



DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:)
)
MICHELLE RENE WILLIAMS,) **Case No. 2202090200C**
)
Applicant.)

**ORDER REFUSING TO ISSUE A RESIDENT
INSURANCE PRODUCER LICENSE**

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance (“Department”), takes up the above matter for consideration and disposition. 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. Michelle Rene Williams (“Williams”) is a Missouri resident, whose residential and mailing address is 1715 Fuller Avenue, Kansas City, Missouri 64126, and whose business address is 11705 Dorsett Road, Suite 200, Maryland Heights, Missouri 63043.
2. On July 12, 2021, the Department received Williams’ application for a resident insurance producer license (“Application”).
3. Background Question Number 1A of the Application asks, in relevant part:

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

4. Williams answered “No” to Background Question Number 1A regarding misdemeanors on her Application.
5. 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?
6. Background Question Number 1B1 asks, in relevant part:

If you have a felony conviction involving dishonesty or breach of trust, have you applied for written consent to engage in the business of insurance in your home state as required by 18 USC 1033?
7. Background Question Number 1B2 asks, in relevant part:

If so, was consent granted?
8. Williams answered “Yes” to Background Question Numbers 1B, 1B1, and 1B2 regarding felonies on her Application.
9. On August 17, 2021, Williams attached a 1033 waiver application to the NIPR Attachment Warehouse. This 1033 waiver application disclosed a 1996 conviction for Passing a Bad Check and Forgery, and a 1998 conviction for Forgery.
10. On or about September 2, 2021, the Department received by mail Williams’ original 1033 waiver application. This 1033 waiver application disclosed a 1996 conviction for Passing a Bad Check and Forgery, a 1998 conviction for Forgery and Battery on a Law Enforcement Officer, and a 2006 conviction for Identity Theft.
11. On September 13, 2021, Special Investigator Dennis Fitzpatrick (“Fitzpatrick”) with the Consumer Affairs Division (“Division”) sent an inquiry email to Williams at her email address of record. The inquiry asked that Williams provide certified court documents regarding her 1996, 1998, and 2006 convictions and an explanation of the circumstances of each incident. The email directed Williams to provide this information within twenty days.
12. On or about September 21, 2021, Williams submitted information documenting three felony convictions:
 - a. On March 27, 1996, Williams was convicted upon a plea of guilty of the Class D Felony of Passing a Bad Check, in violation of

§ 570.120.¹ *State v. Michelle Rene Williams*, Clay Cty. Cir. Ct., Case No. CR195-245F. The Court sentenced Williams to three years' incarceration in the Missouri Department of Corrections. *Id.* On August 27, 1996, the Court suspended execution of sentence, and placed Williams on five years' probation. *Id.* On January 21, 1998, Williams' probation was revoked for violation of conditions, and the original sentence of three years' incarceration was executed. *Id.*

- b. On August 9, 2006, Williams was convicted upon a plea of guilty of the Class C Felony of Attempted Forgery, in violation of K.S.A. § 21-3710.² *State of Kansas v. Michelle R. Williams*, Johnson Cty. Cir. Ct., Case No. 06CR249. The Court sentenced Williams to ten months' incarceration in the Kansas Department of Corrections, suspended execution of sentence, and placed Williams on twelve months' probation. *Id.* Williams successfully completed probation on July 29, 2010. *Id.*
- c. On May 20, 2008, Williams was convicted upon a plea of guilty of Felony Conspiracy to Commit Identity Theft, in violation of 18 U.S.C. 371.³ *United States of America v. Michelle R. Williams*, W.D. Mo. 2008, Case No. 06-00112-03-CR-W-ODS. The Court sentenced Williams to thirty months' incarceration in the United States Bureau of Prisons and to pay restitution in an amount of \$114,283.23. *Id.* On August 28, 2006, while released on bond, Williams was ordered to electronic monitoring for violation of conditions. *Id.* On May 10, 2010, while on supervised release, Williams was ordered to complete an inpatient substance abuse treatment program for violation of conditions. *Id.* On April 3, 2012, Williams stipulated to violation of supervised release and was sentenced to three months' incarceration in the United States Bureau of Prisons. *Id.* On October 15, 2021, Williams provided evidence of restitution payments in the amount of \$22,326.86.

13. On or about November 23, 2021, Williams submitted information documenting the following misdemeanor and felony convictions:

¹ All criminal statutory references are to the version of the Revised Statutes of Missouri in effect at the time of the commission of the crime.

² This statutory reference is to the version of the Kansas Statutes Annotated in effect at the time of the commission of the crime.

³ This statutory reference is to the version of the United States Code in effect at the time of the commission of the crime.

- a. On February 5, 1996, Williams was convicted upon a plea of guilty to the Class A Misdemeanor of Battery on a Law Enforcement Officer, in violation of K.S.A. 21-3413.⁴ *State of Kansas v. Michelle Rene Williams*, Johnson Cty. Cir. Ct., Case No. 95CR5700. The Court sentenced Williams to eight months' incarceration, suspended execution of sentence, and placed Williams on eighteen months' probation. *Id.*
 - b. On May 15, 1997, Williams was convicted upon a plea of guilty of two counts of the Class F Felony of Forgery, in violation of K.S.A. 21-3710.⁵ *State of Kansas v. Michelle Rene Williams AKA Michelle A. Jones*, Johnson Cty. Cir. Ct., Case No. 97CR0098. The Court revoked Williams' probation in Case Number 95CR5700, and sentenced Williams to thirteen months' incarceration in the Kansas Department of Corrections, to run consecutive to Case No. CR195-245F and CR195-1760F, with 24 months of post-release supervision and probation. *Id.*
14. During its investigation, the Department obtained court records documenting the following felony conviction, not disclosed by Williams:
- a. On May 9, 1996, Williams was convicted upon a plea of guilty of the Class C Felony of Forgery, in violation of § 570.090.1(4). *State v. Michelle R. Williams*, Clay Cty. Cir. Ct., Case No. CR195-1760F / 7CR195001760. The Court sentenced Williams to three years' incarceration. On September 6, 1996, Williams was granted probation. *Id.* On January 21, 1998, Williams' probation was revoked, and Williams' sentence of three years' incarceration in the Missouri Department of Corrections was executed. *Id.*

CONCLUSIONS OF LAW

15. Section 375.141.1, RSMo (2016)⁶ states, in relevant 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:

⁴ This statutory reference is to the version of the Kansas Statutes Annotated in effect at the time of the commission of the crime.

⁵ This statutory reference is to the version of the Kansas Statutes Annotated in effect at the time of the commission of the crime.

⁶ All civil statutory references are to the Revised Statutes of Missouri (2016) unless otherwise indicated.

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

* * *

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

* * *

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

16. The Director may refuse to issue a license to Williams pursuant to § 375.141.1(1) because Williams filed an application for an insurance producer license on July 12, 2021, which was incomplete and/or contained incorrect, misleading, or untrue information regarding the full extent of her criminal history.
17. The Director may refuse to issue a license to Williams pursuant to § 375.141.1(3) because Williams attempted to obtain a license through material misrepresentation or fraud, in that she failed to disclose the full extent of her criminal history at the time of her application.
18. The Director may refuse to issue a license to Williams under § 375.141.1(6) because Williams has been convicted upon a plea of guilty of five felonies, namely the Class D Felony of Passing a Bad Check, the Class C Felony of Attempted Forgery, Felony Conspiracy to Commit Identity Theft, two counts of the Class F Felony of Forgery, and the Class C Felony of Forgery. *State v. Michelle Rene Williams*, Clay Cty. Cir. Ct., Case No. CR195-245F; *State of Kansas v. Michelle R. Williams*, Johnson Cty. Cir. Ct., Case No. 06CR249; *United States of America v. Michelle R. Williams*, W.D. Mo. 2008, Case No. 06-00112-03-CR-W-ODS; *State of Kansas v. Michelle Rene Williams AKA Michelle A. Jones*, Johnson Cty. Cir. Ct., Case No. 97CR0098; *State v. Michelle R. Williams*, Clay Cty. Cir. Ct., Case No. CR195-1760F / 7CR195001760.
19. Each felony conviction constitutes a separate and sufficient ground for the Director to refuse to issue an insurance producer license to Williams under § 375.141.1(6).
20. The Director may refuse to issue an insurance producer license to Williams under § 375.141.1(6) because Williams has been convicted of six crimes of moral turpitude. Williams has been convicted of Passing a Bad Check, Attempted Forgery, Felony Conspiracy to Commit Identity Theft, the Class F Felony of Forgery, the Class C Felony of Forgery, and Battery on a Law Enforcement Officer. *State v.*

Michelle Rene Williams, Clay Cty. Cir. Ct., Case No. CR195-245F; *State of Kansas v. Michelle R. Williams*, Johnson Cty. Cir. Ct., Case No. 06CR249; *United States of America v. Michelle R. Williams*, W.D. Mo. 2008, Case No. 06-00112-03-CR-W-ODS; *State of Kansas v. Michelle Rene Williams AKA Michelle A. Jones*, Johnson Cty. Cir. Ct., Case No. 97CR0098; *State v. Michelle R. Williams*, Clay Cty. Cir. Ct., Case No. CR195-1760F / 7CR195001760; *State of Kansas v. Michelle Rene Williams*, Johnson Cty. Cir. Ct., Case No. 95CR5700.

21. “Moral turpitude has been defined as an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellowman or to society in general, contrary to the accepted and customary rule of right and duty between man and man; everything done contrary to justice, honesty, modesty, and good morals.” *Brehe v. Missouri Dept. of Elementary and Secondary Educ.*, 213 S.W.3d 720, 725 (Mo. App. 2007) (internal citations omitted). A crime of moral turpitude reflects “adversely on...honesty and trustworthiness and undermines public confidence[.]” *Id.* at 726.
22. There are three categories of crimes of moral turpitude; Category One crimes that necessarily involve moral turpitude, Category Two crimes “so obviously petty” that they do not involve moral turpitude, and Category Three crimes that “may be saturated with moral turpitude.” *Id.* at 725.
23. “Moral turpitude has also been found in crimes involving fraud and false pretenses, failure to pay federal income taxes, theft, and contributing to the delinquency of a minor.” *Id.* at 725.
24. “[C]rimes such as murder, rape, and fraud fall into Category 1 because they are invariably regarded as crimes of moral turpitude.” *Dale George v. Dir. of the Dept. of Ins., Fin. Inst., and Prof’l Registration*, No. 13-1854 DI (Mo. Admin. Hrg. Comm’n Jan. 2, 2014); *Brehe v. Missouri Dept. of Elementary and Secondary Educ.*, 213 S.W.3d 720, 725 (Mo. App. 2007) (internal citations omitted).
25. “The circumstances surrounding an assault related crime may establish an offense involving moral turpitude.” *In re William Y. Frick*, 694 S.W.2d 473, 478-479 (Mo. banc 1985) (internal citations omitted).
26. Each crime of moral turpitude is a separate and sufficient ground for the Director to refuse to issue an insurance producer license to Williams under § 375.141.1(6).
27. The Director has considered Williams’ history and all of the circumstances surrounding Williams’ Application and exercises her discretion to refuse to issue Williams a resident insurance producer license.

28. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the resident insurance producer license application of **MICHELLE RENE WILLIAMS** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 06 DAY OF June, 2022.



Chlora Lindley-Myers

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 7th day of June, 2022, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, at the following address:

Michelle Williams
1715 Fuller Avenue
Kansas City, Missouri 64126

Tracking No. 1Z9R15W84291063749



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