



“...meeting community needs...enhancing quality of life.”

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TO: Safety and Licensing Committee  
Common Council

FROM: Lt. Ben Goodin

DATE: 11/17/23

RE: Police Department’s Recommendation for Denial of Andrew DeRuyter’s Bartender License Application

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Committee Members:

The police department is requesting that the Safety and Licensing Committee recommend to the Common Council to deny Andrew DeRuyter’s application for a Bartender license.

Wis. Stat §125.04(5)(a)1., does not allow issuance of licenses or permits to those with an arrest or conviction record unless denial would constitute prohibited employment discrimination. Pursuant to Wis. Stat. §111.335, it is not employment discrimination for a licensing agency to deny an applicant based on conviction record where the circumstances of the conviction substantially relate to the circumstances of the particular licensed activity.

**STATEMENT ON SUBSTANTIAL RELATIONSHIP**

Mr. DeRuyter was convicted of Child Abuse – Recklessly Cause Harm in Outagamie County case # 2015CF000205; Strangulation and Suffocation and Battery in Outagamie County case # 2014CF000388; and 4<sup>th</sup> Degree Sexual Assault in Outagamie County case #2005CF000877. The offenses listed above are violations of Chapter 940 of the Wisconsin Statutes.

The above convictions are for exempt offenses under Wis. Stat. §111.335(1m)(b). Under Wis. Stat. §111.335(4)(c)2., there is no requirement for the licensing agency to state its reasons for denial in writing or to allow the individual an opportunity to show rehabilitation and fitness to engage in the licensed activity.

Mr. DeRuyter does not meet the requirement of Wis. Stat §125.04(5)(a)1. A license or permit related to alcohol beverages consequently may not be issued.

Very Respectfully:

Lt. Ben Goodin  
Appleton Police Department