

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE RENEWAL OF THE
APPLICATION FOR A PERMIT TO PRACTICE
AS A PRIVATE SECURITY PERSON OF:

TYRONE C. SKINNER,

LS 0708061RSG

APPLICANT.

FINAL DECISION AND ORDER

TO: Tyrone Skinner
4948 West Hampton Avenue
Apt. 12
Milwaukee, WI 53218

Claudia Miran
Prosecuting Attorney
Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

On August 6, 2007, a Notice of Class 2 Hearing in the above-captioned matter was filed by the Division of Enforcement on behalf of the Department of Regulation and Licensing, (Department). The action was based upon a request for a hearing submitted by the applicant, Tyrone C. Skinner, to challenge the June 28, 2007, decision of the Department which denied the renewal of his permit to practice as a private security person.

On March 20, 2008, the Administrative Law Judge, Colleen M. Baird, conducted a prehearing conference for the purpose of scheduling the hearing. During the conference, it was determined that the Department had offered Mr. Skinner the opportunity to renew his private security person permit subject to certain limitations. Mr. Skinner was in agreement with the offer of renewing his permit subject to limitations and did not want to proceed with the hearing. The Administrative Law Judge then issued an order adjourning and dismissing the hearing based upon the pending resolution of matter.

FINDINGS OF FACT

1. Tyrone C. Skinner was born on August 3, 1981. Mr. Skinner's latest address on file with the Department is 4948 West Hampton Avenue, Apartment 12, Milwaukee, Wisconsin 53218.
2. Mr. Skinner was first granted a private security permit by the Department on February 15, 2002. Mr. Skinner made an on-line application for renewal of that permit on or about August 26, 2004. On that August 26, 2004, Mr. Skinner answered "NO" to the following question on the on-line renewal application:

"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.)"
3. The Department conducted a criminal record search with the Wisconsin Department of Justice, Crime Information Bureau, as is customary for all renewal applicants for a private security permit.
4. Information received from the Wisconsin Department of Justice, Crime Information Bureau indicated that Mr. Skinner was convicted of Possession of THC on April 30, 2004.
5. In a letter dated September 8, 2004, the Department asked Mr. Skinner for a copy of the police report, criminal complaint and judgment of conviction concerning the April 30, 2004, conviction. The Department also asked Mr. Skinner why he answered "NO" to the conviction question on the renewal application.
6. Mr. Skinner did not respond to the questions in the September 8, 2004, letter.
7. Due to Mr. Skinner's lack of response to the September 8, 2004 letter, the Department did not renew Mr. Skinner's private security permit. That permit expired on September 1, 2004.
8. On August 31, 2006, Mr. Skinner telephoned and left a voice mail for Jan Bobholz at the Department. The same day, Ms. Bobholz left a voice mail for Mr. Skinner asking for a copy of police report, criminal complaint and judgment of conviction for the April 30, 2004, conviction.
9. Information received from the Wisconsin Department of Justice, Crime Information Bureau indicated that Mr. Skinner was convicted of misdemeanor possession of THC on November 21, 2005. There was also a pending felony Failure to Appear charge concerning Mr. Skinner.
10. On October 10, 2006, Mr. Skinner completed the Report of Conviction Form #2704 to the Department. Mr. Skinner reported an April 10, 2004, Possession of THC conviction in Fond du Lac, Wisconsin, and a March 8, 2005, Possession of THC conviction in Milwaukee, Wisconsin.
11. On February 7, 2007, Mr. Skinner filed an on-line renewal application for his private security permit. The Department denied this application on or about June 28, 2007.
12. Information received from the Fond du Lac County, Wisconsin, Circuit Court indicated that Mr. Skinner was convicted of the following:

May 4, 2004 – Misdemeanor Possession of THC

Information received from the Racine County, Wisconsin, Circuit Court indicated that Mr. Skinner was convicted of the following:

April 1, 2005 – Operating While Suspended

Information received from the Milwaukee County, Wisconsin, Circuit Court indicated that Mr. Skinner was convicted of the following:

October 3, 2006 – Misdemeanor Possession of THC

13. Documentation on file establishes that Mr. Skinner has been convicted of crimes, the circumstances of which substantially relate to the practice of a private security person.
14. On August 23, 2006, the Department denied his application for renewal of his private security permit. Mr. Skinner requested a hearing on the denial of his application within 45 days of receiving the denial.
15. On March 20, 2008, Mr. Skinner informed the Administrative Law Judge assigned to conduct the Class 2 hearing that he did not want to proceed because the Department had allowed him to renew his license subject to certain terms and conditions which he found to be acceptable.
16. On April 8, 2008, the Department issued a private security person permit to Mr. Skinner and changed the status of his permit from “regular” to “limited” which is the standard procedure for issuance of a permit subject to limitations.

CONCLUSIONS OF LAW

The Department of Regulation and Licensing has jurisdiction in this matter under Wis. Stat. § 452.03.

ORDER

NOW, THEREFORE, IT IS ORDERED that the hearing in this matter is DISMISSED and this order shall be, and hereby is, ADOPTED as the Final Decision and Order in this matter.

Dated this 28th day of April, 2008.

Celia M. Jackson
Secretary
Department of Regulation and Licensing
Post Office Box 8935
Madison, Wisconsin 53708-8935