

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE APPLICATION :
FOR A PRIVATE SECURITY PERMIT FOR : FINAL DECISION
 : AND ORDER
PAUL A CIARDO :
APPLICANT :

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

Paul A Ciardo
24333 N Wind Lake Rd
Wind Lake WI 53185

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

FINDINGS OF FACT

1. Paul A. Ciardo (Applicant) has filed an application for a credential to practice as a private security person in Wisconsin.
2. Information received in the application process reflects that:
 - a. On or about April 4, 2003 Applicant was convicted of violation of Wis. Stat. § 346.63(1)(a) [OAWI];
 - b. On or about November 17, 2003 Applicant was convicted of violation of Wis. Stat. § 346.63(1)(A) [operating while intoxicated];
 - c. On or about December 15, 2007 Applicant was convicted of violation of Wis. Stat. § 9.947.01 [disorderly conduct];
 - d. On or about March 17, 2008 Applicant was charged with violation of Wis. Stats. §§ 346.63(1)(a) and 346.63(1)(b) [operating while under influence (4th) and operating with PAC .02 or more (4th)]. These criminal matters are still pending.

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.

ORDER

NOW, THEREFORE, IT IS ORDERED that Paul A. Ciardo is GRANTED a PRIVATE SECURITY PERMIT subject to the following LIMITATIONS, TERMS AND CONDITIONS:

Sobriety

1. Applicant shall abstain from all personal use of alcohol and controlled substances as defined in § 961.01(4), Stat., except when prescribed, dispensed or administered by a practitioner for a legitimate medical condition. Applicant shall continue

to take medication prescribed for OCD. Applicant shall disclose Applicant's drug and alcohol history and the existence and nature of this Order to the practitioner prior to the practitioner ordering the controlled substance. Applicant shall at the time the controlled substance is ordered immediately sign a release in compliance with state and federal laws authorizing the practitioner to discuss Applicant's treatment with, and provide copies of treatment records to, treatment provider and the Department or Department Monitor.

2. Applicant shall refrain from the consumption of over-the-counter medications or other substances which may mask consumption of controlled substances or of alcohol, create false positive screening results, or interfere with Applicant's treatment and rehabilitation.

Releases

3. Applicant shall provide and keep on file at all treatment facilities and personnel, laboratories and collections sites (if applicable), his treatment provider(s) current releases complying with state and federal laws. The releases shall allow the Department, its designee, and any employee of the Department of Regulation and Licensing, Division of Enforcement to:
 - (a) obtain all urine, blood and hair specimen screen results and patient health care and treatment records and reports, and
 - (b) discuss the progress of Applicant's treatment and/or rehabilitation. Copies of these releases shall immediately be filed with Department Monitor.

Requirements for AODA Assessment / Treatment

4. Applicant shall immediately enter into and maintain participation through completion of an AODA treatment program pre-approved by the Department:
5. Within sixty days from the date of this Order, Applicant shall submit the results of a current AODA assessment to the Department Monitor. The Assessment shall be conducted following the date of this Order and shall be performed by a treatment provider acceptable to the Department. Applicant shall provide the person(s) performing his assessment with a copy of this Final Decision and Order as well as with access to any prior assessments and/or prior treatment records.
6. Applicant shall participate in, cooperate with and follow all treatment recommendations of his treatment providers.
7. Applicant's AODA treatment provider shall be responsible for coordinating Applicant's rehabilitation, drug monitoring and treatment program as required under the terms of this Order, and shall immediately report any relapse, violation of any of the terms and conditions of this Order, and any suspected unprofessional conduct, to the Department Monitor. If Applicant's AODA treatment provider becomes unable or unwilling to continue to serve as a treatment provider, Applicant shall immediately seek approval of a successor treatment provider by the Department or Department Monitor.
8. The rehabilitation program shall include individual and/or group therapy sessions at a frequency to be determined by treatment provider. The Department reserves the right to set minimum therapy/treatment requirements for Applicant. Therapy may end only upon a determination by the Department or Department Monitor pursuant to a petition by Applicant for modification.
9. Applicant's treatment providers shall submit formal written reports to Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall assess Applicant's progress, compliance and cooperation in the applicable program. The treatment providers shall report immediately to the Department Monitor any violation or suspected violation of this Order.

Reporting Requirements

10. 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.
12. Applicant shall arrange for written reports from his employer(s) to be provided to 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.
13. Applicant shall comply with all terms of probation and/or parole imposed upon him, and make arrangements with his probation/parole officer to notify the Department Monitor **immediately** of any violation of probation/parole terms. In addition, Applicant shall make arrangements for the submission of quarterly reports from his probation/parole office attesting to the status of his participation in probation/parole. Applicant shall provide the Board with current releases complying with state and federal laws, authorizing release and access to his probation and parole records.
14. 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.

15. 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.

DEPARTMENT MONITOR

16. 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 and 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) 267-3817

Petitions for Modification

17. Applicant may petition the Department for modification of the terms of this Order after completion of two years 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 two years of practice. Any such petition shall be accompanied by a written recommendation from Applicant's current employer that includes, among other things, the dates of employment and scope of responsibility during such employment, and (if applicable) his/her treatment provider expressly supporting the specific modifications sought. 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 of Compliance

18. Applicant shall be responsible for all costs and expenses incurred in conjunction with or associated with compliance with the terms of this Order.

Summary Suspension / Additional Discipline

19. Failure by Applicant to timely comply with the terms of this limitation and/or any further criminal conviction shall result in the 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 6th day of March, 2009.

Celia Jackson
On behalf of the Department of
Regulation and Licensing

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF APPLICATION FOR :
PRIVATE SECURITY PERMIT FOR :
 : **STIPULATION**
PAUL A CIARDO :
Applicant :

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Department of Regulation and Licensing as follows:

The Applicant has filed an application for a private security permit. Information received by the Department reflects a basis for denial of the application for a credential. Based upon the information of record herein, the Department agrees to issue and the Applicant agrees to accept an Order issuing a limited private security permit subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this ____ day of _____, 2000

Paul A Ciardo

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING

Dated this ____ day of _____, 2009

By: _____
Celia Jackson