

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## **Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

---

IN THE MATTER OF THE :	:	
DISCIPLINARY PROCEEDINGS	:	
AGAINST	:	FINDINGS & ORDER
	:	
MICHAEL P. GEIGER,	:	LS0611081RAL
	:	
RESPONDENT.	:	

---

Division of Enforcement File: 04 RAL 002

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

Michael P. Geiger  
28638 Sandpiper Trail  
Waterford WI 53185

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

PROCEDURAL HISTORY

A formal complaint in this matter was filed against Michael P. Geiger on November 8, 2006. 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 designee of the Secretary of the Department of Regulation and Licensing (“Designee”). The Designee has reviewed this Stipulation and considers it acceptable.

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

## FINDINGS OF FACT

1. Michael P. Geiger ("Mr. Geiger"), whose date of birth is November 26, 1967, holds a license as a private detective in the state of Wisconsin (#63-0107). Mr. Geiger was first issued his license as a private detective on June 12, 1998, and the license is current until August 31, 2008. Mr. Geiger also holds licenses as a firearms certifier (#64-39), which was first issued on December 10, 2004, and which will expire on December 31, 2006. Mr. Geiger's last address of record with the Department of Regulation and Licensing is W239 N7105 Lynn Anne Lane, Sussex, WI 53089.
2. At all times relevant hereto, Mr. Geiger was employed by a law enforcement agency as a police officer.
3. On or about June 09, 2002, Mr. Geiger was operating a motor vehicle which was involved in a traffic accident. Specifically, after consuming an undetermined amount of alcoholic beverages, Mr. Geiger drove a Ford Excursion from a bar at approximately 1:00 a.m. while in the company of two co-workers, Joshua M. Krueger (Krueger) and Christopher St. Clair (St. Clair). Mr. Geiger lost control of the vehicle and struck a light pole with enough force to break the pole and to drive the concrete base into the ground.
4. After the accident Mr. St. Clair examined Mr. Geiger's head wound, and Mr. Geiger called his wife, Bridgit D. Geiger (Ms. Geiger), and asked her to come pick them up on Woodside Road. Mr. Geiger then left the scene of the accident. Ms. Geiger met Mr. Geiger, Mr. St. Clair and Mr. Krueger on Woodside Road, approximately ½ mile away from the scene of the accident, and drove them to the home of Mr. and Ms. Geiger. Prior to leaving the Geigers' home, Mr. St. Clair and Mr. Krueger advised Mr. Geiger to contact law enforcement.
5. At approximately 9:00 a.m. Mr. Geiger sought treatment for an injury at a local clinic.
6. Mr. Geiger rode to the clinic in a car with Ms. Geiger and his brother, Ron Geiger. While driving to the clinic, Ms. Geiger's cell phone rang, and she spoke with law enforcement officers of the Waukesha County Sheriff's Department. Mr. Geiger was in the car when the conversation occurred. During the conversation an officer of the Waukesha County Sheriff's Department asked about the whereabouts of Mr. Geiger, and asked to speak with Mr. Geiger. Mr. Geiger did not speak with law enforcement officers at that time.
7. In the event that Mr. Geiger seeks licensure as a private detective, private security person, or as the owner or operator of a private detective agency, the Department of Regulation and Licensing may consider the contents of its decision in LS#0605153RSG in determining whether or not to grant such licensure. In the event that the Department denies or limits any such license on the basis of the contents of the decision in LS#0605153RSG, Mr. Geiger reserves all legal right to challenge the effect of the decision upon him.

### **Count I: Conduct Reflecting Adversely Upon Professional Qualification as a Firearms Certifier**

8. The allegations of paragraphs 1-7 above are incorporated by reference into Count I, as if they were fully stated herein.
9. The Department has the authority to grant, deny and discipline permits as a firearms certifier pursuant to Wis. Admin. Code § RL 34.04.
10. Wis. Admin. Code Chap. RL 34 is adopted pursuant to Wis. Stat. § 440.26 (3m) and (5r), per Wis. Admin. Code § RL 34.001.
11. Per Wis. Stat. § 440.26 (6) (a)

"...the department may reprimand the holder of a license or permit issued under this section or revoke, suspend or limit the license or permit of any person who has done any of the following: ... 2. Engaged in conduct reflecting adversely on his or her professional qualification. ... 4. Violated this section or any rule promulgated or order issued under this section."

## **Count II: Conduct Reflecting Adversely Upon Professional Qualification as a Private Detective**

12. The allegations of paragraphs 1-7 and 11, above, are incorporated by reference into Count II, as if they were fully stated herein.

13. Per Wis. Admin. Code § 35.01,

“The department may... 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:

...(2) Violating or aiding and abetting the violation of, any law the circumstances of which substantially relate to the practice of a private detective or private security person. *A credential holder who has been convicted of a felony, misdemeanor or ordinance violation, as defined in s. 440.26 (4m), Stats., shall send to the department within 48 hours after the judgment of conviction or the judgment finding that the person committed the violation, a copy of the complaint or other information which describes the nature of the crime or conviction and the judgment of conviction in order that the department may determine whether disciplinary action must or should be taken against the credential holder.*” (Emphasis added.)

### **Mitigating Factors**

14. Respondent Michael P. Geiger has made a showing of rehabilitation to the Division of Enforcement. Further, Respondent Michael P. Geiger and his spouse, Bridgit D. Geiger, are currently making payments of costs in excess of \$10,000 to the Department of Regulation and Licensing related to disciplinary action against Bridgit D. Geiger arising out of the same events described above. The term of payments is scheduled through 2009. The Geigers are also subject to other financial issues. Demanding immediate payment of costs would be unlikely to yield immediate cost recovery for the Department of Regulation and Licensing.

### **CONCLUSIONS OF LAW**

1. The Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26 (6).

2. The Department of Regulation and Licensing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44 (5).

3. By fleeing the scene of an accident, failing to contact law enforcement officials even after receiving inquiries from same, and by asking witnesses to an accident to give false information to law enforcement officials, as described more fully above in paragraphs 4-8 of the Findings of Fact, Mr. Geiger has engaged in conduct reflecting adversely on his professional qualification as a firearms certifier, contrary to Wis. Stat. § 440.26 (6) (a) 2., thereby subjecting himself to discipline.

4. By fleeing the scene of an accident, failing to contact law enforcement officials even after receiving inquiries from same, and by asking witnesses to an accident to give false information to law enforcement officials, as described more fully above in paragraphs 4-8, Mr. Geiger has engaged in conduct reflecting adversely on his professional qualification as a private detective, contrary to Wis. Stat. § 440.26 (6) (a) 2., 4., and Wis. Admin. Code § RL 35.01 (1), thereby subjecting himself to discipline.

### **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The **VOLUNARY SURRENDER** of the private detective license of **Michael P. Geiger** (#63-0107) shall be hereby is, **ACCEPTED**. All indicia of licensure shall be returned to the Department Monitor within thirty (30) days of the date signing of this Order.

IT IS FURTHER ORDERED that:

2. The firearms certifier license of **Michael P. Geiger** (#64-39) shall be, and hereby is, **REPRIMANDED**.

3. **Michael P. Geiger** shall pay costs of the investigation and prosecution of this matter in the amount of TWO THOUSAND DOLLARS (\$2,000.00). Costs shall be due and owing upon the earlier of: (a) receipt by the Department of an application signed by Michael P. Geiger seeking licensure as a private detective or private security guard OR (b) February 1, 2011.

4. All submissions and payment of costs shall be mailed, faxed, delivered or otherwise transmitted to:

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

5. Case number LS0611081RAL is hereby closed.

6. 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 licenses. The Department in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event that Respondent fails to timely submit any payment of costs as set forth above Respondent's Firearms Certifier license (#64-39) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

**STATE OF WISCONSIN, DEPARTMENT OF REGULATION AND LICENSING**

By: Celia M. Jackson  
Secretary

7/7/08

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE :  
DISCIPLINARY PROCEEDINGS :  
AGAINST : STIPULATION  
 :  
MICHAEL P. GEIGER, : LS#0611081RAL  
 :  
RESPONDENT. :

Division of Enforcement File: 04 RAL 002

- It is hereby stipulated and agreed, by and between Michael P. Geiger, 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 formal complaint of Respondent's licensure by the Division of Enforcement (LS#0611081RAL). Respondent consents to the resolution of this pending litigation via stipulation.
  2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, 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 him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; 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 him 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 been provided with an opportunity to seek legal counsel.
  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, if adopted in the form as attached.
  5. If the terms of this Stipulation are not acceptable to the Secretary, 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, the parties agree not to contend that the Secretary 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 his attorney, for purposes of speaking in support of this agreement and answering questions that the Secretary may have in connection with deliberations on the Stipulation.
  7. Respondent is informed that should the Secretary 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 adopt this Stipulation and issue the attached Final Decision and Order.

**MICHAEL P. GEIGER**

Date

Respondent  
W239 N7105 Lynn Anne Lane  
Sussex, WI 53089

**MARK A. HERMAN**

Date

Attorney, Division of Enforcement

[04 RAL 002: Voluntary Surrender, Reprimand, Costs \$2,000.]