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**ARKANSAS PROFESSIONAL
BAIL BONDSMAN LICENSING BOARD
Regular Meeting
August 12th, 2022**

Roll call was taken. The following members were present Clark, Muldoon, Edwards, Joyner, Craig and Wilburn were present. Molder was absent.

Assistant Attorney General Joe West was present. Board Staff was present.

Minutes presented for previous meeting were approved. Clark made motion to approve previous minutes Joyner seconded. Motion passed.

Hearings

Anita Lawson vs Moye Bail Bonding Company/Agent Jonathon

Hecker

After hearing evidence and testimony from the investigator for the

APBBLB, Moye Bail Bonding Company, and Anita Lawson.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

On August 12, 2022, the Arkansas Professional Bail Bond Company and Professional Bail Bondsman Licensing Board ("Board") held a hearing in the above styled matter. Respondent Jonathan Hecker ("Respondent") did not appear, in spite of being properly served. Moye Bail Bonding Company ("Moye") appeared by and through its representative, Kyle I Laugen. Assistant Attorney General Samuel J. West appeared on behalf of the Board. From the testimony, exhibits, and other Facts and matters presented before it, the Board makes the following Findings of Fact.

Conclusions of Law and

Order:

FINDINGS OF FACT

1. At all times pertinent hereto, Respondent held a professional bail bondsman license issued by the Board and was employed by Moye.
2. At all times pertinent hereto, Moye held a professional bail bond company license issued by the Board.
3. On May 6, 2022, the Board received this complaint. Anita Lawson (hereinafter "the Complainant") stated that she provided Respondent with on April 29, 2022, to secure the release of Derrick Lawson (hereinafter "the inmate") from the Pulaski County Jail. Respondent did not secure the release of the inmate and did not refund the money to the Complainant.
4. On May 20, 2022, the Board received a response from Respondent and Moye. Respondent admitted to collecting money from the Complainant and not securing the release of the inmate. Respondent stated that the \$680.00 was retained by Moye to cover a balance owed by the inmate on an earlier bond posted by Moye for the inmate.

CONCLUSIONS OF LAW

5. Pursuant to Ark. Code Ann. 17-19-106(b)(4), this Board has the authority and responsibility to administer the provisions of the Arkansas Professional Bail Bond Company and Professional Bail Bondsman Licensing Act relating to the licensing and regulation of professional bail bond companies and professional bail bondsman.

6. Pursuant to the provisions of Ark. Code Ann. §17-19-210(b)(1), the Board may

take disciplinary action against a licensee who has violated any statute or rule of the Board.

7. As a bail bond agent for Moye Bail Bonding Company and acting within the scope of his duties for Moye, Respondent's actions are attributed to Moye, pursuant to Ark. Code Ann. 17-19-210(c).

8. Due to actions described in paragraphs 1-4, Respondent Hecker is in violation of Board Rule Section 27.D, which reads:

The principal shall be entitled to a refund of his premium when the arrestee is surrendered by his bail bondsman at any time prior to the final termination of the liability of the bond provided that the arrestee has not committed any of the following:

D. Violated any substantive provision in the bail bond contract. The principal shall be entitled to a refund of his premium when the bail bondsman fails to secure the defendant's release from actual custody.

ORDER

Based on the substantial evidence in the record, the Arkansas Professional Bail Bond Company and Professional Bail Bond Licensing Board hereby orders:

12. Respondent Hecker's license is hereby suspended until December 31, 2022. Respondent Hecker had been terminated by Moye prior to the hearing and is not currently employed by any licensed bail bond company.

13. Respondent Moye is hereby ordered to refund the \$680.00 within ten (10) days of the hearing date. Proof of refund must be submitted to the Board in that same time frame.

14. Pursuant to Ark. Code Ann. 25-15-212 and 17-19-210(i), Respondents may appeal the Board's decision by filing a petition for judicial review in the Circuit Court of Pulaski County within thirty (30) days of the date on the certificate of service attached to this Order.

Company to Show Proof of refund to Anita Lawson of \$680.00 with-in 10 days.

A motion was made by Muldoon and seconded by Edwards to suspend the license of Jonathon Hecker and Moye Bail Bonding. Role call vote was taken. Wilburn yes, Clark yes, Muldoon yes, Edwards yes, Joyner yes, and Craig yes. Motion passed unanimously.

APBBLB vs First Step Bail Bonds Company, Inc. /Troy Dale Franklin

After speaking with company and discussing the facts of the complaint the board dismissed the case by unanimous

Transfers/Suspensions/Reinstatements:

A report was provided for information purposes: There was one (1) transfer. There were zero(0) agent suspensions or terminations. There were zero (0) reinstatement.

Appeal Update:

Assistant Attorney General provided an update on all cases under appeal. No updates/

NEW BUSINESS

Vouchers Paid & Financial Report:

The Chairman invited questions and/or discussion regarding the vouchers paid since last meeting. Edwards made a motion to approve expenses and Joyner seconded. Motion passed.

Previous months Forfeitures - New: fifty-two (52) New Forfeitures

The Previous Months Forfeiture Report was presented.

The Chair invited comment or discussion. There being no further discussion, Muldoon made a motion that all forfeitures not paid in a timely manner, that a 10-day letter be sent to the company Edwards seconded. Motion passed.

License Approvals:

There were five(5) license issued since last meeting.

Previous months vouchers paid Edwards made a motion to accept previous months vouchers paid, Joyner seconded. Motion carried

Investigators Report: Investigator informed board of new and pending cases and training events.

July 27, 2022 Complaint review.

A motion was made by Muldoon to accept the case review, seconded by Edwards. Motion passed unanimously.

Director's Report / Review: Director out with illness.

Public Comments:

Meeting was adjourned.

Clark made a motion to adjourn, and Edwards seconded. Meeting was adjourned.

Submitted for approval:

This 9th day of September 2022 _____
Curt Clark, Chairman