

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 DISCIPLINARY | : | |
| PROCEEDINGS AGAINST | : | |
| | : | FINAL DECISION AND ORDER |
| JBM PATROL & PROTECTION CORP, | : | |
| RESPONDENT. | : | ORDER 00087 16 |

Division of Legal Services and Compliance Case Nos. 22 RAL 003 and 22 RAL 010

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

JBM Patrol & Protection Corp
Edina, MN 53713

Department of Safety and Professional Services
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent JBM Patrol & Protection Corp is permitted by the State of Wisconsin as a private detective agency, having permit number 15093-62, first issued on March 21, 1990 and current through August 31, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Edina, Minnesota 53713.

22 RAL 003

2. On January 15, 2022, the Department received a complaint alleging that Respondent had assigned Complainant to perform private security services when Complainant did not possess a private security person permit (permit). The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 22 RAL 003 for investigation.

3. In early July 2021, Respondent hired Complainant, who did not possess a permit.
4. On July 26, 2021, Complainant submitted an incomplete application for a permit.
5. On July 30, 2021, the Department emailed Complainant to ask her to complete her application. No response was received.
6. In August or September 2021, Complainant asked Respondent's Human Resources representative why she had not yet received her permit. Respondent's Human Resources representative discovered that Complainant's application was incomplete.
7. On January 27, 2022, the Department contacted Respondent to request a response to the complaint.
8. On February 10, 2022, Respondent's attorney acknowledged that it was Respondent's responsibility to confirm that Complainant had obtained the required credential in order to work as a private security person, and stated that Respondent had taken measures to ensure that a similar issue would not occur in the future.

22 RAL 010

9. On March 11, 2022, the Department received a complaint alleging that Respondent had assigned an unpermitted individual to perform private security services. DLSC subsequently opened Case Number 22 RAL 010 for investigation.
10. The complaint stated that Complainant, a different private detective agency, had received an employment application from an individual (Applicant) who listed Respondent as a prior employer. Complainant discovered that Applicant had never possessed a permit.
11. On March 14, 2022, Applicant told the Department that he had worked for Respondent in 2019 and 2020, and that he did not possess a permit.
12. On March 14, 2022, the Department contacted Respondent to request a response to the complaint.
13. On March 29, 2022, Respondent's attorney stated that Applicant had worked as a security guard for Respondent in three separate time periods, in 2018, 2019, and 2020.
14. According to Department records, Applicant had submitted an application for a permit on October 12, 2020, but a permit was never granted.
15. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The 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, Respondent engaged in conduct reflecting adversely on its professional qualifications pursuant to Wis. Admin. Code § SPS 35.01(13) by assigning individuals to perform private detective or security personnel duties when they had not been issued a license or permit.

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 440.26(6)(a)2., and 4. and Wis. Admin. Code § SPS 35.01.

ORDER

1. The attached Stipulation is accepted.

2. Respondent JBM Patrol & Protection Corp is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Respondent JBM Patrol & Protection Corp shall pay the COSTS of this matter in the amount of \$365.

4. All submissions, including payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent 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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Submissions may also be made online at: <https://dpsmonitoring.wi.gov/>

5. In the event Respondent violates any term of this Order, Respondent's permit (number 15093-62), or Respondent's right to renew its permit, may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent 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.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

by: Aloysius Rohmeyer DSPS Chief Legal Counsel 19 August 2023
A Member of the Department Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JBM PATROL & PROTECTION CORP,
RESPONDENT.

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:
:

STIPULATION
ORDER 0008716

Division of Legal Services and Compliance Case Nos. 22 RAL 003 and 22 RAL 010

Respondent JBM Patrol & Protection Corp 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. Respondent consents to the resolution of this
investigation by Stipulation.

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

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

3. Respondent is aware of Respondent's right to seek legal representation and has
been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent
is represented by Attorney Josh Johanningmeier.

4. Respondent agrees to the adoption of the attached Final Decision and Order by
the 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. Respondent waives all rights to any appeal of the
Department's order, if adopted in the form as attached.

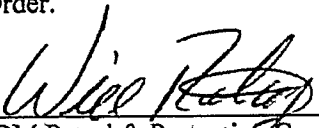
5. If the terms of this Stipulation are not acceptable to the Department, the parties
shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the

Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

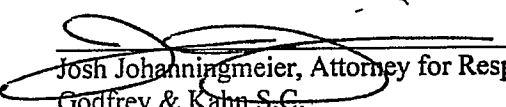
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Department ever assigned as an advisor in this investigation may appear before the Department in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Department may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Department should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.


8. The Division of Legal Services and Compliance joins Respondent in recommending the Department adopt this Stipulation and issue the attached Final Decision and Order.


JBM Patrol & Protection Corp, Respondent
Edina, MN 53713
Credential No. 15093-62

7/12/23
Date


Josh Johanningsmeier, Attorney for Respondent
Godfrey & Kahn S.C.
PO Box 2719
Madison, WI 53701

July 12, 2023
Date


Megan Reed, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

07/12/2023
Date