TO: Safety and Licensing Committee

FROM: Lt. Jeff Miller

DATE: 01/09/2019

RE: Denial of Mark Stein

Committee Members:

The police department is requesting that the Safety and Licensing Committee recommend to the Common Council to deny Mark Stein's application for a bartender's license. Mr. Stein has been convicted of an offense under Wisconsin statutes 111.335(4)(h)2. Specifically, the offense was 948.02(2) (2004 CF 488).

The current legislative guidance under S.S. 111.333(1m)(b)1 says that we do not need to "state reasons (for denial) in writing nor have any requirement for allowing the individual to show rehabilitation and fitness."

For consistencies sake, however, we have attached, for the committee's edification, Mr. Stein's very lengthy conviction record.

Mr. Stein is a habitual law offender and his criminal history is full of substantially related offenses that we feel should bar him from a bartender's license.

We would highlight these two specific convictions that are substantially related to the selling of alcohol. First, Mr. Stein's most recent conviction for Possession with intent to sell heroin/maintaining a drug trafficking place/neglecting a child is most concerning (2015 CF 676). For this offense he is on parole and has specific rules regarding absolute sobriety.

Additionally, Mr. Stein's arrest for disorderly conduct/resisting or obstructing an officer shows his continued disregard for authority and rules. In this case (2013 CM 517) he was on probation when he ran from police. Mr. Stein has made dubious decisions from 2003 (first conviction) until the present time. It seems the only break in convictions is when he is in jail.

In conclusion, we would note, once again, this committee's prior recognition that even though Mr. Stein is applying for this license for his job at a gas station, he may seek employment at any licensed premise if a license is granted. We feel this is not worth the potential risk to the community.

Very Respectfully Submitted:

Lt. Jeff Miller
Appleton Police Department