

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KEITH S. BURCH AND  
COULEE INVESTIGATIONS, f/k/a  
MIDWEST INVESTIGATIONS,  
RESPONDENTS.

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: FINAL DECISION AND ORDER  
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Division of Legal Services and Compliance Case No. 16 RAL 022

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

Keith S. Burch  
N3307 Schilling Court  
La Crosse, WI 54601-4288

Coulee Investigations, f/k/a Midwest Investigations  
3313 Schilling Court  
La Crosse, WI 54601

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 Keith S. Burch (DOB 11/10/1967) is licensed by the State of Wisconsin as a private detective, having license number 10794-63, first issued on August 7,

2003 and current through August 31, 2018. This license was expired from September 1, 2016 through September 7, 2017. Respondent Burch's most recent address on file with the Department is N3307 Schilling Court, La Crosse, Wisconsin 54601-4288.

2. Respondent Coulee Investigations, f/k/a Midwest Investigations is licensed by the State of Wisconsin as a private detective agency, having license number 16316-62, first issued on August 7, 2003 and current through August 31, 2019. This license was expired from September 1, 2011 through November 13, 2012 and from September 1, 2015 through December 21, 2017. Respondent Coulee Investigations' most recent address on file with the Department is 3313 Schilling Court, La Crosse, Wisconsin 54601.

3. Respondent Burch is the owner of Respondent Coulee Investigations.

4. According to Department records, Respondent Coulee Investigations' general liability policy lapsed on February 3, 2015.

5. On April 15, 2015, Respondents entered into a contract with client D.B. for investigation services.

6. The terms of the contract included the following language:

A total fee of \$6500.00 for unlimited hours including four licensed Private Investigators who are solely employed by Midwest Investigations. Also included all court testimony video edits reports affidavits [sic]. All materials needed through entire investigation will be supplied by Midwest Investigations. All research including Wisconsin license plates and the owners of the vehicles as well as addresses and complete background checks on all individuals are included in the flat rate fee.

7. On April 15, 2015, the contract was paid in full.

8. On October 15, 2015, Respondents sent D.B. a text which stated in part: "Information leaks has [sic] caused me to work 1856 hours beyond current contract. I ask that we reach an agreement on compensation on the 1856 hours before moving further with current evidence."

9. Between April 2015 and October 2015, based on statements made by Respondents and upon which D.B. relied, D.B. paid Respondents a total of \$43,355.99 for services allegedly related to the investigation and as loans for Respondent Burch's personal use and medical bills.

10. On March 1, 2016, D.B. was granted summary judgment against Respondents in La Crosse County Circuit Court Case Number 2015CV000617.

11. On March 28, 2016, D.B. obtained a judgment for money against Respondents in the amount of \$43,360.99 in Vernon County Circuit Court Case Number 2016TJ000010.

12. On July 18, 2016, the Department received a complaint alleging Respondents were providing private detective services without a current license. Division of Legal Services and Compliance Case Number 16 RAL 022 was subsequently opened for investigation.

13. According to Department records, on December 8, 2017, Respondent Coulee Investigations restored a general liability policy which is current through December 8, 2018.

14. In resolution of this matter, Respondents consent 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, Respondents violated Wis. Stat. § 440.26(4) and Wis. Admin. Code § SPS 31.034(2) and engaged in conduct reflecting adversely on their professional qualification pursuant to Wis. Admin. Code § SPS 35.01(11) by failing to maintain a surety bond or liability policy for the period of licensure.

3. By the conduct described in the Findings of Fact, Respondents engaged in conduct reflecting adversely on their professional qualification pursuant to Wis. Admin. Code §§ SPS 35.01(19) and 31.01(1)(a)2. by practicing without a current credential.

4. By the conduct described in the Findings of Fact, Respondents engaged in conduct reflecting adversely on their professional qualification pursuant to Wis. Admin. Code § SPS 35.01(21) by attempting to obtain any compensation from a client by fraud, misrepresentation, deceit or duress.

5. As a result of the conduct and violations noted above, Keith S. Burch and Coulee Investigations are subject to discipline pursuant to Wis. Stat. § 440.26(6)(a)2., 4. and 5. and Wis. Admin. Code §§ SPS 35.01 and 35.02.

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Keith S. Burch's private detective license (number 10794-63) is SUSPENDED for 20 days, beginning 15 days from the date of this Order.

3. Respondent Coulee Investigations' private detective agency license (number 16316-62) is SUSPENDED for 20 days, beginning 15 days from the date of this Order.

4. Within 90 days from the date of this Order, Respondent Keith S. Burch shall pay one-fourth of the COSTS of this matter in the amount of \$423.

5. Within 90 days from the date of this Order, Respondent Coulee Investigations shall pay one-fourth of the COSTS of this matter in the amount of \$423.

6. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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

7. In the event Respondents violate any term of this Order, Respondents' licenses (nos. 10794-63 and 16316-62), or Respondents' right to renew their licenses, may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with the terms of the Order. The Department may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

8. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Al Rohmeyer  
Al Rohmeyer, Chief Legal Counsel  
On Behalf of the Department

2/14/18  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KEITH S. BURCH AND  
COULEE INVESTIGATIONS, f/k/a  
MIDWEST INVESTIGATIONS,  
RESPONDENTS.

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STIPULATION

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Division of Legal Services and Compliance Case No. 16 RAL 022

Respondents Keith S. Burch and Coulee Investigations, f/k/a Midwest Investigations 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. Respondents consent to the resolution of this investigation by Stipulation.

2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:

- the right to a hearing on the allegations against Respondents, 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 Respondents;
- the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
- the right to testify on Respondents' 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 Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondents are aware of Respondents' right to seek legal representation and have been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondents agree 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. Respondents waive all rights to any appeal of the Department's Order, if adopted in the form as attached.

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