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STATE OF ALASKA
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE

In the Matter of:)
)
JESSE J. D. TURNER,)
)
Licensee.)
_____)

Case No. D 03-124 *ST*

STIPULATED AGREEMENT AND ORDER

The Division of Insurance (division) and Jesse J. D. Turner (Mr. Turner) stipulate and agree to the following:

I. BACKGROUND

A. On or about September 13, 2002, the division issued an individual in a firm insurance producer license to Mr. Turner, under license number 29468 based on the application that Mr. Turner submitted to the division on or about August 5, 2002.

B. Question 33.I. of the application asks: "Have you ever been convicted of, or are you currently charged with committing a crime, whether or not adjudication was withheld?" To this question, Mr. Turner answered "no."

C. Because Mr. Turner's application was complete and his answers on the application did not indicate any reason not to issue him a license, the division issued the license before the background check was completed on Mr. Turner's fingerprint cards that he submitted as part of the application process.

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2 D. In April 2003, the division received the results of Mr. Turner's
3 fingerprint background check. The report revealed that Mr. Turner had been arrested and
4 convicted of assault on March 11, 1997 and negligent driving on March 24, 1998. He also was
5 arrested and charged with assault on January 10, 2003. Mr. Turner did not reveal the two
6 convictions on his initial application, nor did he subsequently report the 2003 charge as
7 required by AS 21.27.025(a).
8

9 E. In response to the division's requests for information, Mr. Turner
10 claimed "youthful ignorance" regarding the convictions. He also stated that he had filed
11 approximately 10 different applications in various states and that each application was a bit
12 different in that some asked for convictions of anything while others were felony-specific. The
13 application he filed in Alaska is the National Association of Insurance Commissioner's
14 Uniform Individual Application, which is accepted in over 40 states. Mr. Turner also
15 responded that the 2003 charge had not occurred when he submitted the initial application.
16

17 E. The director has fully reviewed Mr. Turner's file.

18 II. TERMS OF AGREEMENT

19 1. Pursuant to AS 21.27.420, the division will suspend Mr. Turner's
20 insurance producer license for two months. The division will notify Mr. Turner of the precise
21 dates of his suspension after the director signs the order approving this agreement. During the
22 period of suspension, Mr. Turner may perform duties at his firm that do not require him to be
23 licensed, as long as the duties fall within those listed in AS 21.27.010(j).

24 2. Within six months of the date the director signs the order approving this
25 agreement, Mr. Turner will successfully complete a course in professional ethics in insurance
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2 that has been approved in advance by the director or her designee and provide proof of that
3 completion to the division.

4 3. Mr. Turner agrees to pay a civil penalty under AS 21.27.440(a) in the
5 amount of \$500, with \$250 suspended. The unsuspended portion is due and payable no later
6 than six months from the date the director signs the order approving this agreement.

7
8 4. In the event Mr. Turner violates the insurance code or applicable
9 regulations during the next two years, the suspended portion of the penalty referenced in
10 paragraph 3 will be reinstated. Mr. Turner also will be subject to any and all sanctions
11 authorized by the insurance code including imposition of additional fines or penalties.

12 5. By signing this agreement, Mr. Turner understands and agrees that any
13 failure to comply with the terms of this agreement may be grounds to revoke, further suspend,
14 or non-renew Alaska insurance license number 29468.

15 6. Mr. Turner understands that this agreement is not binding on the parties
16 unless and until the director signs the order approving the agreement.

17
18 DATED: 12/24/03

DIVISION OF INSURANCE

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21 By: Linda Brunette

Linda Brunette
Program Coordinator

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23
24 DATED: 12/17/03


Jesse J. D. Turner
Jesse J. D. Turner

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Approved as to form and content:

DATED: 12/22/03

GREGG D. RENKES
ATTORNEY GENERAL

By: 
Nathaniel B. Atwood
Assistant Attorney General

ORDER

IT IS ORDERED that this Stipulated Agreement and Order is adopted in full resolution of the issues in this case, and shall constitute the final order in this matter.

DATED this 30th day of December, 2003.


Linda S. Hall
Director