

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**
 :
KEVIN D. DUMAS, : LS09111123RSG
RESPONDENT. :

Division of Enforcement Case #09 RSG 17

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

Kevin D. Dumas
7734 W. Hampton Ave. #5
Milwaukee, WI 53218-4712

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 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 Secretary or designee has reviewed this Stipulation and considers it acceptable

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

FINDINGS OF FACT

1. Respondent Kevin Dewayne Dumas, (d.o.b. 3/17/77), is and was at all times relevant to the facts set forth herein a private security person licensed in the State of Wisconsin pursuant to license #27525-107, originally granted on 12/17/04. Respondent has a firearms permit.
2. On 12/8/08, Respondent notified the Department that he had been charged with disorderly conduct, and that the date of the “conviction” was “open” until 12/23/08. At no other time has Respondent notified the Department of any other criminal conviction.
3. In fact, Respondent was charged with disorderly conduct on 12/5/08, in Milwaukee County, Wisconsin, and was convicted on 5/13/09 of misdemeanor disorderly conduct. He was sentenced to 60 days in the House of Correction, with that sentence being stayed; Respondent was placed on probation for 12 months on the following conditions: that he pay costs, assessments, and fees, that he maintain employment, that he attend an AODA assessment and any recommended treatment or counseling program, that he maintain absolute sobriety, that he have no contact with the victim without approval of his agent, that he have no contact with firearms and not possess any firearm, that he successfully complete anger management program. The offense consisted of his forcibly removing a woman from a house without allowing her to put on a coat or shoes, on 12/4/08.
4. On 3/6/09, Respondent was on duty as a uniformed security guard at a grocery store in Milwaukee, Wisconsin, and was observed by a police officer to be wearing a semiautomatic pistol in a holster upon his duty belt; Respondent admitted to the officer that he knew that he was not permitted to possess a firearm.
5. On 5/11/09, Respondent was convicted in the circuit court for Milwaukee County of misdemeanor violation of a Domestic Abuse Order, in that he knowingly possessed a firearm, in violation of that Order. He was sentenced to 90 days in the House of Correction with Huber privileges, and to pay costs, fees, and assessments of \$200. The Order had been issued

on 4/24/08, was effective until 2/24/12, and involved a person who was not involved in the disorderly conduct described in paragraph 3, above; the order specifically provides that Respondent “is prohibited from possessing a firearm until the expiration of this injunction.”

6. In October, 2009, Respondent’s probation was revoked because he was again arrested, on 9/29/09, for entering the home of his former girlfriend (with whom he had been ordered to have no contact), and he commenced serving his sentence. At the time, Respondent had started, but not completed, the anger management program required as a condition of his probation.

CONCLUSIONS OF LAW

A. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26(6), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

B. The conduct described in paragraphs 2-5, above, violated Wis. Stat. § 440.26(4m)(b) and Wis. Adm. Code § RL 35.01(2). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the SURRENDER of the private security person license, including the firearms permit, of Kevin D. Dumas is ACCEPTED. Respondent shall not apply for a credential as a private security person in Wisconsin at any time in the future, and shall not act as a private security person, in Wisconsin, at any time in the future.

IT IS FURTHER ORDERED, that COSTS in this matter in the amount of \$850, are WAIVED.

Dated this 11th, 2009.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING, by:

Celia M. Jackson, Secretary