

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

0005662

IN THE MATTER OF APPLICATION FOR
PRIVATE SECURITY PERSON PERMIT FOR

ORDER GRANTING
LIMITED LICENSE

ROBERT PASSOW
APPLICANT

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

ROBERT PASSOW
2910 NORMA AVE
WESTON WI 54476

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

FINDINGS OF FACT

- I. ROBERT PASSOW (Applicant) has filed an application (# 625017) for a permit to practice as a private security person in Wisconsin.
- II. Information received in the application process reflects that the Applicant has a criminal history that includes the following conviction:
 - A. On or about July 18, 2014 – Disorderly Conduct – Domestic Abuse, a misdemeanor.
- III. The Applicant has been convicted of a misdemeanor crime of domestic violence and, therefore, is permanently prohibited from possessing a firearm, per 18 U.S.C. § 922(g)(9), unless the conviction falls under 18 U.S.C. § 921(a)(33)(B)(ii).

CONCLUSIONS OF LAW

- I. The Wisconsin Department of Safety and Professional Services has jurisdiction over this matter, pursuant to Wis. Stat. § 440.26.
- II. The facts and circumstances of the conviction referenced above substantially relate to the practice of a private security person.
- III. Applicant is permanently banned from possessing a firearm, per 18 U.S.C. § 922(g)(9), as the conviction does not fall under 18 U.S.C. § 921(a)(33)(B)(ii).

- IV. Applicant, by his conduct, is subject to action against his license, pursuant to Wis. Stat. §§ 111.335(1)(c)1. and 440.26, Wis. Admin. Code §§ SPS 31 and 35, and 18 U.S.C. § 922(g)(9).

ORDER

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

Practice Limitations

- I. Applicant shall show a copy of this Order to his current and any future employer. Applicant shall provide the Department of Safety and Professional Services Monitor (Department Monitor) with written acknowledgement from each employer that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.

Reporting Requirements

- II. 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.
- III. 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.
- IV. Applicant is responsible for compliance with all 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

- V. 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

- VI. Applicant shall not apply for a Firearms Permit with the Department.
- VII. Applicant shall not apply for employment in any position that might require or allow him to work in an armed capacity.
- VIII. The firearms ban is permanent and may not be modified while the limited license is in effect or at any time thereafter, unless the conviction has been expunged or set aside, or is an offense for which the person has been pardoned or has had civil rights restored (if the law of the applicable jurisdiction provides for the loss of civil rights under such an offense) unless the pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms, under 18 U.S.C. § 921(a)(33)(B)(ii).

Petitions for Modification

- IX. 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 is permanent and may not be modified while the limited license is in effect or at any time thereafter, unless the conviction falls under 18 U.S.C. § 921(33)(B)(ii). Applicant's petition must include the Applicant's 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. Stat. §§ 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.

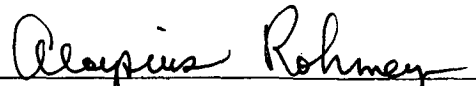
Costs

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

Suspension

- XI. If Applicant violates any term of this Order, Applicant's credential 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 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.

Dated at Madison, Wisconsin this 14th day of March, 2018



Aloysius Rohmeyer, 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 PERSON PERMIT FOR

ROBERT PASSOW
APPLICANT

0005662
STIPULATION

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 person 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 for a private security person permit subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this 06 day of March, 2018

Robert R. Passow
Robert Passow, Applicant

STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Dated this 14th day of March, 2018

By: Aloysius Rohmeyer
Aloysius Rohmeyer, Chief Legal Counsel
On behalf of the Department of Safety and Professional Services