



Dedra Ray took advantage of the OBA sponsored Flu Vaccination Day on November 8. Flu vaccinations were given by the Oklahoma Visiting Nurses Association. If you failed to take advantage of this opportunity, the State Health Department is still urging everyone to take the immunization as soon as possible. A flu season is expected in early 2008. Most doctor's offices and clinics still have the vaccine available.

COMMENTS FROM THE OBA PRESIDENT

By the time you receive this newsletter the new law on forfeitures will have taken effect. The one year remitter clause in HB1332 has received the most attention, but don't overlook the 14 day limit on honoring the bail agents' request to enter the defendant into NCIC.

The expansion of the remitter time from 90 days from the paying of the bond forfeiture on or before the 91st day to one year is good public policy. The bail agent, whose risk it is, has a money interest in returning the defendant to face the court. This places Oklahoma among the growing number of states that have seen fit to make this adjustment in remitter time.

The new report by the United States Department of Justice on "Pretrial Release of Felony Defendants in State Courts" (NCJ 214994) released in November covers the 75 largest counties in the United States from 1990 to 2004. This report uses the time frame of one year from the failure to appear date and clearly shows the most efficient release method is private surety bail.

According to the study, the percentage of Surety bonds still in FTA status after one year was 19% as compared to 30% for recognizance bonds. That is a significant difference, but this study proves what we all knew. "Pretrial misconduct rates highest for emergency releases." "About half (1/2) of the 1% of defendant's released under emergency order to relieve jail over crowding were charged with some type of misconduct (table 7).

HB1804 AFFECTS DRIVERS LICENSE RENEWAL

Oklahoma's infamous Immigration Reform Act, HB 1804, also affects the renewal of your drivers license if you let it expire before renewing. Check your license renewal date now to see when it expires.

If your drivers license has expired, even one day, you cannot renew it at a local tag agency. It can only be renewed at a drivers license examiner office, and you must present a state issued birth certificate or a United States passport. If you have had your name changed through marriage, divorce or legally by a court of law, you must provide legal docu-

mentation in the form of a marriage license, divorce decree, or court order attesting to that fact.

This can be a major headache. Examiner offices tend to be very busy and long waits are common, some up to several hours. Some offices only renew licenses on certain days of the week, others only at certain times of the day.

If your license has expired, gather the legal documentation you are going to need, and then plan on spending at least half a day getting it renewed. If it has not expired, your local tag agent can handle the entire renewal in a matter of minutes.

Happy Holidays!

THE BAIL BOND FAIRNESS ACT

The Bail Bond Fairness Act has now passed the House of Representatives of the US Congress and has been referred to the US Senate Judiciary Committee for consideration. Introduced by Congressmen Robert Wexler, D-Florida, and Ric Keller, R-Florida, the central purpose of the bill is to make bail agents responsible only for the appearance of defendants, not their behavior prior to the trial.

In hearings before the House Judiciary Committee, Wexler said that under current law, if a Federal Judge sets extra conditions for a bonded defendant's release, such as a curfew or drug screening, the agent must ensure not only that the defendant shows up for trial, but also that he or she satisfies the extra conditions or risk forfeiting the bond.

PBUS, the Professional Bail Agents of the United States, has supported this legislation for several years, hoping to repeal the practice of making bail bond companies responsible for performance as well as appearance of defendants in Federal Courts.

Oklahoma has one member on the Senate Judiciary Committee, Tom Coburn. Any bondsman wishing to express an opinion on HR2286 should send their comments to Senator Coburn's office in Washington, DC.

BACKGROUND INTO THE BAIL BOND FAIRNESS ACT

Historically, the sole purpose of bail in the United States was to ensure the defendant's physical presence before a court. The bail bond would be declared forfeited only when the defendant actually failed to appear as ordered. Violations of other, collateral conditions of release might cause release to be revoked, but would not cause the bond to be forfeited. This historical basis of bail bonds best served the interest of the federal criminal justice system.

Currently, however, federal judges have merged the purposes of bail and other conditions of release. These judges now order bonds forfeited in cases in which the defendant actually appears as ordered, but fails to comply with some collateral conditions of release.

THE BAIL BOND FAIRNESS ACT WILL DO THE FOLLOWING

1. The Bill mandates that a bail bond may only be forfeited if a defendant fails to appear in court as ordered. If the defendant violates a condition of bail, for example, use of narcotic drug, failure to maintain a job, travel beyond a certain area, the defendant's bail may be revoked and they would be returned to jail. The cash value of the bond posted by the bail agent cannot be forfeited for this violation of condition.

2. This legislation allows professional bail agents to return to the federal court system to provide bail for defendants. Bail agents have been locked out of the federal system since the 1980's by the "violation of conditions" interpretation, as bail agents cannot guarantee behavior.

3. The Bill allows bail to become available to all defendants, not just those with significant assets. The bail agent system allows a broader spectrum of defendants to have the benefit of pretrial release, not just those who are affluent.

THE BAIL BOND FAIRNESS ACT DOES NOT

1. The Bill does not change the judge's authority to set or restrict bail. The judge still must make the determination as to the defendant's flight risk, a threat to the community, etc.

2. The Bill does not change the bail process in any way; it merely restricts forfeitures to the question of appearance. A bail bond cannot be forfeited unless the defendant has failed to appear in court.

3. The Bill does not put more criminals back into the community. The judge must still make the moral decision regarding pretrial release in terms of amount of bail and conditions. Dangerous criminals will continue to be held in custody.

(The above information is taken from the Professional Bail Agents of the United States web site at www.pb.us.com.)

B-PAC CONTRIBUTIONS GROWING

The Oklahoma Bondsman's Political Action Committee is gaining new contributions everyday. In addition, some OBA members are making political contributions directly to candidates in the name of B-Pac.

The following individuals made contributions during 2007 to B-Pac to be used for future candidate support: Doyle Davis, Dudley Goolsby, Jr., Angela Jones, Ed Kelsay, Gina LeBoeuf, Randall Lewis, Ed & Kathy Mayfield, Jack O'Daniel, Marilyn Pledger, Rusty Roberts, Betty Smart, Barry & Debbi Tucker, and Vernie Ziegler.

Many OBA members chose to make political contributions directly to candidates in 2007. These direct contributors include: William Betts, Carol Carlson, Doyle Davis, Billy Dismuke, David Dunn, Joshua Fletcher, Carol Franklin, Dudley Goolsby, Jr., David Hamilton, Ed Kelsay, Dicky Kidd, C. J. Knight, Gina LeBoeuf, Ed Mayfield, Shawn McClanahan, Joe Bob Nelson, Karen Ringgold, Rusty Roberts, Mena Samara, Roxana Sellars, Charles Smith, and Larry Tedder.

OBA wants to thank all of its members that have contributed either directly to B-Pac or to political candidates in the past year. The pac will be coming to all members in the next few months and seeking contributions for the 2008 elections.

As the OBA membership becomes known as serious contributors to political candidates for state offices, especially the Oklahoma House and Senate, the more influence the association will have with the legislature.

Continued from page 1

Pretrial misconduct rates for other types of releases ranged from 27% to 36%." "After emergency release (45%), the highest failure-to-appear rate was for defendants released on unsecured bond (30%). Property bond (14%), which also accounted for just 1% of releases, had the lowest failure-to-appear rate followed by surety bond (18%)." Contact the OBA if you would like a copy of the DOJ study.

Private bail is the most effective method of pretrial release in this country.

Dudley Goolsby, OBA President 2007-08

DISASTERS HAPPEN: CAN YOU SURVIVE?

On Sunday night, December 10, the ice storm moved into Oklahoma. By Monday morning over 600,000 people were without electricity, and many had no telephone or inter-net cable service. A predictable natural disaster had struck our state with a vengeance and many people were totally unprepared and their lives were completely disrupted. Have you given any thought and planning to the possibility of a disaster?

According to the Federal Emergency Management Agency (FEMA) 91% of the people in the United States live in an area where they could suffer from a natural or man-made disaster, excluding acts of terrorism. When you include terrorism in the list of possibilities, the percentage goes to 100!

Natural disasters include earth quake, forest fire, wild fire, tornado, hurricane, lightning strike, volcano, tsumani, flood, snow and ice storm, and all of the damage that can result from such an event. Man made disasters include explosions, gas or toxic chemical leaks or spills, industrial accidents, and all the other things that people can do that will set off a chain of events leading to disruption of life.

Depending on where you live, it is highly unlikely that you would be subject to some natural disasters. As an example, in Oklahoma the likelihood of a tsumani is infinitesimally small, and we live too far from the coast to be greatly affected by a hurricane, but we have tornados every year and have had earthquakes in the historic past.

So, no matter where you live, everyone needs to give some thought and planning for disaster. Any book store will have several books available and the inter-net has hundreds of web sites that offer advise on disaster preparation.

One of the better sites is maintained by the American Red Cross at www.redcross.org/services/disaster. The site is titled "Be Prepared - American Red Cross Preparedness Information" and has specific information regarding terrorism, emergency food and

water, sheltering in place, preventing and thawing frozen pipes, power outage, family disaster planning, animal safety, helping children cope with disaster, financial preparations (minimizing property damage and financial risks), and inter-net links to many other disaster planning web sites.

FEMA also has a very informative web site at www.fema.gov/areyouready/. They have published a very comprehensive book, "Are You Ready? An In-depth Guide to Citizen Preparedness", that is available from their publications warehouse and can be ordered online. The book provides step-by-step procedures for disaster planning, how to develop and maintain an emergency communications plan, how to get information about local emergency plans, evacuation planning, information specific to people with disabilities, and how to set up a disaster supplies kit.

The FEMA book has in-depth information on specific hazards including what to do before, during, and after each hazard type. The book covers all of the disasters listed above, in addition to such hazards as household chemical emergencies, extreme heat, lanslides and debris flows (mudslides), and terrorism (including explosion, biological, chemical, nuclear, and radiological hazards).

"Are You Ready?.." can be downloaded directly off the FEMA web-site listed above. However, it is 240+ pages long.

To order Publications you may write to: FEMA, PO Box 2012, Jessup, MD 20794-2012. Or you may call 1-800-480-2520, Monday -Friday, 8:00 a.m. - 5:00 p.m., EASTERN TIME. Or you may Fax your request to 301-362-5335. Please include the title, item number, short title, and quantity of each publication, along with your name, address, zipcode, and daytime phone number.

The publication item number for the FEMA book is IS-22. There is also available a facilitators guide for the book that contains even more information and is item number IS-22FG.

NEW BONDSMEN FOR OKLAHOMA

We welcome the following individuals to our profession and as new members of the Oklahoma Bondsman Association.

Amy Sue Brock - Hughes County

Joshua Gene Cox - LeFlore County

Patti Logan Haggerty - Canadian County

Marlon Star Houston - Comanche County

Carmella Diane Jarvis - Bryan County

Leslie Ann Sandusky - Mayes County

Michael Wade Checotah - Tulsa County

Cinthia Josefina Espinoza - OK County

Brandi Lee Haneberg - Sequoyah County

Melanie April Peden - Johnston County

Jean Ann Jones - Muskogee County

Rocky Lee Cutler - Tulsa County

Martha Dee Barnett - Kay County

TULSA BONDSMEN ELECT OFFICERS

The Associated Bail Agents of Tulsa (ABAT) has announced the election of new officers. David Hamilton will serve as President, Dennis Wharton was elected Vice President, Secretary will be Maria Lunger, and Holly Rosser will serve as Treasurer.

The new officers took office immediately upon election and will serve until their replacements are elected in 2008.



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NEW OBA MEMBER BENEFITS AT "NO COST"

Three new "no cost" member benefits are available to all OBA members through the Association's agreement with American Income Life Insurance Company (AIL). The company has been in the business of providing supplemental insurance for many years and is currently serving over 2 million families nationwide.

Through its agreement with the OBA, AIL will provide each bondsman with an Accidental Death and Dismemberment policy, a family Health Services Discount Card, and Child Safe Kits for children and grandchildren.

The Accidental Death and Dismemberment insurance policy pays \$2000 to a beneficiary designated by the OBA member. A cover letter and reply card has been sent to all association members, or you can respond online at www.aillife.com/benefits/SGJ3C.

While this insurance is in force for all OBA members without sending in the reply card or responding on line, if a member

fails to designate a beneficiary, the \$2000 would be paid to the member's estate and may be subject to taxation.

Those members that return the reply card or sign up on line will also receive a Health Services Discount Card for their family that provides household discounts of 20 to 60% on prescriptions, vision care & products, hearing care, chiropractic care, and optional discount dental care is available.

In addition, again at no cost, Child Safe Kits are available for member children and grandchildren. These kits, endorsed and supported by the International Union of Police Associations, help families gather vital data, photos and fingerprints from their children so they are ready for authorities in the event of an emergency.

The local AIL representative working with the OBA is Tim O'Conner. He can be contacted via email at toconnorail@sbcglobal.net or by calling (405) 848-9304.

Please mark your calendars NOW for the following DATES IN 2008!

Monday, June 2, 2008

General Membership Meeting & Elections
OBA Building/ OKC
3:00 p.m.

Tuesday, June 3, 2008

CE#1 - Oklahoma City
Clarion Meridian Convention Center
737 South Meridian
Oklahoma City, Oklahoma
405/942-8511
OBA Room Rate \$64.00 + tax
Room Rate Cut-Off Date 05/20/08

Tuesday, June 10, 2008

CE#2 - Catoosa
Cherokee Casino Hotel & Resort
I-44E & Exit 240-A
Catoosa, Oklahoma
800-760-6700
OBA Room Rate \$78.00 + tax
Room Rate Cut-Off Date 05/09/08

Oklahoma Bondsman Association

222 Northeast 27th Street
Oklahoma City, OK 73105

(405) 524-5920
(405) 601-6484 **Fax
(866) 374-6257 **Toll Free
** Note New Phone Numbers!

2007-2008 DUES SCHEDULE
CE/DUES..... \$550.00
Legal/Bldg \$25.00
Total Dues \$575.00

DUES PAID BEFORE
NOVEMBER 1, 2007
Pay \$375.00

Dues paid November 1 or later,
but by December 31, 2007
Pay \$475.00

Dues paid January 1, 2008
or later,
NO DISCOUNT ALLOWED
Pay \$575.00