



FINAL ORDER
EFFECTIVE
04-30-2018

State of Missouri

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

IN RE:)
)
JENNIFER ERIN HALTEMAN,) **Case No. 171128461C**
)
Applicant.)

ORDER REFUSING TO ISSUE
A BAIL BOND AGENT LICENSE

On January 17, 2018, the Consumer Affairs Division submitted a Petition to the Director alleging that Jennifer Erin Halteman was disqualified from holding a bail bond agent license and alleging cause for refusing to issue a bail bond agent license to Jennifer Erin Halteman. After reviewing the Petition, the Investigative Report, and other relevant documents, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Jennifer Erin Halteman (“Halteman”) is a Missouri resident with a residential address of 1188 Harvest Road, Camdenton, Missouri 65020.
2. On October 4, 2017, the Department received Halteman’s completed Missouri Uniform Application for Bail Bond or Surety Recovery License (“Application”).
3. Part III, the Background Information section of the Application, Question B, asks:

Have you ever been adjudicated, convicted, pled or found guilty of any misdemeanor or felony or currently have pending misdemeanor or felony charges filed against you? Applicants are required to report all criminal cases whether or not a sentence has been imposed, a suspended imposition of sentence has been entered or the applicant has pled nolo contendere (no contest).
4. Halteman answered “Yes” to Question B and revealed the following: On May 13, 2013, Halteman pled guilty to the Class B Felony of Producing a Controlled

Substance, in violation of § 195.211.¹ *State v. Jennifer Erin Halteman*, Camden Co. Cir. Ct., Case No. 12CM-CR01474-01. The court suspended imposition of sentence and placed Halteman on supervised probation for five years. *Id.*

CONCLUSIONS OF LAW

5. Section 374.715.1, RSMo Supp. 2013, provides as follows:

Applications for examination and licensure as a bail bond agent or general bail bond agent shall be in writing and on forms prescribed and furnished by the department, and shall contain such information as the department requires. Each application shall be accompanied by proof satisfactory to the department that the applicant is a citizen of the United States, is at least twenty-one years of age, has a high school diploma or general education development certificate (GED), is of good moral character, and meets the qualifications for surety on bail bonds as provided by supreme court rule. Each application shall be accompanied by the examination and application fee set by the department. Individuals currently employed as bail bond agents and general bail bond agents shall not be required to meet the education requirements needed for licensure pursuant to this section.

6. Section 374.750, RSMo 2000, provides as follows:

The department may refuse to issue or renew any license required pursuant to sections 374.700 to 374.775 for any one or any combination of causes stated in section 374.755. The department shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his right to file a complaint with the administrative hearing commission as provided by chapter 621.

7. Section 374.755.1, RSMo Supp. 2013, provides, in part, as follows:

The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license required by sections 374.695 to 374.775 or any person who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

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

* * *

(2) Final adjudication or a plea of guilty or nolo contendere within the past fifteen years in a criminal prosecution under any state or federal law for a felony or a crime involving moral turpitude whether or not a sentence is imposed, prior to issuance of license date;

* * *

(6) Violation of any provision of or any obligation imposed by the laws of this state, department of insurance, financial institutions and professional registration rules and regulations, or aiding or abetting other persons to violate such laws, orders, rules or regulations, or subpoenas[.]

8. Missouri Supreme Court Rule 33.17 provides, in part, as follows:

A person shall not be accepted as a surety on any bail bond unless the person:

* * *

(c) Has not, within the past 15 years, been found guilty of or pleaded guilty or nolo contendere to:

(1) Any felony of this state, any other state, or the United States; or

(2) Any other crime of this state, any other state, or the United States involving moral turpitude, whether or not a sentence was imposed[.]

9. “A plea of guilty voluntarily and understandingly made ... admits all of the facts charged[.]” *Robinson v. State*, 491 S.W.2d 314, 315 (Mo. banc 1973).

10. By pleading guilty to Producing a Controlled Substance, in violation of § 195.211, within the past fifteen (15) years (Halteman pled guilty in 2013), Halteman is disqualified for bail bond agent licensure because she fails to meet the qualifications for sureties as set forth in Missouri Supreme Court Rule 33.17(c)(1) and § 374.715.1, RSMo Supp. 2013. *State v. Jennifer Erin Halteman*, Camden Co. Cir. Ct., Case No. 12CM-CR01474-01. The Director has no discretion when a

person does not meet the minimum qualifications of a bail bond agent, and therefore must refuse to issue Halteman a bail bond agent license.

11. The Director may refuse to issue a bail bond agent license to Halteman under § 374.755.1(2), RSMo Supp. 2013, because Halteman pled guilty within the past fifteen (15) years in a criminal prosecution under any state law for a felony, specifically, Halteman pled guilty in May 2013 to Producing a Controlled Substance. *State v. Jennifer Erin Halteman*, Camden Co. Cir. Ct., Case No. 12CM-CR01474-01.
12. The Director may refuse to issue a bail bond agent license to Halteman under § 374.755.1(2), RSMo Supp. 2013, because Halteman pled guilty within the past fifteen (15) years in a criminal prosecution under any state law for a crime involving moral turpitude, specifically, Halteman pled guilty in May 2013 to Producing a Controlled Substance. *State v. Jennifer Erin Halteman*, Camden Co. Cir. Ct., Case No. 12CM-CR01474-01.
13. The Director may refuse to issue a bail bond agent license to Halteman under § 374.755.1(6), RSMo Supp. 2013, because Halteman violated a law of this state, specifically § 195.211. *State v. Jennifer Erin Halteman*, Camden Co. Cir. Ct., Case No. 12CM-CR01474-01.
14. Under Missouri Supreme Court Rule 33.17(c) and § 374.715.1, RSMo Supp. 2013, Halteman is disqualified for a bail bond agent license and, therefore, the Director has no discretion and must refuse to issue a bail bond agent license to Halteman.
15. Moreover, the above described instances constitute cause for the Director to refuse to issue a bail bond agent license to Halteman. Issuing a bail bond agent license to Halteman would not be in the interest of the public.
16. The Director has considered Halteman's history and all of the circumstances surrounding Halteman's Application. Issuing a bail bond agent license to Halteman would not be in the interest of the public. The Director refuses to issue a bail bond agent license to Halteman because she is disqualified from holding a bail bond agent license. Further, the Director exercises her discretion to refuse to issue Halteman a bail bond agent license.

17. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the bail bond agent license Application of **Jennifer Erin Halteman** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 30th DAY OF March, 2018.



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.

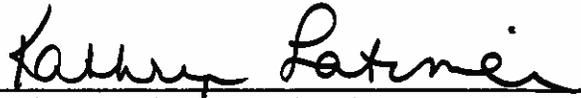
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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of April, 2018, 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:

Jennifer Erin Halteman
1188 Harvest Road
Camdenton, Missouri 65020

Tracking No. 1Z0R15W84291043716



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