

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
CURTIS J. SCHMIDT :  
: LS0602071FDR  
RESPONDENT. :

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Division of Enforcement Case No. 06 FDR 001

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

Curtis J. Schmidt  
629 Cedar Street  
West Bend, WI 53095

Funeral Directors Examining Board  
P.O. Box 8935  
Madison, WI 53708 8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. 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 the matter, subject to the approval of the Funeral Directors Examining Board (Board). The Board has reviewed the Stipulation agreement annexed to this Final Decision and Order, and considers it acceptable. Accordingly, the Board adopts the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. Respondent Curtis J. Schmidt (“Respondent”), whose date of birth is August 24, 1938, whose last known address of record with the Department of Regulation and Licensing (“Department”) is 629 Cedar Street, West Bend, WI 53095, holds a license as a Funeral Director (#77-3613). Respondent was granted the license on August 15, 1961, pursuant to Wis. Stat. ch. 445, and has held it at all times material to this complaint. The license was placed in expired status on January 10, 2006, with an effective date of expiration of December 31, 2005.

2. Respondent was, at all times relevant to this matter, a licensed funeral director and owner of Schmidt Funeral Home, a licensed funeral establishment located in West Bend, Wisconsin (#78-667).

3. Respondent collected materials while working at Schmidt Funeral Home. The materials included 17 plastic bags containing envelopes with the letterhead of Schmidt Funeral Home, 623 Cedar Street, West Bend, WI, containing photographs of the genitals of male corpses, written descriptions of the individuals being photographed, including the age of the decedent, date of death, and the cause of death. In many of the bags were what appeared to be pubic hair. Some of the corpses appeared to be under the age of 18. A sequence of photographs was made of one of the corpses, with the corpse first being fully dressed, next with the genitals alone exposed, and finally with the corpse completely nude. All of the materials recovered appear to be more than twenty (20) years old.

4. Per Wis. Admin. Code § FD 3.02, it is unprofessional conduct for any licensee or owner of a licensed funeral establishment to:

(10) Fail... to demonstrate respect for the sanctity of human remains...

**CONCLUSIONS OF LAW**

1. The Wisconsin Funeral Directors Examining Board has jurisdiction to act in these matters pursuant to Wis. Stat. § 445.13.

2. The Wisconsin Funeral Directors Examining Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

3. Respondent Curtis J. Schmidt, by his conduct as described in paragraphs 3 above, failed to demonstrate respect for the sanctity of human remains within the meaning of Wis. Admin. Code § FD 3.02(10).

**ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The license of CURTIS J. SCHMIDT to practice as a funeral director in the state of Wisconsin is hereby REVOKED.

2. Respondent shall, within twenty (20) days of the date of this Order, return all indicia of licensure to the Department of Regulation and Licensing to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935

3. This Order shall be effective on the date of its signing.

By: J. C. Frazier  
A Member of the Board

2/7/06  
Date