

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF APPLICATION FOR
PRIVATE SECURITY PERMIT FOR

NICHOLAS DONOVAN
APPLICANT

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:

ORDER GRANTING
LIMITED LICENSE

0004880

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

NICHOLAS DONOVAN
342 KENT LN, #204
MADISON, WI 53713

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
1400 EAST WASHINGTON AVENUE
P.O. BOX 8935
MADISON, WI 53708-8935

FINDINGS OF FACT

1. NICHOLAS DONOVAN (Applicant) has filed an application (#577660) for a credential to practice as a private security person in Wisconsin.
2. Information received in the application process reflects that the Applicant has a conviction history that includes the following:
 - On or about February 9, 2004 – Battery/Domestic Abuse Incident, a misdemeanor.
3. The Applicant has been convicted of a misdemeanor crime of domestic violence and therefore he is permanently prohibited from possessing a firearm, per 18 U.S.C. § 922(g)(9).

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction over this matter, pursuant to Wis. Stat. § 440.26.
2. The facts and circumstances of the conviction referenced above substantially relates to the practice of a private security person. Applicant by his conduct is subject to action against his license, pursuant to Wis. Stat. § 440.26.

ORDER

NOW, THEREFORE, IT IS ORDERED that NICHOLAS DONOVAN is GRANTED a PRIVATE SECURITY PERMIT subject to the following LIMITATIONS, TERMS, AND CONDITIONS:

Practice Limitations

1. Applicant shall show a copy of this order to his current and any future employers.

Reporting Requirements

2. It is Applicant's responsibility to arrange for his security guard supervisor(s) to provide work reports to the Department Monitor on a quarterly basis, beginning 90 days from the date of this Order. These reports shall describe the Applicant's activities and verify that he is in compliance with the laws governing the practice of a private security person and the terms of this Order.
3. Applicant shall report to the Department any change of employment status, residence, address or telephone number within five (5) days of the date of a change. In addition, Applicant shall report any arrest or conviction within 48 hours of the arrest or entry of conviction.
4. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant.

Department Monitor

5. The Department Monitor is the individual designated by the department as its agent to coordinate compliance with the terms of this Order. Any requests, petitions, reports or other information required by this Order shall be mailed, faxed or delivered to:

DEPARTMENT MONITOR
Department of Safety and Professional Services
Division of Legal Services & Compliance
1400 East Washington Ave., P.O. Box 7190
Madison, WI 53707-7190
Fax: (608) 266-2264
Telephone: (608) 267-3817
dpsmonitoring@wi.gov

Firearms Ban

6. Applicant shall not apply for a Firearms Permit with the Department at any time in the future.

7. Applicant shall not apply, at any time in the future, for employment in any position that might require or allow him to work in an armed capacity.
8. The firearms ban may not be modified at any time.

Petitions for Modification

9. Applicant may petition the Department for modification of the terms of this Order after completion of one year of practice in compliance with all terms and conditions of this Order. The firearms ban may not be modified at any time. Applicant's petition must include his history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling one year of practice. Any such petition shall be accompanied by a written recommendation from Applicant's current employer that includes, among other things, the dates of employment and scope of responsibility during such employment, and, if applicable, his treatment provider expressly supporting the specific modifications sought. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stats. §§ 227.01(3), or 227.42, or Wis. Admin. Code ch. SPS 1, and shall not be subject to any right to further hearing or appeal.

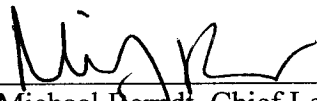
Costs

10. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Summary Suspension/Additional Discipline

11. 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 Applicant'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 that the Applicant fails to submit quarterly reports as ordered, Applicant's license may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Applicant has complied with the terms of this order.

Dated at Madison, Wisconsin this 17th day of August, 2016.



Michael Berndt, Chief Legal Counsel
On behalf of the Department of Safety and Professional Services

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF APPLICATION FOR
PRIVATE SECURITY PERMIT FOR

NICHOLAS DONOVAN
APPLICANT

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STIPULATION

0004880

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Department of Safety and Professional Services as follows:

The Applicant has filed an application for a private security permit. Information received by the Department reflects a basis for denial of the application for a credential. Based upon the information of record herein, the Department agrees to issue and the Applicant agrees to accept an Order Granting a Limited License as a private security permit subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

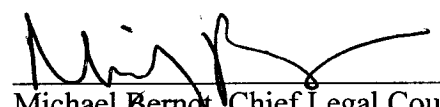
Dated this 4th day of August, 2016.



Nicholas Donovan, Applicant

STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Dated this 17th day of August, 2016.

By: 

Michael Berndt, Chief Legal Counsel