

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 APPLICATION FOR A	:	
PRIVATE SECURITY PERSON PERMIT	:	
	:	ORDER GRANTING
	:	LIMITED PERMIT
MYISHA HONEYCUTT,	:	
APPLICANT.	:	

ORDER 0008939

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

Myisha Honeycutt
Milwaukee, WI 53233

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. On or about November 09, 2023, Myisha Honeycutt (Applicant) applied for a Private Security Person Permit with the Department (#IA-173343).
2. Information received in the application process establishes that Applicant has the following convictions:
 - A. On or about January 24, 2023 – Possess Drug Paraphernalia, a misdemeanor conviction.
 - i. According to the Criminal Complaint, Applicant was pulled over on suspicion of driving a stolen vehicle with two juveniles in the vehicle. Applicant was taken into custody and during the search of Applicant's person, Officers found a scale in her purse and substances that tested positive for cocaine and methamphetamine in her jacket.
 - B. On or about July 06, 2023 – Prostitution-Nonmarital Sexual Intercourse, a misdemeanor conviction.

C. On or about July 06, 2023 – Neglecting a Child [Specified Harm Did Not Occur], a misdemeanor conviction.

D. On or about July 06, 2023 – Neglecting a Child [Specified Harm Did Not Occur], a misdemeanor conviction.

- i. According to the Criminal Complaint, Applicant was subject to a traffic stop for driving with a suspended vehicle registration. Applicant was found to be scantily clad. A witness approached the Officer and confessed he was there to exchange money for sexual intercourse. A welfare check was performed at the Applicant's house and two minor children (aged 7 and 8 years old) were found to be in the home alone.

3. 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(5m)(am) and 111.335(3)(a)1. and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 440.26(5m)(am) and Wis. Admin. Code §§ SPS 31.05(1)(e) and 35.01(2), the Department may refuse to issue a Private Security Person permit to a person who has been convicted of a misdemeanor or found to have violated any state or local law that is punishable by a forfeiture, subject to Wis. Stat. §§ 111.321, 111.322, and 111.335.

3. Pursuant to Wis. Stat. § 111.335(3)(a)1., it is not employment discrimination because of conviction record to refuse to license, or to bar or terminate from licensing, any individual who has been convicted of any misdemeanor or other offense the circumstances of which substantially relate to the circumstances of the particular job or licensed activity.

4. A substantial relationship occurs where “the tendencies and inclinations to behave a certain way in a particular context are likely to reappear later in a related context, based on the traits revealed.” *County of Milwaukee v. Labor & Indus. Review Comm’n*, 139 Wis. 2d 805, 824 (1987). The crux of the inquiry is the circumstances which foster criminal activity, e.g. the opportunity for criminal behavior, the reaction to responsibility, or the character traits of the person. *Id.*

5. The facts and circumstances of Applicant's violations are substantially related to the practice of a Private Security Person.

A. A Private Security Person is responsible for maintaining order, upholding rules, and protecting the security of people and property.

- B. The circumstances of Applicant's convictions are substantially related to the practice of private security to the extent they exhibit traits of disregard for the law and endangering minors and others.

6. As a result of the above Findings of Fact and Conclusions of Law, Applicant's Private Security Person Permit application is subject to limitations or denial, pursuant to Wis. Stat. §§ 440.26(5m)(am) and 111.335(3)(a)1., and Wis. Admin. Code §§ SPS 31.05(1)(e) and SPS 35.01(2).

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 (2) years from the date of this Order as follows:

A. Practice Limitations

- i. Applicant shall show a copy of this Order to her 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.
- ii. Applicant shall show a copy of this Order to her current and any future probation agent(s) assigned for probation ordered in Waukesha County Circuit Court Case No. 2022CF001427. Applicant shall provide the Department of Safety and Professional Services Monitor (Department Monitor) with written acknowledgement from each probation agent that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitor within thirty (30) days of being assigned a new probation agent and/or within thirty (30) days of the date of this Order for probation agent assignment that is current as of the date of this Order.
- iii. 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.

B. Reporting Requirements

- i. Applicant shall arrange for written reports from her 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 her 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.
- ii. Applicant shall arrange for written reports from her probation agent(s) assigned for probation ordered in Waukesha County Circuit Court Case No. 2022CF001427 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 probation and verify that she is in compliance with the terms of her probation.

C. Applicant shall comply with terms of and successfully complete her probation sentence in Waukesha County Circuit Court Case No. 2022CF001427. Upon successful completion of her probation, Applicant shall arrange for her probation agent to provide evidence of successful completion to the Department Monitor.

4. The Department Monitor is the individual designated by the Department as its agent to coordinate compliance with the terms of this Order. Any information required by this Order shall be mailed, emailed or delivered to:

DEPARTMENT MONITOR
Department of Safety and Professional Services
Division of Legal Services & Compliance
P.O. Box 7190, Madison, WI 53707-7190
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>

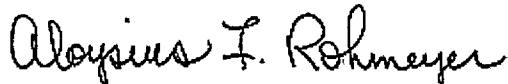
5. Applicant may petition the Department to lift or revise the Limitations set forth above upon demonstration of continuous, successful practice in compliance with the terms of the Order for at least two (2) years. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Department or its designee, and successful completion of probation ordered in Waukesha County Circuit Court Case No. 2022CF001427. 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 05th day of January, 2024.

A handwritten signature in cursive script, reading "Aloysius F. Rohmeyer". The signature is written in dark ink and is positioned above a horizontal line.

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

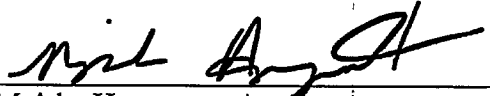
IN THE MATTER OF APPLICATION FOR A :
PRIVATE SECURITY PERSON PERMIT :
: STIPULATION
MYISHA HONEYCUTT, :
APPLICANT. :

ORDER 0008930

Myisha Honeycutt (Applicant) and the Department of Safety and Professional Services (Department) stipulate as follows:

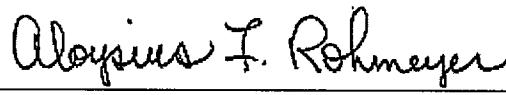
1. Applicant filed an application for a Private Security Person Permit (#IA-173343).
2. Information received by the Department reflects a basis for denial of Applicant's application.
3. Based upon the information of record, the Department agrees to issue, and Applicant agrees to accept, an Order granting 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.



Myisha Honeycutt, Applicant
Milwaukee, WI 53233
Application no. IA-173343

1/3/2024
Date



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

01/05/2024
Date