



## Bondsman could forfeit \$100K in murder/suicide

By JIM TUTTLE Staff writer

The bail bondsman who posted the money to get a McConnellsburg man out of jail the day before he killed his estranged girlfriend and himself may be required to forfeit \$100,000 to Fulton County.

Professional bail bondsman Paul Weachter, Chambersburg, appeared at a hearing Tuesday in McConnellsburg for consideration of a petition for bail forfeiture filed by Fulton County District Attorney Travis Kendall.

Judge Angela Krom heard arguments from both sides, and is now considering the matter.

Weachter issued a \$100,000 surety bond Feb. 19 on behalf of Ricky Lynn Hann, 51. Hann was charged with breaking into the Ayr Township home of Tina Souders, 39, threatening to kill her and holding her prisoner for about 24 hours. Magisterial District Judge Carol Johnson arraigned Hann and set his bail.

After his release, Hann went back to Souders' home the next day, kidnapped her at gunpoint a second time and took her to a nearby wooded area. There, he shot her to death before turning the gun on himself.

"If he had just killed himself without murdering his victim first, I don't think we would have sought forfeiture at all," Kendall said Wednesday during a phone interview.

Similar in some ways to an insurance policy, a surety bond is issued by an authorized agent to ensure that someone charged with a crime will appear in court as required. Defendants typically pay bondsmen a small percentage of the set bail

in exchange for the bond.

If a forfeiture order is

granted by the court, Weachter would be required to pay the full amount of the bond, \$100,000.

According to the rules of criminal procedure, a posted bond may be forfeited if the defendant fails to appear or violates any other set conditions, Kendall said. Violations include committing any crime, or any act done to retaliate against or intimidate a victim or witness.

"We interpret the murder of Tina Souders to be just that," Kendall said.

Weachter's attorney, Clinton Barkdoll, said he has several arguments against the petition. He called the district attorney's request "highly unusual," but added that he "certainly has the discretion to do this."

His client, a retired law enforcement officer, has been a bail bondsman for about 20 years, Barkdoll said. He said case law dictates that Kendall has to show actual costs incurred as a result of Hann's actions before Weachter has to forfeit the money.

A DIRECTV advertisement with a blue and white color scheme. On the left is the DIRECTV logo, which consists of a blue square with a white curved shape inside, and the word "DIRECTV" in white on a blue background. To the right of the logo, the text reads "DIRECTV has more of what you want to watch!" in blue. Below this, it says "Switch today!" in large blue letters, followed by the phone number "1-888-778-0985" in large yellow letters. In the bottom right corner, there is a gold circular badge that says "NO EQUIPMENT TO BUY! NO STARTUP COSTS!". At the very bottom, in small white text on a blue background, it says: "Offer ends 2/29/11. Credit card required (except in MA &amp; PA). New approved customers only (lease required). \$19.95 Handling &amp; Delivery fee may apply. Applicable use tax adjustment may apply on the retail value of the installation. Call for details."

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"We don't believe the commonwealth has demonstrated what the financial damages are on this," he said.

Barkdoll also argues that because Hann is dead and the criminal charges against him will be abated, Weachter's surety bond should be considered "nullified."

"That's one of several arguments," he said. "It's a fairly technical, complicated legal issue."

Asked about the rationale behind his petition, Kendall said he is "just trying to do the right thing." He does not believe he has to show any loss of money by the commonwealth to justify the forfeiture.

"It's rather difficult to put a value against a victim not being retaliated against, intimidated or murdered," he said. "I have nothing against bondsmen. I think they are providing an absolutely necessary service, but I think bondsmen should evaluate the risks of a case before they write the bond."

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A ProFlowers advertisement. The text reads: "Send flowers for any occasion Bouquets from \$19.99 +s/h". There are two images of bouquets: one with pink roses in a white vase and one with sunflowers and purple flowers in a glass vase. The ProFlowers logo is in the bottom right, along with the text: "Offer ONLY available at: [proflowers.com/happy](http://proflowers.com/happy) or call 1.877.804.1133".

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