

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
DANIEL J. EICHSTAEDT,	:	
RESPONDENT.	:	<b>ORDER 0001453</b>

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Division of Enforcement Case No. 11 RSG 036

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

Daniel J. Eichstaedt  
3357 S. 84th Street, Apt. 4  
Milwaukee, WI 53227

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

Division of Enforcement  
Wisconsin Department of Safety and Professional Services  
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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Daniel J. Eichstaedt (dob 11/28/1982) is licensed in the State of Wisconsin as a Private Security Person, having license number 108-29519, first issued on 10/03/2005, and current through 08/31/2012. Mr. Eichstaedt's most recent address on file with the Department is 3357 S. 84th Street, Apt. 4, Milwaukee, WI 53227.
2. On or about October 12, 2011, Respondent Eichstaedt was charged with Child Abuse-Intentionally Cause Harm (Kenosha County Case Number 2011CF000968).

3. On or about October 13, 2011, Respondent Eichstaedt notified the Department of the pending charge.

4. On November 17, 2011, Respondent Eichstaedt was convicted of an amended charge of Battery. Respondent Eichstaedt was sentenced to 40 days local jail (imposed and stayed), one year probation, and costs.

5. Mr. Eichstaedt failed to notify the Department of the conviction within 48 hours of the judgment of conviction.

6. On December 1, 2011, the Department sent Respondent Eichstaedt a letter requesting additional information regarding his conviction. Respondent Eichstaedt failed to respond to the letter.

7. On January 4, 2012, the Department sent Respondent Eichstaedt a second letter requesting additional information relating to his conviction. Respondent Eichstaedt failed to respond to the letter.

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

#### CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services 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).

2. By the conduct described in the Findings of Fact, Respondent engaged in conduct which reflects adversely on his professional qualification pursuant to Wis. Admin. Code § RL (now SPS) 35.01(2) by violating a law the circumstances of which substantially relate to the practice of a private security person.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 440.26(4m)(b) and engaged in conduct which reflects adversely on his professional qualification pursuant to Wis. Admin. Code § RL (now SPS) 35.01(2) by failing to report a violation to the Department within 48 hours of the judgment of conviction.

4. By the conduct described in the Findings of Fact, Respondent engaged in conduct which reflects adversely on his professional qualification pursuant to Wis. Admin. Code § RL (now SPS) 35.01(23) by failing to timely respond to requests of the Department.

5. As a result of the violations noted above, Respondent Daniel J. Eichstaedt 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. The Private Security Person license of Daniel J. Eichstaedt (license number 108-29519) is hereby **SUSPENDED** for a period of thirty (30) days beginning fifteen (15) days after the date of this Order.

2. The Private Security Person license of Daniel J. Eichstaedt (license number 108-29519) is **LIMITED** as follows:

- a. Respondent shall successfully complete all terms of probation ordered by Kenosha County Circuit Court.
- b. Respondent shall submit proof of completion of probation in the form of verification from the Kenosha County Circuit Court to the Department Monitor at the address stated below.
- c. This Limitation shall be removed from Respondent's license after he has satisfied the Department or its designee that he has successfully completed the ordered probation.

3. Within 90 days of the date of this Order, Respondent Eichstaedt shall pay **COSTS** of this matter in the amount of \$180.00.

4. Costs in this matter shall be made payable to the Wisconsin Department of Safety and Professional Services and shall be sent to the Department Monitor at the address below:


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

5. In the event Respondent Eichstaedt fails to successfully complete probation as ordered by Kenosha County Circuit Court on November 17, 2011, Respondent Eichstaedt's license, number 108-29519, may, in the discretion of the Department or its designee, be **REVOKED**, without further notice or hearing.

6. 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 fails to timely submit payment of the costs in this matter as ordered and as set forth above, Respondent's license (no. 108-29519) may, in the discretion of the Department, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with payment of the costs.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By:   
Michael J. Berndt, Chief Legal Counsel  
On Behalf of the Department

3/30/12  
Date