

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF THE APPLICATION FOR A RENEWAL FIREARMS CERTIFICATION OF PROFICIENCY.	FINAL DECISION AND ORDER
	LS0711191RSG
JOVON C. WILLIAMS APPLICANT.	

Division of Enforcement Case #: 07-RSG-030

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Jovon C. Williams
2800 Taylor Avenue
Apt. 6
Racine, WI 53405

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Department Secretary. The Department Secretary has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department Secretary in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

- Jovon C. Williams was born on February 2, 1978. Mr. Williams' latest address on file with the Department of Regulation and Licensing (Department) is 3448 North 15th Street, Milwaukee, Wisconsin 53206.
- Mr. Williams was first granted a Private Security Permit on July 1, 1997, having license #108-595. This license is current through August 31, 2008.
- Mr. Williams was first granted a Firearms Certification of Proficiency on January 12, 2000, which expired on December 15, 2000. Mr. Williams was next granted a Firearms Certification of Proficiency on April 21, 2005, which expired on March 8, 2006.
- On or about March 21, 2006, Mr. Williams filed a Renewal Application for a Firearms Certification of Proficiency with the Department.
- On the March 21, 2006, Renewal Application for Firearms Certification of Proficiency, Mr. Williams was required to answer question "A" and "B" on page 2.
 - Have you or the owner named on page 1 ever been convicted of a misdemeanor or a felony? IF YES, attach Form #2252 to provide details about the crime.
 - Are any felony or misdemeanor charges pending against you or the owner named on page 1? IF YES, attach Form #2252 to provide details about the pending charges.
- Mr. Williams answered "YES" to question B and submitted the Convictions and Pending Charges form (Form #2252). The Convictions and Pending Charges form indicated a pending charge of Endangering Safety with the Use of a Dangerous Weapon.
- On November 7, 2006, Mr. Williams provided information that showed a September 12, 2006, conviction in Milwaukee County, Wisconsin Circuit Court of one charge of Misdemeanor Disorderly Conduct-Use of Dangerous Weapon.
- Mr. Williams' Private Security Permit expired on September 1, 2006. On or about January 31, 2007, Mr. Williams filed a Renewal Application for a Private Security Permit with the Department.
- On his January 31, 2007, Renewal Application for a Private Security Permit, Mr. Williams answered YES to the following question:

HAVE YOU BEEN CONVICTED WITHIN THE PAST TWO YEARS OF A FELONY, A MISDEMEANOR OR A VIOLATION OF ANY STATE OR LOCAL LAW (OTHER THAN TRAFFIC) THAT IS PUNISHABLE BY A FORTIFITURE, OR, ARE CHARGES PENDING? (IF YES, provide information.)
- Mr. Williams indicated on the Application that he sent all information in Nov. 2006.
- On March 23, 2007, Mr. Williams was granted a Private Security Permit.
- On March 23, 2007, the Department denied Mr. Williams' Renewal Application for a Firearms Certification of Proficiency on the grounds that documentation on file established that Mr. Williams had been convicted of a crime, the circumstances of which substantially relate to the holding a firearms permit in the private security profession. A copy of that letter is attached to this document.
- On or about May 3, 2007, Mr. Williams then filed an Initial Application for a Firearms Certification of Proficiency with the Department.
- On his May 3, 2007, Initial Application for a Firearms Certification of Proficiency, Mr. Williams was required to answer question "A" and "B" on page 2.
 - Have you or the owner named on page 1 ever been convicted of a misdemeanor or a felony? IF YES, attach Form #2252 to provide details about the crime.
 - Are any felony or misdemeanor charges pending against you or the owner named on page 1? IF YES, attach Form #2252 to provide details about the pending charges.
- Mr. Williams answered "YES" to question A and submitted the Convictions and Pending Charges form (Form #2252). The Convictions and Pending Charges form indicated a charge of Disorderly Conduct in 2005 in Milwaukee, Wisconsin.
- Information received from the Milwaukee County, Wisconsin Clerk of Courts by the Department indicates that Mr. Williams was convicted of the following:

September 12, 2006 - Misdemeanor Disorderly Conduct (Use of Dangerous Weapon)
- On May 21, 2007, the Department denied Mr. Williams' Application for an Initial Firearms Certification of Proficiency.
- Mr. Williams made a timely request for a hearing on the denial of his application for a firearms certificate of proficiency.

CONCLUSIONS OF LAW

- The Department of Regulation and Licensing has jurisdiction over this matter, pursuant to Wis. Stat. § 227.42.
- The Department of Regulation and Licensing is authorized to enter into the Stipulation, pursuant to Wis. Stat. § 227.44(5).
- The conviction record detailed above constitutes convictions that substantially relate to the practice of real estate within the meaning of Wis. Stat. § 111.335(1)(c) and the Department's denials of Mr. William's applications for Firearms Certificate of Proficiency was not an abuse of discretion.

ORDER

NOW, THEREFORE, IT IS ORDERED that:

- Jovon C. Williams shall be recommended to receive a Firearms Certification of Proficiency Permit subject to the following terms and conditions:
 - Mr. Williams shall not be eligible for consideration to receive a Firearms Certification of Proficiency Permit until April 1, 2009.
 - Mr. Williams shall successfully renew Private Security Permit, #108-595 before becoming eligible for consideration to receive a Firearms Certification of Proficiency Permit.
 - Mr. Williams shall successfully complete a Firearms Certification of Proficiency-Renewal application prior to being eligible for consideration to receive a Firearms Certification of Proficiency Permit.
 - Mr. Williams shall not have any pending charges or convictions that substantially relate to the practice of providing security guard services.
- Mr. Williams shall immediately notify the Department in writing of any changes in employment and personal information as it relates to his security guard credential.
- Failure by Mr. Williams to comply with the terms and conditions of this Order shall result in the denial of a Firearms Certification of Proficiency Permit.
- This Order shall become effective upon the date of its signing.

Dated this 23rd day of May, 2008

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: Celia M. Jackson, Secretary