



October

THE BONDSMAN

2008

A WEBSITE OF POSSIBLE INTEREST

In case you haven't found it, there is a website on the Internet that should be of interest to the bail bond profession. AboutBail.com is a free website for both the profession and the general public, but contains lots of self-help articles for bondsmen.

A quick look in late September listed articles on Safety for Fugitive Recovery Agents, 10 Simple Ways to Improve Your Bail Business, Five Resolutions (to help make your business more professional), Phone Etiquette for Your Bail Business, Marketing Effectiveness for Bail Professionals, and numerous articles on how to use the Internet to market and for research.

All of the articles reviewed were very well written, easy to read, and contained many valuable suggestions for the professional operations of a bail bond business.

AboutBail.com is actually a marketing website for bond agents, criminal lawyers, investigators, and immigration bonds, and to be listed a bondsman must "join" the website.

It is a national data bank for use by the general public trying to locate a bail agent, lawyer or investigator anywhere in the United States.

The website offers a monthly e-newsletter that is available to anyone by just entering an e-mail address. In addition, the archive of past information articles on the bail bond business is extensive.

You can access the site by going to AboutBail.com on the Internet.

ACCEPTING FIREARMS AS BOND COLLATERAL

An Oklahoma bondsman recently raised questions regarding the acceptance of firearms as collateral on a bond: Is it legal? Do you have to be a licensed firearms dealer? What happens if the client is convicted as a felon? And if so, how can you get your money back? All of these questions were taken to the Oklahoma City office of the Alcohol, Tobacco, and Firearms section of the U.S. Department of Justice where they were answered by a resident agent/investigator. Is it legal to accept firearms as collateral on a bond and do you have to be a licensed firearms dealer to do so? A search of Oklahoma law shows no prohibition and the ATF says that it is legal. The ATF agent said it is no different from accepting an automobile or some other kind of personal property as collateral. However, a problem does arise if the client is convicted of a felony. As a convicted felon the individual is prohibited from owning or possessing firearms and the bondsman would be violating the law if they gave the firearms back to the client. (The same would be true if the bondsman discovered that the client had already been convicted of a felony before offering the firearms as collateral.) Once the firearm is in the possession of the bondsman, it cannot be legally returned to a person that is a convicted felon. The client could, even as a convicted felon, give the firearm to someone else and the bondsman could then turn the firearm over to this third person, provided they were not a convicted felon. In such event, the bondsman would want a written statement from the client showing transfer of ownership and a written statement from the new owner stating that they are legally entitled to own a firearm (i.e., they are not a convicted felon). An alternative offered by the ATF was for the bondsman to take the firearm to a Pawn Shop and pawn the firearm in order to recover the money. The pawn ticket could then be given to the client for whatever they wanted to do with it. What about selling the firearm to someone else? According to the ATF this would be legal. The ATF does not regulate the personal sale of firearms, providing the firearm itself is legal (not prohibited, such as a machine gun) and the person buying is legally entitled to own a firearm. (It is this latter requirement that make the sale of a firearm to someone you do not know very dangerous.)

According to one Oklahoma bondsman, who happens to be a licensed firearms dealer, "We just decided that accepting firearms as collateral was not worth all the possible problems that could arise. We don't do it."

FLU SHOT TIME

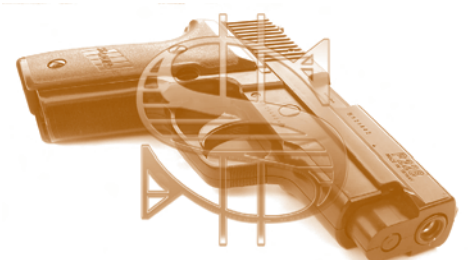
Again this year the OBA is sponsoring an Annual Flu and/or Pneumonia Vaccine clinic at the Association headquarters building and is set for Thursday, October 23rd from 1:00 until 3:00 pm. All clinic scheduling is contingent on vaccine availability, so it is recommended that interested persons contact the OBA by calling 524-5920 on the morning of the clinic to confirm that it will be held. Appointments are not necessary.

The flu and pneumonia vaccine injections will be given by members of the Oklahoma Visiting Nurse Association, with payment due at the time of service. Flu shots will be \$25.00 each and the pneumonia shots are \$45.00 each.

Immunizations are available to all OBA members and staff, and their families. The clinic will be held in the OBA building at 222 NE 27th, in Oklahoma City.

The visiting nurse representatives will answer questions regarding Medicare coverage and will have appropriate billing information during the clinic.

According to the Center for Disease Control the 2008-09 flu season may be one of the worst in many years.



COMMENTS FROM THE BAIL BOND DIVISION DIRECTOR

As many of you know, Oklahoma has a large enough amount of bail bond forfeiture activity to necessitate a monthly forfeiture docket before the Oklahoma Insurance Department's hearing examiner. The scheduled time for this docket is 9:30 a.m. on the third Wednesday of the month at the Department's Oklahoma City office. This docket is on the record and is open to the public and usually contains between 30 and 50 forfeitures from county and municipal courts all over Oklahoma.

What frequently happens is that the Insurance Department will set a forfeiture action on the docket, only to have the issue become moot by an order from the underlying court where the forfeiture occurred that sets aside the order and judgment of forfeiture and exonerates the bond. When this happens, don't forget to tell the Department about this, or otherwise any disciplinary case may proceed against you. Please contact the Department's Legal Division

at 405-521-2746 to inform the Department about what has happened. To avoid any forfeiture problems entirely, remember to pay on the forfeiture by the 91st day.

Although it does not happen very frequently, the Department occasionally receives anonymous complaints about bail bondsmen. The details included in the complaints suggest that the complaining parties are other bondsmen. If you have a legitimate complaint about a bondsman, please include your contact information so that the Department may visit with you and collect any necessary additional information. Also, the Department may require sufficient evidence to take the matter to a hearing; this will require your help as well. The assistance process the Department provides is there to help not just bondsmen, but all Oklahomans.

Robert Noll Director,
Bail Bonds Oklahoma
Insurance Department
405-521-6613

OKLAHOMAN BECOMES MASTER'S CERTIFIED BAIL AGENT

Oklahoma now has a Master's Certified Bail Agent under the Professional Bail Agent of the United States' certification program. Susie Sturgeon-Titus is now entitled to add the initials "MCBA" after her name to indicate that she has attained the Masters level certification. Susie qualified for the Certified Bail Agent designation in 2002 and received the Masters designation in 2007. She is one of only thirteen agents nationwide to do so, out of over ten thousand licensed bail agents in the United States. She has been a licensed bail agent since 1980 and started in California working for a private company, then successfully owned and operated her own bail bond business. Since 1992 she has worked as a National Field Service Representative servicing bail bond companies throughout the United States. Susie's activities for the profession include serving on the OBA Board of Directors and she was the Education Committee Chair for four years.

DO YOU HAVE A SUGGESTION FOR 2009 ?

Planning has started for the 2009 OBA Educational Conferences in Oklahoma City and Tulsa, and the Association is looking for topic and/or speaker suggestions. If you have a suggestion for next years educational programs, please contact OBA Education Director Ed Kelsay at 405 720-9800.

Suggestions for possible speakers are especially being sought. If you have heard or heard of a good speaker on a topic that might be of interest to bondsmen, please forward the information as soon as possible. Good speakers are often booked months in advance so we want to contact them as quickly as possible about next June's programs.

An attempt is being made to make the programs as informative and useful to the professional bondsman as possible. The 2009 programs are set for Oklahoma City's Meridian Conference Center on Tuesday, June 9, and the Cherokee Resort and Casino in Catoosa (Tulsa) on Tuesday, June 30.

The Association's Annual Board of Directors and Membership Meeting will be held on Monday, June 8, 2009, in the OBA Building.



2009 DUES ARE DUE

And the good news is that your 2009 dues have been reduced by \$25. The OBA Board of Directors voted at its August meeting to stop collecting the additional \$25 per member that was being used to setup and maintain a legal defense fund for the Association.

When the fund was originally established, it was determined that once it reached \$50,000 the \$25 assessment per member would be discontinued until such time as the fund dropped below that level.

Dues for 2009 are as follows: paid between September 1 and October 31 are \$350 (a \$200 discount); paid between November 1 and December 31 are \$450 (a \$100 discount), and \$550 if paid January 1, 2009 or later.

Dues not paid by March 31, 2009, shall result in the delinquent member's suspension from membership. Suspended members are not eligible to attend education classes, including continuing education required by Oklahoma law, until dues for the current year are paid in full.

This year's dues statements from the OBA contain a block where members can make donations to B-PAC, the Association's political action committee. B-PAC supports individuals seeking re-election to the Oklahoma legislature through contributions to their campaign funds. Over \$1500 has been contributed so far this election year and there are several more races that deserve the professions support.

OBA OCTOBER BOARD MEETING

The OBA's next Board of Directors meeting will be held Thursday morning, October 16, in the Association's headquarters building at 222 NE 27th in Oklahoma City. The meeting starts at 10:00 am and usually lasts about two hours.

Any interested OBA member is invited to attend. At the end of each Board meeting there is a time set aside for visitor comments and concerns.

December's Board meeting is traditionally held in Tulsa as part of a joint meeting with the Tulsa County Bondsman association. Date, time and location to be announced on the OBA website at:

www.okbondsman.com

LISTENING: A BUSINESS TOOL

Studies done by Universities and other large business training programs tell us that untold billions of dollars are lost each year by business and industry because of simple "listening" mistakes: a name is misspelled, a credit card or license number is recorded incorrectly, a phone number isn't heard correctly, directions are only partially heard, and the list goes on and on.

Are you a good listener? What about your staff? If you can say about yourself or your staff, "Well, probably about average," then you have a problem. Research shows that the average listener is only 25% effective. That means that they are getting only one-fourth of any message directed to them! Think of how much you miss.

The most common listening problem for most people is their own distraction. Something going on around or near them grabs their attention and holds it and during that distraction time they miss part of the message.

Do you want to be a better listener?

Here are nine simple listening techniques:

1. **ATTITUDE:** The best listening technique of all is your own personal attitude of interest in what is being said. You must consciously work to overcome distractions, preoccupation, or disinterest. One way is to remember WIFM ... "What's In It For Me?"

2. **EMOTION:** The good listener controls their own emotions and tries to deemotionalize information coming to them. Emotion colors the communications being directed at you by another. The message is already distorted, don't let your own emotions distort it even further.

3. **POSITIONING:** There are two kinds of communications positioning: physical and psychological. Physical positioning simply means, if you can't hear, you can't listen. It may be necessary to relocate the communications process because of excess noise or just people moving around and breaking your concentration. Psychological positioning means you must be close enough to hear, but far enough away to listen. If someone invades your "body space" (i.e. they get too close) you tend to quit listening and become distracted by their immediate presence. Back off to listen effectively.

4. **FEED FORWARD:** If you indicate to a sender that you are really interested in the message, they will work harder to communicate with you. You indicate your interest by maintaining an active body state, making periodic eye contact, and giving a visual response to the communications effort. This may include an occasional "eloquent grunt" to indicate your interest.

5. **EYES:** It has been said that only 8% of the emotion of any message comes from the words, while 37% comes from vocal intonation and nearly 55% from body language. Whether you believe those figures or not, it is easier to listen when you can actually see the speaker and watch how they stand and if they make eye contact with you.

6. **FEEDBACK:** This technique allows you to indicate to the sender that you have received and understood the message. This is done by feeding or reflecting their message back to them, in your own words, and then waiting for a reinforcing response. If you just repeat back what they say in their words, they don't know if you got "the message" or not. When utilizing feedback you suspend your analysis

and your critical judgement while receiving the message and while feeding it back. (Wait until you have received and understood the entire message before you try to analyze and judge it.)

7. **QUESTION:** If you do not understand the message, do not hesitate to ask the sender to clarify, repeat, expand, or even justify what is said. In questioning, suspend both your analysis and critical judgment, and avoid judgmental questions.

8. **REPETITION:** If you wish to remember something, you can play it back again to yourself, either verbally or mentally. It is a well known fact that any message heard 4 to 6 times per day for 8 days is almost totally retained ... with over 90% retained 30 days later. Dale Carnegie in his book "How To Win Friends ..." said that if you will repeat a person's name 3 times within the first 2 minutes after being introduced to them, you will be able to retain their name for the duration of the social or business contact.

9. **SILENCE:** As a listening technique, silence is both very easy and extremely difficult. It is easy because you don't have to do anything. It is difficult because most of us can't stand silence and want to talk. If you give the sender silence, both verbal and mental silence, and look interested, they will talk to you. People like people that give them silence and then listen to them!

If these nine techniques only improve your listening by 25%, you will be twice as good a listener as the people around you.

OBA OFFICER/BOARD ELECTION CHANGE DISCUSSED

Changing the OBA's method of selecting its officers and directors has been discussed at the Association's recent Board meetings. The possibility of changing the selection method was raised during the two Educational Conferences in June.

Some members said that it was very inconvenient to have to come to Oklahoma City and attend the Annual OBA Membership Meeting just to vote for officer and delegate positions. A Board discussion of this voiced dissatisfaction with the current election method lead

to a recommendation that the Association seek recommendations from the membership for possible alternative selection methods.

OBA General Counsel, Larry Tedder, pointed out that any change in election or selection method would require extensive amendments to the OBA Constitution and By-laws, which in itself would require either a wait until next year's Annual Membership Meeting or a special called Membership Meeting. In either situation the members would have to come to Oklahoma City to

make a change.

Any OBA member having a recommendation for a new selection or election method is ask to contact the Association's Executive Director, Cathy Guyer, with an explanation of the change. All recommendations will be taken to the OBA Board for consideration. It is not necessary to "write up" the recommendation in legal or by-laws amendment language. Just a narrative explanation of method is all that is needed.



The Bondsman
222 Northeast 27th Street
Oklahoma City, OK 73105



WELCOME NEW BONDSMEN FOR 2008

Billy Brown	Pottawatomie County
John Franklin	Cleveland County
Leonardo Sanchez	Tulsa County
Kirk Talley	Woodward County
Gloria Highers	Muskogee County
Cortni Walton	Oklahoma County
April Crank	Craig County
Yvette DeShazer	Oklahoma County
Arlene McGowan	Lincoln County
Patrick Prince	Lincoln County
Cindy Smith	Garvin County

IN MEMORIAM

Butler Welch
July 2008

Vernon West
September 2008

Monta Davis
September 2008

OBA BOARD MEETING SCHEDULE

The next two meetings of the OBA Board of Directors are scheduled for 10:00 am, Thursday, October 16 and November 20, at the Association headquarters building in Oklahoma City. All interested members are invited to attend.

NEW FORFEITURE PROCEDURE EFFECTIVE NOVEMBER 1st

Changes in Oklahoma's bond forfeiture procedure become effective on November 1st. Senate Bill 1797 changed the provisions of Section 1332(C) (4) regarding forfeiture where the defendant has been arrested outside the State of Oklahoma and the prosecuting attorney has chosen not to seek extradition.

The new part of the statute reads (in pertinent part) as follows: "In addition ... the bond shall be exonerated by operation of law in any case in which: b. the defendant has been arrested outside this state and the court records shows the prosecuting attorney has declined to proceed with extradition."

Questions may be directed to the OBA at (405) 524-5920 or (866) 374-6257.

PRE-LICENSE SCHOOLS

December 4 & 5, 2008

Pre-License School

March 5 & 6, 2009

Pre-License School

June 4 & 5, 2009

Pre-License School

September 3 & 4, 2009

Pre-License School

December 3 & 4, 2009

Pre-License School

For additional information,
contact the
Oklahoma Bondsman Association at

(405) 524-5920 or
(866) 374-6257.