

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF THE :  
DISCIPLINARY PROCEEDINGS :  
AGAINST : FINDINGS AND ORDER  
:  
NATIONAL LIBERTY SECURITY, :  
INC. : LS0602211RSG  
:  
RESPONDENT. :

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Division of Enforcement File: 03 RSG 026

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

National Liberty Security, Inc.  
Respondent  
2432 Leona Drive  
Green Bay, WI 54313

Department of Regulation and Licensing  
Office of the Secretary  
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 disposition of this matter, subject to the approval of the Secretary of the Department of Regulation and Licensing or her designee. The Secretary or designee has reviewed this Stipulation and considers it acceptable.

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

**FINDINGS OF FACT**

1. Respondent **National Liberty Security, Inc.** (“National Liberty”), whose address of record with the Department of Regulation and Licensing (“Department”) is 2432 Leona Drive, Green Bay, WI 54313, holds a license as a Wisconsin Private Detective Agency (# 62-15424). The permit was first granted on 06/19/1998 and is current through 8/31/2006. At all times relevant to this complaint National Liberty was owned by Leonard Lawnicki.
2. The following individuals worked for National Liberty as private security guards prior to the receipt of private security guard permits:
  - a. J.C. began working for National Liberty on December 21, 2002, as a private security guard. J.C. was first issued a private security guard permit by the Department on April 3, 2003.
  - b. E.N. began working for National Liberty on January 4, 2003, as a private security guard. E.N. was first issued a private security guard permit by the Department on August 24, 2004.

- c. B.G. began working for National Liberty on March 27, 2004, as a private security guard. B.G. was first issued a private security guard permit by the Department on July 27, 2004.
- d. R.D. began working for National Liberty on August 16, 2004, as a private security guard. R.D. was first issued a private security guard permit by the Department on December 6, 2004.
- e. M.H. began working for National Liberty on September 26, 2004, as a private security guard. M.H. was first issued a private security guard permit by the Department on November 3, 2004.
- f. A.B. began working for National Liberty on April 10, 2005, as a private security guard. A.B. was first issued a private security guard permit by the Department on May 3, 2005.
- g. C.K. began working for National Liberty on April 16, 2005, as a private security guard. C.K. was first issued a private security guard permit by the Department on May 3, 2005.
- h. M.F. began working for National Liberty on April 17, 2005, as a private security guard. M.F. was first issued a private security guard permit by the Department on May 24, 2005.
- i. W.B. began working for National Liberty on August 29, 2005, as a private security guard. W.B. was first issued a private security guard permit by the Department on September 15, 2005.

4. The following individuals worked for National Liberty as private security guards after the expiration of their private security guard permits:

- a. R.S. worked for National Liberty as a private security guard from May 24, 2003, until July 27, 2003. R.S.'s private security guard permit expired on August 31, 2000, and was not active at any time relevant to this matter.
- b. C.A. worked for National Liberty as a private security guard on October 7, 2003. C.A.'s private security guard permit expired on August 31, 2002, and was not active at any time relevant to this matter.
- c. D.S. worked for National Liberty as a private security guard from July 17, 2003, until July 14, 2004. D.S.'s private security guard permit expired on August 31, 2000, and was not renewed at any time relevant to this matter.
- d. As of January 2006 S.H. worked for National Liberty as a private security guard. S.H.'s private security guard permit expired on August 31, 2000, and was not renewed at any time relevant to this matter.

5. The following individuals worked for National Liberty as private security guards without ever having received security guard permits:

- a. A.A. worked for National Liberty as a private security guard. A.A. has never held a permit to work as a private security guard.
- b. A.Br. worked for National Liberty as a private security guard. A.B. has never held a permit to work as a private security guard.
- c. S.T. worked for National Liberty as a private security guard from December 21, 2002, until January 17, 2003. S.T. has never held a permit to work as a private security guard.
- d. T.H. worked for National Liberty as a private security guard from January 4, 2003, until October 5, 2003. T.H. has never held a permit to work as a private security guard.
- e. R.J. worked for National Liberty as a private security guard from July 27, 2003, until October 6,

2003. R.J. has never held a permit to work as a private security guard.

f. M.S. worked for National Liberty as a private security guard from August 2, 2003, until August 29, 2003. M.S. has never held a permit to work as a private security guard.

g. C.H. worked for National Liberty as a private security guard from October 16, 2003, until December 2, 2003. C.H. has never held a permit to work as a private security guard.

h. J.T. worked for National Liberty as a private security guard from December 14, 2003, until December 21, 2003. J.T. has never held a permit to work as a private security guard.

i. A.S. worked for National Liberty as a private security guard from December 20, 2003, until December 31, 2003. A.S. has never held a permit to work as a private security guard.

j. W.P. worked for National Liberty as a private security guard from December 14, 2003, until September 5, 2004. W.P. has never held a permit to work as a private security guard.

k. G.G. worked for National Liberty as a private security guard from January 31, 2004, until December 31, 2004. G.G. has never held a permit to work as a private security guard.

l. A.Ba. worked for National Liberty as a private security guard from April 25, 2004, until June 17, 2004. A.Ba. has never held a permit to work as a private security guard.

m. A.N. worked for National Liberty as a private security guard from November 25, 2004, until December 3, 2004. A.N. has never held a permit to work as a private security guard.

n. N.W. worked for National Liberty as a private security guard from January 2, 2005, until November 16, 2005. N.W. has never held a permit to work as a private security guard.

o. J.B. worked for National Liberty as a private security guard from January 9, 2005, until March 13, 2005. J.B. has never held a permit to work as a private security guard.

p. S.L. worked for National Liberty as a private security guard from January 15, 2005, until February 13, 2005. S.L. has never held a permit to work as a private security guard.

q. J.D. worked for National Liberty as a private security guard from February 19, 2005, until February 27, 2005. J.D. has never held a permit to work as a private security guard.

r. As of January 2006, T.L. worked as a private security guard for National Liberty. T.L. has never held a permit to work as a private security guard.

s. As of January 2006, R.W. worked as a private security guard for National Liberty. R.W. has never held a permit to work as a private security guard.

t. As of January 2006, R.Z. worked as a private security guard for National Liberty. R.Z. has never held a permit to work as a private security guard.

6. The following individuals worked for National Liberty as private security persons with valid licenses, but without notifying the Department of an employment transfer as of January 2006: M.B. and B.J.

7. Per Wis. Admin. Code § RL 35.01, “The department may deny an application for renewal, limit, suspend or revoke a credential, or reprimand a credential holder upon proof that the credential holder... has engaged in conduct reflecting adversely on professional qualification. Conduct reflecting adversely on professional qualification includes, but is not limited to, any of the following:

(13) Assigning any person to perform... security personnel duties who has not been issued a license or permit prior to performing services or who has not properly notified the department of an employment transfer pursuant to s. RL 32.05.

### **AGGRAVATING CIRCUMSTANCES**

8. As an aggravating factor, the Department reprimanded National Liberty for five (5) similar violations on May 23, 2000. *See* LS#0005242RSG, Division of Enforcement Case No.s 99 RSG 016 and 99 RSG 036.

### **CONCLUSIONS OF LAW**

1. The State of Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26(6) and Wis. Admin. Code § RL 35.01 (intro), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. **National Liberty Security, Inc.**, by assigning persons to work as private security persons who did not have valid permits, or who had not notified the Department of employment transfers, as set forth in paragraphs 2-6 of the Findings of Fact, above, has committed thirty-five (35) or more violations of Wis. Admin. Code § 35.01(13), thereby subjecting itself to discipline.

### **ORDER**

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. The private detective agency license of **National Liberty Security, Inc.** (#62-15424), is hereby LIMITED PERMMENTLY, as follows: (a) by September 1, 2006, Leonard Lawnicki shall transfer all ownership interest in National Liberty Security, Inc., to a person who is not a relative by blood or marriage, and who holds a valid license as a private detective, or a valid private security person permit; (b) effective September 1, 2006, National Liberty Security, Inc., may not employ Leonard Lawnicki or any member of his immediate family in any capacity; and (c) effective September 1, 2006, neither Leonard Lawnicki nor any member of his immediate family may have an ownership interest in National Liberty Security, Inc., at any time.

2. IT IS FURTHER ORDERED that **National Liberty Security, Inc.**, shall pay **COSTS** of this proceeding in the amount of **TWO THOUSAND THREE HUNDRED DOLLARS (\$2300.00)** by no later than December 31, 2006. National Liberty Security, Inc., and Leonard Lawnicki shall be held jointly and severally liable for the payment of costs.

3. Payment shall be made payable to the Department of Regulation and Licensing. Payment and proof of compliance with the limitation imposed by this Order shall be mailed, faxed or delivered to:

**Department Monitor**  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 261-7904  
Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and well-being and may result in a summary suspension of Respondent's license and certification. The Secretary or her designee in his or her discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any terms of this Order. In the event that Respondent fails to timely submit any payment of costs as set forth above Respondent's license (#62-15424) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

5. This Order is effective on the date of its signing.

By: Celia M. Jackson  
Secretary

9/21/06  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF THE :  
DISCIPLINARY PROCEEDINGS :  
AGAINST : STIPULATION  
:  
NATIONAL LIBERTY SECURITY, : INC.  
: LS \_\_\_\_\_  
:  
RESPONDENT. :

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Division of Enforcement File: 03 RSG 026

- It is hereby stipulated and agreed, by and between National Liberty Security, Inc., Respondent, by and through its president and principal shareholder, Leonard Lawnicki; David Suemnick, attorney for Respondent; and Mark A. Herman, attorney for Complainant, State of Wisconsin, Department of Regulation and Licensing, Division of Enforcement, as follows:
1. This Stipulation is entered into as a result of a pending investigation of Respondent’s licensure by the Division of Enforcement (Case No. 03 RSG 026). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
  2. Respondent understands that by signing this Stipulation it voluntarily and knowingly waives its rights, including: the right to a hearing on the allegations against it, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against it; the right to call witnesses on its behalf and to compel their attendance by subpoena; the right to testify itself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to it under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
  3. Respondent has conferred with legal counsel prior to signing this Stipulation.
  4. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Secretary of the Department of Regulation and Licensing's order, or her designee, if adopted in the form as attached.
  5. If the terms of this Stipulation are not acceptable to the Secretary or her designee, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Secretary or her designee, the parties agree not to contend that the Secretary or her designee has been prejudiced or biased in any manner by consideration of this attempted resolution.
  6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement may appear before the Secretary or her designee in open or closed session, without the presence of the Respondent or its attorney(s), for purposes of speaking in support of this agreement and answering questions that the Secretary or her designee may have in connection with deliberations on the Stipulation.
  7. Respondent is informed that should the Secretary or her designee adopt this Stipulation, the Secretary’s final decision and order is a public record and will be published in accordance with standard Department procedure.
  8. The Division of Enforcement joins Respondent in recommending the Secretary or her designee adopt this Stipulation and issue the attached Final Decision and Order.

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**LEONARD LAWNICKI, on behalf  
of National Liberty Security, Inc.,**  
Respondent  
2432 Leona Drive  
Green Bay, WI 54313

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Date

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**DAVID SUEMNICK**  
Attorney for Respondent  
c/o Owen Monfils Law Offices  
P.O. Box 1251  
Green Bay, WI 54305-1251

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Date

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**MARK A. HERMAN**  
Attorney, Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

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Date