

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wsccl>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

MICHEAL P. PORTER,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:
: **ORDER 0001356**

Division of Enforcement Case Number 10 RSG 038

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

Micheal P. Porter
99 Hilltop Lane
Altoona, WI 54720

Wisconsin Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Department of Safety and Professional Services
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

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 Wisconsin Department of Safety and Professional Services ("Department"). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Micheal P. Porter is licensed in the State of Wisconsin as a Private Security Person, having license number 108-34865, first issued on 12/12/2007 and current through 08/31/2012. Mr. Porter's most recent address on file with the Department is 99 Hilltop Lane, Altoona, WI 54720.

2. On or about July 6, 2010, Mr. Porter submitted a renewal application to the Department and answered "YES" to the following question:

HAVE YOU BEEN CONVICTED WITHIN THE PAST TWO YEARS OF A FELONY, A MISDEMEANOR OR A VIOATION OF ANY STATE OR LOCAL LAW (OTHER THAN TRAFFIC) THAT IS PUNISHABLE BY A FORFEITURE, OR, ARE CHARGES PENDING? (If YES, provide information.)

3. A Criminal Information Bureau check revealed convictions for Mr. Porter within the two years preceding July 6, 2010. The Department subsequently opened this case for investigation.

4. Court records obtained during the course of the Department's investigation revealed that on or about February 3, 2010, Mr. Porter was convicted of Operating with PAC .10 or More (1st) (2010TR000690).

5. Court records obtained during the course of the Department's investigation revealed that on or about May 5, 2010, Mr. Porter was convicted of THC & Drug Paraphernalia Possess (2010CM000089).

6. Court records obtained during the course of the Department's investigation revealed that on or about September 1, 2010, Mr. Porter was convicted of Possession of THC and Operate w/o Carrying License (2010CM000314).

7. Mr. Porter failed to notify the Department of the convictions within 48 hours after the entry of the judgments of conviction.

8. In resolution of this matter, Respondent Micheal P. Porter consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The State of Wisconsin Department of Safety and Professional Services is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in paragraphs 4-6 of the Findings of Fact, Respondent Micheal P. Porter has engaged in conduct reflecting adversely on professional qualification pursuant to Wis. Admin. Code § RL (now SPS) 35.01(2) by violating laws the circumstances of which substantially relate to the practice of a private security person.

3. By the conduct described in paragraph 7 of the Findings of Fact, Respondent Micheal P. Porter has violated Wis. Stat. § 440.26(4m)(b) and Wis. Admin. Code § RL (now SPS) 35.01(2) by failing to notify the department of the convictions within 48 hours after the judgments of conviction.

4. As a result of the violations noted in the Conclusions of Law, Respondent Micheal P. Porter is subject to discipline pursuant to Wis. Stat. § 440.26(6)(a) and Wis. Admin. Code § RL (now SPS) 35.01.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Micheal P. Porter (license number 108-34865) is hereby REPRIMANDED.

2. Respondent Micheal P. Porter shall pay COSTS in the amount of \$175.00. The first installment payment of \$100.00 shall be paid within 90 days following the date of this Order. The second installment payment of \$75.00 shall be paid within 180 days following the date of this Order.


3. Payment of the costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Department in its 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 Respondent Micheal P. Porter fails to timely submit payment of the costs as ordered and as set forth above, Respondent Porter's license (number 108-34865) may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

5. This Order is effective on the date of its signing.

THE WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By 
Michael J. Berndt, General Counsel
On Behalf of the Department

2/13/12
Date