

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

| | | |
|-----------------------------------|---|----------------|
| IN THE MATTER OF THE DISCIPLINARY | : | |
| PROCEEDINGS AGAINST | : | FINAL DECISION |
| | : | AND ORDER |
| THOMAS P. KREMER, | : | LS0403251RSG |
| RESPONDENT | : | |

Division of Enforcement Case No. 03 RSG 029

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Thomas P. Kremer
313 Southtowne Dr., Apt. A107
South Milwaukee, WI 53172

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. The Department has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Thomas P. Kremer (Date of Birth: November 21, 1977), 313 Southtowne Dr., Apt. A107, South Milwaukee, WI 53172, was licensed as a Private Security Person (#10501) in the state of Wisconsin. The permit was first granted on March 11, 1999. Kremer did not renew his permit on August 31, 2000, and his permit is currently in expired status.
2. On or about March 29, 1999, Kremer was convicted in Milwaukee County Circuit Court of one misdemeanor charge of Battery. A true and correct copy of the Criminal Complaint and Judgment of Conviction is attached and incorporated as Exhibit A.
3. Kremer did not inform the Department of Regulation and Licensing of the conviction referred to in Paragraph 2 above within 48 hours of the judgment finding that he had committed the violation.
4. In April of 1999, Kremer’s employer, Bill Wiesmuller, of Sentinel Security Services, notified the Department of Kremer’s conviction. Kremer’s employment with Sentinel Security Services was terminated as of April 23, 1999.
5. In 1999, the Department opened a complaint (99 RSG 012) in regard to the unreported conviction. The Department sent a letter to Kremer at the address listed on his application, requesting an explanation of the circumstances surrounding his conviction and reason for not reporting the matter. Kremer did not respond to the letter.
6. A subsequent attempt was made by Division of Enforcement Investigator Ralph Draeger to contact Kremer at the home phone number on his application; however, an automated message from the phone company reported that the number was disconnected.
7. In December of 1999, the complaint was closed, and an administrative “hold” was placed on Kremer’s permit in the Department’s computer database, indicating that his permit was not to be renewed until the 1999 complaint was resolved.

8. In August of 2003, Kremer attempted to renew his private security person permit. Kremer was informed of the unresolved matter. Kremer and his wife fully cooperated with the Department in providing information about his conviction.
9. The Department obtained an updated Crime Information Bureau (CIB) report, which revealed that Kremer had no further criminal conduct since his 1999 conviction.
10. In resolution of this matter, and for the purpose of enabling him to renew his security guard permit, Kremer has agreed to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. Sec. 440.26(6)(a) 1, Stats., indicates that the Department may revoke, suspend or limit the license or permit of any person who has been convicted of a misdemeanor or found to have violated any state or local law that is punishable by a forfeiture.
2. Sec. 440.26(4m)(b), Stats., and Wis. Admin. Code § RL 35.01(2), indicates that a license or permit holder who is convicted of a felony or misdemeanor, or who is found to have committed a violation, in this state or elsewhere, shall notify the Department in writing of the date, place and nature of the conviction within 48 hours after the judgment of conviction.
3. Wis. Admin. Code § RL 35.01(2), indicates that the Department may limit, suspend, revoke or reprimand a credential holder who has violated any law, the circumstances of which substantially relate to the practice of a private security person.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the private security permit of the respondent Thomas P. Kremer (permit #10501) is REPRIMANDED.

It is further ordered that the respondent shall pay the partial costs of this proceeding in the amount of TWO HUNDRED dollars (\$200.00). Due to financial hardship, the respondent will be allowed to pay the costs in monthly payments of TWENTY dollars (\$20.00) per month for TEN (10) consecutive months with the first payment due within thirty (30) days of the effective date of this order. Payments shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, WI 53708-8935

SUMMARY SUSPENSION

Violation of any of the terms of this Order may in addition be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of the respondent's permit pursuant to the procedures set forth in Wis. Admin. Code RL Ch. 6. The Department may in the alternative impose additional conditions and limitation or other additional discipline for a violation of any of the terms of this Order.

This Order shall become effective upon the date of signing.

THE DEPARTMENT OF REGULATION AND LICENSING

Secretary

Date