

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 APPLICATION FOR A :
PRIVATE SECURITY PERSON :
: ORDER GRANTING
: LIMITED PERMIT
SIMONE COATS, :
APPLICANT. :

ORDER 000826 1

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

Simone Coats
Milwaukee, WI 53225

Department of Safety and Professional Services
4822 Madison Yards Way
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the resolution of this application. The Wisconsin Department of Safety and Professional Services (Department) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. On or about September 28, 2018, Simone Coats (Applicant) was granted a Private Security Person Permit by the Department (61607-108).
2. On or about August 31, 2020, Applicant's Private Security Person Permit expired.
3. On or about April 22, 2021, Applicant filed an application (61607-108) for the late renewal of her expired Private Security Person Permit.
4. Information received in the application process establishes that Applicant has the following violation record:
 - A. On or about March 3, 2020, Disorderly Conduct, an ordinance violation.
 - B. On or about March 3, 2020, Resisting an Officer, an ordinance violation.
5. The facts and circumstances of this violation record include but are not limited to the following:

- A. On or about September 1, 2019, the West Allis Police Department (WAPD) received a call about a fight in progress at a bar with weapons potentially involved. Two WAPD officers responded to the bar and made contact with Applicant, who was a passenger in a vehicle attempting to leave the scene.
- B. The WAPD report states that Applicant was “extremely uncooperative” with WAPD officers “and there was a great deal of confrontation” in even just obtaining Applicant’s identifying information.
- C. The WAPD report states Applicant “was extremely argumentative with [WAPD] and had extremely elevated voices and insulting and profane language . . . [and that Applicant] repeatedly ignored police commands to exit the area.”
- D. The WAPD report states Applicant “was given multiple warnings to get up and leave the area and to stop causing a disturbance, but she continued to ignore commands and cause a scene . . . that appeared to be disturbing the peace and quiet of the neighborhood of a residential area at approx. 0200 hrs.”
- E. The WAPD report states that, due to the extremely uncooperative behavior of Applicant and others, they could not determine whether a fight had indeed occurred and if so, of what nature, whether weapons were involved, or the roles of the participants.
- F. Applicant was twice asked to provide a personal statement about the reported violations but failed to do so. Applicant was also twice asked to identify evidence of rehabilitation but denied having any.

6. Applicant’s Private Security Person Permit was active at the time of the above-described violations, but Applicant failed to report them to the Department as required by Wis. Stat. § 440.26(4m)(b).

7. In resolution of this matter, Applicant consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Department of Safety and Professional Services (Department) has jurisdiction over this matter, pursuant to Wis. Stat. § 440.26, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 440.26(5m)(am) and Wis. Admin. Code §§ SPS 31.05(1)(e) and 35.01(2), the Department may refuse to issue a Private Security Person permit, who has been

convicted of a misdemeanor or found to have violated any state or local law that is punishable by a forfeiture, subject to Wis. Stat. §§ 111.321, 111.322, and 111.335.

3. Pursuant to Wis. Stat. § 111.335(3)(a)(1), it is not employment discrimination because of conviction record to refuse to license, or to bar or terminate from licensing, any individual who has been convicted of any misdemeanor or other offense the circumstances of which substantially relate to the circumstances of the particular licensed activity.

4. A substantial relationship occurs where “the tendencies and inclinations to behave a certain way in a particular context are likely to reappear later in a related context, based on the traits revealed.” *County of Milwaukee v. Labor & Indus. Review Comm’n*, 139 Wis. 2d 805,824 (1987). The crux of the inquiry is the circumstances which foster criminal activity, e.g. the opportunity for criminal behavior, the reaction to responsibility, or the character traits of the person. *Id.*

5. The facts and circumstances of the above-referenced violation record are substantially related to the practice of a Private Security Person .

- A. Private Security Persons are responsible for maintaining order, upholding rules, and protecting the security of people and property.
- B. The circumstances of Applicant’s violations are substantially related to the practice of private security. Applicant’s conduct demonstrated belligerent disregard for WAPD officers investigating a call about violence with weapons potentially involved. Applicant “was extremely argumentative with [WAPD] and had extremely elevated voices and insulting and profane language” and repeatedly ignored WAPD requests and orders.
- C. Applicant’s belligerent, confrontational conduct towards WAPD officers disturbed the neighborhood in which it occurred and prevented WAPD from properly investigating a reported fight which may have involved weapons.
- D. Applicant’s conduct deliberately impeded WAPD from maintaining order, upholding rules, and protecting the security of people and property.
- E. Due to Applicant’s conduct described above, the circumstances of her violations are substantially related to the practice of private security.

6. Applicant failed to timely report the above-referenced violations to the Department as required by Wis. Stat. § 440.26(4m)(b).

7. As a result of the above Findings of Fact and Conclusions of Law, Applicant’s Private Security Person application is subject to limitations or denial, pursuant to Wis. Stat. §§ 440.26(5m)(am), and 111.335(3)(a)(1), and Wis. Admin. Code §§ SPS 31.05(1)(e), and SPS 35.01(2).

ORDER

1. The attached Stipulation is accepted.
2. Applicant's application for the late renewal of her Private Security Person Permit is granted subject to the following limitations.
3. Applicant's ability to practice as a Private Security Person is LIMITED for a period of at least two years from the date of this Order as follows:

A. Practice Limitations

- i. Applicant shall show a copy of this Order to her current and any future employer(s). 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 14 days of beginning new employment and/or within 14 days of the date of this Order for employment current as of the date of this Order.
- ii. Applicant shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal ordinance violations, to the Department Monitor within 48 hours of any such event, including any convictions resulting from pending charges.

B. Reporting Requirements

- i. Applicant shall arrange for written reports from her private security person supervisor(s) to be provided to the Department Monitor on a quarterly basis, beginning 90 days from the date of this Order. These reports shall describe the circumstances of Applicant's employment, assess her work performance and verify that she is in compliance with the laws governing the practice of a private security person and the terms of this Order.
- ii. Applicant is responsible for compliance with all of the terms and conditions of this Order. Applicant shall promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant.

4. The Department Monitor is the individual designated by the Department as its agent to coordinate compliance with the terms of this Order. Any 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
P.O. Box 7190, Madison, WI 53707-7190
Telephone: (608) 267-3817; Fax: (608) 266-2264
dspsmonitoring@wi.gov

Information may also be submitted online via the Department's Monitoring Case Management System at: <https://app.wi.gov/DSPSMonitoring>

5. Applicant may petition the Department to lift or revise the Practice Limitations and Reporting Requirements set forth in Order paragraphs 3.A. and 3.B. above upon demonstration of continuous, successful practice in compliance with the terms of the Order for at least two years. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Department or its designee. Any such petition shall be accompanied by a written recommendation from Applicant's current employer. 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.

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

7. If Applicant violates any term of this Order, Applicant's permit 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 Department's Division of Legal Services and Compliance for further investigation and action.

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

Dated at Madison, Wisconsin this 14th day of November, 2022.



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 A :
PRIVATE SECURITY PERSON :
: STIPULATION
SIMONE COATS, :
APPLICANT. :

ORDER 0008261

Applicant Simone Coats and the Department of Safety and Professional Services stipulate as follows:

1. Applicant filed an application for late renewal of a Private Security Person Permit (#61607-108).

2. Information received by the Department reflects a basis for denial of Applicant's application.

3. Based upon the information of record, the Department agrees to issue, and Applicant agrees to accept, an Order granting a Private Security Person Permit, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.

4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:

- the right to request a hearing related to the denial of the application;
- the right to confront and cross-examine the witnesses against Applicant;
- the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
- the right to testify on Applicant'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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

6. Applicant agrees to the adoption of the attached Order Granting Limited Permit by the Department. The parties to the Stipulation consent to the entry of the attached Order Granting Limited Permit without further notice, pleading, appearance, or consent of the parties. Applicant waives all rights to any appeal of the Department's order, if adopted in the form as attached.

7. Applicant is informed that should the Department adopt this Stipulation, the Department's Order Granting Limited Permit is a public record and will be published in accordance with standard Department procedure.

Simone Coats

Simone Coats, Applicant
Milwaukee, WI 53225
Application No. 61607-108

10-25-22
Date

A. Rohmeyer

Aloysius Rohmeyer, Chief Legal Counsel
Department of Safety and Professional Services
4822 Madison Yards Way
P.O. Box 8935
Madison, WI 53708-8935

11/14/2022
Date