

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

AMANDA T. ONKEN,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0005040

Division of Legal Services and Compliance Case No. 15 RSG 010

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

Amanda T. Onken
1109 S. 23rd St.
Milwaukee, WI 53204

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 Amanda T. Onken (DOB 03/13/1987) is permitted by the State of Wisconsin as a private security person, having permit number 44183-108, first issued on October 19, 2011 and expired on September 1, 2016. Respondent's most recent address on file with the Department is 1109 South 23rd Street, Milwaukee, Wisconsin 53204.

2. On March 23, 2015, Respondent was convicted of Disorderly Conduct, a misdemeanor B, in Milwaukee County Circuit Court (Case No. 2014CM004537). Respondent

was sentenced to 90 days in the House of Correction, imposed and stayed. Respondent was placed on probation for one year and ordered to pay court costs of \$163.00.

3. The Criminal Complaint alleged that on October 7, 2014, three women observed a small child alone, wandering in the streets. The child was later identified as Respondent's son, AR (DOB 05/04/2012). Respondent stated that she did not know that her son, AR, had gotten out of the house until the three women returned him to her.

4. On March 24, 2015, Respondent reported her conviction to the Department.

5. Respondent wishes to resolve Case Number 15 RSG 010 by the voluntary surrender of her right to renew her private security person permit.

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 her private security person permit until August 31, 2021.

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

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

ORDER

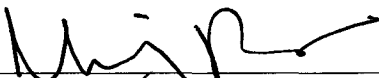
1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of Respondent Amanda T. Onken's right to renew her private security person permit (number 44183-108) is ACCEPTED.

3. This surrender constitutes Respondent's permanent relinquishment of her private security person permit and her 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 11/29/16

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

AMANDA T. ONKEN,
RESPONDENT.

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:
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:
:

STIPULATION

0005040

Division of Legal Services and Compliance Case No. 15 RSG 010

Respondent Amanda T. Onken 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.

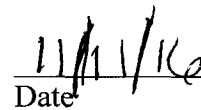
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have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

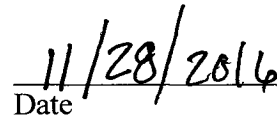
8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.



Amanda T. Onken, Respondent
1109 S. 23rd St.
Milwaukee, WI 53204
Permit no. 44183-108


Date

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


Date