

## 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

GLENN E. SIMMONS, JR.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: ORDER 0002374

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Division of Legal Services and Compliance Case No. 12 RSG 049

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

Glenn E. Simmons, Jr.  
4567 N. 26th St.  
Milwaukee, WI 53209

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 Glenn E. Simmons, Jr. (dob October 10, 1992) is licensed in the State of Wisconsin as a Private Security Person, having license number 44484-108, first issued on December 9, 2011 and current through August 31, 2014. Respondent's most recent address on file with the Department is 4567 North 26th Street, Milwaukee, Wisconsin 53209.

2. In August 2012, Respondent submitted an online renewal application for his private security person license to the Department 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. In October 2012, Respondent reported convictions to the Department, in response to a request by the Department. The matter was referred to the Division of Legal Services and Compliance and Case Number 12 RSG 049 was subsequently opened for investigation.

4. Court records obtained from Respondent and during the course of the Department's investigation revealed that on December 23, 2011, Respondent was charged with felony Burglary (Building or Dwelling), PTAC, As a Party to a Crime (Milwaukee County Case Number 2011CF006078).

5. The charge was amended and on May 29, 2012, Respondent was convicted of misdemeanor Entry Into/Onto Building/Construction Site/Room, Party to a Crime and misdemeanor Theft-Movable Property <=\$2500, Party to a Crime. Respondent was sentenced to 12 months House of Correction (stayed) and 13 months probation (imposed).

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

7. 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 reflecting 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 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.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 440.26(4m)(b) and Wis. Admin. Code § SPS 35.01(2) by failing to report his conviction to the Department within 48 hours after the judgment of conviction.

5. 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. The Private Security Person license of Glenn E. Simmons, Jr. (license number 44484-108) is hereby SUSPENDED for a period of 90 days beginning 15 days after the date of this Order.

3. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$251.00.


4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

5. 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 as ordered and as set forth above, Respondent's license (no. 44484-108) may, in the discretion of the Department, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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

4/8/13  
Date