

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE	:	
APPLICATION FOR A PERMIT	:	
TO PRACTICE AS A PRIVATE	:	FINAL DECISION
SECURITY PERSON OF	:	AND ORDER
	:	LS0707161RSG
JEFFREY C. RAUTMANN,	:	
APPLICANT.	:	

Division of Enforcement Case No. 07RSG032

The State of Wisconsin, Department of Regulation and Licensing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Department of Regulation and Licensing.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated this 26th day of September, 2007.

Secretary Celia M. Jackson
Department of Regulation and Licensing

IN THE MATTER OF THE APPLICATION :
FOR A PERMIT TO PRACTICE AS A :
PRIVATE SECURITY PERSON OF : PROPOSED DECISION
: AND ORDER
JEFFREY C. RAUTMANN, : Case No. LS0707161RSG
APPLICANT. :
:

[DOE Case No. 07RSG032]

TO: Secretary Celia M. Jackson
Wisconsin Department of Regulation and Licensing
1400 East Washington Avenue
Madison, WI 53708-8935

PROCEDURAL HISTORY

A prehearing telephone conference call was held in this matter on August 6, 2007. Mr. Rautmann did not appear, nor did he supply the undersigned with a contact number at which he could be reached. A hearing date was scheduled for September 5, 2007. However, Mr. Rautmann failed to appear at the hearing.

Based on the entire record in this case, the undersigned administrative law judge recommends that the Department of Regulation and Licensing adopt as its final decision in this matter the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Jeffrey C. Rautmann's date of birth is September 18, 1968. Mr. Rautmann was first granted a private security permit by the Department of Regulation and Licensing (Department) on September 23, 1998. Mr. Rautmann's private security permit was in expired status from September 1, 2000, through June 22, 2004. He submitted a renewal application for his private security permit on or about August 28, 2006. The Department denied that application on or about May 22, 2007.
2. Mr. Rautmann's latest address on file with the Department of Regulation and Licensing is 447 Plaza Lane in Plymouth, Wisconsin.
3. Mr. Rautmann made a timely request for hearing on the denial of his renewal application for a private security permit.
4. The renewal application for a private security permit requires that the applicant answer 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 FORFEITURE, OR ARE CHARGES PENDING? (If YES, provide information)"
5. Mr. Rautmann's response to the question was to check the box marked "No".
6. The Department of Regulation and Licensing conducts a criminal record search with the Wisconsin Department of Justice, Crime Information Bureau, for all renewal applicants for a private security permit.

7. Information received from the Wisconsin Department of Justice, Crime Information Bureau indicated that Mr. Rautmann was convicted of Disorderly Conduct on January 12, 2006.
8. Information received from West Milwaukee Municipal Court indicated that Mr. Rautmann was convicted of the following:

March 30, 2006 – Disorderly Conduct

9. Documentation on file establishes that Mr. Rautmann has been convicted of a crime, the circumstances of which substantially relate to the practice of a private security person.
10. On May 22, 2007, the Department of Regulation and Licensing sent Mr. Rautmann a letter denying a full and unrestricted permit as a private security person and informing him that he had been convicted of a crime the circumstances of which substantially relate to practice as a private security person. The Department of Regulation and Licensing offered Mr. Rautmann a Stipulation and Final Decision and Order that would have granted him a limited permit as a private security person. Mr. Rautmann chose not to sign the offered Stipulation.
11. On July 5, 2007, Mr. Rautmann sent a letter to the Department of Regulation and Licensing requesting a hearing on the Department's decision to deny him an unrestricted permit as a private security person.

CONCLUSIONS OF LAW

The Wisconsin Department of Regulation and Licensing has jurisdiction in this matter pursuant to §§ 111.335 (1) (b), 111.335 (1) (c) 1., and 440.26, Wis. Stats.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the decision of the Department of Regulation and Licensing to deny Jeffrey C. Rautmann's private security permit be upheld and that this matter be **DISMISSED**.

OPINION

Following the denial of his application for the renewal of his private security permit, Jeffrey C. Rautmann requested a hearing in the above-captioned matter. A prehearing conference call was scheduled with the parties on August 6, 2007. Mr. Rautmann did not appear, nor did he supply the undersigned with a contact number at which he could be reached. A hearing in this matter was subsequently scheduled for September 5, 2007. Mr. Rautmann failed to appear at the hearing. As a result, the Division of Enforcement is seeking to affirm the decision of the Department of Regulation and Licensing in which it denied Mr. Rautmann's application of the renewal of his private security permit. Additionally, the Division of Enforcement is seeking the dismissal of this matter. Given Mr. Rautmann's apparent loss of interest in pursuing this matter further, the request to affirm the Department's decision and thereafter dismiss this matter is reasonable and appropriate, and is therefore recommended.

Dated at Madison, Wisconsin, this 5th of September, 2007.

STATE OF WISCONSIN
DEPARTMENT OF REGULATION & LICENSING
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Jacquelynn B. Rothstein
Administrative Law Judge