SMITH, TERRY	24-Jan-00	31-Aug-18

**Lapsed Licenses:**

Individual Name	Original Issue Date	Expiration Date	Lapsed Date
416508 ERICKSON, AMY	26-Jun-12	31-Jul-16	30-Aug-16
472747 HAYBALL, MAKELLE	6-Jan-14	31-Jul-16	30-Aug-16
290411 JOHNSON, KENNETH	1-Jul-08	31-Jul-16	30-Aug-16
109661 KEITH, JANA	31-Jul-98	31-Jul-16	30-Aug-16
108948 PAPPAS, THOMAS	31-Jul-98	31-Jul-16	30-Aug-16

485016 SALUONE, TERENCE

6-May-14

31-Jul-16

30-Aug-16

**Reinstated Licenses:**

Individual Name	Original Issue Date	Expiration Date	Reinstate Date
238772 CASO, PAUL	10-Mar-06	31-Jul-10	8-Aug-16
109103 JENKINS, MELODY	15-Jul-98	31-Jul-10	4-Aug-16
330117 NORTON, LARUE	26-Oct-09	31-Jul-18	4-Aug-16
328129 RUBIO, ANNA	8-Oct-09	31-Jul-18	11-Aug-16

## Bailbond Agency/Company Monthly Report

For the month of August 2016

**New Licenses:**

Agency	Name	Original Issue Date	Expiration Date
None			

**Renewal Licenses:**

Agency	Name	Original Issue Date	Expiration Date
578969	1 GOT BAIL LLC	13-Jul-16	14-Aug-17
255582	1ST OUT BAIL BONDS	21-Mar-07	14-Aug-17
382610	2ND CHANCE BAIL BONDS	14-Jul-11	14-Aug-17
97860	A SPORTSMANS BAIL BONDS	15-Jul-99	14-Aug-17
97854	A-1 BAIL BONDS	19-May-10	14-Aug-17
97857	AA ROCKY MOUNTAIN BAIL BONDS INC	15-Jul-99	14-Aug-17
97856	AAA BAIL BONDS	15-Jul-99	14-Aug-17
347881	ACE BAIL BONDS LLC	23-Jun-10	14-Aug-17
513064	ALADDIN BAIL BONDS	16-Dec-14	14-Aug-17
409032	ALL OUT BAIL BONDS	25-Apr-12	14-Aug-17
400385	APE BAIL BONDS, LLC	12-Jan-12	14-Aug-17
533933	AVAILABLE BAIL BONDS	14-Jul-15	14-Aug-17
97862	B & B BAIL BONDS	1-Oct-99	14-Aug-17
104643	BAD BOYS BAIL BONDS INC	25-Jan-05	14-Aug-17
97863	BAIL OUT FAST	30-Aug-00	14-Aug-17
97864	BEEHIVE BAIL BONDS	15-Jul-99	14-Aug-17
547615	BEST BAIL BONDS	14-Oct-15	14-Aug-17
483843	BREAKING BAD BAIL BONDS LLC	25-Apr-14	14-Aug-17
569111	BUSY BEE BONDS LLC	28-Mar-16	14-Aug-17
104220	CEDAR POST/JAIL BUSTER BAIL BONDS	15-Jul-04	14-Aug-17
97867	DEWEY'S BAIL BONDS	15-Jul-99	14-Aug-17
492130	FAST N FURIOUS BAIL BONDS	16-Jul-14	14-Aug-17

345214	GET ME OUT INC	12-May-10	14-Aug-17
103064	GORDON BAIL BONDS	14-Mar-03	14-Aug-17
97870	GRANITE BAIL BONDS	19-Nov-99	14-Aug-17
97873	HY AND MIKE'S BAIL BONDING	15-Jul-99	14-Aug-17
347272	LIBERTY BAIL BONDS	16-Jun-10	14-Aug-17
255583	MASSEY'S BAIL BONDS	21-Mar-07	14-Aug-17
535187	PAPPAS BAIL BONDS INC	27-Jul-15	14-Aug-17
104705	PAYLESS BAIL BONDS	16-Feb-05	14-Aug-17
97874	PRICE BAIL BONDING	31-Jul-99	14-Aug-17
97876	STATEWIDE BAIL BONDING LLC	15-Jul-99	14-Aug-17
97877	STEVE'S BAIL BONDS	15-Jul-99	14-Aug-17
97853	SUN SURETY BAIL BONDS	20-Feb-01	14-Aug-17
102711	UINTAH BASIN BAIL BONDS	4-Sep-02	14-Aug-17
98384	UTAH BAIL BONDS	22-Jan-02	14-Aug-17
547616	XTREME BAIL BONDS	14-Oct-15	14-Aug-17

**Lapsed Licenses:**

Agency	Name	Original Issue Date	Expiration Date	Lapse Date
345209	BREAK OUT BAIL BONDS, LLC	15-Jul-10	14-Aug-16	14-Aug-16
309604	FOREST STREET BAIL BONDS	18-Feb-09	14-Aug-16	14-Aug-16

**Reinstated Licenses:**

Agency	Name	Original Issue Date	Expiration Date	Reinstate Date
None				

**Pending Licenses:**

Agency	Name	Original Issue Date	Expiration Date	Reinstate Date
97875	REBEL BAIL BONDS INC	16-Oct-98		

# Bail Bond Individual Monthly Report

For the month of September 2016

## New License:

Individual Name	Original Issue Date	Expiration Date
590089 BANKS, PAUL	30-Sep-16	31-May-19
587585 CONDER, GERALD	14-Sep-16	30-Jun-19
588614 HOPKINS, MYLES	21-Sep-16	31-May-19
589286 WILLIAMS, JACLYN	26-Sep-16	31-Jan-19

## Renewed Licenses:

Individual Name	Original Issue Date	Expiration Date
109718 CARLOS, CLAYTON	31-Jul-98	30-Sep-18
121089 CHOATE, TONY	2-Nov-99	30-Sep-18
462409 DAVIS, MARQUITA	3-Oct-13	30-Sep-18
501043 GALLUCCI, FRANK	23-Sep-14	30-Sep-18
242989 GROVER, STACY	23-May-06	30-Sep-18
109632 HIATT, CURTIS	31-Jul-98	30-Sep-18
481984 HULET, LEEANN	8-Apr-14	30-Sep-18
109104 JENKINS, J	15-Jul-98	30-Sep-18
122622 JONES, LINDA	29-Dec-99	30-Sep-18
110741 KMAK, EDWIN	17-Sep-98	30-Sep-18
473406 MOSDELL, CORINNE	15-May-01	30-Sep-18
297372 SUDBURY, BRADEN	11-Sep-08	30-Sep-18
109638 WEDDINGTON, KIMBER	31-Jul-98	30-Sep-18

## Lapsed Licenses:

Individual Name	Original Issue Date	Expiration Date	Lapsed Date
332567 BRINDLEY, LADD	23-Nov-09	31-Aug-16	30-Sep-16
109351 OLSEN, ALMA	31-Jul-98	31-Aug-16	30-Sep-16
108950 PAPPAS, DARLINE	31-Jul-98	31-Aug-16	30-Sep-16
489832 THOMPSON, NATHAN	24-Jun-14	31-Aug-16	30-Sep-16



**Reinstated Licenses:**

Individual	Name	Original Issue Date	Expiration Date	Reinstated Date
416508	ERICKSON, AMY	26-Jun-12	31-Jul-18	14-Sep-16
454722	FIERRO, MICHAEL	12-Aug-13	30-Jun-18	9-Sep-16

# Bailbond Agency//Company Monthly Report

For the month of September 2016

## New Licenses:

Agency	Name	Original Issue Date	Expiration Date
None			

## License Renewal:

Agency	Name	Original Issue Date	Expiration Date
None			

## Lapsed Licenses:

Agency	Name	Original Issue Date	Expiration Date	Lapse Date
None				

## Reinstated Licenses:

Agency	Name	Original Issue Date	Expiration Date	Reinstate Date
None				

## Pending:

Agency	Name	Original Issue Date	Expiration Date	Reinstate Date
97875	REBEL BAIL BONDS INC	16-Oct-98		



# Bail Bond Meeting Monthly Report

As of 11/02/2016

## *Complaints*

	Jul/Aug/Sep	Year to Date
Open	2	7
Closed	3	6

## *Audits*

Scheduled	3	5
Conducted	3	5
Closed	0	4

## *Investigations*

Open	14	53
Closed	14	62

## *E-Case*

New	2	7
Closed	2	5

	I-Cases	E-Cases
Open 0-90 days	0	0
Open 91-120 days	0	0
Open 121 - 180 days	0	0
Open over 180 days	0	2





# Application for Utah Resident Bail Bond Business Entity License

**Utah Insurance Department**  
**Suite 3110 State Office Building**  
**PO Box 146901**  
**Salt Lake City, UT 84114**

## Demographic Information

<b>1</b> Business Entity Name <u>Lucky BAIL BONDS</u>		<b>2</b> Incorporation/Formation Date (month) <u>9</u> (day) <u>27</u> (year) <u>2016</u>		<b>3</b> FEIN [REDACTED]		
<b>4</b> If assigned, National Producer Number (NP#)		<b>5</b> If applicable, FINRA Firm Central Registration Depository (CRD) Number				
<b>6</b> List any other assumed, fictitious, alias or trade names under which you are doing business or intend to do business.		<b>7</b> State of Domicile	<b>8</b> Country of Domicile			
<b>9</b> Is the business entity affiliated with a financial institution/bank? Yes <input type="checkbox"/> No <input type="checkbox"/>						
<b>10</b> Business Address <u>1265 S. Orchard DR.</u>		<b>11</b> City <u>Bountiful</u>	<b>12</b> State <u>UT</u>	<b>13</b> Zip Code <u>84010</u>	<b>14</b> Foreign Country <u>USA</u>	
<b>15</b> Phone Number (include extension) <u>(801) 554-6892</u>		<b>16</b> Fax Number <u>(801) 797-9512</u>	<b>17</b> Business Web Site Address	<b>18</b> Business E-Mail Address <u>utahbailrecovery@aol.com</u>		
<b>19</b> Mailing Address <u>P.O. BOX 1367</u>		<b>20</b> P.O. Box <u>1367</u>	<b>21</b> City <u>Bountiful</u>	<b>22</b> State <u>UT</u>	<b>23</b> Zip Code <u>84011</u>	<b>24</b> Foreign Country <u>USA</u>

## Designated/Responsible Licensed Producer

**25** Identify at least one Designated/Responsible Licensed Producer responsible for the business entity's compliance with the insurance laws, rules, and regulations of this state.

Name <u>M. Dyon Flannery</u>	SSN <u>[REDACTED]</u>	Owner: <input checked="" type="checkbox"/> Yes / No
Name _____	SSN _____	Owner: Yes / No
Name _____	SSN _____	Owner: Yes / No
Name _____	SSN _____	Owner: Yes / No

## Owners, Partners, Officers and Directors

**26** Identify all owners with 10% interest or voting interest, partners, officers and directors of the business entity, or members or managers of a limited liability company:

Name <u>M. Dyon Flannery</u>	Title <u>Owner</u>	SSN/FEIN <u>[REDACTED]</u>	Owner: <input checked="" type="checkbox"/> Yes / No
Name _____	Title _____	SSN/FEIN _____	Owner: Yes / No
Name _____	Title _____	SSN/FEIN _____	Owner: Yes / No
Name _____	Title _____	SSN/FEIN _____	Owner: Yes / No
Name _____	Title _____	SSN/FEIN _____	Owner: Yes / No
Name _____	Title _____	SSN/FEIN _____	Owner: Yes / No
Name _____	Title _____	SSN/FEIN _____	Owner: Yes / No

(State Use)

# Application for Utah Resident Bail Bond Business Entity License

## Business Entity Qualifications

27) Check the legal business type and the financial qualifications of the license for which you are applying.

### Legal Business Type:

- C - Corporation  
 P - Partnership  
 S - Sole Proprietorship  
 LLC - Limited Liability Company  
 LLP - Limited Liability Partnership

### Financial Qualifications:

- Surety Insurer: Sun Surety (provide name)  
 Real/ Personal Property - \$300,00 Net Worth (\$100,000 Liquid)  
 Financial Institution Line of Credit - \$300,000

## Required Additional Information with Initial Application

28) The following additional information is required. Please submit electronically to the department by faxing to the attention of Cathy Burton at 801-537-9113 or as a PDF attachment to an email at [cburton@utah.gov](mailto:cburton@utah.gov).

- 1) Articles of Organization and/or Articles of Incorporation identifying business' legal name and all owners, partners, shareholders and managers.
- 2) Proof of business entity registration through the Department of Commerce.
- 3) A copy of all forms to be used by the agency, filed with the department using the attached Property & Casualty Transmittal Document. **Note: The agency cannot begin business until these forms are filed.**
- 4) Proof of meeting the financial requirements by submitting one of the following:
  - a) **Letter of Credit Basis** – Applicant must provide an irrevocable letter of credit with a minimum face value of \$300,000 assigned to the State of Utah from a qualified Utah Financial Institution.
  - b) **Ownership of Real or Personal Property basis** - Applicant must provide the following:
    - i) A Certified Public Account reviewed financial statement as of the end of the most current fiscal year showing a net worth of at least \$300,000, including a minimum of \$100,000 in liquid assets.
    - ii) A copy of the applicant's federal income tax return for the prior two years.
    - iii) A preliminary title report dated not more than one month prior to the date of the application and an appraisal dated not more than two years prior to the date of the application for each parcel of real property owned by the applicant and included in the applicant's net worth calculation.
  - c) **Agent of a bail bond Surety Insurer basis** - Applicant must provide a qualifying power of attorney issued by the bail bond surety insurer.
- 5) Proof that at least one principal has a minimum of 2,000 hours of experience working as an employee of a bail bond surety company as a licensed bail bond agent, including the following:
  - a) a statement of the exact details of the character and nature of the experience;
  - b) a statement by each employer verifying the number of hours worked for the employer; and
  - c) federal income reporting forms that account for the wages for hours claimed, or documented approval of the claimed hours by the Utah Insurance Department (note: the total of 2,000 hours may be proved in part by federal income reporting forms and in part by approval by the insurance department).
- 6) Laws and Rules – The applicant is required to be aware of and comply with all the laws and rules governing the business of bail bonds. For the applicants information some of the laws that specifically apply to bail bonds can be found on our web site <https://www.insurance.utah.gov/> among other statues, the applicant may want to refer to Utah Code Annotated 31A-23a-409, 31A-35, and Utah Administrative Code R590-170, R590-186, R590-196.

**Application for  
Utah Resident Bail Bond Business Entity License**

**Background Information**

29 Please read the following very carefully and answer every question. All written statements submitted by the Applicant must include an original signature.

1. Has the business entity or any owner, partner, officer or director of the business entity, or member or manager of a limited liability company, ever been convicted of, or is the business entity or any owner, partner, officer or director, member or manager currently charged with, committing a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime? Yes \_\_\_ No

"Crime" includes a misdemeanor, felony or a military offense. You may exclude misdemeanor traffic citations or convictions involving driving under the influence (DUI) or driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license and juvenile offenses. "Convicted" includes, but is not limited to, having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere, or having been given probation, a suspended sentence or a fine.

If you answer yes, you must attach to this application:

- a) a written statement identifying all parties involved (including their percentage of ownership, if any) and explaining the circumstance of each incident.
- b) a copy of the charging document,
- c) a copy of the official document, which demonstrates the resolution of the charges or any final judgment.

2. Has the business entity or any owner, partner, officer or director, or manager or member of a limited liability company, ever been named or involved as a party in an administrative proceeding regarding any professional or occupational license, or registration? Yes \_\_\_ No

"Involved" means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, a cease and desist order, a prohibition order, a compliance order, placed on probation or surrendering a license to resolve an administrative action.

"Involved" also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license. "Involved" also means having a license application denied or the act of withdrawing an application to avoid a denial. You may EXCLUDE terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

If you answer yes, you must attach to this application:

- a) written statement identifying the type of license, all parties involved (including their percentage of ownership, if any) and explaining the circumstances of each incident,
- b) copy of the Notice of Hearing or other document that states the charges and allegations, and
- c) copy of the official document which demonstrates the resolution of the charges or any final judgment.

3. Has any demand been made or judgment rendered against the business entity or any owner, partner, officer or director, or member or manager if a limited liability company, for overdue monies by an insurer, insured or producer, or have you ever been subject to a bankruptcy proceeding? Do not include personal bankruptcies, unless they involve funds held on behalf of others.. Yes \_\_\_ No

If you answer yes, submit a statement summarizing the details of the indebtedness and arrangements for repayment.

4. Has the business entity or any owner, partner, officer or director, or member or manager of a limited liability company, ever been notified by any jurisdiction to which you are applying of any delinquent tax obligation that is not the subject of a repayment agreement? Yes \_\_\_ No

If you answer yes, identify the jurisdiction(s): \_\_\_\_\_

5. Is the business entity or any owner, partner, officer or director a party to, or ever been found liable in any lawsuit or arbitration proceeding involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty? Yes \_\_\_ No

If you answer yes, you must attach to this application:

- a) written statement summarizing the details of each incident,
- b) copy of the Petition, Complaint or other document that commenced the lawsuit arbitration or mediation proceedings and
- c) copy of the official document which demonstrates the resolution of the charges or any final judgment.

6. Has the business entity or any owner, partner, officer or director, or member or manager if a limited liability company, ever had an insurance agency contract or any other business relationship with an insurance company terminated for any alleged misconduct? Yes \_\_\_ No

If you answer yes, you must attach to this application:

- a) a written statement summarizing the details of each incident and explaining why you feel this incident should not prevent you from receiving an insurance license, and
- b) copies of all relevant documents.

7. Are you engaged in any unprofessional conduct as described in Utah Insurance Department Rule R590-186, Bail Bond Surety Companies? Yes \_\_\_ No

If you answer yes, you must attach to this application:

- a) a written statement summarizing the details of each incident and
- b) copies of all relevant documents (if necessary)

8. Have any of the person(s) named on this application willfully misstated or negligently reported any material fact in the application or procured a misstatement in the documents supporting the application? Yes \_\_\_ No

If you answer yes, you must attach to this application:

- a) a written statement summarizing the details
- b) copies of all relevant documents (if necessary)



## Application for Utah Resident Bail Bond Business Entity License

<p>9. Have any of the person(s) named on this application been the subject of any outstanding civil judgment?                  Yes ___ No <input checked="" type="checkbox"/></p> <p style="margin-left: 20px;">If you answer yes, you must attach to this application:</p> <p style="margin-left: 40px;">a) a written statement summarizing the details                  b) copies of all relevant documents (if necessary)</p>	Yes ___ No <input checked="" type="checkbox"/>
<p>10. Have you failed to report, preserve, and retain separately, or return collateral taken as security on any bond to the principal, indemnitor, or depositor of such collateral?                  Yes ___ No <input checked="" type="checkbox"/></p> <p style="margin-left: 20px;">If you answer yes, you must attach to this application:</p> <p style="margin-left: 40px;">a) a written statement summarizing the details                  b) copies of all relevant documents (if necessary)</p>	Yes ___ No <input checked="" type="checkbox"/>
<p>11. Have any of the person(s) named on this application have an outstanding judgment on a bail forfeiture which judgment is or has been subject to execution?                  Yes ___ No <input checked="" type="checkbox"/></p> <p style="margin-left: 20px;">If you answer yes, you must attach to this application:</p> <p style="margin-left: 40px;">a) a written statement summarizing the details                  b) copies of all relevant documents (if necessary)</p>	Yes ___ No <input checked="" type="checkbox"/>
<p>12. Do the person(s) named on this application certify: They are doing business under one name in the State of Utah and comply with state and local business regulations, including filing with the appropriate authority if doing business under an assumed name?                  Yes <input checked="" type="checkbox"/> No ___</p> <p style="margin-left: 20px;">If you answer yes, you must attach to this application:</p> <p style="margin-left: 40px;">a) a written statement summarizing the details                  b) copies of all relevant documents (if necessary)</p>	Yes <input checked="" type="checkbox"/> No ___
<p>13. Do the person(s) named on this application certify: They are the holders of real or personal property in Utah?                  Yes <input checked="" type="checkbox"/> No ___</p> <p style="margin-left: 20px;">If you answer yes, you must attach to this application:</p> <p style="margin-left: 40px;">a) a written statement summarizing the details                  b) copies of all relevant documents (if necessary)</p>	Yes <input checked="" type="checkbox"/> No ___

### Applicant's Certification and Attestation

- 30 On behalf of the business entity or limited liability company, the undersigned owner, partner, officer or director of the business entity, or member or manager of a limited liability company, hereby certifies, under penalty of perjury, that:
1. All of the information submitted in this application and attachments is true and complete and I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license or registration revocation and may subject me and the business entity or limited liability company to civil or criminal penalties.
  2. Unless provided otherwise by law or regulation of the jurisdiction, the business entity or limited liability company hereby designates the Commissioner, Director or Superintendent of Insurance, or an appropriate representative in each jurisdiction for which this application is made to be its agent for service of process regarding all insurance matters in the respective jurisdiction and agree that service upon the Commissioner or Director of that jurisdiction is of the same legal force and validity as personal service upon the business entity.
  3. The business entity or limited liability company grants permission to the Commissioner or Director of Insurance in each jurisdiction for which this application is made to verify any information supplied with any federal, state or local government agency, current or former employer or insurance company.
  4. Every owner, partner, officer or director of the business entity, or member or manager of a limited liability company, either a) does not have a current child-support obligation, or b) has a child-support obligation and is currently in compliance with that obligation.
  5. I authorize the jurisdictions to give any information they may have concerning me to any federal, state or municipal agency, or any other organization and I release the jurisdictions and any person acting on their behalf from any and all liability of whatever nature by reason of furnishing such information.
  6. I acknowledge that I understand and comply with the insurance laws and regulations of the jurisdictions to which I am applying for licensure/registration.
  7. I hereby certify that upon request, I will furnish the jurisdiction(s) to which I am applying, certified copies of any documents attached to this application or requested by the jurisdiction(s).
  8. I hereby certify that I am the owner, partner, or officer of this named company; that all the information in this application is complete and true to the best of my knowledge and belief, and acknowledge that any misrepresentation or misstatement of facts may be cause for revocation of this license. By signing this application, I hereby authorize the commissioner to make inquiry of any person regarding this application.

Must be signed by an officer, director, or partner of the business entity, or member or manager if a limited liability company:

Oct 3<sup>rd</sup> 2016  
 Month/Day/Year

  
 Signature

Michele Dyon Flannery  
 Typed or Printed Name

Owner  
 Title

1265 S. Orchard Dr. Bntfl, UT 84010  
 Address (City, State, Zip)



## Insurance Department

TODD E. KISER  
*Insurance Commissioner*

**State of Utah**  
GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

### BULLETIN 2016-DRAFT

**TO:** All Bail Bond Surety Companies

**FROM:** Todd E. Kiser, Utah Insurance Commissioner

**DATE:**

**SUBJECT:** “Cash Only Bail”

The purpose of this Bulletin is to highlight the fact that for criminal bail, Utah licensed bail bond agencies may not sell “cash only” bail contracts, post “cash only” bail, or loan money to defendants for cash bail.

The Utah Department of Insurance (“Department”) has reason to believe that a few bail bond sureties and bail bond producers may be selling, soliciting or negotiating “cash only” bail contracts.

Under Utah Code Annotated §31A-35-402(1) “**A bail bond agency may only sell bail bonds**”. In cases of “cash only” bail, where a sum of money is paid into court by a criminal defendant, or on the defendant’s behalf, it is the court deposited cash that secures the defendant’s court appearance.

According to Utah Code Annotated §31A-35-102(1) a bail bond is a bail bond insurance product for a specific monetary amount that is executed by a bail bond agency, as surety for a criminal defendant, and issued to a court as security for the defendant’s subsequent court appearance. Thus, a bail bond surety may only post bail by this method of a written bail bond undertaking to act as a surety for a criminal defendant.

Forms used by bail bond sureties and bail bond producers shall not incorporate language referring to “cash only” bonds. The Department will prohibit this language in all bail bond forms. Bail bond sureties and bail bond producers are strongly cautioned that the Department intends to aggressively pursue enforcement actions against those licensees that engage in prohibited “cash only” bail transactions.

Please contact Cathy Burton, Market Conduct Examiner, by phone at (801) 537-9113 or by email at [caburton@utah.gov](mailto:caburton@utah.gov) regarding this bulletin or Kathy Stajduhar, Property/Casualty Rate/Form Analyst at (80) 538-3822 or by email at [kstajduhar@utah.gov](mailto:kstajduhar@utah.gov) regarding forms.

DATED this    day of October, 2016.

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Todd E. Kiser  
Insurance Commissioner

IN THE  
SUPREME COURT OF THE STATE OF UTAH

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THE ROYAL CONSULATE OF THE KINGDOM OF SAUDI ARABIA,  
*Petitioner,*

*v.*

THE HONORABLE DEREK PULLAN,  
*Respondent.*

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No. 20150643  
Filed January 15, 2016

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Attorneys:  
Ronald J. Yengich, Salt Lake City, for petitioner  
Brent M. Johnson, Salt Lake City, for respondents

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PER CURIAM:

¶ 1 Monsour Al Shammari, who is a citizen of Saudi Arabia, was arrested and charged with rape. Bail was set at \$100,000, and the Royal Consulate of Saudi Arabia provided the cash funds to post bail. Shortly thereafter, Mr. Al Shammari attempted to cross the border into Tijuana, Mexico and was detained by the United States Customs and Border Patrol. When he failed to appear for a scheduled hearing in the criminal case, the district court ordered the cash bail forfeited without providing notice to the Consulate. Mr. Al Shammari was extradited to Utah, and he moved to set aside the order of forfeiture. Among the arguments he presented in his motion, he asserted the forfeiture was procedurally deficient because the Consulate, as a "surety," was entitled to notice. The district court determined that his failure to appear was willful and that the Consulate was not entitled to notice because it was not a surety for purposes of Chapters 20 and 20b of Title 77 of the Utah Code. It ordered the bail forfeited.

¶ 2 The Consulate has filed a petition for extraordinary relief with this Court challenging the district court's determination that it was not a surety and was not entitled to notice. It also contests the correctness of the district court's conclusions that Al Shammari's failure to appear was willful and that forfeiture of bail was

ROYAL CONSULATE OF SAUDI ARABIA

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appropriate. We conclude the Consulate was not a surety that was statutorily or constitutionally entitled to notice, and we decline to reach its arguments regarding the merits of the forfeiture ruling because it lacks standing. Accordingly, we deny its petition for extraordinary relief.

¶ 3 Section 77-20-4 of the Utah Code designates five mechanisms for posting bail, only one of which involves a “written undertaking with . . . suret[y].” UTAH CODE § 77-20-4(1)(b).<sup>1</sup> Section 77-20-5 then describes the two types of sureties who may provide a written undertaking: (1) a for-profit bail business; or (2) an individual or entity that is not in that business and who must be a real or personal property holder with a “net worth of at least twice the amount of the undertaking, exclusive of property exempt from execution.” *Id.* § 77-20-5(1). Chapter 20b of Title 77 separately provides that a “surety be given notice of [a] nonappearance” of the defendant, *id.* § 77-20b-101(1), and that it be provided a period of six months to produce the defendant before a forfeiture action is commenced on the bond provided by the surety, *see id.* § 77-20b-102.

¶ 4 In other words, the statutory scheme recognizes two different forms of guarantee of a defendant’s appearance: (1) an undertaking tendered by an individual or entity that ordinarily will be accompanied by the posting of a bond; and (2) bail by cash or an equivalent form of payment. In the case of written undertakings by sureties, those sureties assume distinct obligations to ensure defendants’ appearances and are afforded corresponding opportunities to satisfy their obligations prior to forfeiture hearings. Sureties also submit themselves to the “jurisdiction of the court and irrevocably appoint[ ] the clerk of the court as [their] agent upon whom any papers affecting [their] liability on the undertaking may be served.” *Id.* § 77-20-5(3).

¶ 5 Conversely, when the full amount of bail is satisfied by funds deposited with the court, defendants’ appearances are secured directly by those funds, with no independent obligations imposed on any third persons or entities who happen to provide the funds. The statutory scheme for bail does not concern itself with the

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<sup>1</sup> The others describe various means of making a direct payment of the full amount of bail—cash, credit card, and debit card—but also allow for the possibility of a “written undertaking . . . without suret[y].” UTAH CODE § 77-20-4(1)(a)-(c).

## Opinion of the Court

manner in which the defendant obtains the funds for cash bail or the nature of the relationship between the defendant and another provider, if any, of the funds. The person posting the cash bail may be merely functioning as a courier for the defendant's own funds, may be providing the funds out of friendship or familial loyalty, or may have extracted some agreement that may or may not be legally enforceable as a private contract.<sup>2</sup> In that light, the absence of a process for verifying the identity of the owner of the cash necessitates an assumption that cash bail is the property of the defendant or is provided on his behalf through a private agreement, and the court has no obligation to investigate the nature of that agreement or the identity of the parties to it. Nor does it possess any practical mechanisms for doing so.

¶ 6 This statutory scheme appears to be consistent with the historical distinction between cash bail and a surety's bond that has been described in decisions in other jurisdictions. *See, e.g., State v. Paul*, 976 P.2d 1272, 1274 (Wash. Ct. App. 1999); *State v. Echols*, 850 S.W.2d 344, 345-47 (Mo. 1993); *People v. Castro*, 464 N.Y.S.2d 650, 654-55 (Sup. Ct. 1983). Those decisions have observed that the common law deemed a surety to be personally liable for guaranteeing the appearance of the defendant. *See Castro*, 464 N.Y.S.2d at 655. Payment of a financial penalty eventually was substituted for the harsher consequence of incarceration of the surety in the event of forfeiture, and modern regulations pertaining to sureties incorporate and perpetuate that process and its premises. *See id.* By contrast, the

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<sup>2</sup> *In re Marriage of Bralley*, 855 P.2d 1174, 1178 (Wash. Ct. App. 1993), provided an interesting illustration of the possibilities:

X, being in jail on a bench warrant, and desiring \$1000 for cash bail may call Y and ask Y to (1) retrieve X's \$1000 from a mayonnaise jar buried in X's backyard; (2) contact Z and borrow \$1000 from Z; (3) loan X \$1000 of Y's money; (4) repay a \$1000 loan that Y may owe to X; (5) make a gift to X of \$1000 or the use of \$1000 pending X's completion of his obligation to the court; (6) sell X's personal property for \$1000. In any of these and a myriad of other possible circumstances, Y may bring \$1000 to the jail and obtain a receipt in her name. The receipt merely shows that money was received . . . ; it does not evidence whose "property" the bail money is.

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same decisions note that the posting of cash to ensure a defendant's appearance is a more recent statutory mechanism that functions as an impersonal tangible substitute for the requirement of a personal guaranty.<sup>3</sup> *See id.*

¶ 7 In this case the Consulate posted cash bail, and it has failed to demonstrate that it qualifies as a surety under the applicable statutes. The Consulate is not a for-profit bail business, and it failed to satisfy the formal statutory requirements for establishing status as a surety by "justify[ing] by affidavit upon [an] undertaking" regarding its property and net worth, as required by section 77-20-5(2) and by expressly submitting itself to the jurisdiction of the court under section 77-20-5(3). Accordingly, it did not act as a surety and was not entitled to notice under the statutory scheme.

¶ 8 For similar reasons, the Consulate's constitutional arguments also fail. The statutory notice requirements coincide with a scheme that comprehensively regulates the process by which a person or entity obtains recognition as a surety and by which that surety undertakes obligations in relation to the defendant's appearance.<sup>4</sup> Conversely, any obligations arising from the provision of the funds for cash bail are private in nature, between the provider and the defendant, and not between the provider and the court. And the absence of any duty to inquire into the true source of funds provided as cash bail necessarily obviates any obligation for the

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<sup>3</sup> *State v. Echols* summarized the difference as follows:

By observing the distinction between a surety bond and a cash bond, the basis for the differences . . . related to the two forms of bail become rational. The depositor of bail money has no obligation for the custody or appearance of the defendant. The money deposited is the security for the appearance of the defendant. This is not to say that one who posts cash bail for another cannot cause the defendant to surrender . . . . However, the law places no duties or obligation on one who posts a cash bail for another for the appearance of the defendant when required.

850 S.W.2d at 347.

<sup>4</sup> We need not address the question of whether sureties possess an independent due process entitlement to notice.

Opinion of the Court

court to provide notice of events occurring in the case after bail has been deposited. Accordingly, the Consulate has failed to demonstrate that it possessed a due process entitlement to notice of the circumstances that led to the forfeiture of the cash bail in this case.

¶ 9 Finally, we decline to address the Consulate's arguments that the district court erred in determining the factual prerequisites for forfeiture had been satisfied. Because the Consulate is not a party to the criminal proceedings and lacked any statutory or constitutional entitlement to notice of Mr. Al Shammari's failure to appear, it likewise lacked standing to challenge the district court's forfeiture ruling.

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## State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

NEAL T. GOOCH  
Insurance Commissioner

# Insurance Department

## Bail Bond Oversight Board Meeting

([http://www.insurance.utah.gov/producers/bailbond\\_board.html](http://www.insurance.utah.gov/producers/bailbond_board.html))

**Date:** October 12, 2011    **Time:** Noon    **Place:** Spruce Room  
East Building behind Capitol

(Attendees=*x*)

### **Board Members**

<i>x</i> Brad Jenkins (Chair)	<i>x</i> Ryan Cooper
<i>x</i> Gordon Wright (Co-Chair)	<i>x</i> Craig Crawford
Megan I. Corrent	<i>x</i> Lohra Miller
Peter Stevens	<i>x</i> Brad Tibbitts (Non-voting)

### **Staff**

<i>x</i> Suzette Green-Wright	<i>x</i> Perri Babalis	<i>x</i> Brett Barratt
<i>x</i> Jaimee George	<i>x</i> Jilene Whitby	

### **Public**

Thomas Pappas	Clay Carlos	Todd Harris
Garry Walton	Dominic Sanone	

## **MINUTES**

### **General Session (Open to the Public)**

- **Welcome:** At 12:10 pm Brad began the meeting and welcomed everyone.
- **Introduce New Non-Voting Board Member** – Brad Tibbitts
- **Adoption of Previous Meeting Minutes / Chair**  
Lohra made a **motion** to approve the minutes, Ryan seconded it and the vote was unanimous.
- **Roberts Rules & Open Meetings Act / Perri**
  - Parliamentary procedure:
    - All communication is through the chair.
    - Adjourn with a motion that is seconded and voted on.
    - A motion is debatable only after it is seconded.
    - Questions and comment should be directed to the chair.
  - Open Meetings Act
    - Required to review Act on an annual basis.
    - Business and discussions are to be done openly.
    - Since the Board is a part of the Executive Branch they are required to follow the Act.
    - Agenda is to be posted 24 hours in advance of the meeting with as much information as possible.
    - Agenda is to be posted on Public Meetings Website, on door of Department and send to a paper.
    - Meeting may be closed in order to discuss:
      - A person's character, professional competence or physical or mental ability;
      - Collective bargaining;
      - Imminent litigation;
      - Security devices;



- Criminal misconduct
- Strategy session regarding water rights;
- Strategy session regarding sale and lease of real property.
- The Act does not require that any meeting be closed.
- Only close a meeting if all members are present and state why it is being closed.
- Rarely do individual names need to be used in a discussion. Just discuss actions. It takes a two thirds vote to move to Executive Session.
- No action can be taken in a closed session.
- Minutes must be written and recorded. Written minutes are official and must be kept indefinitely. A recording is to be kept two years. Must include date, time, those present and absent and all matters voted on. Minutes of closed meetings are not public.
- Perri will send Board members an electronic copy of the Governor's boards and commissions book. It includes Roberts Rules and Open Meetings Act.
- Violation of this act is a Class B Misdemeanor.
- Brad asked if Megan Current was still a member of the Board. She is. Perri reviewed attendance requirements of Board members.
- *Executive Session - Not Needed (Closed to the Public)*
- **Summary of Enforcement Reports / Jaimee**  
Jaimee reviewed report. Complaints must be put in writing. Audits winding down. There are seven more to do. Eleven investigations have been opened since the last meeting. No e-cases were opened. Referrals are still taking place in jails.
- **Applications - None**

## Old Business

- **R590-196(3) Changes Re: Agents Depositing Premium in Agency Account / Perri**
  - The Department and Perri felt this change should be made to R590-196.
  - (g) should be (3).
  - Seven days should be specified as calendar days.
  - Jaimee stated that penalties will be determined on a case by case basis. There have been no forfeitures as a result of this issue so far. Brett said the Department's focus will be to get everyone into compliance. Blatant violations or a pattern of violations will be subject to penalties.
  - Gary said laws were already in place to make sure financial records are maintained. He did not think an agency should be penalized when an agent can't deposit premiums within seven days.
  - Perri noted that the reason for the change is to make it possible for Jaimee to enforce the 10% rule. Gary did not think Jaimee could tell by looking at deposits if an agency was compliant with the 10% rule. Brad said it worked for him. Jaimee said she knew of three agencies that were already following this procedure.
  - Brad gave the board and industry one month to come up with suggested changes that would help Jaimee check agencies for compliance of the 10% rule. Lohra was concerned that once rules were put into effect regulating accounting procedures it would create a slippery slope, resulting in stricter regulations. Bonding companies should be held accountable for the way their agencies handle their money. Jaimee said she needs a paper trail to really know what premiums agents are charging.
  - Ryan made a **motion** to table the rule, Craig seconded it. Lohra asked if the move was to send the rule back to staff to address the issue of auditing through less restrictive means? Perri said the department had given it their best shot. Input needs to come from the industry now.

- Lohra made a **substitute motion** to not support the rule as written. It is a violation of free trade. It is not a complete solution to the audit problem. She moved to not support the rule amendment, Brad seconded the motion. Todd felt there was enough self regulation inside the industry. Brad said violations were going on regularly. Clay asked if the department talked to a those accused of violating the law? He said that a new wheel would have to be invented in order to comply with the proposed change. All but Gordon voted in favor of the motion. Gordon voted against it.
- **Motion** by Craig to go back to New Business, seconded by Gordon.
- **Pre-licensing & CE**
  - Todd gave Suzette a flash drive of CE classes he wanted to provide.
  - Clay thought agencies should be required to train their employees. Statute should be repealed. Brad thought agency head should go to class and then be responsible to train their agents. The code would need to be changed to require this. Gordon agreed it should be changed. Suzette said the bail bond association could be responsible to teach the classes. Jaimee felt this law was needed. It should not be repealed. Many agencies are not being run properly and so should not be allowed to train their agents.
  - Gordon asked if board meetings could count for CE? Jaimee said the board could apply as a non-profit CE provider. The question comes to does the board meetings have enough content to justify an hour of CE? Maybe half an hour. According to the CE specialist a minimum of 50 minutes equals 1 hour of CE.
  - Brad asked Todd to send the Board an e-copy of his classes so they could review them.
  - CE law goes into effect January 1, 2012. No changes to the code will change this.
- **Amended Prohibited Bail Bond Advertisement Bulletin** / Perri
 

Todd asked if it was a violation to take a gratuity into the jail. Gary wanted to know the interpretation of “soliciting.” Perri said violations would be determined on a case by case basis. Jaimee explained that the Bulletin was to explain our law to the jails. The law is already in effect. Brett referred to the last paragraph of the Bulletin. Soliciting would be placing a box of pens or business cards on the counter and putting a poster up in the jail. It is not leaving a pen with a client accidentally. Gordon made a **motion** to send the Bulletin out to the jails, Craig seconded it and the vote was unanimous.
- **Cash Bail Machine**
  - **Bail Machine Update** / Jaimee
 

Jaimee went to the jail at Purgatory, talked with the sergeant and called the company that administers the machine. The machines are intended to take care of cash bail, especially in the evenings. They do not provide bail bonds. The company is the administrator. The jail takes care of the paperwork for cash bonds.
  - **Legality** / Perri
 

Department does not have regulatory authority over cash bonds.

## **New Business**

- **Early Case Resolution (ECR)** / Lohra
  - Lohra provided background on early case resolution. In 2002 thousands were released from jails due to overbooking. From date of arrest to conviction we had some of the longest times in the U.S. Salt Lake County did a study on the failure to appear rate, and found that they were at 42% with the national average at 20%. ECR was created to relieve this backlog. ECR requires that those released have their charges addressed and be given a date certain to appear. A problem they did not foresee was that the number of warrants was reduced, thus reducing bail bond business. The number of those failing to appear has been reduced and cases are being processed more quickly.

- Brad J said it had not decreased OCRs. Lohra said that was not the goal. Gary said ECR has nothing to do with bonding. He has writing more business since it went into effect. Brad said there has been a reduction in bonding.
- Lohra welcomed anyone who wanted to discuss this matter with her to give her a call at 801-671-3681.

**Other Business**

*Adjourned* 2:04pm

**Next Meeting:** November 9, 2011, Spruce Room, East Building

**2011 Meetings**

Nov 9 Dec 14

## **Excerpt from Bail Bond Oversight Meeting, October 12, 2011**

**Jaimee George:**

So I guess there was some concern last month about the cash machines, the cash bail machines at Purgatory and there was one up in Davis County. If I am correct. Are there any others that I am not aware of?

**Name: ?**

Not that I am aware of.

**Jaimee George:**

Okay, so I guess those are the two.

So I went and spent an afternoon at Purgatory just watching what was going on, as I get a lot of complaints out of there, and actually talked to the Sergeant about the cash bail machine and I also called the company that is administering this cash bail machine. The cash bail machine, the intention of it, was to alleviate someone at the window to take cash bail, not to post bail bonds. Okay, so instead of housing someone at the window 24/7 they have now allowed a machine to take some of that burden to post cash bail, not bail bonds, ok. So it is a handling fee, the 8% is a handling fee, and a \$10.00 surcharge for cash bail, not bail bonds. How it is posted is that the company is just the administrator to get the money from point A to point B. Someone in Minnesota can bail their son out for cash bail, not bail bonds, but for cash bail, through the website. The transaction is done, the jail is given notification. The jail then proceeds to process the cash bail paperwork, and then they release the person. From what we have determined it is not our jurisdiction for cash bail.

**Brad Jenkins:**

Does that satisfy everybody? Any questions?

**Gordon Wright:**

So they are not allowed to use it, for just say you go into jail for a DUI and it is \$1,500.

Not audible ...

**Jaimee:**

It is cash bail.

**Name(s): ?**

Not audible

**Jaimee:**

It's cash bail.

**Name(s): ?**

Not audible.

**Gordon:**

It can be \$1,500 bond or cash, you can do either. You can do either.... So, you can put cash in the machine for a bondable bail.

**Jaimee:**

For cash bail.

**Jaimee:**

It has to be the entire amount.

**Names: ?**

Not audible.

**Jaimee:**

It has to be the entire amount.

**Brad:**

But it can be a bondable bail. It's not just the cash only. They kinda told you part of the story.

**Gordon:**

But they didn't tell you the whole thing, you can post cash or a bond...not audible.

**Name: ?**

But people can do that in the booking area. If some guy's got his credit card he can bail himself out.

**Jaimee:**

They did it to alleviate the person at the window 24/7 to process the cash bail. They used this machine to alleviate that person that is there at 1:00 in the morning that may or may not take a cash bail. That's the whole purpose of this machine.

**Gordon:**

So the department has no regulation on cash bail, so if I get a call on cash bail, it's the wild, wild West, I can do whatever I want?

**Perri Babalis:**

We are not going to comment on that. Seriously.

**Gordon:**

I can charge, 100%.

**Perri:**

We can't say you can do whatever you want.

**Gary Walton:**

But Gordon has a long standing position with the Department of Insurance.

**Brad:**

Ok, next, Legality, Perri.

**Perri:**

Jaimee already said it. Because it is not a bond, it is not within our jurisdiction to regulate.

**Brad:**

Very good. Let me hear a motion to adjourn.

**Gordon:**

Second.

**Brad:**

All in favor?