

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
JACOB A. ELLINGSON, :
RESPONDENT. :

0004252

Division of Legal Services and Compliance Case No. 14 RSG 001

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

Jacob A. Ellingson
6730 N. 75th Street
Milwaukee, WI 53223

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 Jacob A. Ellingson (dob August 31, 1988) is permitted in the State of Wisconsin as a Private Security Person, having permit number 32371-108, first issued on November 29, 2006 and expired since August 31, 2014. Jacob A. Ellingson's most recent address on file with the Department is 6730 N. 75th Street, Milwaukee, Wisconsin 53223.

2. On February 13, 2014, Respondent was convicted in Milwaukee County Circuit Court (Case No. 13CF4504) of Prostitution-Sexual Gratification, a Class A Misdemeanor, in

violation of Wis. Stat. § 944.30(2), and was sentenced to nine months in the House of Correction (stayed), two years of probation, and payment of \$443.00 in court costs.

3. Respondent's conviction as set forth herein is substantially related to practice of a private security person.

4. On February 13, 2014, the Department received a Department Report of Conviction form from Respondent's mother, Rae Ellen Ellingson, on behalf of Respondent, advising that Respondent had been convicted of Prostitution-non-marital sexual intercourse and Prostitution – sexual gratification. Division of Legal Services and Compliance Case Number 14 RSG 001 was subsequently opened for investigation.

5. On September 12, 2014, a Department investigator mailed a letter to Respondent at his address on file with the Department, requesting that Respondent provide certified copies of the criminal complaint, judgment of conviction, and copies of the police reports.

6. No response was received to the Department's September 12, 2014 letter to Respondent.

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. Pursuant to Wis. Stat § 440.08(3), Respondent retains the right to renew his permit through August 31, 2019.

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

4. By the conduct described in the Findings of Fact, Respondent Jacob A. Ellingson violated Wis. Admin. Code § SPS 35.01(23) by failing to cooperate in a timely manner with the Department's investigation of a complaint filed against the credential holder.

5. As a result of the violations noted in the Conclusions of Law, Respondent Jacob A. Ellingson is subject to discipline pursuant to Wis. Stat. § 440.26(6)(a)(1., 2., and 4.) and Wis. Admin. Code § SPS 35.01.

ORDER

1. The attached Stipulation is accepted.

2. Respondent Jacob A. Ellingson's right to renew his Private Security Permit (number 32371-108) pursuant to Wis. Stat. § 440.08(3) is REVOKED.

3. If Respondent ever applies for any license under Wis. Stat. chs. 440-480, Respondent shall pay, before any such license may issue, COSTS of this matter in the amount of \$225.00.

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 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

Date 9/16/15

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
JACOB A. ELLINGSON, :
RESPONDENT. :

0004252

Division of Legal Services and Compliance Case No. 14 RSG 001

Respondent Jacob A. Ellingson and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Order, if adopted in the form as attached.


5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the

Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

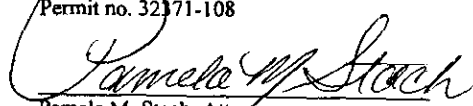
8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.



Jacob A. Ellingson, Respondent
6730 N. 75th Street
Milwaukee, WI 53223
Permit no. 32171-108

9/14/15

Date



Pamela M. Stach, Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

9/15/15

Date