

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
BRETT T. LECLAIR,	:	
RESPONDENT.	:	ORDER 0001530

Division of Enforcement Case No. 11 RSG 024

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

Brett T. LeClair
8836 W. Waterford Sq. S.
Greenfield, WI 53228

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 Brett T. LeClair (dob 11/16/1986) is licensed in the State of Wisconsin as a Private Security Person, having license number 108-38455, first issued on 05/15/2009, expired 09/01/2010, renewed 08/01/2011, and current through 08/31/2012. Mr. LeClair's most recent address on file with the Department is 8836 W. Waterford Sq. S., Greenfield, WI 53228.

2. Mr. LeClair's private security person license expired on September 1, 2010. On or about January 21, 2011, Mr. LeClair submitted a renewal application to the Department and answered "NO" to the following question:

HAVE YOU BEEN CONVICTED WITHIN THE PAST TWO YEARS OF A FELONY, A MISDEMEANOR OR A VIOLATION 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 a conviction for Mr. LeClair within the two years preceding January 21, 2011. Division of Enforcement case number 11 RSG 024 was subsequently opened for investigation.

4. Court records obtained during the course of the Department's investigation revealed that on September 15, 2009, Mr. LeClair was issued a citation from the Village of Greendale, Wisconsin for Resist/Obstruct Officer (Verbal).

5. Incident reports obtained during the Department's investigation showed that Mr. LeClair was issued the citation because he was not completely truthful in a statement he made to police while he was on duty as a loss prevention officer pursuant to his private security person permit.

6. Mr. LeClair paid the citation and the case was closed on December 11, 2009.

7. Mr. LeClair failed to notify the Department of the conviction within 48 hours after the entry of the judgment of conviction.

8. In resolution of this matter, Respondent Brett T. LeClair 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(17) by providing false information in the application for a credential.

5. As a result of the violations noted above, Respondent Brett T. LeClair 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 Brett T. LeClair (license number 108-38455) is hereby SUSPENDED for a period of thirty (30) days beginning fifteen (15) days after the date of this Order.

2. Within 90 days of the date of this Order, Respondent LeClair shall pay COSTS of this matter in the amount of \$250.00.

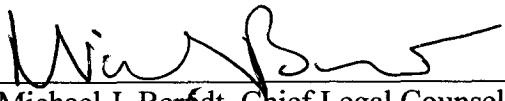
3. Costs in this matter shall be made payable to the Wisconsin Department of Safety and Professional Services and shall be sent to the Department Monitor at the address below:

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

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 fails to timely submit payment of the costs in this matter as ordered and as set forth above, Respondent's license (no. 108-38455) may, in the discretion of the Department, 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.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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

5/9/12
Date