



I.

FINDINGS OF FACT

1. The Board is an agency of the state of Missouri created and established pursuant to § 329.015, RSMo,<sup>1</sup> for the purpose of licensing all persons engaged in the practice of barbering and cosmetology in this state. The Board has control and supervision of the licensed occupations and enforcement of the terms and provisions of Chapters 328 and 329, RSMo.

2. On or about April 22, 2013, Crawford applied for a cosmetology student license to enroll at eClips School of Cosmetology, 100 Outlet Drive #26, Sikeston, Missouri.

3. On his application, Crawford answered "yes" to the question "In the last ten (10) years have you been adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of this state or any other state or of the United States, whether or not sentence was imposed?"

4. With his April 22, 2013 application, Crawford stated "I take full responsibility for my actions. I served 16 months in the D.O.C. And am trying to better my life and stay out of trouble." Crawford included the following list of dates and criminal charges:

- a. 12-20-05, burglary in the second degree, sentence, 4 years.
- b. 1-20-11, domestic assault, second degree, sentence, 3 years.
- c. 1-20-11, resisting arrest, sentence, 3 years.
- d. 1-20-11, three misdemeanor assaults on law enforcement, sentence, 60 days.
- e. 7-24-11, possession of a controlled substance at a county jail, sentence, 3 years.

5. On or about May 9, 2013, Crawford provided an additional response regarding his criminal background. Crawford stated that he was convicted of four felonies. He stated the first

---

<sup>1</sup> All statutory references are to Missouri Revised Statutes 2000, as amended, unless otherwise indicated.

was burglary in the second degree for which he was sentenced to four years' incarceration. He stated he pled guilty but "my side of this is I bought some musical instruments from someone I though was a friend. Since I wouldn't tell the police who I bought them from, I was charged with burglary. I ple[]d out to a four year sentence." Regarding his second and third felonies, Crawford stated that "my sister and I were arguing. She threw a soda on my and I threw one back on her. There was some yelling, the police were called. I didn't feel like I should go to jail for throw[ing] a soda on my sister. When I didn't comply, I was charged and convicted of resisting arrest and domestic assault, [second] degree. I received a 3 year sentence for each crime to run concurrent with my 4 year sentence." Regarding the fourth felony, Licensee stated he "turned himself in after a week furlow from the court. They searched my bag and found marijuana in my cell which I shared with another inmate. I had only been in jail for one day, the day after I turned myself in. Therefore, I was charged and convicted of possession of a controlled substance in a county jail. I received a 3 year sentence to run concurrent with the 4 year sentence." Crawford also stated "I served 14 months in [the Department of Corrections]. I earned my G.E.D. while in[carcerated]. Now I'm trying to better myself so I can have a better future[e] than what I have had in my past. I take full responsibility for my crimes."

6. A review of Crawford's criminal history reveals:
  - a. On or about March 23, 2006, Crawford pled guilty to the class C felony of burglary in the second degree in the Circuit Court of Scott County, Missouri, case number 06G4-CR00142-01. The Court suspended the imposition of sentence and placed Crawford on five years' supervised probation. The Court then revoked the probation, sentenced Crawford to four years' incarceration in the Missouri Department of Corrections but suspended the execution of sentence, ordering

shock incarceration followed by supervised probation. On February 17, 2010, the Court revoked Crawford's probation and sentenced him to four years' incarceration to be served concurrently with case number 11SO-CR00082-01.

- b. On or about September 30, 2009, Crawford pled guilty to the class B misdemeanor of driving while intoxicated, drug intoxication, in the Circuit Court of Scott County, Missouri, case number 09SO-CR01422. The Court sentenced Crawford to 30 days in jail.
- c. On or about July 14, 2011, Crawford pled guilty to one count of the class C felony of domestic assault in the second degree, one count of the class D felony of resisting/interfering with a felony arrest, and three counts of the class A misdemeanor of assault on a law enforcement officer, in the Circuit Court of Scott County, Missouri, case number 11SO-CR00082-01. The Court sentenced Crawford to three years' incarceration for each of the felony counts and sixty days incarceration for each of the misdemeanor counts, all to be served concurrently with case number 06G4-CR00142-01.
- d. On or about August 24, 2011, Crawford pled guilty to the class C felony of possession of a controlled substance at a county jail, in the Circuit Court of Scott County, Missouri, case number 11SO-CR01051-01. The Court sentenced Crawford to three years' incarceration to run concurrent with all other sentences.

## II.

### CONCLUSIONS OF LAW

- 7. The Board has authority to deny or refuse a license application pursuant to § 329.140.1, RSMo, which provides:

The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board 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, RSMo.

8. The Board has cause to deny or refuse Crawford's application for a cosmetology student license pursuant to § 329.140.2, RSMo, which provides:

The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

...

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed[.]

9. As a result of Crawford's actions as set forth in paragraphs 2 through 6 above, the Board has cause to deny or refuse Crawford's application for a cosmetology student license pursuant to § 329.140.1, RSMo, and § 329.140.2(2), RSMo.

10. As an alternative to refusing to issue a license, the Board may, at its discretion, issue a license subject to probation, pursuant to § 324.038, RSMo, which provides:

Whenever a board within or assigned to the division of professional registration, including the division itself when so empowered, may refuse to issue a license for reasons which also serve as a basis for filing a complaint with the administrative hearing commission seeking disciplinary action against a holder of a license, the board, as an alternative to refusing to issue a license, may, at its discretion, issue to an applicant a license subject to probation.

11. The Board issues this Order in lieu of denial of Crawford's application for a cosmetology student license. The Board has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

12. Based on the foregoing, Joel D. Crawford is granted a cosmetology student license, which is hereby placed on **PROBATION** for the period during which he is enrolled in cosmetology school and receiving training hours, not to exceed five (5) years from the effective date of this Order. During the aforementioned probation, Joel D. Crawford shall be entitled to enroll as a cosmetology student subject to the following terms and conditions.

IV.

TERMS AND CONDITIONS

13. During the aforementioned probation, Joel D. Crawford, shall be entitled to enroll as a cosmetology student subject to the following terms and conditions:

- A. During the disciplinary period, Applicant shall comply with all provisions of Chapter 329, RSMo, all applicable board regulations, all applicable federal and state drug laws, rules and regulations and all applicable federal and state criminal laws. "State" includes the state of Missouri, all other states and territories of the United States, and the ordinances of their political subdivisions.
- B. During the disciplinary period, Applicant shall keep the Board informed of Applicant's current work and home telephone numbers. Applicant shall notify the Board in writing within ten days (10) of any change in this information.
- C. During the probationary period, Applicant shall timely renew Applicant's student license granted hereby and shall timely pay all fees required for licensure and comply with all other Board requirements necessary to maintain said license in a current and active state.
- D. During the probationary period, Applicant shall accept and comply with unannounced visits from the Board's representatives to monitor compliance with the terms and conditions of this Order.


- E. During the disciplinary period, Applicant shall appear in person for interviews with the Board or its designee upon request.
- F. Applicant shall submit written reports to the Board on or before January 1 and July 1 during each year of the probationary period stating truthfully whether there has been compliance with all terms and conditions of this Order. The first such report shall be received by the Board on or before July 1, 2013.
- G. If, at any time during the probationary period, Applicant changes Applicant's address from the state of Missouri, or ceases to maintain Applicant's cosmetology student license current or active under the provisions of Chapter 329, RSMo, or fails to keep the Board advised of all current places of residence, the time of such absence, unlicensed or inactive status, or unknown whereabouts shall not be deemed or taken to satisfy any part of the probationary period.
- H. The Board retains jurisdiction to hold a hearing at any time to determine if a violation of this Order has occurred and, if a violation of this Order has occurred, may seek to amend this Order or impose further disciplinary or appropriate action at the discretion of the Board. No order shall be entered by the Board pursuant to this paragraph without any required notice and opportunity for a hearing before the Board as provided by Chapter 536, RSMo.
- I. Unless otherwise specified by the Board, all reports, documentation, notices, or other materials required to be submitted to the Board shall be forwarded to: Missouri State Board of Cosmetology and Barber Examiners, P.O. Box 1062, Jefferson City, Missouri 65102.
- J. Any failure by Applicant to comply with any condition of discipline set forth herein constitutes a violation of this Order.

14. This Order does not bind the Board or restrict the remedies available to it concerning any violation by Applicant of the terms and conditions of this Order, Chapter 329, RSMo, or the regulations promulgated thereunder.

15. The Board will maintain this Order as an open, public record of the Board as provided in Chapters 329, 610, and 324, RSMo.

SO ORDERED, EFFECTIVE THIS 14 DAY OF JUNE, 2013.

MISSOURI STATE BOARD OF COSMETOLOGY  
AND BARBER EXAMINERS



Emily Carroll, Executive Director