

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE PROFESSIONAL LAND SURVEYORS SECTION
OF THE WISCONSIN EXAMINING BOARD OF ARCHITECTS,
LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS, PROFESSIONAL LAND SURVEYORS, AND
REGISTERED INTERIOR DESIGNERS

IN THE MATTER OF APPLICATION FOR	:	
RENEWAL OF A	:	
PROFESSIONAL LAND SURVEYOR	:	
REGISTRATION	:	ORDER GRANTING
	:	LIMITED LICENSE
	:	
WILLIAM WENZEL,	:	
APPLICANT.	:	ORDER 0008424

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

William Wenzel
Cincinnati Ohio 45202

Professional Land Surveyors Section
Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers,
Designers, Professional Land Surveyors,
and Registered Interior Designers

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 renewal application. The Professional Land Surveyors Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers (Section) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On or about April 6, 2022, William Wenzel (DOB 11-23-1964) (Applicant) filed an application to renew his Wisconsin Professional Land Surveyor registration (2128-8).
2. Information on file establishes the following:

- A. On or about January 28, 2019, law enforcement conducted an online investigation on peer-to-peer (P2P) file sharing networks using BitTorrent software and connected to a device with an IP address later identified as belonging to Applicant.
- B. On or about January 28, 2019, law enforcement downloaded a file containing child pornography from their connection with an IP address and device later identified as belonging to Applicant.
- C. On or about February 22, 2019, law enforcement executed a search warrant at Applicant's residence and seized a laptop from Applicant's bedroom.
- D. On or about February 22, 2019, law enforcement examined the hard drive of the laptop seized from Applicant's bedroom and located digital files consistent with child pornography.
- E. On or about February 25, 2019, law enforcement spoke with Applicant, who admitted he was the owner of the laptop.
- F. On or about February 27, 2019, Applicant was charged with five (5) counts of Possession of Child Pornography, a Class D Felony, contrary to Wis. Stat. § 948.12(1m) and (3)(a), in court case 19CF114.
- G. On or about January 24, 2020, Applicant pled guilty to one (1) count of Possession of Child Pornography. The four (4) remaining counts were dismissed and read in.
- H. On or about February 21, 2020, Applicant was sentenced to three (3) years of initial confinement and ten (10) years of extended supervision and ordered to not possess computers or smart phones with internet capability, subject to the discretion of his Department of Corrections agent.

3. According to the Department of Corrections website, Applicant's release date from incarceration is February 21, 2023 and he will continue on extended supervision until February 21, 2033.

4. The practice of land surveying involves accessing the internet via computers, smartphones, and other internet capable devices.

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

CONCLUSIONS OF LAW

1. The Professional Land Surveyors Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land

Surveyors, and Registered Interior Designers has jurisdiction over this matter pursuant to Wis. Stat. § 440.08(4) and is authorized to enter the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 440.08(4)(a), the Section may summarily deny an application for renewal if it is necessary to protect the public health, safety or welfare.

3. Because Applicant is prohibited from possessing computers or smartphones with internet capabilities, subject to the Department of Corrections Agent's discretion, and the practice of land surveying involves accessing the internet via computers, smartphones, and other internet capable devices, denial of Applicant's license is necessary to protect the public health, safety, and welfare.

4. Applicant, by his conduct, is subject to limitations against his registration, pursuant to Wis. Stat. §440.08(4)(a).

ORDER

1. The attached Stipulation is accepted.

2. Limitations upon Applicant's Professional Land Surveyor registration are necessary to protect the public health, safety, and welfare.

3. Applicant's ability to practice as a Professional Land Surveyor is granted subject to the following LIMITATIONS:

A. During the period of Applicant's extended supervision sentence in 19CF114, beginning on February 21, 2023 and continuing until February 21, 2033:

- i. Applicant shall provide 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.
- ii. Applicant shall provide a copy of this Order to his current and any future Department of Corrections Agent (Agent). Applicant shall provide the Department of Safety and Professional Services Monitor (Department Monitor) with written acknowledgement from each Agent that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitor within fourteen (14) days of being

assigned an Agent and/or within fourteen (14) days of the date of this Order for an Agent assigned as of the date of this Order.

- iii. Applicant shall not practice Professional Land Surveying unless expressly approved by his Agent, with notification to the Department Monitor.
- iv. Applicant shall not utilize internet capable devices in the practice of Professional Land Surveying unless expressly approved by his Agent, with notification to the Department Monitor.
- v. Applicant shall abide by all rules and conditions of his extended supervision sentence.
- vi. Applicant shall report to the Section any change of employment status, residence, address or telephone number within five (5) days of the date of change.
- vii. 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 forty-eight (48) hours of any such event, including any convictions resulting from pending charges.

4. After successful completion of Applicant's extended supervision sentence, Applicant may petition the Section for full, unrestricted license. The Section may grant or deny any petition, in its discretion, or may modify this Order as it sees fit. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Applicant shall not have a right to any further hearings or proceedings on the denial.

5. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered to:

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

You may also submit this information online via DSPS' Monitoring Case management System at: <https://dpsmonitoring.wi.gov>

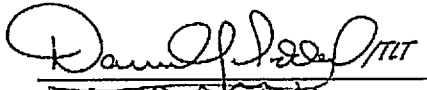
6. In the event Applicant violates any term of this Order, Applicant's license, or Applicant's right to renew his license, may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing. The Section or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Section or its designee. The Section 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.

7. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, supervision, and any other expenses associated with compliance with the terms of this Order.

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

PROFESSIONAL LAND SURVEYORS SECTION OF THE WISCONSIN EXAMINING
BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS, PROFESSIONAL LAND SURVEYORS, AND REGISTERED INTERIOR
DESIGNERS

By:


A Member of the Section

03/06/2023

Date

STATE OF WISCONSIN
BEFORE THE PROFESSIONAL LAND SURVEYOR SECTION
OF THE WISCONSIN EXAMINING BOARD OF ARCHITECTS,
LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS, PROFESSIONAL LAND SURVEYORS, AND
REGISTERED INTERIOR DESIGNERS

IN THE MATTER OF APPLICATION FOR
RENEWAL OF A
PROFESSIONAL LAND SURVEYOR
REGISTRATION

:
:
:
:
:
:
:

STIPULATION

WILLIAM WENZEL,
APPLICANT.

ORDER 0008424

It is stipulated between Applicant and the Professional Land Surveyor Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers (Section) as follows:

1. Applicant filed an application to renew a Professional Land Surveyor registration.
2. Information received by the Section reflects a basis for denial of the renewal application.
3. Based upon the information of record, the Section agrees to issue, and Applicant agrees to accept, an Order granting a Professional Land Surveyor registration, 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 License by the Section. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.

7. Applicant waives all rights to any appeal of the Section's Order, as adopted in the form as attached.

8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.



William Wenzel

GENERAL ATTORNEY 43202 Prairie du Sac, WI
License No. 2128-8 53578

March 1, 2023
Date



A Member of the Professional Land Surveyor Section
of the Wisconsin Examining Board of Architects,
Landscape Architects, Professional Engineers,
Designers, Professional Land Surveyors,
and Registered Interior Designers
P.O. Box 8935
Madison, WI 53708-8935

03/06/2023

Date