

Minutes of Special Meeting
Jail Policies Follow Up
August 20, 2015
1:30 p.m.

The Kootenai County Board of Commissioners: Chairman David Stewart, Commissioner Dan Green, and Commissioner Marc Eberlein met to discuss the following agenda items. Also present were Clerk Jim Brannon, Undersheriff Dan Mattos, Major Kim Edmondson, Captain John Holecek, Lieutenant Nancy Ellis, and Deputy Clerk Theresa Atchley. Also present were bail bond agents Lee Allen, Frank Davis, Nanette Meaux, Toni Meyer, attorneys Rick Baughman and John George, and Telmate senior account manager Kelly O'Neil.

- A. **Call to Order:** Chairman David Stewart called the meeting to order at 1:31 p.m.
- B. **Introductions:** There were no introductions.
- C. **Changes to the Agenda:** There were no changes to the agenda.
- D. **Old Business:** There was no old business discussed.
- E. **New Business:**

Follow up discussion with various Bail Bond Company Representatives and KCSO regarding Jail Issues relevant to Bail

Undersheriff Dan Mattos opened the discussion by saying he understood this was a complicated and important issue that affected the livelihood of bail bond agents. He added that KCSO was responsible for professional jail operations and Telmate, the County's contractor for inmate phone service was a private company. He said that while he did not want to impede private business, his primary concern was jail security. Undersheriff Mattos explained that his staff had spent over 40 hours investigating complaints from bail bond agents regarding call volume, fees, and blocked calls. His staff had found that while some calls were dropped, it was a minor percentage, the fees were reasonable compared to other jails in the area, and Telmate had been responsive to complaints of blocked calls. Undersheriff Mattos stated that KCSO was not inclined to terminate the contract with Telmate, and while he acknowledged there were some problems, these problems were consistent with problems in other jurisdictions.

Captain John Holecek said he had received numerous complaints and upon investigation he found two problems. He said the first problem was in 2011 when Telmate initially installed the system and there were limits on the number of daily phone calls allowed. He said bond companies needed to receive more calls per day and this was corrected by Telmate. Captain Holecek explained the second problem was 14 phone calls from inmates to Frank Davis that were blocked and it was determined that this error was caused by a computer glitch that Telmate corrected. Captain Holecek stated that no further problems were discovered since February 2014.

Chairman Stewart explained to the group that the Board of County Commissioners' did not operate the jail, they only provide the facility, and KCSO was responsible for all jail activity. He asked if Telmate could add the complete list of bail bond companies as listed by the Idaho Department of Insurance to its kiosk. The group discussed several options for providing bail bond agents' phone numbers to inmates and it was noted that there were complaints with all suggestions.

Major Kim Edmondson reported that her staff had researched 561 public information requests regarding bail bond issues. She said that jail personnel were not recommending or conspiring against any bail bond company, in fact they were ensuring that each pod had a phone book. Major Edmondson stated that KCSO had a written policy that states personnel would point to signage on how to post bail.

Frank Davis said Telmate profits from taking bail money and they had control over the bail bond agents' phone calls. He stated the missed calls were numerous. Mr. Davis said when he pays for a collect call one-half of the money goes to Kootenai County and he mentioned an external bank account.

Chairman Stewart asked Clerk Jim Brannon if this external bank account still existed and Mr. Brannon confirmed it did.

Lee Allen said that his phones were dead from January to July 2015, and he outlined a variety of concerns and different standards among jail facilities within North Idaho. Mr. Allen said that KCSO was the only facility in Idaho that used phone books.

Toni Meyer said she found it hard to believe that her call volume was the lowest it had been in decades. She added that she was in favor of the phone book system and opposed to posting the complete Idaho Department of Insurance list of bail bond companies.

Nanette Meaux commented on several problems with Telmate and she said these technical issues remained unresolved. She said that the failures between Telmate and the bail bond agents' phone service providers could only be tested if all companies worked together, industry to industry. She expressed concern about the County renewing the Telmate contract.

Telmate senior account manager Kelly O'Neil said he felt that he and Ms. Meaux should set up a meeting to address her specific complaints. He added that Telmate had not seen an issue with inmates phoning family members so calls to bail bond agents should also go through.

Commissioner Dan Green exited the meeting at 2:33 p.m.

Several bail bond agents said they had heard of problems from inmates trying to call family members. Attorney John George said he had also received the same sort of complaints from clients unable to reach family members. There was some discussion about inmates being unable to contact family, lawyers, or bail bond agents for up to 72 hours.

Major Edmondson clarified that the inmate who was in jail for 72 hours, without phone access, was in Bonner County, not Kootenai County Jail. Captain Holecek said the phones in the booking area were set up on a system called inmate anonymous to prevent any delay in inmates making phone calls. Major Edmondson added that KCSO had a portable phone that could be delivered to inmates as needed. She asked Mr. Davis for specific information if he knew of anyone who was in Kootenai County jail without access to a phone call for 72 hours so that she could investigate.

Attorney Rick Baughman stated the he often had requests from inmates at the jail asking him to contact family members. He said every bonding company in town was complaining so there had to be more issues than just the two items as mentioned by Captain Holecek. Mr. Baughman said if the phone records from the jail match the phone records from the bail bond companies there was no problem.

Undersheriff Mattos stated that the one bail bond company that was not in the room was the company that was getting the majority of the phone calls. He questioned if it was a matter of the free market at work. He offered to sit down and meet with all the companies to work together.

F. Public Comment: This section is reserved for citizens wishing to address the Board regarding a County related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing.

Chairman Stewart adjourned the meeting at 2:58 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

DAVID STEWART, CHAIRMAN

BY: _____
Theresa Atchley, Deputy Clerk
