



DEPARTMENT OF COMMERCE AND INSURANCE

P.O. Box 690, Jefferson City, Mo. 65102-0690

IN RE:

VAUGHAN CHARLES MORRILL,
Applicant.

Case No. 2106291055C

ORDER REFUSING TO RENEW RESIDENT INSURANCE PRODUCER LICENSE

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance, (“Director” of the “Department”) takes up the above matter for consideration and disposition. After reviewing the Petition, investigative report, and other relevant documents, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Vaughan Charles Morrill (“Morrill”) is a Missouri resident with a residential and mailing address of 1764 Rosearbor Dr., St. Louis, MO 63146.
2. The Department issued Morrill an insurance producer license (License No. 8352284) on July 22, 2015. This license was most recently renewed on June 27, 2019.
3. In his 2019 renewal application Morrill disclosed that he was convicted of two felonies:
 - a. On March 16, 2018, Morrill was convicted upon a plea of guilty of Resisting Public Officer with Use of a Dangerous Weapon, a Category D Felony, in violation of N.R.S. § 199.280.¹ *State of Nevada v. Vaughan*

¹ All Nevada criminal statutory references are to the version of Nevada Revised Statutes (N.R.S.) in effect at the time the offense was committed.

Morrill, Clark County Dist. Ct., Case No, C-18-329261. Morrill was sentenced to thirty-four (34) months with a minimum parole eligibility of twelve (12) months and ordered to pay restitution. *Id.* In his plea of guilty, Morrill admitted to “pointing a pellet gun at the said [police officers] and making verbal threats.” *Id.*

- b. On March 16, 2018, Morrill was convicted upon a plea of guilty of Break, Injure or Tamper With Motor Vehicle, a Category C Felony, in violation of N.R.S. §§ 205.274 and 193.155. *State of Nevada v. Vaughan Morrill*, Clark County Dist. Ct., Case No, C-18-329261. Morrill was sentenced to thirty-six (36) months with a minimum parole eligibility of twelve (12) months and ordered to pay restitution. *Id.* The sentence was ordered to be served concurrently with the other aforementioned felony. *Id.* In his guilty plea, Morrill admitted to “intentionally ramming said patrol vehicle with a vehicle and/or by kicking said patrol vehicle.” *Id.*
4. Morrill first reported his felony convictions to the Department on or about June 27, 2019, when he filed his renewal application. This report occurred over a year after his convictions.
5. On or about December 10, 2020, the Department filed a complaint with the Administrative Hearing Commission (“AHC”) asking that the AHC find that cause exists for disciplinary action against Morrill’s License. *Dir. of Dep’t of Com. & Ins. v. Morrill*, Case No. 20-3095 (Admin. Hrg. Comm’n July 6, 2021).
6. On July 6, 2021, the AHC issued an order finding that the Director of the Department has cause to discipline Morrill’s license on the grounds that:
 - a. Morrill was convicted of the felony of Resisting Public Officer with Use of a Dangerous Weapon, a Category D Felony, in violation of N.R.S. § 199.280. *State of Nevada v. Vaughan Morrill*, Clark County Dist. Ct., Case No, C-18-329261.
 - b. Morrill was convicted of the felony of Break, Injure or Tamper With Motor Vehicle, a Category C Felony, in violation of N.R.S. §§ 205.274 and 193.155. *State of Nevada v. Vaughan Morrill*, Clark County Dist. Ct., Case No, C-18-329261.
 - c. Morrill was convicted of a crime of moral turpitude when he was convicted of Resisting Public Officer with Use of a Dangerous Weapon, as, “using a firearm against an officer of the law is a violation of a citizen’s duty to society... By using a firearm in the course of resisting arrest, Morrill therefore committed a crime involving moral turpitude.” *Dir. of Dep’t of Com. & Ins. v. Morrill*, Case No. 20-3095 (Admin. Hrg. Comm’n July 6, 2021).

7. On June 22, 2021, the Division received Morrill’s renewal Application.²
8. Morrill’s Renewal Application included a section of attestations which were electronically confirmed by Morrill. These attestations stated, in relevant part:

I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.

9. Background Question 1A states in relevant part:

Have you been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor which has not been previously reported to this insurance department?

10. Morrill responded “No” to Background Question 1A.
11. A subsequent investigation conducted by the Department revealed the following additional criminal history for Morrill:

- a. On March 11, 2021, Morrill was convicted upon a plea of guilty of Trespass – First Degree, a Class B Misdemeanor in violation of § 569.140, RSMo.³ *State of Missouri v. Vaughan Charles Morrill*, Franklin Co. Cir. Ct., Case No. 20AB-CR01348. Morrill was sentenced to pay a fine and court costs. *Id.*

12. It is inferable, and hereby found as fact that Morrill did not disclose his misdemeanor conviction in his Renewal Application in order to misrepresent to the Director that he did not have an additional criminal history in order to have his license renewed.

13. Background Question 2 states in relevant part:

Have you ever been named or involved as a party in an administrative proceeding...?... “Involved” also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license, or registration.

14. Morrill responded “No” to Background Question 2.

² A second renewal application was filed by Morrill, and received by the Department on May 17, 2021. This application was reviewed separately.

³ All Missouri criminal statutory citations are to that version of RSMo in effect at the time of the commission of the crime.

15. It is inferable, and hereby found as fact that Morrill did not disclose his then pending case with the AHC in order to misrepresent to the Director that he was not a party to an administrative proceeding in order to have his license renewed.

CONCLUSIONS OF LAW

16. § 375.141, RSMo (2016),⁴ states, in relevant part:

1. 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:

(1) Intentionally providing materially incorrect, misleading, incomplete or untrue information in the license application;

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

(3) Obtaining or attempting to obtain a license through material misrepresentation or fraud; [or]

* * *

(6) Having been convicted of a felony or crime involving moral turpitude;

* * *

7. Within thirty days of the initial pretrial hearing date, a producer shall report to the director any criminal prosecution for a felony or a crime involving moral turpitude of the producer taken in any jurisdiction. The report shall include a copy of the indictment or information filed, the order resulting from the hearing and any other relevant legal documents.

17. Collateral estoppel “is used to preclude the relitigation of an issue that already has been decided in a different cause of action.” *Brown v. Carnahan*, 370 S.W.3d 637, 658 (Mo. banc 2012) (citation omitted).

18. The Director may refuse to renew Morrill’s insurance producer license pursuant to § 375.141.1(1) because Morrill intentionally provided materially incorrect, misleading, incomplete or untrue information in the license application when Morrill did not disclose that he was convicted upon a plea of guilty of Trespass – First Degree, a Class B Misdemeanor in violation of § 569.140. *State of Missouri v. Vaughan Charles Morrill*, Franklin Co. Cir. Ct., Case No. 20AB-CR01348.

19. The Director may refuse to renew Morrill’s insurance producer license pursuant to § 375.141.1(1) because Morrill intentionally provided materially incorrect, misleading,

⁴ All civil statutory references are to the Revised Statutes of Missouri (2016) unless otherwise indicated.

incomplete or untrue information in the license application when Morrill did not disclose that an administrative proceeding seeking to discipline his license was pending at the AHC when he filed his Renewal Application. *Dir. of Dep't of Com. & Ins. v. Morrill*, Case No. 20-3095 (Admin. Hrg. Comm'n July 6, 2021).

20. Each time Morrill provided materially incorrect, misleading, incomplete or untrue information in the license application constitutes separate and sufficient ground to deny Morrill's license under § 375.141.1(1).
21. The Director may refuse to renew Morrill's insurance producer license pursuant to § 375.141.1(2) because Morrill violated an insurance law, § 375.141.7, when he failed to report his Nevada felony criminal charges to the Department within thirty days of the initial pretrial hearing date. Indeed, Morrill did not report them until his renewal application on June 27, 2019, over a year after he was convicted.
22. The Director may refuse to renew Morrill's insurance producer license pursuant to § 375.141.1(3) because Morrill attempted to obtain a license through material misrepresentation or fraud when he did not disclose his misdemeanor criminal case and then pending case with the AHC. *State of Missouri v. Vaughan Charles Morrill*, Franklin Co. Cir. Ct., Case No. 20AB-CR01348., and *Dir. of Dep't of Com. & Ins. v. Morrill*, Case No. 20-3095 (Admin. Hrg. Comm'n July 6, 2021).
23. The Director may refuse to renew Morrill's insurance producer license pursuant to § 375.141.1(6) because Morrill has been convicted of two felonies, as found by the AHC. *Dir. of Dep't of Com. & Ins. v. Morrill*, Case No. 20-3095 (Admin. Hrg. Comm'n July 6, 2021).
 - a. On March 16, 2018, Morrill was convicted upon a plea of guilty of Resisting Public Officer with Use of a Dangerous Weapon, a Category D Felony, in violation of N.R.S. § 199.280. *State of Nevada v. Vaughan Morrill*, Clark County Dist. Ct., Case No, C-18-329261. Morrill was sentenced to thirty-four (34) months with a minimum parole eligibility of twelve (12) months and ordered to pay restitution. *Id.* In his plea of guilty, Morrill admitted to "pointing a pellet gun at the said [police officers] and making verbal threats." *Id.*
 - b. On March 16, 2018, Morrill was convicted upon a plea of guilty of Break, Injure or Tamper With Motor Vehicle, a Category C Felony, in violation of N.R.S. §§ 205.274 and 193.155. *State of Nevada v. Vaughan Morrill*, Clark County Dist. Ct., Case No, C-18-329261. Morrill was sentenced to thirty-six (36) months with a minimum parole eligibility of twelve (12) months and ordered to pay restitution. *Id.* The sentence was ordered to be served concurrently with the other aforementioned felony. *Id.* In his guilty plea, Morrill admitted to "intentionally ramming said patrol vehicle with a vehicle and/or by kicking said patrol vehicle." *Id.*

24. Each felony conviction is a separate and sufficient grounds on which the Director may refuse to renew Morrill's insurance producer license under § 375.141.1(6).
25. The Director may refuse to renew Morrill's insurance producer license pursuant to § 375.141.1(6) because Morrill has been convicted of a crime of moral turpitude when he was convicted of Resisting Public Officer with Use of a Dangerous Weapon, as found by the AHC. *Dir. of Dep't of Com. & Ins. v. Morrill*, Case No. 20-3095 (Admin. Hrg. Comm'n July 6, 2021). The AHC found that:


Using a firearm against an officer of the law is a violation of a citizen's duty to society. An officer acting lawfully and in the course of discharging his lawful duty is entitled to respect and deference. By using a firearm in the course of resisting arrest, Morrill therefore committed a crime involving moral turpitude. *Id.*
26. The AHC found that Morrill has been convicted of two felonies and a crime of moral turpitude. *Dir. of Dep't of Com. & Ins. v. Morrill*, Case No. 20-3095 (Admin. Hrg. Comm'n July 6, 2021). Morrill is collaterally estopped from relitigating the fact that he has been convicted of two felonies and a crime of moral turpitude. *See, Holden v. Dir. of Dep't of Ins., Fin. Ins't and Pro. Reg.*, Case No. 15-1224 (Admin. Hrg. Comm'n Feb. 4, 2016).
27. Morrill has been convicted of two felonies and a crime of moral turpitude. Morrill did not report his felonies to the regulator, and Morrill submitted two applications for renewal without disclosing his history.
28. The Director has considered Morrill's history and all of the circumstances surrounding Morrill's Renewal Application and exercises her discretion to refuse to renew Morrill's license.
29. This Order is in the public interest.

ORDER

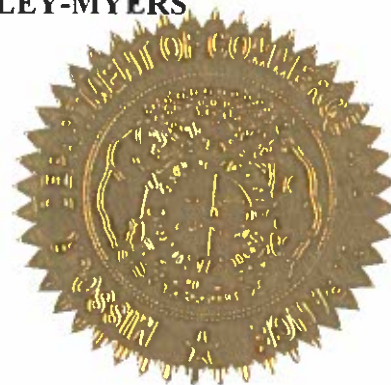
IT IS THEREFORE ORDERED that VAUGHAN CHARLES MORRILL's Renewal Application for Insurance Producer License is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 16th DAY OF July, 2021.



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.

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of July, 2021, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, at the following address:

Vaughan Charles Morrill
1764 Rosearbor Dr.
St. Louis, MO 63146

Tracking No. 1Z0R15W84298552074



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