

**The Professional Bail Bondsman 2024** 

#### **Professional Bail 2024**

My name is Ronnie Minnick. 1968 I received my Banking & Finance degree from the University of Arkansas, my Juris Doctric Law Degree in 1968 from the same University. I have owned and operated a total of 21 title insurance companies, have been a licensed mortgage broker in several states, a licensed residential home builder and for the last 30 years have done legal liability continuing education seminars for real estate licensees and bail bond licensees under the sponsorship of the University of Arkansas, University of Oklahoma, University of Mississippi, The Oklahoma Real Estate Commission, The Mississippi Real Estate Commission, and The Arkansas Professional Bail Bond Licensing Board. I tell you this not as a braggart, but that I am educated and I am informed about the facts of which I speak.

**Liberalism** is a political and moral philosophy based on the rights and freedoms of the individual. While one cannot argue the merits of this endeavor, in the world of criminal justice however is a **sympathetic view of criminals** (as opposed to victims of crime) and a attempt to deal with the problems of criminal behavior in a more **redhibitory** approach rather than punishment in order to bring the individual back into being a productive unit. These policies, although well intended, historically result in a **"soft on crime, catch and release"** approach which in practice have **devastating results** and **inherently dangerous** to the safety of the general public. There being **no deterrent to criminal conduct**, crime is rampant. After all "what is going to happen to a repeat offender, going to simply be rereleased and commission more crime." **Why stop**? One would ask then: "how does such a belief exist from seemly smart legislator ?

There is **massive jail overcrowding** everywhere; **massive jail budget over-runs** everywhere; **no money to build more jails**; so the liberal idea of "**turn everybody loose** and solve your budget and overcrowding problems" is meet with favorable reaction.





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### Perception

The **jail population** is primarily composed of our **friends**, **neighbors**, **relatives**, **good people** who simply have caught a bit of bad luck, they have families, mortgages, employment, etc that all will be lost if they don't have the money to pay the bail bond premium thus leading to jail overcrowding and budget issues. Thus the fault lies with our present criminal justice system and the traditional use of monetary bail. 1) Inmates cannot afford the bail bond premium; 2) The commercial bail system discriminates against the poor people as only the rich can afford the bail bond premium;. 3) The commercial bail system creates a debtor's prison; 4) If we were to **simply release these "good people"** back on the street with a promise to appear in court, **they "will" appear in court.** 

#### Judicial System

**The Judicial System** has seemed to have bought into **the bail reform message** that bail bondsman are the problem and are continually looking to alternative pre-trial release options rather than monetary bail. Some of these judicial attitudes also have been brought into play thru the perceived "lack of professionalism" of the bail bond licensee.

#### Mystery of the Profession

A large part of the perception (or misperception) is that <u>the commercial bail system</u> is <u>somewhat mysterious, greatly misunderstood</u> by most (other than the bail agent community) and that even includes ones within the criminal justice system, judges, et al who you would think would know, and all the general public which includes the state legislators voting for the bail reform measures. <u>And this all works in favor of the</u> **movement toward "bail reform".** 

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#### Opinion

GREG HARTON: In-and-out jails present challenges

November 15, 2020 at 1:00 a.m.

The <mark>40 minutes</mark> 18-year-old Christopher Johnson spent last Saturday night in the Washington County jail might not have been enough.

Fayetteville police arrested Johnson around 8:30 p.m. on Nov. 7 near Betty Jo Drive and West Persimmon Street, just west of Interstate 49. They had been alerted to reports of shots fired in the area.

For reasons I don't know, they searched Johnson's silver 2008 Nissan and reported finding two stolen credit cards as well as items purchased with those credit cards.

Their suspicions might have been sparked by an incident earlier Saturday in which they'd taken a report of a vehicle break-in. Credit and debit cards had been stolen and, according to police, Johnson and two others were identified from video surveillance that also showed the car they were using: a silver 2008 Nissan.

Johnson was arrested on several charges and booked into the Washington County jail at 11:40 p.m. Saturday.

Less than an hour later, he was free. At 12:29 a.m. Sunday, jailers released him with no bond, entrusting him to show up for a later court date on the charges.

This is the 2020 approach to incarceration at the Washington County jail and many like it across the country. Covid-19 precautions have moved prosecutors to work with judges and jailers for policies that whittle jail populations down. The folks operating jails are eager to avoid becoming high-count incubators for the coronavirus, but few have avoided it.

Evaluating Johnson based on established criteria, he fit the profile of a person considered safe enough to release. Chief among those qualifying criteria is their status as nonviolent offenders, although at 18 there would be little room for much of a history within the adult judicial system.

About <mark>10 hours after Johnson's release,</mark> a man walked out of a gas station on North Garland Avenue in Fayetteville and <mark>began firing a handgun toward a car</mark> pulling out of the gas station, police said. They

https://www.mwaonline.com/news/2020/nov/15/greg-harton-in-and-out-jails-present-challenges/?utm\_campaign=magnet&utm\_source=email\_article&ut... 1/4





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#### Realities Misplaced Benevolence

#### **Purpose of Bail / Appearance / Justice For Victims**

The sole purpose of bail being the <u>"appearance in court"</u> for the individual to answer for his/her <u>conduct</u> and to achieve justice for the victims of crime. The failure to appear rates (FTA) associated with the bail reform "Soft on Crime / Catch & Release" is as high as seventy five (75%). Missing a court date is pricey for everyone devouring county fiscal resources. Defendants who fail to appear impose significant costs on the judicial system, rearranging and rescheduling court dates, wasted time of judges and prosecutors, and on the general public in the form of wasted tax dollars and creating a public safety issue! <u>County residents</u> don't ask much of their county governments, keep roads smooth, law enforcement help if needed, put law-breakers in jail, <u>maintain community</u> safety and for most part residents will be satisfied

Defendants who fail to appear are **four (4) times higher to commit additional crimes**! Catch and release bail reform with no supervision is reckless and an inherently dangerous proposition. Law-abiding citizens expect laws to be enforced that will keep them safe and not put unsupervised criminals back on the streets within hours of arrest and at the same time costing tax payers thousands of dollars supporting the judicial system. Today's criminal has no fear or respect of and for the judicial system. Failure to appear in court also harms victims remaining in limbo until the defendant can be relocated and returned to court for adequate justice. In this context, who goes looking for the absconding defendant ? No one ! There are "Failure To Appear arrest warrants issued by the courts but local law enforcement does not have the resources and manpower to actively pursue **absconding court defendants** and are given a **low priority.** Counties are faced with a massive stock of unserved FTA arrest warrants.





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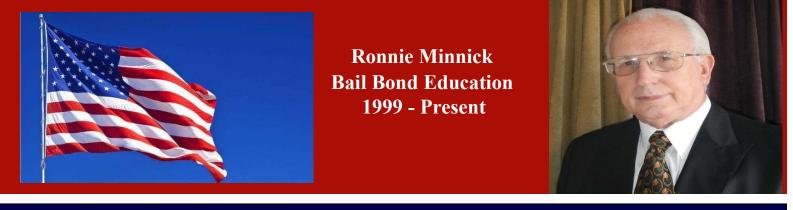
#### Realities Misplaced Benevolence

#### **Crime is Rampant**

**Alternative bail reform measures** without accountability and supervision have historically proved inherently dangerous to the general public. There is a **backlash** of public anger all over the country in cities like New York, Chicago, Baltimore, Minneapolis, Portland, Seattle, etc. where the bail-reform movement is putting the law-abiding general public at risk due to **dramatic increases in the crime rates**. Criminals are now running the criminal justice system under the guise of protecting the civil rights of law breaking individuals at the expense of the victims of the crime and the law abiding general public at large. Crime rates have increased by a much as fifty (50) percent. Covid is not **the number one issue facing the American public today, it is rampant crime** throughout our cities simply because the criminals can under the "soft on crime / catch and release" pretrial policies. We have even seen terms like "defund the police" !

#### History

But this happening is nothing new in our society. In <u>1925, Texas Governor Ma</u> <u>Ferguson</u> disbanded the famed Texas Rangers law enforcement because they were "arresting too many people" and turned some 2,000 convicted felons lose from Texas prisons. Crime went thru the roof "<u>Every 25-30 years</u>, we have a cycle of new liberal reformers (who were not present for the last fiasco) advancing "alternative pre-trial release reforms" for the same reasons and with the same results. Soft on crime policies with no criminal deterrent has never worked and never will work. There is a normal four (4) five (5) year period with rampant crime for the general public to come to their senses and say "This is not working". <u>We are in 2023 at the end of this "tribulation period"</u>.



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#### **Monetary Bail**

For well over 300 years, the American commercial bail system has served the criminal justice system well.....and without any tax payer expense. Our system of bail started in England in 1677 when there were no jails, no money to build jails (sound familiar) and the practice at the time was to release a prisoner into the custody of some reputable individual who would vouch for the defendant to appear in court on a certain date. And soon the reputable individual learned he could collect a fee for this assurance, 10% (same as it is today). In the 20<sup>th</sup> and 21 century that reputable person became a person or company licensed and regulated by the state wherein he or she operates. Releasing a person in custody by the sheriff to a licensed bail bondsman 1) Eliminates the approximate \$50 @ day costs from the County to house the prisoner; 2) Reduces the jail population; 3) Assures the defendant will appear for his scheduled court date to answer for his criminal conduct. Defendants on monetary bail show up for court 95% of the time or better. If the defendant fails to show up for court, the bail bond licensee has to pay the amount of the bail bond to the court, so there is an incentive to have the defendant in court; 4) The released prisoner is supervised while awaiting trail, has to weekly report in to the bondsman as to his whereabouts, employment, etc....All at no tax payer expense. "If it aint broke, don't try and fix it".





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#### 2022

#### Time to hold our judges accountable on releases

GOOD EDITORIAL in (the Jan. 24) Journal. However, once again it proves my point that bail reform brought to N.M. in July 2017 by the late Justice Charles Daniels will not work and is the cause of our crime problem. If I may quote a few things from your editorial as proof:

"what's happening on the streets of Albuquerque is distressing'

"in-your-face lawlessness"

"the woman was released ROR. pending trial'

"Not surprisingly, (Cisco) Casaus-Alires is a repeat offender. He was sentenced (in 2018 to supervised) probation"

"a testament to how our criminal justice system works — or doesn't —at the state level"

"with an aggressive posture from prosecutors and a public willingness to hold judges accountable'

The key is as you stated - it is holding judges accountable. Right now, judges across the state are daily releasing offenders on nothing but a promise to appear on everything from shoplifting to murder, and we wonder why these same people go right back out and re-offend. Going to jail is no longer a problem for them because they all know it will be a very short stay. As the only active bail bond agent

in Albuquerque, I get the phone calls daily, and I see over and over again a judge releasing career and repeat offenders ROR.

Therein lies the problem. It doesn't take a lot of brains to figure it out, and regardless of who the chief of police is, the problem will persist, so long as judges continue in what they are doing. Judges have the discretion to set secured bonds, but refuse to, unless you call a \$100 bond for a fourth DWI a secured bond. The police can make the arrest, take the offender to jail knowing that the next day he/she will be right back on the street.

As long as bad behavior is continuously rewarded with a free and unsecured release from jail by a judge or pre-trial services staff, the criminal activity is going to continue. There is no incentive for offenders to change their ways, so why would they?

I can tell you from personal experience growing up in a large family, with my dad in the military, that there were swift consequences for any bad behavior. However, it is clear that consequences and accountability are missing in our criminal justice system. The offenders will continue breaking our laws knowing that a judge will just turn him/her right back ciut

Finally, it doesn't matter if John Wayne was selected as the new APD chief, because the police can only do so much. The rest is up to the criminal justice system in N.M. that doesn't work

> GERALD MADRID Albuquerque





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# Grady Judd

## https://www.youtube.com/watch?v=jOlU26owr-A

(39) Grady Judd PBUS Video - YouTube



(39) Grady Judd PBUS Video - YouTube





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#### **The Bail Bond Licensee / Professional**

The commercial bail bond business is somewhat mysterious and greatly misunderstood by the general public who already have a misconception (bad one) about the bail bond business and are skeptical of an industry that continues to perpetuates its rumors and negativity. The solution is to make the bail bond agent a genuine bail bond professional.

What is a <u>Professional</u>: To most people a professional means working and behaving in such a way that <u>others think of them as competent, reliable and respectful</u>. What are the six traits of a professional:

**Appearance, Proper Dress:** If you are going to be a professional, look like a professional, look the part. You are initially judged by your appearance. Looks matter ! Perception is reality. The idea that appearance might be so influential can be evidenced by the dollars spent each election year on the candidates in front of television cameras and public audiences.

I once heard a Sheriff make reference to a remark made by one of his hired minimum wage help stating that a particular "bail bond agent does not know what he was doing". Why the Sheriff asked ? "Because of the way he was dressed, shorts and flip flops".

**<u>Competence</u>**: "Appearance" gets you to "looking competent". "You look like you know what you are doing." Competence: The ability to do something successfully or efficiently. These are traits learned from proper education (knowledge) and experience (skill).

<u>Credibility</u>: Appearance, Competence gets you to Credibility, having the expertise and information that one can believe to be true. Credibility leads to having the ability to <u>influence</u> others or impact you have on others.

Appearance, Competence, Credibility, equals a person worthy of having influence on others and demanding a known and <u>recognizable presence within the local community</u> as an ambassador for his industry (and a change in the misperception of bail bond agents)