

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

MICHAEL JACKSON,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0004458

Division of Legal Services and Compliance Case No. 14 RSG 017

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

Michael Jackson
4246 N. 68th Street
Milwaukee, WI 53216

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 Michael Jackson (DOB 02/04/1984) is permitted in the State of Wisconsin as a Private Security Person, having permit number 50047-108, first issued on 06/18/2014 and current through 08/31/2016. Michael Jackson's most recent address on file with the Department is 4246 N. 68th Street, Milwaukee, Wisconsin 53216.
2. On 02/20/2012, Respondent pled guilty in Milwaukee County Circuit Court (Case No. 04CM8644) to one count of possession of THC, Wis. Stat. § 24.01, and was ordered to pay a forfeiture in the amount of \$250.00.

3. On 06/11/2014, Respondent submitted an application online for a Private Security Person permit. On the application Respondent marked "no" when asked if he was convicted of violating federal, state or local laws.
4. Respondent provided false information on the application for a credential.
5. On 06/18/2014, Respondent was granted a Private Security Person permit.
6. On 06/24/2014 Respondent was arrested by the Wauwatosa Police Department for retail theft of clothing valued at \$143.72 in violation of City of Wauwatosa ordinance 70201012b and was issued a citation in the amount of \$313.00.
7. On 07/18/2014, Respondent paid the citation and the Wauwatosa City Municipal Court closed the pending case (Case No. 14-016745).
8. Respondent failed to notify the Department of the violation of the Wauwatosa City ordinance.
9. Respondent's violation of the Wauwatosa City ordinance as set forth herein is substantially related to practice of a Private Security Person.
10. On 12/11/2015 Respondent was served with a Notice of Hearing and Complaint in this matter. In his response to the Complaint, Respondent indicated that he is not interested in renewing his private security person permit.
11. Respondent does not admit to any violations alleged in this matter but does not wish to contest them.
12. 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 qualifications 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.
3. 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 notify the department in writing of the date, place and nature of the finding within 48 hours after the entry of the judgment finding that the person committed the violation.

4. By the conduct described in the Findings of Fact, Respondent engaged in conduct reflecting adversely on his professional qualifications pursuant to Wis. Admin. Code § SPS 35.01(17) by providing false information in the application for a credential.

5. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to automatically renew permit number 50047-108 through August 31, 2016.

6. 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, 2, and 4) and Wis. Admin Code § SPS 35.01.

ORDER


1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of the right to renew the private security person permit of Respondent Michael Jackson (number 50047-108) is hereby ACCEPTED.

3. This surrender constitutes Respondent's permanent relinquishment of his right to renew or reinstate his private security person permit and his right to practice private security in the state of Wisconsin. The Department will not, at any time in the future, process or otherwise consider an application or attempt at renewal by Respondent of credentials necessary to practice private security in the state of Wisconsin.

4. 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 11/11/16

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MICHAEL JACKSON,
RESPONDENT.

:
:
:
:
:

STIPULATION

0004450

Division of Legal Services and Compliance Case No. 14 RSG 017

Respondent Michael Jackson 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.

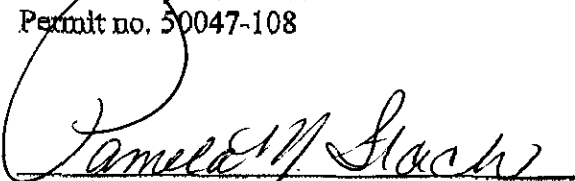
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Michael Jackson, Respondent
4246 N. 68th St.
Milwaukee, WI 53216
Permit no. 50047-108

1/7/2016
Date



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

1/8/2016
Date