

## 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

CORY S. MCKINLEY,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: **ORDER 0002467**  
:

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Division of Legal Services and Compliance Case No. 13 RSG 001

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

Cory S. McKinley  
5514 Raymond Rd.  
Madison, WI 53711

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 Cory S. McKinley (dob August 28, 1978) is licensed in the State of Wisconsin as a Private Security Person, having license number 33156-108, first issued on April 12, 2007 and current through August 31, 2014. Respondent's most recent address on file with the Department is 5514 Raymond Road, Madison, Wisconsin 53711.
2. Respondent's private security person license expired on September 1, 2008.
3. In October 2011, Respondent submitted a renewal application to the Department for his private security person license and answered "NO" to the following questions:

- Have you EVER been convicted of a MISDEMEANOR, OPERATING WHILE INTOXIACATED (OWI), a VIOLATION of any federal, state or local law, OR are criminal or OWI charges currently pending against you in this or any other state?
- Have you EVER 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?
- Have you EVER been convicted of a FELONY in this or any other state OR are FELONY charges currently pending AGAINST YOU?

4. A subsequent Criminal Information Bureau check by the Department revealed a conviction for Respondent.

5. Respondent's private security person license was renewed on January 3, 2013, and the matter was referred to the Division of Legal Services and Compliance. Case number 13 RSG 001 was subsequently opened for investigation.

6. Court records obtained during the course of the Department's investigation revealed that on or about July 13, 2009, Respondent was charged with Disorderly Conduct (Polk County Case Number 2009CM000224).

7. On July 13, 2009, Respondent pled no contest to an amended charge of Unclassified Forfeiture, was found guilty, and ordered to pay a fine.

8. Respondent failed to notify the Department of the conviction within 48 hours after the judgment of conviction.

9. 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 violated Wis. Stat. § 440.26(4m)(b) and Wis. Admin. Code § RL (now SPS) 35.01(2) by failing to report his conviction to the Department within 48 hours after 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 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 VOLUNTARY SURRENDER of the Private Security Person license of Cory S. McKinley (license number 33156-108) is accepted.
3. In the event that Respondent ever seeks to reinstate his private security person license, he shall submit a new application for licensure and meet all requirements for licensure then existing at the time of the request.
4. Should Respondent seek to reinstate his private security person license, the Wisconsin Department of Safety and Professional Services may, in its sole discretion, determine whether, and under what circumstances, a license may be issued.
5. If Respondent ever seeks to reinstate his license or applies for any other credential regulated by this Department, then he shall pay the costs of investigating and prosecuting this matter, in the amount of \$277.00, before any such application may be considered. 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

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare.
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

6/10/13  
Date