

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
PRIVATE SECURITY PERSON PERMIT
RENEWAL APPLICATION FOR

ORDER GRANTING
LIMITED LICENSE

EVELONIA HARDISON,
APPLICANT.

ORDER 0008519

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

Evelonia Hardison
Milwaukee WI 53209

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 renewal 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. Evelonia Hardison (Applicant) was initially granted her Wisconsin Private Security Person permit (52672-108) on or about June 24, 2015.
2. Department records show the following credential history:
 - A. Credential granted June 24, 2015.
 - B. Credential expired on or about September 1, 2016.
 - C. Credential renewed on or about January 13, 2017.
 - D. Credential expired on or about September 5, 2018.
3. Information received in the application process establishes that Applicant has the following:
 - A. On or about May 17, 2017 – Theft of Property, an ordinance violation.
 - i. Applicant stated she was very ill rushing to the restroom. Applicant stated she was stopped and given a wallet to turn in. Applicant thought she turned

the wallet into the office and rushed back to her post. Two (2) days later she was called and accused of stealing the wallet. Applicant states she realized where she left the wallet and was unable to find it retracing her steps.

- ii. The police report states while working security at a mall, Applicant was given a wallet by a store employee that had been found in a dressing room. Applicant failed to follow security procedure as she did not call the lost item in over the radio to inform command center, nor did she turn in the lost item to the command center. Video footage showed Applicant receiving the wallet. When questioned initially, Applicant denied ever receiving the wallet. A day later Applicant stated she recalled receiving the wallet, going to the bathroom, and leaving it in the bathroom. Applicant paid a fine.
- iii. Department records show no evidence Applicant reported this Theft of Property violation to the Department.

4. 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. §§ 440.08(4) and 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(6)(a)2., the Department may deny an application for engaging in conduct reflecting adversely on their professional qualification.

- a. By the conduct described in the Findings of Fact, Applicant violated Wis. Stat. § 440.26(6)(a)2., by engaging in conduct reflecting adversely on her professional qualification.
- b. This theft occurred while Applicant was working as a Private Security Person.
- c. Applicant had access to a wallet due to her position in a trusted security position for the mall.
- d. Applicant's actions resulting in the loss of the wallet did not comply with multiple security standard operating procedures demonstrating traits that are inapposite to traits necessary to engage in providing private security services with minimal competence.

3. Pursuant to Wis. Stat. § 440.08(4), the Department may deny the Applicant's application for renewal of her Private Security Person permit to protect the public health, safety, or welfare.

4. By the conduct described in the Findings of Fact, limitations on Applicant's credential are necessary to protect the public health, safety, or welfare, pursuant to Wis. Stat. § 440.08(4).

- a. Private Security Persons are responsible for maintaining order, upholding rules, and protecting the security of private persons, the public and/or private property.

5. Pursuant to Wis. Stat. § 440.26(4m)(b) and Wis. Admin. Code § SPS 35.01(2), Applicant was required to report her violation to the Department within 48 hours.

6. As a result of the conclusions stated above, Applicant's Private Security Person permit renewal application is subject to denial, pursuant to Wis. Stat. §§ 440.08(4) and 440.26(4m)(b), and Wis. Admin. Code § SPS 35.01(2)

ORDER

- 1. The attached Stipulation is accepted.
- 2. Applicant's Private Security Person permit (52672-108) is LIMITED as follows:

A. For a period of at least two (2) years from the date of this Order Applicant shall comply with the following:

i. Practice Limitations

- 1. Applicant shall show a copy of this Order to Applicant's 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 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.
- 2. 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.

ii. Reporting Requirements

- 1. Applicant shall arrange for written reports from Applicant's Private Security Person supervisor(s) to be provided to the Department Monitor on a quarterly basis, beginning ninety (90) days from the date of this Order. These reports shall describe the circumstances of

Applicant's employment, assess 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.

2. Applicant is responsible for compliance with all of 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.

iii. Department Monitor

1. 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
4822 Madison Yards Way, P.O. Box 7190
Madison, WI 53707-7190
Fax: (608) 266-2264
Telephone: (608) 267-3817
dspsmonitoring@wi.gov

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

iv. Petition for Modification or Termination

1. Applicant may petition the Department to lift or revise the Practice Limitations and Reporting Requirements set forth above upon demonstration of continuous, successful practice in compliance with the terms of the Order for at least one year. "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.

v. Costs

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

vi. Suspension

1. 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.

Dated at Madison, Wisconsin this 21 day of April, 2023.

 /ALC

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
PRIVATE SECURITY PERSON PERMIT
RENEWAL APPLICATION FOR

EVELONIA HARDISON,
APPLICANT.

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STIPULATION

ORDER 0008519

Applicant Evelonia Hardison and the Department of Safety and Professional Services stipulate as follows:

1. Applicant filed an application to renew Private Security Person permit (52672-108).
2. Information received by the Department reflects a basis for denial of Applicant's renewal application.
3. Based upon the information of record herein, the Department agrees to issue and Applicant agrees to accept an Order Granting a Limited License for renewal of 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 a hearing on the conduct allegations against Applicant, related to the denial of the renewal application, 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 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 Department. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License 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 License is a public record and will be published in accordance with standard Department procedure.

Evelonia Hardison
Evelonia Hardison, Applicant
Milwaukee WI 53209
Permit no. 52672-108

4-1-2023
Date

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

04/21/2023
Date