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cc
AUG 25 2015

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3 521 Georgia Street
4 Vallejo, CA 94590
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FILED
AUG 25 2015
CLERK OF THE SUPERIOR COURT
COUNTY OF STANISLAUS
BY: *[Signature]*
DEPUTY

5 506 Broadway
6 San Francisco, CA 94133
7 Telephone: (415)986-5591
8 Facsimile: (415)421-1331

8 Attorney for defendant:
9 **GEORGIA CARSON, aka GEORGIA DEFILIPPO**

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF STANISLAUS**

12 PEOPLE OF THE STATE OF CALIFORNIA,)
13 Plaintiff,)
14 vs.)
15 FRANK CARSON, Esq., **GEORGIA G. CARSON,**)
16 aka GEORGIA DEFILIPPO,)
17 Defendants.)

Case No.: 1490969
IN REPLY TO PROSECUTION'S
OPPOSITION TO BAIL
Date: August 25, 2015
Time: 9:00 a.m.
Dept: 8

18
19 I, STEPHEN B. KRIMEL, under penalty of perjury, do hereby state, declare and swear
20 that if called as a witness in this matter my testimony would be in accord with the following,
21 and that these matters stated herein are true and correct of my own knowledge except as to
22 those matter stated on information and belief, and as to those matters I believe them to be true.

23
24 (1.) Attached hereto and incorporated herein by this reference is a copy of my Curriculum
25 Vitae, which requires only several updates, as follows:
26
27
28

[Handwritten signature]

1 (a). My certification by the State Bar as a Criminal Law Specialist spanned
2 twenty (20) years 1993-2013). I did not apply for recertification in September
3 2013;

4 (b). In 2005 I acquired the two largest bail bond agencies in northern Nevada
5 (Action and Annie's) through my wholly owned Nevada Corporation Action
6 Annie's, Inc. These agencies conduct flight risk assessments on approximately
7 1,800 persons per annum, and issue approximately 1,200 bail bonds for
8 criminally accused persons. All bail bonds exceeding \$25,000 are personally
9 reviewed/approved by me in the normal course of doing business.

10 (c). I am currently the President of the Nevada Bail Agents' Association,
11 founded in 1992, which is the state trade association for the Nevada bail bond
12 industry. I hold a Bail Agent's license issued by the State of Nevada.

13 (d). In the Stanislaus County Superior Court Case # 1436501, People v. A. J.
14 Pontillo, in January 1013 (preliminary hearing, five (5) days on the stand) and
15 July to December, 1014 (jury trial - acquittal of all charges), Judge Steffan
16 qualified me as an expert on bail law and bail practices (see PXT Vol. 3, p.
17 1233 for example). I testified for several days before the jury of A. J. Pontillo,
18 who was represented by Frank Carson, Esq.

19
20 (2.) In preparing this declaration and for sworn testimony, I met with and interviewed
21 GEORGIA CARSON, her daughters and husband, office staff, friends and others who know
22 her in an effort to confirm information about her that I received from her file documents and
23 public records. I believe, therefore, that my opinions are based on sound facts and logical
24 conclusions premised upon the facts of this case viewed without bias. While I have known
25 GEORGIA CARSON for several years, I do not believe that relationship will cause bias on
26 my part. I will have no involvement in, or financial interest in any bail bond the court orders.

1 (3.) I have reviewed the booking and bail information on inmates in the Stanislaus Country
2 Jail (hundreds) and the Bail Schedules for Los Angeles County and Sonoma County re bails
3 set on §187 PC (murder) defendants in preparing this evaluation. I have also read in detail the
4 326 page arrest affidavit, the search warrant and affidavit, and the opposition to bail and
5 affidavit of DA Investigator Kirk Bunch in support thereof. All of the above materials and
6 others appearing in GEORGIA CARSON'S Motion to Recuse the Stanislaus Country DA's
7 Office, incorporated herein by this reference, I believe support my following opinions and
8 conclusions:

9 (A.) There exists a severe, ongoing feud between FRANK CARSON and certain
10 personnel in the Stanislaus Country District Attorney's Office which underlies the
11 pursuit and overcharging of GEORGIA CARSON; nothing I have read or seen
12 supports a First degree Murder charge or a "lying in wait" special circumstance
13 allegation against her. I believe this overcharging was intentional, in part to make it
14 more difficult for Mrs. CARSON to make bail and to ultimately consume her assets on
15 bail premium charges instead of being able to compensate her defense counsel and
16 ancillary defense services.

17 (B.) GEORGIA CARSON is an ideal candidate for an OR release... never before
18 arrested in her 64 years, 62 of which have been in Modesto. Her entire family and life
19 is here, and she poses no risk of flight. An OR release is within the Court's discretion.

20 (C.) If bail is required, it is my opinion the sum of \$100,000 is sufficient to guarantee
21 her appearance and trigger an immediate search for her by the financially responsible
22 bail agent.

23
24 Executed this 24th day of August, 2015, at Modesto, California.

25
26 
27 STEPHEN B. KRIMEL, Declarant

CURRICULUM VITAE

Stephen B. Krimel, Esq.

MAILING ADDRESS

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Santa Rosa, California 95404

TELEPHONE

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E-MAIL

skrimel@sonic.net

PREPARED JUNE 2005

NAME:

STEPHEN BRUCE KRIMEL

DATE OF BIRTH:

January 16, 1950

CITIZENSHIP:

United States of America

MARITAL STATUS:

Married (Susan)
Children: Dale, Ryan

EDUCATION

B.A. Special Major Program (Political Economics), California State University, Chico, 1973

J.D. Empire College of Law, May 1981

Certified Specialist, Criminal Law; The State Bar of California Board of Legal Specialization (1993-present)

PROFESSIONAL LICENSES

State Bar of California; Attorney at Law, July 1981- present

California Dept. Of Consumer Affairs, Bureau of Investigative Services; Private Investigator (Lic. #A6478-I), April 1977- present

California Dept. Of Insurance; Bail Agent, 1972-1981 (surrendered for State Bar admission)

PROFESSIONAL POSITIONS

Senior V. P. and General Counsel, WEST-PAC Bail Bond General Agency (bail bond general agency with approximately 12% CA market share), 1995-present

Attorney at Law, Private Practitioner with practice concentrated on surety bail matters and capital crimes litigation, 1981- present

Senior V.P., General Counsel, Chief Legal Officer and Board Secretary of Douglass Financial Corp., dba Spencer Douglass, Managing General Agent (San Diego, CA) the then largest bail bond wholesaler in USA; 1987-1991

Public Relations Coordinator, Cotton Belt Insurance Company (national bail bond underwriter from Louisiana); 1979-1980

Owner/manager, Trans-Am Investigations (private investigation firm in No. California specializing in bail bond fugitive apprehension); 1977-1982

Special Services Coordinator, West Coast Operations, Allied Fidelity Insurance Company (IN); national bail bond underwriter with book of civil surety bond business in license, permit and miscellaneous lines, 1977-1979

Owner/operator, Steve's Bail Bonds; two retail bail offices (San Rafael and Chico, CA), 1974-1978

Bail Agent and Fugitive Apprehension Agent, Gus Fowler General Agency and Gus Fowler Bail Bonds, 1972-1977

FORENSIC AND CONSULTATORY EXPERIENCE

Court Qualified Expert Witness, on (a) matters relating to business aspects of the bail bond industry; (b) private sector (bail industry) flights risk assessment and fugitive apprehension powers and procedures, and (c) ineffective assistance of criminal homicide defense counsel; United States District Courts, Superior Courts of the State of California, 1993- present

Retained Consultant for National Council on Crime and Delinquency (NCCD) for four (4) year empirical assessment of 'Effectiveness of California's 1979 Assembly Bill No. 2' (10% cash deposit bail to court; no corporate surety bail for misdemeanors); study mandated by CA legislature and administrated by CA Office of Criminal Justice Planning, 1980-1984

Retained Consultant for Lazar Institute of Georgetown in DOJ/NIJ study 'Analysis of the Role of Bail Agents in America' (published 1984), Mary Toborg, Project Director, 1979-1984

Consultant, Arizona State Senate Judiciary Committee re codification of Fugitive Apprehension Regulations, pre-licensing education program 1997-1998

Chairman, Professional Bail Agents of the United States (hereinafter 'PBUS'), 'Industry Standards and Review Subcommittee', 2000-2002

Co-Chairman, PBUS 'Task Force on the Future of Bail', 1998-2000

Member, PBUS 'Review Committee', 2005

Member, PBUS 'Federal Legislative Committee', 2003- present

Co-founder and Executive V.P., American Association of Professional Bail Agents, 1978-1980

HONORS AND SPECIAL RECOGNITION RECEIVED

'Individual of the Year', Professional Bail Agents of the United States (PBUS), 2003

Certificate of Appreciation, PBUS, 1987, 1989, 1990, 1995, 1997

Certificate of Appreciation, California Bail Agents Association, 1996, 1998, 2001

Certificate of Appreciation for Drafting 'The Bail Agent's Code of Ethics', America Association of Professional Bail Agents, 1978

MEMBERSHIPS IN PROFESSIONAL ORGANIZATIONS

Vice-President and Chairman of the Legislative Committee, California Bail Insurance Group (organization for [majority] of California bail bond wholesalers [insurance companies and general agencies]); to monitor, oppose and sponsor legislation and regulations to enhance and protect bail bond industry in CA; 2005

Member, Professional Bail agents of the United States, 1987- present

Member, California Bail Agents Association, 1981-1985, 1989- present

Member, State Bar of California, 1981- present

Member, California Attorneys for Criminal Justice, 1983- present

Member, National Association of Criminal Defense Attorneys, 1989- present

PUBLICATIONS

Over 150 articles published in various trade publications in the bail industry from 1978 to present; wide variety of bail related topics and issues

Editor and contributor, American Association of Professional Bail Agents monthly magazine, 'The Bail Reporter', 1978-1980

Editor and contributor, WEST-PAC General Agency periodic magazine 'News and Review' 1996- present

PROOF OF SERVICE

I declare under penalty of perjury that:

I am a citizen of the United States and am employed in the County of Stanislaus. I am over the age of eighteen years and not a party to the within action. My business address is as follows: 811 15th Street, Modesto, CA 95354.

On the date set forth below, I caused the attached **IN REPLY TO PROSECUTION'S OPPOSITION TO BAIL** to be served on the parties to this action as follows:

BY MAIL-

I placed a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Modesto, California, addressed to the parties as set forth on the attached service list. C.C.P. §§1013 (a), 2015.5.

BY FEDERAL EXPRESS

I retained Federal Express to personally serve a true copy thereof on _____ on the parties as set forth on the attached service list. C.C.P. §§1013 (c), 2015.5.

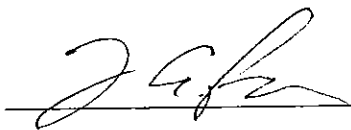
BY FACSIMILE TRANSMISSION-

I am readily familiar with this law firm's business practices for collection and processing of documents by way of facsimile. I telefaxed a true copy thereof at said facsimile number (s) as set forth on the attached service list. C.C.P. §§1013 (e), 2015.5 and C.R.C. §2008.

BY PERSONAL SERVICE- to the Stanislaus County District Attorney

I personally served a true copy thereof on the parties as set forth on the attached service list to 832 12th Street, Modesto, CA. C.C.P. §§1011, 2015.5.

Executed on August 25, 2015 at Modesto, California.



1 Re: People of the State of California v. Georgia Carson, aka Georgia DeFilippo

2 STANISLAUS County Superior Court Case No.: 1490969

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SERVICE LIST

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7 Stanislaus County District Attorney
8 832 12th Street, Suite 300
9 P. O. Box 442
10 Modesto, CA 95353

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