



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)

Date: March 23, 2016

Time: 11:30AM

Place: East Building, Copper Room

Board Members

xBrad Jenkins (Chair)	Ryan Cooper
xGordon Wright (Co-Chair)	xPeter Stevens
xLt. Kati Booth	xClay Carlos
xStephen Aina	xBrett Barratt (Non-Voting)

Staff

xTodd Kiser, <i>Ins. Commissioner</i>	Suzette Green-Wright, <i>MC Director</i>	xCathy Burton, <i>Examiner</i>
Reed Stringham, <i>AG Counsel</i>	xSteve Gooch, <i>PIO Recorder</i>	

Public

None

MINUTES — Approved

- **General Session (Open to the Public)**
 - **Welcome** (11:35am)
 - **Approve a candidate for Pretrial Release Committee**
 - The purpose of the meeting is to nominate someone to take a position on the Pretrial Release Committee. This committee will advise on the creation of future laws and policies for bail bond and pretrial justice.
 - **Gordon nominates Jeff Clayton. Seconded by Pete Stevens.**
 - Brett asks for discussion of the email that was received from the court regarding the position. It states that the court is looking for a commercial surety agent. His concern is whether the court specifically wants a licensed commercial surety agent, since Jeff Clayton not licensed in Utah.
 - He suggests voting on Clayton, and then making an alternate vote on someone who is a licensed surety agent. Then they could contact the court to ask what they want.
 - Gordon asks who is making that requirement and under what code authorizes that requirement. Jeff Clayton is who the industry wants to represent them. Brett says the court didn't cite a code section, but the email specifically says "a commercial surety agent." Gordon says the industry should be able to pick who they want to serve as their representation.
 - Brad asks if the official makeup of the committee requires a bail bond surety agent, or does it just say a representative. Brett says he thinks it's a new position, but he doesn't have an answer. He was just noting what the court specifically requested.
 - Pete says he agrees with everyone. He agrees with Gordon that there should be a citation as to why it must be limited to a surety agent. He thinks they should vote, clarify with the court, then reconvene if necessary. If there's no requirement that it be a surety agent, then

this nomination stands. Brad agrees and also wonders if a potential requirement could be changed.

- Clay asks if anyone knows what the makeup of the committee is, and what is its level of transparency. Brad says he's asked but hasn't gotten an answer, but he thinks it will be similar to the last one. On the hill this year, he was told that it was not a closed committee, but industry people were told they could not attend. There is some contradiction there.
 - Brad asks if Brett would reach out to the courts to see if Jeff would be an acceptable candidate. Brett says yes. Brad will find out whether the meeting would be open to industry people. Brett says during the last round of meetings, the only time there were guests was when a judge brought a clerk or Brett invited Cathy.
 - Clay says transparency is of the utmost importance. He says he spoke to many legislators, law enforcement, jails, justice courts and nobody knew about it. If they want to get any wide-sweeping reform going that will affect every Utahn, they better do it right and make sure everyone has a say.
 - Brad knows the industry won't be setting the standard for these meetings, but they will do everything they can to be there to give feedback and take information back to the industry.
 - Kati asks Brad if he feels that Jeff Clayton is the right person to be representing the industry, despite not being a surety agent in Utah. Brad says yes. Gordon says he will look out for the industry's best interests, and he feels that the courts don't want him on the committee because he's very good at what he does and knows what he's doing.
 - Brad asks Brett to reach out to the court to find out what code citation authorizes the requirement. Brett says he will.
 - Clay asks if there will be a representative from the UID on the committee. Commissioner Kiser hasn't had anyone ask him. Brett will ask about it when he inquires about Jeff Clayton's acceptability. He will also ask about the overall makeup of the committee.
 - **Gordon nominates Jeff Clayton. Seconded by Pete Stevens. Motion passes 6-0.**
- **Adjourned** (11:52am)
 - **Next Meeting:** **April 13, 2016** — Copper Room, East Building

2016 Meetings (Noon to 1:30pm)

Jan 13, 2016	Apr 13, 2016	July 13, 2016	Oct 12, 2016
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