

**BEFORE THE STATE BOARD OF EMBALMERS, FUNERAL DIRECTORS,
CEMETERIES, AND BURIAL SERVICES**

**IN THE MATTER OF
Torre Kindle, Applicant for
Funeral Director Apprentice, Respondent**

Case No. 20-07

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

A hearing on the above-referenced matter was held before the Arkansas State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services (the "Board") on May 19, 2020, in the cafeteria/restaurant area on the 1st Floor of the Department of Commerce building, located at 1 Commerce Way, Little Rock, AR 72202. The Respondent, Torre Kindle, appeared. Amanda Gibson, Associate Counsel, Arkansas Insurance Department, appeared on behalf of the Board. Finding proper notice was given to the Respondent, the Board, from all the evidence presented, issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent is employed at Ruffin and Jarrett Funeral Home.
2. On January 6, 2020 Respondent submitted an application for registration as an apprentice funeral director.
3. On June 18, 2001 Respondent pled guilty in two separate criminal cases to a total of two charges of robbery. Both charges are a Class B Felony.
4. On June 18, 2001 Respondent was sentenced to a term of five years in the Arkansas Department of Correction.
5. Respondent's convictions have not been sealed or expunged.

6. On February 7, 2012 Respondent appeared before the State Board of Embalmers and Funeral Directors to request a waiver of his prior convictions in order to register as an apprentice funeral director.
7. The Board approved the waiver and allowed Respondent to register as an apprentice funeral director. The approval was made during the course of the Board's regular meeting, and a hearing was not conducted in the matter.
8. Respondent's apprenticeship expired February 7, 2015.
9. Respondent failed to pass the examination before his apprenticeship expired.
10. Respondent completed all other requirements of the apprenticeship.
11. Respondent must be a registered apprentice in order to take the examination.

CONCLUSIONS OF LAW

1. Respondents' actions, as set forth in Findings of Fact 3 and 4, above, constitute a violation of Ark. Code Ann. § 17-29-302(a)(6)(A) in that Respondent's felony convictions prevent him from being able to pass the State Police criminal background check.
2. Respondents' actions as set forth in Finding of Fact 9 are noncompliant with Ark. Code Ann. § 17-29-302(a)(5)(B) in that he cannot take the examination unless he is registered as an apprentice.

ORDER

Based upon the testimony and evidence presented at the hearing, the Board hereby orders that Respondent Torre Kindle's application to register as an Apprentice Funeral Director, notwithstanding his felony convictions, is **GRANTED**.


Pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-212, the Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court

of the county in which he resides or does business, or in the Circuit Court of Pulaski County, within thirty (30) days after service of this Order.

IT IS SO ORDERED THIS 19TH DAY OF MAY, [REDACTED], 2020

**STATE BOARD OF EMBALMERS,
FUNERAL DIRECTORS,
CEMETERIES, AND BURIAL
SERVICES**

By:



Amanda Gibson
Counsel for the Board