

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF APPLICATION FOR A :  
PRIVATE SECURITY PERSON PERMIT :  
: ORDER GRANTING  
: LIMITED PERMIT  
JOHN TEKULA, :  
APPLICANT. :

ORDER 0008902

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

John Tekula  
Marshall, WI 53559

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. John Tekula (Applicant) applied for a Private Security Person Permit issued by the Department (#IA-105280).

2. Information reviewed in the application process establishes that Applicant has the following record:

- A. On or about May 13, 1982, Operate Motor Vehicle While Intoxicated, a violation of unknown severity.
- B. On or about June 6, 1984, Operate Motor Vehicle While Intoxicated, a violation of unknown severity.
- C. On or about February 7, 1991, Disorderly Conduct, a violation of unknown severity.
- D. On or about February 7, 1991, Resisting or Obstructing an Officer, an ordinance violation.
- E. On or about February 7, 1991, Resisting or Obstructing an Officer, a misdemeanor violation.
- F. On or about August 30, 2004, Battery, a misdemeanor violation.

3. Further information on file establishes the following:

- A. On or about June 6, 2023, Applicant submitted application #IA-105280 for a Private Security Person Permit, answering “Yes” to question six (6) of the Application Questionnaire, which asks:
  - i. Have you ever been convicted of a misdemeanor, felony, or other violation of federal or state law or do you have any felony, misdemeanor, or other violation of federal or state law charges pending against you in this state or any other? This includes convictions resulting from a plea of no contest, a guilty plea, or verdict. If YES, submit Convictions and Pending Charges Form #2254 and required documentation.
- B. On or about June 20, 2023, Applicant submitted Convictions and Pending Charges Form 2254 to the Department, reporting only his 2004 Battery misdemeanor violation, and omitting all other convictions and violations, as outlined in Findings of Fact paragraph 2. A.-E.
- C. A subsequent review of Applicant’s criminal history reports received on or about August 30, 2023, revealed the two (2) Operate Motor Vehicle While Intoxicated violations, the Disorderly Conduct violation, the Resisting or Obstructing an Officer ordinance violation, the Resisting or Obstructing an Officer misdemeanor conviction, and Applicant’s reported Battery misdemeanor conviction.

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. §§ 440.26(2)(c)5. and 440.26(6)(a)3., and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. §§ 440.26(2)(c)5. and 440.26(6)(a)3. and Wis. Admin. Code §§ SPS 31.05(1)(a), SPS 31.05(1)(e), and SPS 35.01(17), the Department may deny an application for a Private Security Person Permit if the applicant commits fraud or misrepresentation in the application, such as failing to disclose and/or provide required information and explanation about a violation.

- A. By Applicant’s conduct as outlined in Findings of Fact paragraph 3. B., Applicant failed to disclose his two (2) Operate Motor Vehicle While Intoxicated violations, the Disorderly Conduct violation, the Resisting or Obstructing an Officer ordinance violation, and the Resisting or Obstructing an Officer misdemeanor conviction as required in the

application and as directed by question six (6) of the Application Questionnaire.

3. As a result of the above Findings of Fact and Conclusions of Law, Applicant's Private Security Person Permit application is subject to limitations, pursuant to Wis. Stat. §§ 440.26(2)(c)5., 440.26(6)(a)3 and Wis. Admin. Code §§ SPS 31.05(1)(a), SPS 31.05(1)(e), and SPS 35.01(17).

### ORDER

1. The attached Stipulation is accepted.

2. Applicant's application for a 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 provide a copy of this Order to his 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 his 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 his work performance and verify that he 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 requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, or delivered to:

DEPARTMENT MONITOR  
Division of Legal Services & Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone: (608) 266-2122  
[dspsmonitoring@wi.gov](mailto: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 Limitations 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.

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 12 day of December, 2023.



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

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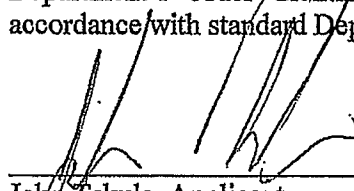
IN THE MATTER OF APPLICATION FOR A	:	
PRIVATE SECURITY PERSON PERMIT	:	
	:	STIPULATION
JOHN TEKULA,	:	
APPLICANT.	:	<b>ORDER 0008902</b>

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John Tekula (Applicant) and the Department of Safety and Professional Services (Department) stipulate as follows:

1. Applicant filed an application for a Private Security Person Permit (#IA-105280).
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.

  
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John Tekula, Applicant  
Marshall, WI 53559  
Application No. IA-105280

12/6/23  
Date

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

12/12/2023  
\_\_\_\_\_  
Date