

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

ROBERT J. DAVIS,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: ORDER 0002164.

Division of Legal Services and Compliance¹ Case No. 12 RSG 028

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

Robert J. Davis
9625 N. Blackhawk Dr.
Edgerton, WI 53534

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

Division of Legal Services and Compliance
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 Robert J. Davis (dob June 30, 1962) is licensed in the State of Wisconsin as a Private Security Person, having license number 108-35044, first issued on January 18, 2008, and current through August 31, 2014. Respondent Davis' most recent address on file with the Department is 9625 N. Blackhawk Dr., Edgerton, WI 53534.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. In August 2012, Respondent submitted an online renewal application for his private security person license and answered "NO" to the following questions:

In the past two years, have you been convicted of a MISDEMEANOR, OPERATING WHILE INTOXICATED (OWI), a VIOLATION of any federal, state or local law, OR are criminal charges or OWI charges currently pending against you in this or any other state?

In the past two years, have you been convicted of a VIOLATION of ANY federal, state or local law or municipal ordinance that is punishable by a fine or forfeiture in this or any other state, OR are federal, state or municipal charges currently pending against you?

In the past two years, have you been convicted of a FELONY in this state or any other state, OR are FELONY charges currently pending against you?

3. A subsequent Criminal Information Bureau check by the Department revealed a pending criminal charge against Respondent.

4. The matter was referred to the Division of Legal Services and Compliance and case number 12 RSG 028 was subsequently opened for investigation.

5. Court records obtained during the course of the Department's investigation revealed that on June 21, 2011, Respondent was charged with misdemeanor Possession of Drug Paraphernalia and misdemeanor Possession of Non-narcotic Controlled Substance (Rock County Case Number 2011CM1440).

6. On September 13, 2011, Respondent was convicted of a forfeiture offense of Possession of Controlled Substance. Respondent was ordered to pay a forfeiture/fine.

7. Respondent failed to notify the Department in writing within 48 hours after the judgment of conviction.

8. In resolution of this matter, Respondent 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 § SPS 35.01(17) by providing false information in the application for a credential.

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 his conviction to the Department within 48 hours of the judgment of conviction.

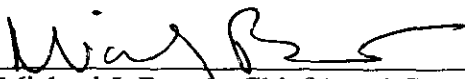
4. As a result of the violations noted in the Conclusions of Law, Respondent is subject to discipline pursuant to Wis. Stat. § 440.26(6)(a)1-4 and Wis. Admin. Code § SPS 35.01

ORDER

1. The attached Stipulation is accepted.
2. Respondent Robert J. Davis (license number 108-35044) is REPRIMANDED.
3. 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

11/27/12
Date