

**STATE OF MISSISSIPPI
OFFICE OF THE COMMISSIONER OF INSURANCE**

**IN THE MATTER OF ANDREW CAMPHOR,
DENIAL OF BAIL BOND LICENSE**

FINDINGS AND ORDER

THIS CAUSE came on for hearing before the Commissioner of Insurance of the State of Mississippi (hereinafter “Commissioner”), by and through his specially designated appointee (Hereinafter “Hearing Officer”), in the office of the Commissioner, 10th Floor, Woolfolk State Office Building, 501 North West Street, Jackson, MS 39205, on Thursday, May 29, 2008, at 2:00 p.m., pursuant to a request for hearing made by Andrew Camphor (hereinafter “Mr. Camphor” or “Respondent”), upon the denial of his applications for licenses as a bail soliciting agent and as a bail enforcement agent. The Commissioner, by and through the designated Hearing Officer, having heard and considered all of the testimony and evidence produced by the parties herein, including supplemental evidence provided by Mr. Camphor, makes the following findings:

Authority

The hearing herein was held pursuant to the provisions of Miss. Code Ann. § 83-39-1, *et seq.*, providing for the licensure and regulation of professional bail agents, soliciting bail agents, and bail enforcement agents, by the Mississippi Insurance Department; and specifically under Miss. Code Ann. § 83-39-17 (Supp. 2007), providing hearing procedures for the refusal, suspension, revocation, or refusal of renewal of the above licenses.

Notice and Hearing

1. On or about December 12, 2007, the Commissioner, pursuant to Miss. Code Ann. § 83-39-17 (Supp. 2007), gave the required notice to the Respondent of the requested hearing, to be held for the purpose of affording the Respondent the opportunity to contest the reasonableness of the Commissioner's proposed action, to wit: the refusal to renew the Respondent's licenses as a bail soliciting agent and bail enforcement agent.

2. A Notice of Hearing and Statement of Charges was sent to Respondent by certified mail, return receipt requested, in accordance with Miss. Code Ann. § 83-39-17 (Supp. 2007), at the address provided by Respondent to the Licensing Division of the Mississippi Insurance Department.

3. Pursuant to said Notice, a hearing was scheduled for Wednesday, January 30, 2008 at 9:00 a.m.

4. At the request of counsel for Mr. Camphor, said hearing was rescheduled to May 29, 2008, at 2:00 p.m.

5. The Respondent, after being duly and properly notified of the hearing herein, in accordance with statutory requirements, appeared at said hearing, and was represented by counsel, the Honorable Paul Winfield.

Findings of Fact

1. Respondent was originally licensed as a bail bondsman in Mississippi on May 1, 1992. [Note: The official licensing records of the Mississippi Insurance Department only show Mr. Camphor's being licensed from October 1, 2002, forward. Mr. Camphor provided supplemental documents which showed licenses for various times, though not continuously, from May 1, 1992 through May 31, 2000. This finding is also corroborated by the testimony of Robert Perkins,

Director of the Licensing Division, that an initial licensing date of 1992 date is possible since Mr. Camphor's license number begins with "92" and it was the practice of the Department to begin each license number with the initial year of licensure.]

2. Respondent held licenses as a bail bondsman and a bail soliciting agent at various times between May 1, 1992, and May 31, 2000.

3. From October 1, 2002 through May 31, 2006, Respondent held licenses as a bail soliciting agent and a bail enforcement agent.

4. On the 2002, 2003, 2004, 2005, and 2006 license applications, Respondent indicated that he had never been convicted of a felony or a crime involving moral turpitude.

5. On September 22, 1978, Andrew Camphor pled guilty to the crime of armed robbery in the Hinds County, Mississippi Circuit Court. He was sentenced to 20 years in the Mississippi Department of Corrections, with 17 years suspended and three years to serve in the Hinds County jail, plus five years probation.

6. Miss. Code Ann. § 83-39-3(2)(a) (Supp. 2007) states that, "No person who has ever been convicted of a felony or any crime involving moral turpitude...shall be issued a license hereunder." This particular section of the law has been in place since 1997.

7. Miss. Code Ann. § 83-39-15(1)(a) and (c) provide that the Department may deny or refuse to renew the above licenses for the following reasons: "(a) Any cause for which the issuance of the license would have been refused had it been known to the Department," and "(c) Material misstatement, misrepresentation or fraud in obtaining the license."

Conclusions of Law

1. The Respondent admitted at the hearing that he had pled guilty to the charge of armed robbery, and that he had served 18 months at the Hinds County Penal Farm for said crime. He

testified that he was nineteen or twenty when the crime occurred, and it was his understanding that if he pled guilty and served his time, "it would go away after 18 months," which he took to mean that he would not have a record.

While it is somewhat hard to believe that one could serve eighteen months at the Penal Farm, and not understand that one had a felony conviction, the fact is that material misrepresentations were made on the above licensure applications, willfully or not. Further, had the Department known of the Respondent's felony conviction, a license would not have been issued.

2. Under Miss. Code Ann. § 83-39-3(2)(a) (Supp. 2007), no one who has been convicted of a felony can hold a bail agent, soliciting bail agent, or bail enforcement agent license in the State of Mississippi. This has been the law since 1997, and this is the law that applies to Mr. Camphor today.

3. Andrew Camphor is not eligible to hold a soliciting bail agent or bail enforcement agent license in the State of Mississippi.

ORDER

IT IS, THEREFORE, ORDERED that the pending applications of Andrew Camphor for licensing as a soliciting bail bond agent and bail enforcement agent are hereby denied.

SO ORDERED, this the 8th day of July, 2008.



MIKE CHANEY
COMMISSIONER OF INSURANCE