

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

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF APPLICATION FOR	:	
RENEWAL OF PRIVATE SECURITY PERMIT FOR	:	FINAL DECISION
	:	AND ORDER
TYRONE C SKINNER	:	
APPLICANT	:	

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

Tyrone C Skinner
4948 W Hampton Ave Apt 12
Milwaukee WI 53218

Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison WI 53708-8935

FINDINGS OF FACT

1. Tyrone C. Skinner (Applicant) has filed an application for a renewal credential to practice as a private security person in Wisconsin.
2. Information received in the application process reflects that:
 - a. On or about April 30, 2004 Applicant was convicted of violation of Wis. Stat. § 961.41(1m)(h)1 [possession of THC];
 - b. On or about April 1, 2005 Applicant was convicted of violation of Wis. Stat. § 343.44(1)(a) [operating while suspended]; and
 - c. On or about November 21, 2005 Applicant was convicted of violation of Wis. Stat. § 961.41(3g)(e) [possession of THC].
3. Mr. Skinner's 2004 Application for a Renewal License answered "No" to the question asking whether he had been convicted of a felony or a misdemeanor. At that time Mr. Skinner had been convicted of a misdemeanor for possession of THC. Mr. Skinner also failed to respond to a September 4, 2004 letter from the Department asking for information concerning his conviction.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction over this matter pursuant to Wis. Stat. § 440.26.

2. The facts and circumstances of the arrest referenced above substantially relate to the practice of a private security person. Applicant by his conduct is subject to action against his license pursuant to Wis. Stat. § 440.26.
3. Failing to notify the Department of a conviction is grounds for discipline under Wis. Stat. § 440.26(4m) and Wis. Admin. Code § 35.01(2).

ORDER

NOW, THEREFORE, IT IS ORDERED that TYRONE C. SKINNER is GRANTED a PRIVATE SECURITY PERMIT subject to the following LIMITATIONS, TERMS AND CONDITIONS:

Practice Limitations

1. Applicant shall provide a copy of this Final Decision and Order immediately to supervisory personnel at all settings where Applicant works or applies to work as a private security person.

Drug and Alcohol Screens

2. Applicant shall comply with any request by an employer for a screen for alcohol or controlled substances. In addition, the Department reserves the right to request one or more screens for alcohol or controlled substances, should the Department Monitor in its discretion believe a screen is warranted on the basis of a report received. Upon notification the need for a screen, applicant shall comply with obtaining a screen within five [5] hours of notification. All screens shall be performed according to standard Department procedures, and all confirmed positive test results shall be presumed to be valid. Applicant must prove by a preponderance of the evidence an error in collection, testing or other fault in the chain of custody. Applicant shall be responsible for all costs associated with obtaining screens.

Reporting Requirements

3. It is Applicant's responsibility to provide work reports and to arrange for his security guard supervisor(s) to provide work reports to the Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall describe the Applicant's activities and verify that he is in compliance with the laws governing the practice of a private security person and the terms of this Order.
4. Applicant shall report to the Department any change of employment status, residence, address or telephone number within five (5) days of the date of a change. Applicant shall in addition report any arrest or conviction within 48 hours of the arrest or entry of conviction.
5. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant

-3-

DEPARTMENT MONITOR

6. The Department Monitor is the individual designated by the department as its agent to coordinate compliance with the terms of this Order. Any requests, petitions, reports or other information required 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
Fax: (608) 266-2264
Telephone: (608) (608) 261-7904

Petitions for Modification

7. Applicant may petition the Department for modification of the terms of this Order after completion of one year of practice in compliance with all terms and conditions of this Order. Applicant's petition must include his/her history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling one year of practice. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stats. §§ 227.01(3), or 227.42, or Wis. Admin. Code Ch. RL 1, and shall not be subject to any right to further hearing or appeal.

Costs

8. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Summary Suspension / Additional Discipline

9. Failure by Applicant to timely comply with the terms of this limitation may result in disciplinary action up to and including revocation of Applicant's limited license without further notice or hearing or other proceeding. Any other violation of this Order may be the basis for a summary suspension under Wis. Admin. Code ch. RL 6 or separate disciplinary action under Wis. Stat. § 440.26(6).

Dated at Madison, Wisconsin this 3rd day of April, 2008.

Debra J. Kraft
On behalf of the Department of
Regulation and Licensing