

private fire investigation in this state. The Board has control and supervision of the licensed occupations and enforcement of the terms and provisions of § 324.1100 to 324.1148, RSMo.

2. Donald W. Warren currently resides at 2194 East Bearfield Subdivision, Columbia, Missouri 65203.

3. Warren is a male born May 18, 1978.

4. On or about April 11, 2012, Warren completed the application form for licensure as a private investigator agency employee.

5. On his application, Warren answered "yes" to the following questions:

a. Question 2: "Have you ever had an application for professional license denied, refused or disciplined in this state or any other state or country;" and

b. Question 3: "Have you ever been convicted or entered a plea of guilty or nolo contendere to a criminal offense, regardless of the disposition and including the receiving of a suspended imposition of sentence?"

6. With his application, Warren included a statement regarding his answer to question number

3. In his statement, Warren:

a. Stated that in 1997, at the age of 18, he was charged with the class D felony of Unlawful Use of a Weapon. He stated that he pled guilty to the charge on November 8, 1999. He stated that in 1997, at the time of the charge, he lived in Crawford County, Missouri and commuted two hours to St. Louis, Missouri for work. He stated that he went from a rural town to a "big urban city, one that has made a name for being very dangerous." He stated that because of the perceived danger, he carried a small handgun in his vehicle. He stated that because he was under 21 years of age, it was unlawful to carry the weapon. He stated that on June 15, 1997, he was in an argument with a resident of Steelville, Missouri in front of a gas station in Steelville. He stated that because of the argument, the police were called to investigate. He stated that "Steelville, Missouri is a very small town of around 1,200 people. Most families know each other, and disputes between families can last generations. The handgun I carried was no secret, and many people knew I carried it. During the investigation of the argument,

the other person involved told the police I had a gun. When the officer asked if I did carry a gun, I told the officer yes, and showed him where it was located. I was then handcuffed and taken in to the county jail."

- b. Stated that after the 1999 plea of guilty to a felony, he had no other felony charges, but did have several misdemeanor offenses. He stated "I believe I have a misdemeanor trespassing, from Crawford County, and a misdemeanor possession of drug paraphernalia also from Crawford County." He stated that the trespassing was received "during a domestic argument over custody rights of a child. The argument was not on my property, and when the mother of the child did not want to work with me she called the police to have me removed and charged with trespassing. Because of my criminal background, the officer did not even consider my side, and I was taken to jail." He stated that the drug paraphernalia charge occurred during a traffic stop when Warren allowed a Crawford County officer to search his vehicle. Warren stated "during the search the officer had me open my trunk, which I did. In my trunk was a 100 year old set of scales still in the box. These scales were never used for drugs, and were very valuable. The officer took them and charged me with possession of drug paraphernalia." Warren also stated that "no drugs were found, and I have never been charged with possession of drugs at any time in my life."
- c. Stated that the last charge, "and the newest, was the result of too much drinking." He stated that on September 30, 2004, he was charged with peace disturbance, first offense, in Columbia, Missouri. He stated that he pled guilty to the offense on February 14, 2005.
- d. Finally, he stated that "because of the felony, I spent time in Missouri's Department of Corrections. While I was incarcerated I attended anger management classes, as well as other pro-social classes to help me with reentry back into society. I earned my GED while I was in the D.O.C., and when I was released I moved to Columbia, Missouri." He stated that he earned a B.A. in Sociology with minors in Criminal Justice and Psychology, graduating with a 3.37 GPA in May 2010. He stated he immediately began a graduate program to earn a Masters of Science in Criminal Justice Administration. He stated he has a 4.0 GPA in his graduate program and is very active in the criminal justice field in Missouri. He stated he

works with the local police department and volunteers with many organizations "as a way to help any damage I may have caused during my youth."

7. A review of Warren's Missouri criminal history revealed:
 - a. On or about November 8, 1999, Warren pled guilty to the class D felony of Unlawful Use of a Weapon in the Circuit Court of Crawford County, Missouri, case number 42R029700665. The Court sentenced Warren to five years in Missouri Department of Corrections, 119 days shock detention. Following the shock detention, the Court placed Warren on five years probation. On or about September 4, 2001, the Court then revoked Warren's probation and sentenced him to complete the five years sentence in Missouri Department of Corrections.
 - b. On or about March 5, 1999, Warren pled guilty to the class A misdemeanor of possession of drug paraphernalia in the Circuit Court of Crawford County, Missouri, case number CR29831M. The Court suspended the imposition of sentence and placed Warren on two years probation. The Court revoked Warren's probation and ordered Warren to serve five days in confinement.
 - c. On or about July 30, 1999, Warren pled guilty to the class A misdemeanor of resisting or interfering with arrest in the Circuit Court of Crawford County, Missouri, case number 99000499M. The Court ordered Warren to serve two days in confinement.
 - d. On or about February 14, 2005, Warren pled guilty to the class B misdemeanor of peace disturbance, first offense, in the Circuit Court of Boone County, Missouri, case number 04CR170410. The Court placed Warren on two years probation.

8. Warren is employed by private investigator agency Risk Management Research & Investment, Inc., Private Investigator Agency license number 2011011124, located at 1 East Broadway Suite Z, Columbia, Missouri 65203. Risk Management Research & Investment, Inc. is under the direction of Private Investigator-In-Charge Ricky B. Gurley, private investigator license number 2011011072.

9. Warren appeared before the Board at its regularly scheduled meeting on July 12, 2012 to discuss his application. He testified as to his criminal history, rehabilitation, education, volunteer efforts and experience.

II.

CONCLUSIONS OF LAW

10. The Board has cause to deny or refuse Warren's application for a private investigator agency employee license pursuant to § 324.1112.1(2) and (3), RSMo, which provides:

1. The Board may deny a request for a license if the applicant:

(2) Has been convicted of or entered a plea of guilty or nolo contendere to a felony offense, including the receiving of a suspended imposition of sentence following a plea or finding of guilty to a felony offense;

(3) Has been convicted of or entered a plea of guilty or nolo contendere to a misdemeanor offense involving moral turpitude, including receiving a suspended imposition of sentence following a plea of guilty to a misdemeanor offense[.]

11. As a result of Warren's convictions for unlawful use of a weapon, possession of drug paraphernalia, resisting arrest and peace disturbance, the Board has cause to deny or refuse Warren's application for a private investigator agency employee license pursuant to § 324.1112.1(2) and (3), RSMo.

12. As an alternative to refusing to issue a license, the Board may, at its discretion, issue a license subject to probation, pursuant to § 324.038.1, RSMo, which provides:

Whenever a board within or assigned to the division of professional registration, including the division itself when so empowered, may refuse to issue a license for reasons which also serve as a basis for filing a complaint with the administrative hearing commission seeking disciplinary action against a holder of a license, the board, as an alternative to refusing to issue a license, may, at its discretion, issue to an applicant a license subject to probation.

13. The Board issues this Order in lieu of denial of Warren's application for a private investigator agency employee license. The Board has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

14. Based on the foregoing, Donald W. Warren is granted a private investigator agency employee license, which is hereby placed on **PROBATION** for a period of two (2) years from the effective date of this Order, subject to the terms and conditions set forth below.

IV.

TERMS AND CONDITIONS

15. During the aforementioned probation, Donald W. Warren shall be entitled to present himself and serve as a licensed private investigator agency employee subject to the following terms and conditions:

- A. During the disciplinary period, Warren shall keep the Board informed of his current work and home telephone numbers. Warren shall notify the Board in writing within ten days (10) of any change in this information.
- B. During the probationary period, Warren shall timely renew his license granted hereby and shall timely pay all fees required for licensure and comply with all other Board requirements necessary to maintain said license in a current and active state.
- C. During the probationary period, Warren shall accept and comply with unannounced visits from the Board's representatives to monitor compliance with the terms and conditions of this Order.
- D. During the disciplinary period, Warren shall appear in person for interviews with the Board or its designee upon request.
- E. Warren shall submit written reports to the Board on or before January 1, April 1, July 1, and October 1 during each year of the probationary period stating truthfully whether there has been compliance with all terms and conditions of this Order. The written report shall include the identity of all employers for whom Warren worked as a private investigator during the preceding reporting period. The first such report shall be received by the Board on or before October 1, 2012.
- F. Warren shall execute any release or provide any other authorization necessary for the Board to obtain records of his employment during the terms of the permit.
- G. Warren shall comply with all provisions of §§ 324.100 to 324.1148; all federal and state drug laws, rules, and regulations; and all federal and state criminal laws. "State" here includes the state of Missouri, all other states and territories of the United States, and the ordinances of political subdivisions of any state or territory. Warren shall immediately report any violation of this provision to the board in writing. Warren shall also immediately report any allegation that he has violated this provision to the Board, in writing. Examples of allegations of such a violation include, but are not limited to, any arrest, summons, inquiry by any law enforcement official into these topics, or inquiry into these topics by a health oversight agency. Warren shall sign releases or other documents authorizing and requesting the holder of any closed record related to this paragraph to release such records to the Board.
- H. Warren is hereby informed that the Missouri Board of Private Investigator and Private Fire Investigator Examiners will maintain this Order as an open record of the Board as provided in Chapters 610 and 324, RSMo. He shall truthfully answer any inquiry regarding his license status or disciplinary history.
- I. Warren shall immediately submit documents showing compliance with the requirements of this Order to the Board when requested.
- J. In the event the Board determines that Warren has violated any term or condition of this Order, the Board may, in its discretion, after an evidentiary hearing, suspend, revoke, or otherwise lawfully discipline Warren's license.

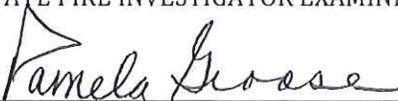
- K. No Order shall be entered by the Board pursuant to the preceding paragraph of this Order without notice and an opportunity for hearing before the Board in accordance with the provisions of Chapter 536, RSMo.
- L. If, at any time during the probationary period, Warren changes his address from the state of Missouri, or ceases to maintain his private investigator agency employee license current or active under the provisions of Chapter 324, RSMo, or fails to keep the Board advised of all current places of residence, the time of such absence, unlicensed or inactive status, or unknown whereabouts shall not be deemed or taken to satisfy any part of the probationary period.
- M. The Board retains jurisdiction to hold a hearing at any time to determine if a violation of this Order has occurred and, if a violation of this Order has occurred, may seek to amend this Order or impose further disciplinary or appropriate action at the discretion of the Board. No order shall be entered by the Board pursuant to this paragraph without any required notice and opportunity for a hearing before the Board as provided by Chapter 536, RSMo.
- N. Unless otherwise specified by the Board, all reports, documentation, notices, or other materials required to be submitted to the Board shall be forwarded to: Missouri Board of Private Investigator and Private Fire Investigator Examiners, P.O. Box 1335, Jefferson City, Missouri 65102.
- O. Any failure by Warren to comply with any condition of discipline set forth herein constitutes a violation of this Order.

16. This Order does not bind the Board or restrict the remedies available to it concerning any violation by Warren of the terms and conditions of this Order, Chapter 324, RSMo, or the regulations promulgated thereunder.

17. The Board will maintain this Order as an open, public record of the Board as provided in Chapters 324 and 610, RSMo.

SO ORDERED, EFFECTIVE THIS 18th DAY OF JULY, 2012.

MISSOURI BOARD OF PRIVATE INVESTIGATOR AND
PRIVATE FIRE INVESTIGATOR EXAMINERS



Pamela Groose, Executive Director

