

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE :

DISCIPLINARY PROCEEDINGS
AGAINST

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:
:

FINDINGS AND ORDER

CARLOS A. GONZALEZ and
CITYWIDE PUBLIC SAFETY, LLC,

LS#0807281RSG

RESPONDENTS.

Division of Enforcement File: 06 RSG 013

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

Carlos A. Gonzalez
Respondent
4610 South 20th Street Apt. #1
Milwaukee, WI 53221

Citywide Public Safety, LLC
1225 West Mitchell Street #220
Milwaukee, WI 53204

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 has been issued. 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 **Carlos A. Gonzalez** (“Gonzalez”), whose date of birth is February 27, 1970, and whose last address of record with the Department of Regulation and Licensing (“Department”) is 4610 South 20th Street, Apartment #1, Milwaukee, WI 53221, holds Private Security Person permit (#108-11686) issued by the Department. The permit was first granted on July 27, 1999, and is current through August 31, 2010.

2. Respondent **Citywide Public Safety, LLC** (“Citywide”), whose last address of record with the Department is 1225 West Mitchell Street, #220, holds a license as a Private Detective Agency (#62-16489) issued by the Department. The license was first issued on January 23, 2006, and is current through August 31, 2009.

3. Mr. Gonzalez has represented to the Department that he is the sole organizer and owner of Citywide.

4. Prior to organizing Citywide, Mr. Gonzalez was employed by Milwaukee Security & Patrol, LLC (“MS&P”). On January 31, 2006, the license of MS&P was revoked by stipulation. *See LS#0601313RSG*. The stipulated order recites numerous violations of Wisconsin statutes and regulations applicable to the practice of private detective agencies, which culminated in the shooting death of an unarmed person by an unlicensed private security guard employed by MS&P. MS&P was owned and operated by Bill Siebrecht. Per the stipulated order, Mr. Siebrecht is prohibited from holding, “any position as an officer or owner of any private detective agency in the state of Wisconsin.”

5. Mr. Siebrecht acted as office manager of Citywide from February 1, 2006 through February 6, 2007. Mr. Siebrecht’s duties as office manager included scheduling, payroll, interacting with the public and advising Mr. Gonzalez on the operation of a private detective agency, to include advising on compliance with laws administered by the Department, based upon his superior experience in the security industry.

6. 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.”

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. **Carlos A. Gonzalez** and **Citywide Public Safety, LLC**, by their associations with Mr. Siebrecht, engaged in conduct reflecting adversely upon their professional qualifications, contrary to Wis. Admin. Code § RL 35.01, thereby subjecting themselves to discipline per Wis. Stat. § 440.26(6)(a)2.

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. The private detective agency license of **Citywide Public Safety, LLC**, is hereby **LIMITED** to prohibit it from permitting Bill Siebrecht to work or perform services in any manner, and from compensating Bill Siebrecht in any form for any work or services, whether as an owner, officer, employee, independent contractor, or otherwise.

2. **Citywide Public Safety, LLC** and **Carlos A. Gonzalez** shall pay the costs of this proceeding in the amount of seven hundred and fifty (**\$750.00**) within one year of the date of signing of this Order. Respondents shall be held jointly and severally liable for the payment of costs. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed 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

3. 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. 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 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 license (#62-16489) 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 or Designee

9/12/08
Date

**STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING**

IN THE MATTER OF THE :

DISCIPLINARY PROCEEDINGS

AGAINST

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STIPULATION

**CARLOS A. GONZALEZ and
CITYWIDE PUBLIC SAFETY, LLC,**

LS#0807281RSGRSG

RESPONDENTS.

Division of Enforcement File: 06 RSG 013

It is hereby stipulated and agreed, by and between Carlos A. Gonzalez, Respondent, on behalf of himself and Citywide Public Safety, LLC, Respondent; Gregory Cook, attorney for Respondents; 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 complaint against Respondents' licensures by the Division of Enforcement (LS#0807281RSG). Respondents consent to the resolution of this matter without proceeding to hearing.

2. Respondents understand that by signing this Stipulation they voluntarily and knowingly waive their rights, including: the right to a hearing on the allegations against them, 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 them; the right to call witnesses on their behalf and to compel their attendance by subpoena; the right to testify themselves; 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 them 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. Respondents have conferred with legal counsel, Attorney Gregory Cook, 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. Respondents waive 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, with or without the presence of the Respondents or their 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. Respondents are 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 Respondents in recommending the Secretary or her designee adopt this Stipulation and issue the attached Final Decision and Order.

CARLOS A. GONZALEZ, Respondent
on his own behalf and on behalf of
Citywide Public Safety, LLC, Respondent
4610 South 20th Street, Apartment #1
Milwaukee, WI 53204

Date

GREGORY COOK
Attorney for Respondent
111 East Wisconsin Avenue, Suite #1760
Milwaukee, WI 53202-4867

Date

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

Date