

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

HECTOR RODRIGUEZ,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0005183

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

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

Hector Rodriguez
3240 S. 63rd St.
P.O. Box 342722
Milwaukee, WI 53219

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 Hector Rodriguez (DOB November 24, 1962) is licensed by the State of Wisconsin as a private detective, having license number 8387-63, first issued on June 11, 1990 and expired on September 1, 2012. Respondent's most recent address on file with the Department is 3240 South 63rd Street, Post Office Box 342722, Milwaukee, Wisconsin 53219.

2. Respondent is identified in Department records as the sole proprietor of Rapid Response Public Safety, a private detective agency (license number 15752-62, first issued on November 22, 1996, expired on September 1, 2015 and surrendered on December 4, 2015).

3. On November 30, 2015, the Department received a complaint alleging that Respondent had not paid an employee for private security work he had performed in July 2015. Division of Legal Services and Compliance Case No. 15 RAL 010 was subsequently opened for investigation.

4. During the Department's investigation, the complainant submitted photocopies of paycheck stubs he received from Rapid Response Public Safety for private security work performed for the time periods of June 1-June 15, 2015, and June 16-June 30, 2015.

5. In response to the Department's investigation, on November 4, 2016, Respondent sent an email to the Department stating that he wished to surrender his private detective license.

6. 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 private detective license through August 31, 2017.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 440.26(1)(a)1 and Wis. Admin. Code § SPS 31.01(1)(a) by engaging in the business of operating a private detective agency with an expired license.

4. 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)4.

ORDER

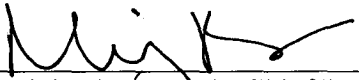
1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of Respondent's right to renew his private detective license (number 8387-63) is ACCEPTED.

3. This surrender constitutes Respondent's permanent relinquishment of his private detective license and his right to practice as a private detective 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 as a private detective 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 2/10/17

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
HECTOR RODRIGUEZ, :
RESPONDENT. :
 : **0005183**

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

Respondent Hector Rodriguez 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.



Hector Rodriguez, Respondent
3240 S. 63rd St.
P.O. Box 342722
Milwaukee, WI 53219
License no. 8387-63

1-4-17
Date



Sarah E. Norberg, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

2-9-17
Date