

BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS

ARKANSAS INSURANCE DEPARTMENT ):-  
PLAINTIFF )

VS. )  
)

CHRISTOPHER GILLETTE )  
RESPONDENT )

AID ORDER NO. 2017- 038

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ORDER

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On this day, the matter of Christopher Gillette (“Respondent”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on March 31, 2017, in the First Floor Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to the Notice of Hearing dated March 14, 2017. The hearing was held before Chief Deputy Commissioner Russ Galbraith (“Hearing Officer”) pursuant to his appointment by the Commissioner in accordance with Ark. Code Ann. § 23-61-103(e)(1). The Department was represented by Gray Allen Turner, Associate Counsel.

FINDINGS OF FACT

1. On or about February 28, 2017, Respondent submitted to the Arkansas Insurance Department an Application for Arkansas Individual Resident Insurance Producer License.

2. In his producer application, Respondent disclosed in the affirmative to question 1(B), regarding criminal history, and provided a statement and documentation with his application.

3. On March 31, 2017, a hearing took place to determine whether Respondent should receive permission to sit for the Arkansas Insurance Producer's Examination.

4. Respondent is a U.S. Army veteran and sustained service related injuries.

5. Respondent was charged and convicted of one count of Terroristic Threatening, a felony, in Denton County, Texas. Respondent served approximately twenty-three months of a four year prison sentence. After his incarceration, Respondent successfully completed his parole in March of 2015.

6. Since his completion of parole, Respondent has maintained employment. He has fully participated in mental health treatment and has been determined by a psychologist to not be at risk of harm to himself or to others. He has not had any further arrests or convictions.

#### CONCLUSIONS OF LAW

7. To obtain an Arkansas insurance producer's license, a resident applicant must be deemed by the commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation. Ark. Code Ann. § 23-64-506(e)(1) (e) (1). An applicant's license may be denied if they have been

convicted of a felony. Ark. Code Ann. § 23-64-512(a)(6).

8. A felony conviction shall not operate as an automatic bar to registration, certification, or licensing for any trade, profession, or occupation. Ark. Code Ann. § 17-1-103(b)(1)(B).

9. It is the policy of the State of Arkansas to encourage and contribute to the rehabilitation of criminal offenders and to assist them in the assumption of the responsibilities of citizenship. Ark. Code Ann. § 17-1-103(a)(1).

10. Respondent has presented, by a preponderance of the evidence, proof that he has been successfully rehabilitated and meets the requirements of Ark. Code Ann. § 23-64-512(a)(6).

#### RECOMMENDATION OF HEARING OFFICER

WEHREFORE, based on upon the foregoing Findings of Fact, Conclusions of Law, and other matters before him, the Hearing Officer recommends:

11. Respondent should be allowed to sit for the Arkansas Insurance Producer's Examination.

A handwritten signature in black ink, appearing to read "R Galbraith", written over a horizontal line.

Russ Galbraith  
Chief Deputy Commissioner and  
Hearing Officer

### CERTIFICATION

I, Allen Kerr, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendation of the Hearing Officer were made by and under my authority and supervision by Russ Galbraith, Chief Deputy Commissioner and Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law and Recommendation in full, as set forth herein.

THEREFORE, it is hereby ORDERED that the respondent may sit for the Arkansas Producer's Examination.

IT IS SO ORDERED THIS 1st DAY OF MAY, 2017.

  
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ALLEN KERR  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS