



The Bondsman  
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Oklahoma City, OK 73105

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July

# THE BONDSMAN

2007



**YOUR OBA 2007-08 BOARD**

Front Row, L to R: Dudley Goolsby, Jr.; Gina LeBoeuf; Zig Aigler; and Anita Baker  
Back Row, L to R: Barry Tucker, Bill Chenhall, Joe Bob Nelson, Jerry Dowell, Dicky Kidd, Rusty Roberts, and Cathy Guyer

## OBA INTERNET SITE REVISED

The OBA's website, okbondsman.com, is being revised and updated by the Association staff and a new webmaster under contract to the Association. By the time you read this newsletter, many of the planned improvements will already be online. Others will be available in the near future.

The website will have a list of Officers and Board members, a Calendar of Events, information on educational programs (both continuing education and new bondsman classes), Oklahoma bail bond and bondsman law, and an archive of the current and past issues of the OBA newsletter, The Bondsman.

There is also a "Find a Bondsman" section for use by the general public to find a bondsman by either last name, city, or county.

Each bondsman is listed by full name, city, county, zip code, telephone number, and license (cash, surety, property and/or professional). This section has already been updated to include the latest graduates of the bondsman training program conducted by the OBA this year.

New additions, to be put in place as soon as possible, will be a complete copy of the Oklahoma Bondsman Association Code of Ethics, and a copy of the OBA By-laws.

Cathy Guyer, the OBA's new Executive Director is looking for additional subjects to put on the web site to make it as useful as possible by OBA members and the general public. Any member with a suggestion for new website topics is ask to contact Ms. Guyer at the OBA office in Oklahoma City.

## OBA BUILDING AVAILABLE

If you need space for a meeting or function in Oklahoma City, as a member of OBA you are eligible to use the Associations meeting facilities in the headquarters building, if it is available on the date needed.

Centrally located near the State Capitol building, the headquarters has good parking and a large meeting room in the basement part of the building. It has been used in the past for receptions, business meetings, seminars, and training programs.

For information regarding availability, please contact Cathy Guyer, OBA Executive Director, at (405) 524-5920 in Oklahoma City.

## PRESIDENT'S COMMENTS

I would like to take this opportunity to thank you for re-electing me as your President for 2007-08. It is a great honor to serve you and our organization. We made great strides this past year both organizationally and legislatively. The financial leadership provided by Mr. Bob Rollins the past 10 years has enabled us to hire an Executive Director for our sole use. We are indeed lucky to have the services of Cathy Guyer, someone with years of experience in the bail industry on the government level, being able to make the transition to the private sector. While many trade associations nationwide utilize management teams, I would think there are very few, if any, able to hire an Executive Director that knew all the members names the first day on the job.

Politically we hit a home run this year. We were able to secure passage of SB 996, thanks to Senator Crain and Representative Terrell, the

bill's authors. This bill represented the most liberal change in the time to recover "Failure to appears" in twenty years. This came about due to a lot of effort by many people. Our lobbyist Gary Huddleston led the charge, aided by attorneys Larry Tedder and Jeff Hatfield in the initial language drafting. That was the easy part, the guidance provided by Mr. Huddleston backed by the phone calls made by you, the members, was the hard part.

That being said we now have to make sure we don't fail to show our support to our representatives in the House and Senate come election time. We made our appeals during the educational conferences in Oklahoma City, and Tulsa for contributionst to our Political Action Committee (B-PAC) and you responded generously but it will require more.

Dudley Goolsby, OBA President

## B-PAC REACTIVATED

B-Pac, the Oklahoma Bondsman Association political action committee, has been reactivated under the leadership of Barry Tucker and has begun accepting contributions to be used for candidate support in the upcoming elections.

Tucker said, "We have had an outstanding year at the Legislature with the passage of Senate Bill 996, authored by Senator Crain and Representative Terrill. But in order to protect our gains, and maybe seek some additional law changes, we need to be out in the field with dollars to support candidates for re-election that are favorable to the bail bond industry. Candidate support contributions do not buy votes, but they do get us in the legislators door to discuss our position on pending or possible legislation."

During the two educational conferences on June 5 and 12, B-Pac contributions were solicited from OBA members and they responded with something over \$2100 to get the program off to a good start.

A solicitation for B-Pac contributions will be sent to all OBA members in the next few weeks. Chairman Tucker recommends that every bondsman should contribute at least \$100, but said, "We'll take whatever a member feels they can afford. Everyone should remember that you can contribute

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## OBA'S 2007 Conferences Successful

The OBA's 2007 educational conferences held in Oklahoma City on June 5 and Tulsa on June 12, were successful by any measure. Nearly 500 Bondsmen attended one or the other of the two programs and many took home not only some excellent information, but also some great door prizes.

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### ... B-PAC Reactivated

more than one time a year. We'll setup a system to allow for monthly or quarterly contributions. We are also going to put a credit card contribution program in place as soon as possible and will include information about it in our solicitation mailing."

"The importance of a political action committee to an association like ours cannot be overstated," said OBA President Dudley Goolsby. "A few years ago you could run for the House or Senate almost anywhere in the state for just a few hundred dollars. Now election campaigns for either house cost thousands of dollars, and in two races this last year the cost of a Senate race went over \$100,000. This means that candidates need financial help and appreciate it when it comes in. Contributions do not change any candidates' political philosophy, but it gets

### ... Conferences Successful

Any bondsman that stayed for the entire program has now met their continuing education requirement for the year and this is now a matter of record by the Bail Bond Division of the Oklahoma Insurance Department.

Anyone needing CE for this year needs to contact Executive Director Cathy Guyer at the OBA and make arrangements to attend the video replay of the Oklahoma City conference. The replay is set for Thursday, August 2nd, at the OBA building.

Walter Armstrong, Tulsa, and Judy Berglan, Sallisaw, each won a full 2007/08 OBA membership during the door prize drawings. Michelle Talley took home a free Cherokee Casino & Resort Weekend.

Other door prize winners: Olympus Voice Recorders - Curt Pletcher, Deanne Pipher, Steve Meyer, & Dee Anne Allen; Canon Calculators - Susie Sturgeon & Steve Fowler; Royal Crosscut Shredder - Connie Squires & Kristina Decker; Cuisinart Coffee Maker - Steve Fowler, Wanda Worley & Dennis Wharton; Samsonite Notebook Case - Louis Perry & Steven Snyder; and Homedics Massager - Dale Dacus & Jan Gosting.

Eight fifty dollar cash prizes were sponsored by the American Century Life Insurance Company and went to Delbert

their attention and gets us an audience when we need to talk to them about a piece of legislation."

A political action committee war chest of \$60 to \$100 thousand will make the OBA a significant player in the Oklahoma Legislature races this next year.

NOTE: By state and federal law, contributions to political action committees can only be made by personal check or personal credit card. B-Pac cannot accept company checks. Cash contributions are discouraged because of the increased record keeping requirements.

B-Pac contributions can be made right now by mailing your personal check, made payable to the "Oklahoma Bondsman Association PAC" and sent to the OBA office, 222 NE 27th St., Oklahoma City, OK 73105.

Wood, Jennifer Barnett, Bill Gillaspay, Susan Shipton, Denise Bowline, Liz Wallen, Marla Lunger and Angela Ridenour.

Allegheny Casualty Company and International Fidelity Insurance Company sponsored ten fifty dollar Office Depot Gift Cards that went to Donald Squires, James Williams, Rod Archer, Lori Miller, Justin Dowell, Mykeisha Giles, James Cowles, Laura Earley, Rick Willson and Katy Lafferty.

Plans for the 2008 conference series is already underway. The Oklahoma City program will be held on Tuesday, June 3, and the Tulsa program on Tuesday, June 10. The conferences will be in the same locations as this year, the Meridian Convention Center in OKC and the Cherokee Casino and Resort in Catoosa (Tulsa).

OBA Education Director, Ed Kelsay, is seeking suggestions from bondsmen for speakers and/or topics for next year. Any member that would like to make a suggestion can contact Kelsay at 405-720-9800. The Director said they would also be looking at speakers and topics from past conferences. All suggestions will be given serious consideration.

One change from this year, there will be no speaker during the lunch breaks. However, there will still be door prize drawings at the end of the lunchtime.

### BAIL BOND FAIRNESS ACT PASSED BY US HOUSE

H.R. 2286, known as the Bail Bond Fairness Act of 2007, was passed by the US House of Representatives on June 25 and sent to the US Senate for consideration.

The bill makes clear the intent of Congress that the purpose of a bail bond is solely to ensure the defendant's physical presence before a court and to grant judges the authority to declare bail bond forfeited only where the defendant actually fails to appear physically before the court as ordered and not where the defendant violates some other collateral condition of release.

While the historical basis of bail bonds was to assure appearance, many Federal judges have merged the purposes of bail and other conditions of release. These judges now order bonds forfeited in cases where the defendant actually appears as ordered but fails to comply with some collateral condition of release. As a result, the underwriting of bonds for Federal defendants has become virtually impossible. Consequently, the Federal criminal justice system has been deprived of any meaningful bail bond option.

The primary purpose of HR 2286 is to make it clear to the Federal courts that "a bail bond is about guaranteeing the appearance of a defendant" according to the majority opinion of the House Judiciary Committee when it passed the bill out on June 13 to the floor of the House where it was considered and passed on June 15.

HR 2286 now goes to the US Senate where it will most likely be assigned to the Senate Judiciary Committee for consideration.

The bill actually amends Title 18 of the United States Code to state that "the judicial officer may not declare forfeited a bail bond for violation of a release condition" as provide for in the code. It also amends the Federal Rules of Criminal Procedure to provide that the bond can only be forfeited if "the defendant fails to appear physically before the court."

OBA members are encouraged to contact their Senators and ask that they support HR2286 as it makes its way through the Senate consideration process to become the law of the land.

### WELCOME NEW BONDSMEN FOR 2007

Bartlett, Frank - Kay County  
Boeks, Deanna - Seminole County  
Dossier, Kendall - Oklahoma County  
Haneberg, Mary - Sequoyah County  
Huff, Roger - Woodward County  
Jackson, Michael - Craig County  
Jenkins, Ayesha - Tulsa County  
Ketron, Ann - Woodward County  
LeFlore, Elisa - Grady County  
Sherrin, Ira - Cleveland County  
Waddle, Desiree - Nowata County  
Walker, Sabrena - Garfield County  
Weast, Patricia - Tulsa County  
Wilkins, Leah - LeFlore County

### IN MEMORIAM

Ted Coleman  
January 2007

Ernestene Sams  
February 2007

Jeanne (Denman) Skibell  
May 2007

### ONE OF OUR OWN

During the June 12 educational conference at the Cherokee Casino and Resort, someone picked up a copy of a Cherokee Nation publication and discovered that one of OBA's own was a member of the Cherokee Nation Tribal Council.

OBA member Linda Hughes O'Leary was shown in a photo of the Tribal Council members in the "Where The Casino Money Goes" publication.

### MEMBERSHIP MEETING ELECTS 2007-08 OFFICERS

Officers and Board members for the 2007-08 year were elected by the membership during the OBA's annual membership meeting Monday, June 4, at the Association's building in Oklahoma City.

All of the Association's officers for this year were re-elected to serve next year: Dudley Goolsby, Jr., President; Jerry Dowell, Vice President; Gina LeBoeuf, Secretary; and Anita Baker, Treasurer.

Only two of the Association's five Coordinator positions were up for

election or re-election this year: Dicky Kidd was re-elected to serve as the Southeast Region Coordinator; and Zig Ziegler was re-elected to the Northwest Region position.

In 2008 the following Coordinator positions will be up for election or re-election: At Large position currently held by Russell Roberts; Southwest Region held by Joe Bob Nelson; and the Northeast Region held by Bill Chenhall.

Next year's Annual Membership meeting has been tentatively scheduled for Monday, June 2 of 2008.

### A WORD FROM THE OKLAHOMA BAIL BOND DIVISION

*(The following was prepared by Robert Noll, Director of the Oklahoma Insurance Department's Bail Bond Division. 405-511-6613)*

I recently attended a meeting with a representative of a surety company that specializes in bail bonds. The representative had been involved in the bail bond industry for over twenty-five years, and said that in his experience, Oklahoma has one of the most stringent regulatory schemes for bondsmen. I was surprised. My assumption was that Oklahoma's regulatory scheme would be no different from any other state, especially with the influence of such groups as the National Association of Insurance Commissioners and the National Conference of Insurance Legislators.

My second assumption was that such regulation makes it difficult to succeed as a bondsman in Oklahoma. However, as I looked around the meeting, I realized that the bondsmen attending the meeting were able to compete and win in Oklahoma's tough environment. My opinion is that bondsmen should not

view increased regulation as a setback. Rather, every bondsman should be proud that they can be successful in a state with expansive regulation like Oklahoma. Not everyone can do it.

A problem that has come to my attention is a situation involving municipal bonds. It was reported that municipal court required a bondsman to stay on a bond until a defendant paid all of the fines and costs imposed by the Court. My opinion is that the Court's conduct converts an appearance bond into a performance bond. Bondsmen are not authorized by law to write performance bonds, since this is a separate license issued by the Insurance Department.

Although the Department does not have regulatory authority over municipal courts, I contacted the municipal prosecutor and brought the matter to his attention. If you know of other instances of similar conduct, please let me know so that I can contact the court and attempt to prevent this practice.

proved by the Tribal Council.

CNE operates six Cherokee Casinos, the Cherokee Casino Will Rogers Downs (race track & casino), two Outpost Convenience Stores, two gold courses and several retail outlets. All of CNE's profits are used to provide services and jobs for Cherokee citizens.

Our congratulations to OBA member Linda Hughes O'Leary for her outstanding service to the Cherokee Nation and the State of Oklahoma.