

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

WHELAN SECURITY OF ILLINOIS, INC.
DBA GARDAWORLD SECURITY SERVICES,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

ORDER 0008847

Division of Legal Services and Compliance Case No. 22 RAL 005

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

Whelan Security of Illinois, Inc.
DBA Gardaworld Security Services
St. Louis, MO 63144

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

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. Whelan Security of Illinois, Inc. DBA Gardaworld Security Services (Respondent), is licensed by the State of Wisconsin as a private detective agency, having license number 16156-62, first issued on October 3, 2001 and current through August 31, 2025. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in St. Louis, Missouri 63144.

2. On January 24, 2022, the Department received a complaint alleging that Respondent employed private security persons who did not possess proper credentials. The

Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 22 RAL 005 for investigation.

3. Respondent provided a response to the complaint explaining that it had subcontracted work from another agency on January 7, 2022, and due to an oversight, it had allowed one individual (J.J.) to work as a private security person in Wisconsin without a credential. Respondent removed J.J. from the job site as soon as it discovered that the individual did not have a credential.

4. As part of its investigation, the Department determined that Respondent had failed to notify the Department in writing within 5 days after termination of employment of private security personnel.

5. The Department also determined that Respondent allowed unlicensed individuals besides J.J. to work as private security personnel.

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

CONCLUSIONS OF LAW

1. The Department 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 professional qualification pursuant to Wis. Admin. Code § SPS 35.01(9), by violating Wis. Admin. Code § SPS 32.06(2), by failing to notify the department in writing within 5 days after the termination of employment of a private security person.

3. By the conduct described in the Findings of Fact, Respondent engaged in conduct reflecting adversely on professional qualification pursuant to Wis. Admin. Code § SPS 35.01(13), by assigning any person to perform private detective or security personnel duties who has not been issued a license or permit prior to performing the services.

4. As a result of the above conduct, 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 is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,198. If costs are not paid within ninety (90) days from the date of this Order, interest shall accrue at the statutory rate of 12%, pursuant to Wis. Stat. § 440.22(2).

4. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted 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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dspsmonitoring.wi.gov>

5. In the event Respondent violates paragraph 3 of this Order related to payment of costs, Respondent's permit (number 16156-62), 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
Aloysius Rohmeyer, Chief Legal Counsel
on behalf of the Department

11/7/2023
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

WHELAN SECURITY OF ILLINOIS, INC.
DBA GARDAWORLD SECURITY SERVICES,
RESPONDENT.

STIPULATION

ORDER 0008847

Division of Legal Services and Compliance Case No. 22 RAL 005

Whelan Security of Illinois, Inc. DBA Gardaworld Security Services (Respondent) 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 Frederick L. Warren.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin 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 may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

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 that the Department adopt this Stipulation and issue the attached Final Decision and Order.

Ben Zaring

Ben Zaring (Oct 30, 2023 14:15 CDT)

Ben Zaring for
Whelan Security of Illinois, Inc.
DBA Gardaworld Security Services, Respondent
St. Louis, Missouri 63144
Permit No. 16156-62

10/30/23

Date

Frederick L. Warren
Frederick L. Warren, Attorney for Respondent
271 17th St., NW
Suite 1900
Atlanta, GA 30363

10/26/23
Date

Megan Reed

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

10/30/2023

Date