

Delay sought in bail bond suit

Wednesday, August 31, 2011

By BRIAN MOSELY ~ bmosely@t-g.com

A man who filed a class action suit against the county and a deputy last year is asking for more time to file motions in the case.

Last December, Ricky Robertson sued Bedford County, Deputy Kevin Roddy and "John Does," alleging violations of the 4th, 8th and 14th amendments to the U.S. Constitution.

Robertson claims that the county operates a system of setting bail for those arrested and presented to a judicial commissioner "that is not based on the individualized assessment of that particular person's likelihood to flee."

He also states that he was severely beaten at the jail and that the rights of thousands of others have been violated by the local bail bonding system.

According to documents filed in federal court Monday, both parties in the suit have discussed meeting to inspect documents at the Bedford County jail "that are necessary to support a motion for class certification" but have not been looked at yet.

The documents include mittmuses, jail records, intake sheets, and inmate profiles, which Robertson's attorney, Jerry Gonzalez, says needs to be inspected, scanned, and categorized. Gonzalez suggested an extension until Sept. 23 to file his motion, which was granted by U.S District Judge Harry S Mattice, Jr., however, the judge wrote that no other extensions of the deadline would be granted.

Also, both sides are trying to arrange a witness deposition to discuss the documents and the procedures for setting bail in Bedford County, including discussion of the number of inmates that pass through the system.

The class action suit against Bedford County on the bail issue is similar to litigation filed in seven other counties across the state by Gonzalez, which include Wilson, Rutherford, Henry, Davidson, Shelby, Macon and Trousdale Counties.

Suit claims

According to jail records, Robertson was arrested on Nov. 28, 2009 for disorderly conduct and public intoxication and was released on \$1,500 bond.

Robertson claims that during his arrest, Roddy and/or the unknown deputies took him from the patrol car and forcefully pushed him into jail by lifting his handcuffed hands high above his shoulders from the back when they arrived.

He claims the more he protested about the pain, the higher they lifted his handcuffed hands, and that he was beaten into unconsciousness after he slammed his wallet down in front of the booking officer.

Robertson also claims that the deputies who did not participate in the alleged beating watched and did nothing to stop it, and when he woke up and asked for medical treatment, the deputies refused and laughed at him.

The suit also claims that Robertson's bail was set "based on some rule of thumb or preset bail list" and that the county's monetary bail requirement is a violation of due process.

He says that the system "serves to enrich bail bondsman who are practically guaranteed a steady stream of relatively risk-free revenue through the process of requiring all detainees to post bonds for monetary bail."

Robertson is demanding two permanent injunctions -- one requiring training on the appropriate use of force against inmates and on probable cause for public intoxication, and the other requiring the setting of bail "in a consistent manner that comports with the requirements of due process."

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Story URL: <http://www.t-g.com/story/1758189.html>