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## Bail company must pay Harvey's \$150,000 bond by Monday

By Elliott Jones

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VERO BEACH — An Indian River Circuit judge on Friday refused to postpone Monday's deadline for Denise Harvey's bail bond company to pay her \$150,000 bail.

The fugitive's bail bond company, Barnett Bail Bonds, of Vero Beach, filed a motion contending the state, rather than the company, is primarily responsible for her secretly fleeing to Canada, court officials said.

But Circuit Judge Robert Pegg denied the motion following a hearing on Friday morning.

Barnett Bail Bonds "should have prevented her from escaping in the first place," said Assistant State Attorney Chris Taylor.

The 43-year-old woman fled to avoid a 30-year prison sentence for having sex five times with a 16-year-old friend of her son in Indian River County.

She was allowed out on bail, starting in September 2008, while she appealed her sentence and conviction. But the Fourth District Court of Appeals denied her appeals and ordered her to turn herself in.

When she didn't Pegg on March 9 ordered the full bail be forfeited and gave the bail company 60 days, ending Monday, to pay the money to the courts.

But Barnett Bail Bonds company attorney John Power said the payment should be postponed in part because she is in Canada, apparently planning to apply for refugee status.

A bondsman can't cross international borders, bond company owner Ronald Barnett said during a court hearing on Friday morning.

Barnett also testified his efforts to keep in touch with her through the years were complicated by the courts allowing her to move from Vero Beach to Deltona, north of Orlando, while she was out on appeal. "I couldn't keep her in view," he said.

The hearing on her relocation was held Feb. 16, 2009 and Barnett told Pegg he didn't

recall attending it.

But Taylor gave Pegg a recording of the hearing during which, said Taylor, Barnett neither objected to the relocation nor offered additional conditions governing her being out on bail.

After the move Barnett talked to her by phone, but it turns out that she was using a computer phone link that doesn't show the location of the caller. When he told her to turn herself in, "She said no," he said.

Then law enforcement went to her Deltona address and neighbors said she had been gone from six months to a year.

Barnett testified he aided the search by giving law enforcement any information he had on her whereabouts as soon as he found out anything. That included her son selling items on the Internet in Canada.

Taylor said Barnett didn't give his office anything they didn't already know.

Harvey still hasn't been arrested in Canada on charges of fleeing from her jail sentence. After she located was in Canada in early April, Royal Canadian Mounted Police arrested her for being in the county illegally. Then she was allowed out of custody under a \$5,000 bail.

According to officials she is planning to apply for refuge status on the grounds that her sentence in the United States is cruel and unusual punishment.

Canadian law doesn't consider an adult having sex with a 16 year old a crime unless the adult is a teacher and the youth was a student.

However, before going to Canada she had signed an Indian River County court document saying she wouldn't fight being forced to return to Vero Beach.



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