

To: Michelle Maxwell
From: Jim Painter
RE: TouchPay
Date: July 26, 2017

We did not see any instances of the email from the 6th being delivered to anyone in our agency.. a check of the firewall shows everything that comes in, including all past and present emails from touchpay... nothing that day arrived.. we can talk about that tomorrow, but yes – the fault is not on the meso side... also, I found that after touchpay was notified about which list to use, they again used their list... we have the ability to log into their system and check releases real time now.. a feature we learned about during a phone conference with them



Regilucia Costa Smith, PLLC

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immigration@ReggieSmithLaw.com
www.ReggieSmithLaw.com

July 8, 2017

VIA HAND DELIVERY

Monroe County Sheriff's Office
Monroe County Detention Center
Sheriff **Rick Ramsay**
5501 College Road
Key West, FL 33040

Re: Immediate Release of OSMAN TORRES-HUETE


Dear MSCO Sheriff Ramsay:

I write concerning the release of inmate OSMAN TORRES-HUETE. Mr. Torres-Huete's bond was paid on Thursday, July 6, 2017 at 04:38 P.M. As of today, June 8, 2017, at 4:04 P.M. Mr. Torres-Huete has not been released from custody. The continued detention of Mr. Torres-Huete constitutes an unlawful seizure. When the bond was paid, he would have been released, except for the prior issuance of an immigration detainer.

Undersigned counsel was informed that there is an existing ICE detainee without probable cause to maintain of Mr. Torres-Huete. The Florida Sheriffs Association (FSA) has recently published a Legal Alert on ICE Detainers – see attached. The Legal Alert advises the Florida Sheriffs that the individual may be detained “[IF] Form I-247 indicates that a warrant of arrest for removal proceedings has been served [OR] ICE has obtained an order of deportation or removal.” Please note that the detainer for Mr. OSMAN TORRES-HUETE is invalid. Mr. Torres-Huete has not been served with a warrant of arrest for removal proceedings NOR there is no existing order of deportation or removal.

Mr. OSMAN TORRES-HUETE must be released at this time if Immigrations and Customs Enforcement officials have not yet assumed custody of Mr. OSMAN TORRES-HUETE. You may contact me by cell phone at 305-393-0834 or e-mail at immigration@ReggieSmithLaw.com if you have any questions.

Sincerely,


Regilucia “Reggie” Smith, Esq.
Reggie Smith Law

Cc:

Florida Sheriffs Association
American Civil Union Liberty

Good afternoon Keena,

I just received an update from my IT department. They've just informed me that the bail notification was indeed generated on July 6th and it was sent to the following email address:

Monroe_Release@touchpaydirect.net

The above email used to be the email that the bail notifications would be sent out to, but now the new email address is the one that Mike provided me with yesterday, which is TouchPayRN@keysso.net

Thank you.



Zohar Moreno / RAM Support Specialist
ram@touchpaydirect.com

TouchPay Holdings, LLC.
1-800-720-6817
www.touchpayonline.com

Confidentiality Notice: This electronic mail transmission is intended for the use of the individual or entity to which it is addressed and may contain confidential information belonging to the sender. If you have received this transmission in error, please notify the sender immediately and delete the original message. Unless explicitly noted above, this e-mail should not, in any way, be considered evidence of the sender's intent to be bound to any agreement.

From: Keena Allen [<mailto:KAllen@keysso.net>]
Sent: Tuesday, July 11, 2017 3:54 PM
To: Zohar Moreno <ram@touchpaydirect.com>
Subject: RE: Inmate Osman Torres-Huete 7/6/17

Thank you

From: Zohar Moreno [<mailto:ram@touchpaydirect.com>]
Sent: Tuesday, July 11, 2017 3:52 PM
To: Keena Allen <KAllen@keysso.net>
Cc: Touchpay Tech Support <RAM@touchpaydirect.com>; Silvio Tassotti <Silvio.Tassotti@gtl.net>
Subject: RE: Inmate Osman Torres-Huete 7/6/17

Keena,

I'm currently waiting for my IT department to assign the ticket back to us so we can inform you on what happened on July 6th.

Thank you.



Zohar Moreno / RAM Support Specialist
ram@touchpaydirect.com

TouchPay Holdings, LLC.
1-800-720-6817
www.touchpayonline.com

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agreement.

From: Keena Allen [<mailto:KAllen@keysso.net>]
Sent: Tuesday, July 11, 2017 1:57 PM
To: ram@touchpaydirect.com; Silvio Tassotti <Silvio.Tassotti@gtl.net>
Subject: FW: Inmate Osman Torres-Huete 7/6/17

Good Afternoon, Can you explain what happened on 7/6/17

From: Michael Grattan
Sent: Tuesday, July 11, 2017 2:08 PM
To: Zohar Moreno <ram@touchpaydirect.com>; Keena Allen <KAllen@keysso.net>
Subject: RE: Inmate Osman Torres-Huete 7/6/17

Hello,

Please send the emails to TouchPayRN@keysso.net. This is a distribution list that we can maintain to copy all incoming emails to the necessary people.

Kind regards,


Mike/IS

From: Zohar Moreno [<mailto:ram@touchpaydirect.com>]
Sent: Tuesday, July 11, 2017 13:42
To: Keena Allen <KAllen@keysso.net>; Michael Grattan <MGrattan@keysso.net>
Cc: Touchpay Tech Support <RAM@touchpaydirect.com>
Subject: RE: Inmate Osman Torres-Huete 7/6/17

Good afternoon Kenna,

We have not received an email with the email addresses on who's supposed to receive the bond notifications. Do you happen to have an update on this Kenna?

Thank you.

 **Zohar Moreno / RAM Support Specialist**
ram@touchpaydirect.com
TouchPay Holdings, LLC.
1-800-720-6817
www.touchpayonline.com

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From: Keena Allen [<mailto:KAllen@keysso.net>]
Sent: Tuesday, July 11, 2017 8:28 AM

To: RAM <ram@touchpaydirect.com>; Michael Grattan <MGrattan@keysso.net>
Subject: RE: Inmate Osman Torres-Huete 7/6/17

I am forwarding this to email to our IT department, so they can help you

From: RAM [<mailto:ram@touchpaydirect.com>]
Sent: Tuesday, July 11, 2017 9:25 AM
To: Keena Allen <KAllen@keysso.net>
Cc: Touchpay Tech Support <RAM@touchpaydirect.com>
Subject: RE: Inmate Osman Torres-Huete 7/6/17

Hello Keena,

Could you provide the email address that the bond notifications are supposed to be sent to?

Thank you,

Josh Lee
Tech Support



Office 1-800-720-6817 | Fax 972-506-8791
josh.lee@gtl.net | www.gtl.net

From: Keena Allen [<mailto:KAllen@keysso.net>]
Sent: Monday, July 10, 2017 10:44 AM
To: RAM@touchpaydirect.com
Subject: FW: Inmate Osman Torres-Huete 7/6/17

Morning, I need your help

This inmate had \$1000.00 put into his bond account last week 7/6/17 at 4:41 pm and no one was notified.

We are not receiving the notifications. Please have your staff check right away and let me know what happened.

From: Keena Allen
Sent: Monday, July 10, 2017 11:40 AM
To: 'Silvio Tassotti' <Silvio.Tassotti@gtl.net>; 'Customersupport@touchpaydirect.com' <Customersupport@touchpaydirect.com>
Subject: Inmate Osman Torres-Huete 7/6/17

Morning, I need your help

This inmate had \$1000.00 put into his bond account last week 7/6/17 at 4:41 pm and no one was notified.

We are not receiving the notifications. Please have your staff check right away and let me know what happened.

Keena Allen

Programs Director
5501 College Road
Key West, FL 33040

PH: 305-293-7344
Fax: 305-293-7353

Timothy Age

From: Jim Painter
Sent: Thursday, July 13, 2017 9:11 AM
To: Timothy Age; Louis Caputo; Rick Ramsay; Mike Rice; Patrick McCullah
Cc: Jamie Denton; Tiffany O'Connell; Keena Allen; Michael Grattan
Subject: FW: Inmate Osman Torres-Huete 7/6/17

Looking into what happened, or did not happen in regards to staff not being notified of a bond payment thru touchpay. Touchpay, the company, had a distribution list that they maintained called "Monroe_Release@touchpaydirect.net". This list contained the email addresses of mcso members who should receive the notifications. Unfortunately for us and the inmate (possibly more), this distribution list was not current. Our agency did not have access to this list, so we had no idea that the emailing was going to the right people. Emails did go to all that was on that list. IT had set up an email distribution list a while back which IS current and maintained by IT (now Jamie Denton, Tiffany O'connell and Keena Allen). This list currently contains 56 individuals – a single email to touchpayrn@keysso.net will alert all interested users that a bond has been posted. Touchpay has been notified to use **ONLY** that email address to our agency. (not use their distribution list ever again).. I performed a test yesterday asking members of touchpayrn@keysso.net to reply if they received my note... Deliveries were immediately confirmed on all 56, within 15 minutes more than 20 were read and overnight the rest were read and replied to. The situation has been corrected.

From: Michael Grattan
Sent: Thursday, July 13, 2017 8:51 AM
To: Jim Painter <JPainter@keysso.net>
Subject: FW: Inmate Osman Torres-Huete 7/6/17

See below.

Kind regards,

Mike/IS

From: Keena Allen
Sent: Wednesday, July 12, 2017 14:50
To: Michael Grattan <MGrattan@keysso.net>
Subject: FW: Inmate Osman Torres-Huete 7/6/17

Good Afternoon, Mr. Grattan

I am being ask to provide a reason for no one receiving, the bond notification on July 6, 2017 in reference to the above inmate.

Sir, can you explain what happened?

From: Zohar Moreno [<mailto:ram@touchpaydirect.com>]
Sent: Wednesday, July 12, 2017 2:46 PM
To: Keena Allen <KAllen@keysso.net>
Cc: Touchpay Tech Support <RAM@touchpaydirect.com>
Subject: RE: Inmate Osman Torres-Huete 7/6/17

TouchPay

P.O. Box 3182
Coppell, TX 75019
Customer Service: (866) 204-1603
Email: customer.support@touchpaydirect.com

Transaction #: 25614140

KIOSK	DATE	TIME
TPL-0492	07/06/2017	04:38 PM

Transaction ID: 25614140
Inmate ID: 17012389
Inmate Name: OSMAN TORRES HUETE
Application: Sell Release
Payment Method: CASH
Order Type: DEPOSIT
Deposit Amount: \$1000.00
Fee Amount: \$51.00
Total Amount: \$1051.00
Location: Morris County

CONFIRMATION #
2D85DF31

To: Captain Lee Ann Holroyd, Inspector General
From: Inspector Michelle Maxwell, Esq.
Date: July 19, 2017
PR-2017-020

On July 8, 2017, Ms. Reggie Smith, an attorney representing Osman Torres Huete, contacted Sheriff Ramsay via letter regarding the release of her client after posting bond. A copy of the letter is attached to this investigation as Exhibit 1. According to Ms. Smith's letter, Mr. Torres-Huete's bond was paid on Thursday, July 6, 2017 at 4:38 p.m.. However, as of June 8, 2017 at 4:04 p.m., Mr. Torres-Huete had not been released. According to Ms. Smith's letter, she believed Mr. Torres Huete was being held under "an existing ICE detainer without probable cause." Ms. Smith alleged the detainer for Mr. Torres-Huete was invalid and demanded his immediate release.

Major T. Age alerted Director K. Allen to Ms. Smith's allegations regarding the continued detention of Mr. Torres-Huete. Director Allen discovered that Mr. Torres-Huete had \$1,000 in his inmate account but stated TouchPay, the independently contracted company responsible for accepting, processing and alerting MCSO Detention Staff regarding the receipt of bond payments, had never alerted her or her staff of the deposit.

On July 10, 2017, Director Allen emailed Silva Tassotti from the Customer Support division of TouchPay requesting he investigate the matter. A copy of the email chain between Director Allen and TouchPay is included in this investigation as Exhibit 2. On July 12, 2017, Zohar Moreno, RAM Support Specialist for TouchPay contacted Director Allen and alerted her that notification of Mr. Torres-Huete's bond payment was sent out using a distribution list entitled "Monroe Release @touchpaydirect.net."

Jim Painter, IT Director for MCSO reviewed TouchPay's "Monroe Release" distribution list. Mr. Painter noted the "Monroe Release" distribution list created and maintained by TouchPay was outdated and incomplete. Because this distribution list was maintained by TouchPay and not MCSO, Mr. Painter

stated “our agency did not have access to this list so we had no idea if the emails were going to the right people.”

Mr. Painter further noted TouchPay was supposed to be using a distribution list entitled “touchpayrn” that had been created several months ago by Jamie Denton, MCSO Jail Records. The “touchpayrn” list contained 56 current, individual MCSO email addresses of pertinent staff.

Mr. Painter stated as of this incident, TouchPay has been notified to exclusively use the distribution list created and maintained by MCSO and to never use their “Monroe Release” distribution list again. Mr. Moreno confirmed his company will exclusively use the “touchpayrn” distribution list for all future notifications.

In the end, it is clear the responsibility for Mr. Torres Huete’s delayed release lies with TouchPay and the company’s failure to properly notify MCSO Staff of the bond payment. As of the date of this memo, the issue with TouchPay has been resolved. I found no violation of policy or misconduct on the part of any Monroe County Sheriff’s Office employee. As such, this investigation is hereby closed as UNFOUNDED.