

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 |
| | LS0811181RAL |
| COUNTY WIDE PROTECTION : | |
| AGENCY, COUNTY WIDE : | |
| PROTECTION & SECURITY : | |
| AND SONNY LUCK-TAYLOR, : | |
| RESPONDENTS. : | |

Division of Enforcement File Numbers 07 RAL 025 and 07 RAL 029

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

County Wide Protection Agency
7878 Big Sky Drive, Suite H
Madison, Wisconsin 53719

County Wide Protection & Security
1922 Brookfield Drive
Neenah, Wisconsin 54956

Sonny Luck-Taylor
1922 Brookfield Drive
Neenah, Wisconsin 54956

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

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. County Wide Protection Agency was licensed as a Private Detective Agency in the state of Wisconsin (License # 62-16486). The license was first issued on January 6, 2006, and expired on September 1, 2007. Department records show that Sonny Luck-Taylor was the sole proprietor of County Wide Protection Agency.
2. The Private Detective Agency license of County Wide Protection Agency was in hold status with the Department from April 6, 2006, through April 17, 2006, and from May 25, 2007, through July 12, 2007, due to lack of liability insurance. The Department has learned that County Wide Protection Agency operated as a Private Detective Agency during the periods when the license was in hold status.

3. The last address County Wide Protection Agency reported to the Department is 7878 Big Sky Drive, Suite H, Madison, Wisconsin 53719. The agency was also known as County Wide Protection and Investigation, L.L.C.
4. County Wide Protection & Security is duly licensed as a Private Detective Agency in the state of Wisconsin (License Number 62-16576) by the Department. The permit was first granted on June 20, 2007, and is current through August 31, 2009. From September 1, 2007, through September 11, 2007, the Private Detective Agency of County Wide Protection & Security was in expired status.
5. The last address County Wide Protection & Security reported to the Department is 1332 Meadow Lane, Neenah, Wisconsin 54956. The Department has discovered that the current address for County Wide Protection & Security is 1922 Brookfield Drive, Neenah, Wisconsin 54956. Department records show that Sonny Luck-Taylor is the sole proprietor of County Wide Protection & Security.
6. Sonny Luck-Taylor (Date of Birth: August 10, 1975) was duly licensed as a Private Security Person in the state of Wisconsin (Permit #108-23594) by the Wisconsin Department of Regulation and Licensing (Department). The permit was first issued on May 20, 2003, and expired on August 31, 2008.
7. The last address Mr. Luck-Taylor reported to the Department is 7578 Big Sky Drive, Suite H, Madison, Wisconsin 53719. The Department has discovered that Mr. Luck-Taylor currently resides at 1922 Brookfield Drive, Neenah, Wisconsin 54956.
8. From September 1, 2006, through September 6, 2006, Mr. Luck-Taylor's private security permit was also in expired status. The Department has learned that Mr. Luck-Taylor worked as a security guard with County Wide Protection Agency while his permit was expired.
9. On August 25, 1999, Mr. Luck-Taylor, under the name of Sonny Taylor, was convicted in Dane County, Wisconsin, Circuit Court of one count of misdemeanor Disorderly Conduct. True and correct copies of the Criminal Complaint, Judgment of Conviction and Criminal Minutes are attached as Exhibit A. Exhibit A is incorporated by reference into this Order.
10. On or about December 23, 2005, Mr. Luck-Taylor filed an Application for Private Detective Agency License as sole proprietor with the Department. The name of the agency on the Application was County Wide Protection Agency. The Application contained the following language:

Has the agency or any of its officers **EVER** been convicted of a **MISDEMEANOR, A FELONY, OR DRIVING WHILE INTOXICATED (DWI)**, in this or any other state, **OR** are criminal charges or DWI charges currently pending? **If YES, complete and attach Form #2252.**
11. Mr. Luck-Taylor's response to the question was to check the box marked "NO" to the above question. Mr. Luck-Taylor did not acknowledge the 1999 misdemeanor conviction in the 2005 Application.
12. On exact dates unknown, but at least in 2006, County Wide Protection Agency advertised that it was owned by Sonny Luck-Taylor, Daryl Oestreich and Freddie Lee Harris. County Wide Protection Agency never filed any application with the Department naming any owners of County Wide Protection Agency other than Sonny Luck-Taylor.
13. On January 6, 2007, Sonny Luck-Taylor drafted a check to Cheyka Motors on a County Wide Protection Agency bank account. On January 18, 2007, that check was returned to Cheyka Motors as not having sufficient funds for redemption.
14. On exact dates unknown, but at least during June of 2007, County Wide Protection & Investigation advertised itself on its internet web-site as having private detective personal (sic). County Wide Protection and Investigation did not have a licensed private detective on their roster at the time of the advertisement.
15. On or about June 13, 2007, Mr. Luck-Taylor filed an Application for Private Detective Agency License as sole proprietor with the Department. The name of the agency on the Application was County Wide Protection & Security. The Application contained the following language:

Has the agency or any of its officers **EVER** been convicted of a **MISDEMEANOR, A FELONY, OR DRIVING WHILE INTOXICATED (DWI)**, in this or any other state, **OR** are criminal charges or DWI charges currently pending? **If YES, complete and attach Form #2252.**

16. Mr. Luck-Taylor's response to the question was to check the box marked "NO" to the above question. Mr. Luck-Taylor did not acknowledge the 1999 misdemeanor conviction in the 2007 Application.

17. County Wide Protection Agency was operating as a Private Detective Agency without the required surety bond or liability insurance policy from February 24, 2006, through April 12, 2006, and from May 25, 2007, through July 12, 2007.

18. County Wide Protection Agency operated without the required written contracts between itself and clients in at least five separate instances.

19. County Wide Protection Agency employed Arnold Farr, Sr., as a security guard from April 14, 2006, through June 6, 2006. Mr. Farr's temporary private security permit expired on May 14, 2006.

20. Sonny Luck-Taylor was orally asked by Departmental Investigator Candace Bloedow on May 23, 2006, to provide copies of all billing and invoices to and contracts with all clients. On August 9, 2006, Investigator Bloedow sent Mr. Luck-Taylor a letter requesting the same information. Mr. Luck-Taylor has only provided one contract and there has not been an explanation of why the other requested information has not been provided.

21. On August 9, 2006, Investigator Bloedow sent Mr. Luck-Taylor a letter requesting copies of contracts with clients for whom County Wide Protection Agency provided bouncers and the names of all persons employed with County Wide Protection Agency as bouncers. Investigator Bloedow also requested copies of Mr. Luck-Taylor's work schedule for August 25-28, 2006. Mr. Luck-Taylor has not provided any of the requested documents or information.

22. In 2006, Randy Bauhs was employed as a security guard with County Wide Protection Agency. County Wide Protection Agency did not notify the Department of Mr. Bauhs' employment.

23. In 2006, Susan LaCour was employed as a security guard with County Wide Protection Agency. County Wide Protection Agency did not notify the Department of Ms. LaCour's employment.

24. On July 10, 2006, Mr. H. attended an "Internet for Investigators" course. Mr. Luck-Taylor provided \$125.00 of the course fee and Mr. H. gave Mr. Luck-Taylor \$100.00 to pay for the rest of the course fee. Mr. Luck-Taylor told Investigator Bloedow that it was agreed that Mr. H. would come to work at County Wide Protection Agency, after taking the course. When Mr. Luck-Taylor realized that Mr. H. would not come to work at County Wide Protection Agency he stopped payment on the \$225.00 check to pay for the course. Mr. Luck-Taylor would not repay Mr. H. the \$100.00 that he paid to Mr. Luck Taylor for his portion of the course fee.

25. Mr. H. told Investigator Bloedow that Mr. Luck-Taylor was to pay \$125.00 for the course to compensate Mr. H. for the time Mr. H. took to evaluate County Wide Protection Agency

26. On October 25, 2006, Investigator Bloedow wrote to Mr. Luck-Taylor asking for clarification of Mr. H's position with County Wide Protection Agency. Mr. Luck-Taylor met with Investigator Bloedow on December 14, 2006. Mr. Luck-Taylor did not respond specifically to the question of Mr. H's position.

27. On December 18, 2006, Investigator Bloedow again wrote to Mr. Luck-Taylor about Mr. H's position. Mr. Luck-Taylor has not responded to the question of Mr. H's position.

28. Daryl Oestreich has informed the Department that he was co-owner of County Wide Protection Agency from May 19, 2006, through February 8, 2007.

29. On February 9, 2007, Sonny Luck-Taylor drafted a check to Daryl Oestreich for wages on a County Wide Protection Agency bank account. On February 19, 2007, that check was returned to Mr. Oestreich as not having sufficient funds for

redemption.

30. County Wide Protection Agency supplied unlicensed security guards on October 27 and 28, 2006, for a client. Sonny, Cheks, Nate, Rob and Tige are listed on the invoice as having worked on those dates. No last names were available on the invoice. At the time the service was provided, there were only two licensed security guards on County Wide Protection Agency's employee roster supplied to the Department. Those two names were Sonny Luck-Taylor and Daryl Oestreich.

31. Mr. Luck-Taylor told Investigator Bloedow that the individuals named on the invoice acted as bouncers those nights. The contract between County Wide Protection Agency and the client required licensed security officers.

32. On January 5, 2007, the Department received a complaint that alleged that County Wide Protection Agency provided unlicensed security guards to a party in Middleton, Wisconsin, on December 31, 2006.

33. On January 9, 2007, the Department received a complaint from a private detective agency that alleged that County Wide Protection provided four security guards to a party in Middleton, Wisconsin, on December 31, 2006. The complainant said that he had checked the Department's website and that information showed that County Wide Protection Agency had only two licensed security guards at the time of the December 31, 2006, party.

34. On May 4, 2007, Investigator Bloedow wrote to Sonny Luck-Taylor requesting a copy of the contract with the client for the December 31, 2006, party and for the names of the persons County Wide Protection Agency assigned to the party. Mr. Luck-Taylor answered that Jean, Juan Gonzalez, Daryl and he were the guards that night. Mr. Luck-Taylor said that the client had asked for three uniformed guards and two bouncers. Mr. Luck-Taylor has provided neither the last names of the individuals nor a copy of the contract to the Department.

35. On May 11, 2007, the Department received a complaint from a private detective agency that alleged that County Wide Protection Agency used an unlicensed security person. Included in the complaint were Security Officer Reports from County Wide Protection Agency from April 6, April 28 and April 29, 2007. The reports showed a Jeremy Denzel working at Willow Point for County Wide as a security guard. Jeremy Denzel has never been issued a private security permit or private detective license in the state of Wisconsin.

36. On June 25, 2007, Investigator Bloedow wrote to Mr. Luck-Taylor requesting a copy of the contract with Willow Point and copies of all schedules, billings and payroll for Willow Point. Mr. Luck-Taylor was also asked who Mr. Denzel was. Mr. Luck-Taylor has not provided any of the information requested by Investigator Bloedow.

37. On unknown dates, but at least on July 8, 2007, County Wide Protection Agency utilized at least five security guards at a bar located in Middleton Township, Wisconsin. At the time, there was only one licensed security guard on County Wide Protection Agency's employee roster supplied to the Department; that name was Sonny Luck-Taylor. County Wide Protection Agency's private detective agency license was in hold status with the Department for failure to have liability insurance at that time.

38. The security guards on July 8, 2007, only wore black t-shirts with the word "Security" as a uniform. There were no name or identification tags visible on the guards.

39. On October 11, 2007, Investigator Bloedow was contacted by Mr. Luck Taylor. He made an appointment to meet on October 19, 2007, to discuss the complaints. Mr. Luck-Taylor called on October 19, 2007, and cancelled the meeting. Investigator Bloedow asked Mr. Luck-Taylor for dates to reschedule the meeting. Mr. Luck-Taylor said that he would check his schedule and that he would get back to Investigator Bloedow with dates. Mr. Luck-Taylor has not responded with dates.

40. In resolution of this matter, Respondents consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing is authorized to enter into the attached Stipulation pursuant to

Wis. Stat. sec. 227.44 (5).

2. The conduct described in paragraphs 8., 19., 30., 34., 35. and 37. of the Findings of Fact violates Wis. Stat. § 440.26 (1) (a) 2., which states that no person may act as a private detective, investigator, special investigator or private security person unless he or she has a license or permit under that section:
3. The conduct described in paragraphs 8., 19., 30., 34., 35. and 37. of the Findings of Fact constitutes violations of Wis. Stat. § 440.26 (1) (a) 4., which states that no person may solicit business or perform any other type of service or investigation as a private detective or private security person unless he or she has a license or permit under that section.
4. Wis. Stat. § 440.26 (6) (a) 2., provides that the Department may limit, suspend, revoke or reprimand a credential holder who engaged in conduct reflecting adversely on his or her professional qualification.
5. Wis. Stat. § 440.26 (6) (a) 4., states that the Department may limit, suspend, revoke or reprimand a credential holder who has violated that section or any rule promulgated or order issued under that section.
6. The conduct described in paragraphs 2. and 17. of the Findings of Fact violates Wis. Admin. Code § RL 31.034 (1), which states that a private detective agency shall obtain and maintain a surety bond or liability policy as required under Wis. Stat. §. 440.26 (4).
7. The conduct described in paragraphs 12., 22., 23., 30., 33., 35. and 37. of the Findings of Fact are violations of Wis. Admin. Code § RL 32.05 (2), which states that a licensed private detective agency shall notify the Department in writing within 5 days of any change in the information which the agency has provided the Department pursuant to Wis. Stat. sec. 440.26 (5).
8. The conduct described in paragraph 38. of the Findings of Fact violates Wis. Admin. Code § RL 33.03, which requires a private detective agency to furnish all employees acting as private security personnel with an identification or name tag which shall at the minimum contain the person's name, number or other information which clearly identifies the person and the agency, or the person and the entity contracting with the agency.
9. The conduct described in paragraph 38. of the Findings of Fact violates Wis. Admin. Code § RL 33.03, which requires a private detective agency to ensure that all employees who act as private security personnel wear identification or name tags which are visible to the public at all times and comply with the requirements of that rule.
10. Wis. Admin. Code § RL 35.01 (6). includes using false, misleading or deceptive advertising as conduct reflecting adversely on professional qualification.
11. The conduct described in paragraphs 12. and 14. of the Findings of Fact constitutes conduct reflecting adversely on professional qualification.
12. Wis. Admin. Code § RL 35.01 (9). includes violating any rule in chs. RL 30 to 35 as conduct reflecting adversely on professional qualification.
13. The conduct described in paragraphs 2., 4., 5., 7. and 8., 11. through 14., 16. through 23., 26. and 27., 29. through 31., 34. and 35., and 37 through 39. of the Findings of Fact is conduct reflecting adversely on professional qualification.
14. Wis. Admin. Code § RL 35.01(11). includes failing to maintain a bond or liability policy for the period of licensing as required in Wis. Stat. § 440.26 as conduct reflecting adversely on professional qualification.
15. The conduct described in paragraphs 2. and 17. of the Findings of Fact is conduct reflecting adversely on professional qualification.
16. Wis. Admin. Code § RL 35.01 (12m) includes violation of the requirements for written contracts in § RL 32.05 as conduct reflecting adversely on professional qualification.

17. The conduct described in paragraph 18. of the Findings of Fact is conduct reflecting adversely on professional qualification.
18. Wis. Admin. Code § RL 35.01 (13) includes 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 as conduct reflecting adversely on professional qualification.
19. The conduct described in paragraphs 8., 19., 22. and 23., 30., 34., 35. and 37 of the Findings of Fact is conduct reflecting adversely on professional qualification.
20. Wis. Admin. Code § RL 35.01 (15) includes issuing checks on business or trust accounts which contain insufficient funds as conduct reflecting adversely on professional qualification.
21. The conduct described in paragraphs 13. and 29. of the Findings of Fact is conduct reflecting adversely on professional qualification.
22. Wis. Admin. Code § RL 35.01 (15) includes providing false information in the application for a credential as conduct reflecting adversely on professional qualification.
23. The conduct described in paragraphs 11. and 16. of the Findings of Fact is conduct reflecting adversely on professional qualification.
24. Wis. Admin. Code § RL 35.01 (19) includes practicing without a current credential as conduct reflecting adversely on professional qualification.
25. The conduct described in paragraph 7. of the Findings of Fact is conduct reflecting adversely on professional qualification.
26. Wis. Admin. Code § RL 35.01 (23) includes failing to cooperate with the Department's investigation of a complaint filed against the credential holder as conduct reflecting adversely on professional qualification. There is a rebuttable presumption that a credential holder takes longer than 30 days to respond to a request of the Department has not acted in a timely manner.
27. The conduct described in paragraphs 20., 21., 26., 27., 34., 36. and 39. of the Findings of Fact is conduct reflecting adversely on professional qualification.
28. Wis. Admin. Code § RL 35.02 provides that the department may take disciplinary action against a licensed private detective agency for violations of chs. RL 30 to 35 committed by licensed private detectives or security persons employed by the agency.

ORDER

NOW, THEREFORE, the Department of Regulation and Licensing accepts the **SURRENDER** of the Private Detective Agency License of County Wide Protection Agency (#62-16486) and the Private Detective Agency License of County Wide Protection & Security (#62-16576).

Sonny Luck-Taylor shall also not be an owner, manager, partner, investor, corporate officer or member of any corporate board involving any Private Detective Agency within the State of Wisconsin.

IT IS FURTHER ORDERED that County Wide Protection Agency, County Wide Protection & Security and Sonny Luck-Taylor shall jointly and severally pay full costs in the amount of ONE THOUSAND ONE HUNDRED dollars (\$1,100.00) in this matter.

Payment of the costs shall be due immediately, if and when Mr. Luck-Taylor, or any entity involving Mr. Luck-Taylor, applies for a Private Detective Agency License from the Department of Regulation and Licensing. 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

The effective date of this Order shall be the date the order is signed by the Secretary or her designee.

THE DEPARTMENT OF REGULATION AND LICENSING

By Celia M. Jackson
Secretary

11/18/08