

**State of Missouri**

**DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND  
PROFESSIONAL REGISTRATION**

**IN RE:** )  
 )  
**KARIE ANN ROBINETT,** ) **Case No. 170310218C**  
 )  
**Applicant.** )

**ORDER REFUSING TO ISSUE**  
**AN INSURANCE PRODUCER LICENSE**

On June 21, 2017, the Consumer Affairs Division (“Division”) submitted a Petition to the Director alleging cause for refusing to issue an insurance producer license to Karie Ann Robinett. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and order:

**FINDINGS OF FACT**

1. Karie Ann Robinett (“Robinett”) is a Missouri resident with a residential, business, and mailing address of 1009 Dardenne Woods Drive, O’Fallon, Missouri 63368.
2. On October 17, 2016, the Department received Robinett’s Uniform Application for Individual Producer License/Registration (“Application”).
3. Background Question Number 1b of the Application asks, in relevant part:

Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?

You may exclude juvenile adjudications (offenses where you were adjudicated delinquent in a juvenile court)[.]

4. Robinett answered “Yes” to Background Question Number 1b. Robinett provided court records that showed that she was convicted of the following felony:
  - a. On March 24, 2000, Robinett pled guilty to the Class C Felony of Involuntary Manslaughter – Vehicular – Intoxicated, in violation of § 565.024, RSMo.<sup>1</sup> *State v. Karie Ann Robinett*, St. Louis Co. Cir. Ct., Case No. 2198R-04257-01. More

<sup>1</sup> All criminal statutory citations are to that version of RSMo in effect at the time of the commission of the crime.

particularly, Robinett pled guilty to a charge that she, “while under the influence of alcohol, caused the death of Earl Dean Hartronft by striking the trailer he was towing sending him out of control when operating a motor vehicle with criminal negligence in that defendant was driving at an excessive speed, failing to drive in a single lane, and drove into the trailer Mr. Hartronft was towing.” *Id.* (Indictment). The court sentenced Robinett to seven years’ incarceration but suspended execution of the sentence and ordered as a condition of her probation, among other things, that Robinett was not to drink alcoholic beverages. *Id.* On September 14, 2000, the court revoked Robinett’s probation and ordered the seven-year sentence executed after it found that Robinett had violated the conditions of her probation related to not consuming alcoholic beverages. *Id.*

5. Robinett provided a written explanation regarding her felony conviction along with her Application. Robinett indicated that since her conviction, she had obtained her real estate license (which is now expired) and her cosmetology license. Robinett did not indicate, in her written explanation, what she was doing to make sure that she never committed an intoxication-related traffic offense again. Also, she did not express remorse for the crime or the death that she caused.
6. On November 3, 2016, Division Special Investigator Dana Whaley (“Whaley”) sent a letter to Robinett asking for additional information regarding the circumstances surrounding the crime, any steps that Robinett might have taken (for example, a rehabilitation or treatment program) to make sure that she does not commit an intoxication-related traffic offense again, and Robinett’s remorse, if any.
7. On November 9, 2016, Robinett responded. In terms of the circumstances surrounding her offense, Robinett explained that at the time, she was involved in a “severely abusive relationship” and a custody battle with the father of her daughter. Robinett indicated that on the day her probation was revoked, she had gone to meet the father in order to have a visit with her daughter. The father indicated that the daughter was at his mother’s house, and he supposedly went to retrieve the daughter, but when he returned, he had “purchased all this alcohol goading me to drink before he would let me see my child, and I mean hard alcohol 100 proof. I would not drink that but agreed to drink a few mimosas, and I walked into work release and blew positive, my bad.”
8. Also in her response, Robinett indicated, “I no longer drink, upon my release I sought individual counseling from a specialist in alcohol abuse” and “I did not do well in typical AA as I thought people were their [sic] just to get their paperwork signed and tell everyone what they wanted to here [sic], I was not comfortable in doing so, my thought process is why should I share when these people are not even being truthful.” Robinett also explained that after her release from prison, she was required to have a breath testing device in her car for a year. She described an incident in 2006 where the instrument in her car started going off, and she was scared because she had not

been drinking; if she had been drinking, that would have affected her parole. Robinett called the police and asked them to take her blood to test it for alcohol to show that she was not drinking, but the police explained that they could not do that under the circumstances and could only take blood if she were under arrest for Driving While Intoxicated.

9. Robinett also indicated in her November 9, 2016 response that she had been pulled over for speeding in July 2015. Robinett received a ticket for driving 85 mph in a 65 mph zone. The trooper noticed a strong odor of intoxicants on Robinett's breath and that Robinett's eyes were watery and bloodshot. The trooper asked Robinett to perform field sobriety tests and provide a breath sample, but Robinett refused.
10. On September 22, 2015, the Madison County, Missouri prosecutor charged Robinett with the Class D Felony of Driving While Intoxicated, in violation of § 577.010. *State v. Karie Robinett*, Madison Co. Cir. Ct., Case No. 15MD-CR00350. The Complaint alleged Robinett's prior conviction for Involuntary Manslaughter as the basis for the enhancement to a felony. *Id.* On May 4, 2016, the Madison County Prosecutor filed an Amended Information in the case charging Robinett with the Class B Misdemeanor of Operating a Motor Vehicle in a Careless and Imprudent Manner in violation of § 304.012. *Id.* Also on May 4, 2016, the Madison County Prosecutor filed a Second Amended Information, charging Robinett in Count I with the Class B Misdemeanor of Operating a Motor Vehicle in a Careless and Imprudent Manner in violation of Section § 304.012, and in Count II with the Class C Misdemeanor of Speeding, in violation of § 304.010. *Id.* Robinett pled guilty to the Second Amended Information, and on May 4, 2016, the court sentenced her in Count I to a \$1,000.00 fine and in Count II to a \$300 fine. *Id.*

### CONCLUSIONS OF LAW

11. Section 374.210.1 provides:

It is unlawful for any person in any investigation, examination, inquiry, or other proceeding under this chapter, chapter 354, or chapters 375 to 385, to:

(1) Knowingly make or cause to be made a false statement upon oath or affirmation or in any record that is submitted to the director or used in any proceeding under this chapter, chapter 354, and chapters 375 to 385[.]

12. Section 375.141.1 provides, in part:

The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:

(2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state;

\* \* \*

(6) Having been convicted of a felony or crime involving moral turpitude[.]

13. Robinett may be refused an insurance producer license under § 375.141.1(2) because she violated an insurance law, to wit: § 374.210.1, in that Robinett knowingly made a false statement in a record submitted to the Director. In response to Whaley's letter regarding the circumstances surrounding Robinett's felony, Robinett indicated, "I no longer drink," and explained that after her release from prison, she sought individual counseling. Given the context of her "I no longer drink" statement and the chronology of the text of her letter, it appears that the July 2015 traffic stop she references occurred *after* she allegedly stopped drinking. Yet during the July 2015 traffic stop, the trooper who stopped Robinett smelled a strong odor of intoxicants on Robinett's breath and noticed that Robinett's eyes were watery and bloodshot. Robinett either presented a false statement ("I no longer drink") to the Director because she claimed to abstain from drinking after her release but showed indicia of intoxication during her subsequent July 2015 traffic stop, or, her alleged sobriety is of more recent vintage (*i.e.*, it occurred after the July 2015 traffic stop) and, thus, of far shorter duration (and far more attenuated from her involuntary manslaughter conviction) than might otherwise appear.
14. Robinett may be refused an insurance producer license under § 375.141.1(6) because she has been convicted of the Class C Felony of Involuntary Manslaughter – Vehicular – Intoxicated, in violation of § 565.024. *State v. Karie Ann Robinett*, St. Charles Co. Cir. Ct., Case No. 2198R-04257-01. The court initially suspended execution of sentence and placed Robinett on probation, but since she violated conditions of her probation related to consuming alcoholic beverages, the court ordered her seven-year sentence executed. *Id.*
15. Robinett may also be refused an insurance producer license under § 375.141.1(6) because she has been convicted of the Class C Felony of Involuntary Manslaughter – Vehicular – Intoxicated, in violation of § 565.024, which involves moral turpitude. *State v. Karie Ann Robinett*, St. Charles Co. Cir. Ct., Case No. 2198R-04257-01.
16. The above described instances are grounds upon which the Director may refuse to issue Robinett an individual resident insurance producer license. Robinett killed someone because she was under the influence of alcohol and then acted with criminal negligence behind the wheel of a car when she sped, failed to drive in a single lane,

and drove into another motorist's trailer. *State v. Karie Ann Robinett*, St. Charles Co. Cir. Ct., Case No. 2198R-04257-01. Robinett was initially sentenced to probation, but violated that probation by consuming alcohol. *Id.* Despite having taken a life in an intoxication-related traffic offense, Robinett has recently driven after consuming alcoholic beverages; when given a chance to exonerate herself during her July 2015 arrest and show via field sobriety testing and breath testing that she was not under the influence, she refused to do so.

17. The Director has considered Robinett's history and all of the circumstances surrounding Robinett's Application. Issuing an insurance producer license to Robinett would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue Robinett an individual resident insurance producer license.
18. This Order is in the public interest.

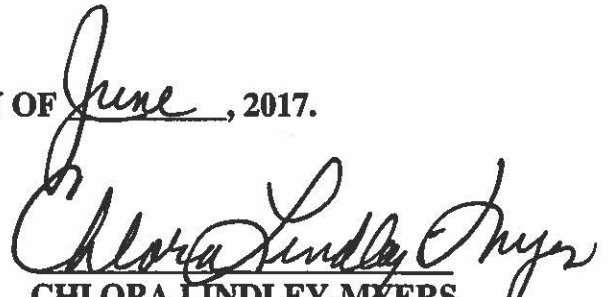
**ORDER**

**IT IS THEREFORE ORDERED** that the resident insurance producer license Application of **Karie Ann Robinett** is hereby **REFUSED**.

**SO ORDERED.**

**WITNESS MY HAND THIS** 23<sup>rd</sup> **DAY OF** June, 2017.



  
**CHLORA LINDLEY-MYERS**  
**DIRECTOR**

## **NOTICE**

**TO: Applicant and any unnamed persons aggrieved by this Order:**

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission of Missouri, P.O. Box 1557, Jefferson City, Missouri, within 30 days after the mailing of this notice pursuant to Section 621.120, RSMo. Pursuant to 1 CSR 15-3.290, unless you send your complaint by registered or certified mail, it will not be considered filed until the Administrative Hearing Commission receives it.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 26th day of June, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by United Parcel Service, with signature required, at the following address:

Karie Ann Robinett  
1009 Dardenne Woods Drive  
O'Fallon, Missouri 63368

Tracking No. 1Z0R15W84290147295



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