

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

:

:

:

FINAL DECISION AND ORDER

LS0809101RSG

SECURITY OFFICER

:

SERVICES INC.,

:

RESPONDENT.

:

Division of Enforcement Files: 06 RSG 078

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Security Officer Services Inc.
6001 West Center Street
Suite 205
Milwaukee, Wisconsin 53210

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Department. The Department has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Security Officer Services Inc., is duly licensed as a Private Detective Agency in the state of Wisconsin (License #62-16091) by the Wisconsin Department of Regulation and Licensing (hereinafter Department). That Private Detective Agency license was first issued on November 1, 2000, and that license is current through August 31, 2009. The last address Security Officer Services Inc., reported to the Department is 6001 West Center Street, Suite 205, Milwaukee, Wisconsin 53210

2. The Department has discovered that David L. Evans, Jr., worked as a security guard for Security Officer Services Inc., from May 2006 to November 2006, while not possessing a Wisconsin private security permit.

3. The Department has discovered that Arthur Touchstone, worked as a security guard for Security Officer Services Inc., from September 2004 to August 2005, while not possessing a valid Wisconsin private security permit.

4. The Department has discovered that Security Officer Services Inc. never gave the Department notification of the termination of approximately 73 guards from 2004 through 2006.

5. In resolution of this matter, Security Officer Services Inc., consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. sec. 227.44(5).

2. By the findings described in Findings of Fact 2., 3. and 4., Security Officer Services Inc., has violated Wis. Stat. sec. 440.26(6)(a)2., which states that the Department may limit, suspend, revoke or reprimand a credential holder who engaged in conduct reflecting adversely on his or her professional qualification.

3. By the findings described in Findings of Fact 2., 3. and 4., Security Officer Services Inc., has violated Wis. Stat. sec. 440.26(6)(a)4., which states that the Department may limit, suspend, revoke or reprimand a credential holder who has violated this section or any rule promulgated or order issued under this section.

4. By the finding described in Findings of Fact 4., Security Officer Services Inc., has violated Wis. Admin. Code § RI 32.06(2) which states that a private detective agency shall notify the department in writing within 5 days after the termination of employment of a private security person.

5. By the findings described in Findings of Fact 2., 3. and 4., Security Officer Services Inc. has violated Wis. Admin. Code § RL 35.01(9), which states that 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 or any owner of an agency 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: violating any rule in chs. RL 30 to 35.

6. By the findings described in Findings of Fact 2. and 3., Security Officer Services Inc. has violated Wis. Admin. Code § RL 35.01(13), which states that 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 or any owner of an agency 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: assigning any person to perform private detective or security personnel duties who has not been issued a license or permit prior to performing the services or who has not properly notified the department of an employment transfer pursuant to s. RL 32.05.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that the Private Detective Agency license issued to Security Officer Services Inc., (license number 62-16091) shall be **REPRIMANDED**.

IT IS FURTHER ORDERED that Security Officer Services Inc. shall pay costs in the amount of SIX HUNDRED TWENTY-FIVE dollars (\$625.00) in this matter.

IT IS ALSO FURTHER ORDERED that Security Officer Services Inc. shall, until September 1, 2010, submit on a quarterly basis a complete accounting (by full name and private security permit number) of **all persons employed as security guards** by Security Officer Services Inc. during the preceding three-month reporting period. Security Officer Services Inc. shall also account (by full name and private security permit number) all terminations of security guards during the preceding three-month reporting period. Security Officer Services Inc. shall promptly reply to any questions that the Department of Regulation and Licensing may have concerning the quarterly accounting within fifteen [15] days of a request by the Department of Regulation and Licensing. Security Officer Services Inc. shall be responsible for all costs associated with the quarterly accounting.

Any report ordered to be submitted under this Order shall be forwarded to the Department Monitor.

All payments shall be submitted within 90 days from the date of this order. Payment shall be made by ***certified check or money order***, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor

Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-267-3817

IT IS FURTHER ORDERED that in the event that Security Officer Services Inc., fails to comply with all the terms of the Order as forth above, the Private Detective Agency license of Security Officer Services Inc. (license number 62-16091) **SHALL BE SUSPENDED**, without further notice or hearing, until Security Officer Services Inc. has complied with all the terms of this Order.

This Order shall become effective upon the date of its signing.

THE DEPARTMENT OF REGULATION AND LICENSING

By Celia M. Jackson
Secretary

9/10/08

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

IN THE MATTER OF THE :

DISCIPLINARY PROCEEDINGS

AGAINST

:
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STIPULATION

LS#08 _____ RSG

SECURITY OFFICER

SERVICES INC.,

RESPONDENT.

Division of Enforcement Files: 06 RSG 078

It is hereby stipulated between Security Officer Services Inc., and Claudia Berry Miran, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Security Officer Services Inc.'s licensure by the Division of Enforcement (06 RSG 078). Security Officer Services Inc., consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.
2. Security Officer Services Inc., understands that by the signing of this Stipulation they voluntarily and knowingly waives 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 and the Wisconsin Administrative Code.
3. Security Officer Services Inc., has been provided the opportunity to obtain legal counsel prior to signing this Stipulation.
4. Security Officer Services Inc., agrees to the adoption of the attached Final Decision and Order by the Department of Regulation and Licensing (Department). 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. Security Officer Services Inc., waives all rights to any appeal of the Department's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Enforcement for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the 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 Department in open or closed session, without the presence of Security Officer Services Inc., or their attorney, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with the Department's deliberations on the Stipulation

7. Security Officer Services Inc., is informed that should the Department adopt this Stipulation, the Department'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 Security Officer Services Inc., in recommending the Department of Regulation and Licensing adopt this Stipulation and issue the attached Final Decision and Order.

Security Officer Services Inc.

Respondent

6001 West Center Street

Suite 205

Milwaukee, Wisconsin 53210

License Number 62-16091

Date

Claudia Berry Miran

Attorney

Division of Enforcement

Post Office Box 8935

Madison, Wisconsin 53708-8935

Date