



SCOTT ALLEN

STATE REPRESENTATIVE • 97TH ASSEMBLY DISTRICT

Testimony for AB 812

Chairman Nass and committee members, thank you for the opportunity to present to you today. This is a good bill worthy of your consideration and prompt action.

Could you imagine a family member of yours being served by a social worker who is a former bank robber and rapist?

What if I told you that that person was licensed by the State of Wisconsin? And that the State of Wisconsin had no idea of his criminal past when it issued the license?

I have been licensed by the State of Wisconsin since 1993 in the field of real estate. I've spent many hours sitting with people at their kitchen tables discussing personal matters. People have shared their personal finances with me. They have shared their social security numbers with me. They've written personal checks for earnest money deposits and entrusted me with the delivery and deposit of those funds. People have given me the keys to their houses.

Trust is essential for certain professional duties to be performed. A state license conveys a degree of trust.

When I learned last summer that a state licensed social worker had a very checkered past, one that included bank robbery and rape, I wondered, "how could the state issue a license for such a sensitive profession to someone like that?" Upon inquiry I learned that in most cases the penalty for intentional non-disclosure or lying on a license application was simply the loss of the license.

Is it possible that someone might perceive the benefits of a state license to be great enough to take the risk and lie? It might be a while before they get caught. All they would lose is the license, no other penalty. Hmm...

Last summer when the news broke about the rapist, bank robber with the social worker license, the Governor instructed the Department of Safety and Professional Services to begin auditing a 5% random sample of social worker licenses and doing background checks on those individuals.



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Perhaps the increased threat of being caught will deter people from lying. This was a good step in the right direction, yet it was only for social worker licenses.

Conducting background checks on every license applicant is simply cost prohibitive. There are approximately 371,000 licenses issued by DSPS. Preliminary estimates from DSPS for complete background checks for all licenses are close to \$60 million per biennium.

The idea behind the bill is that 1) there ought to be a significant penalty for intentional non-disclosure or misrepresentation on a license application, and 2) we ought to disclose the penalty on the application to appropriately warn people and deter people from making material misrepresentations.

Specifically, the bill provides that a person who intentionally makes a material misrepresentation or omission on a license application would be guilty of a Class A misdemeanor and face a potential penalty of a fine not to exceed \$10,000 or imprisonment not to exceed nine months, or both. The bill also requires DSPS to modify license application forms to include a statement regarding the prohibition of lying and the penalty that would result.

In crafting this bill both professional staff and legal counsel at DSPS were consulted.

I offer this bill as a reasonable and prudent step to better safeguard the integrity of our licensing process and to bolster the foundation of trust upon which our professional economy relies.

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JOURNAL SENTINEL WATCHDOG UPDATE

State to make background checks on 5% of social workers under program

By John Diedrich And Cary Spivak

Sept. 29, 2015

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Francis J. Deisler (left wearing the hat) and Wayne Leo Casper, enter the Continental Saving and Loan, 6500 N. 76th St., Milwaukee, to rob it on Oct. 4, 1972. The robbery was part of a crime spree that Deisler went on in late 1972 and early 1972. He raped at least two women and girl and committed several burglaries. After serving 10 years, he got out and become a social worker licensed in Wisconsin, Indiana and Michigan.

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Wisconsin regulators will soon conduct limited criminal background checks on a narrow slice of the state's social workers — a program being created after it was disclosed that it once licensed a serial rapist and bank robber.

The new checks will be done on about 5% — or about 500 — of the approximately 10,000 social workers licensed in Wisconsin. The checks, which are being done through the state Department of Justice, will provide regulators with an in-state "rap sheet" showing arrests, charges and convictions. However, the check will not provide information about federal crimes or crimes committed in other states.

Hannah Zillmer, a spokeswoman for the Department of Safety and Professional Services, said the program is a test. The current process works on an honor system, simply asking license applicants to disclose their criminal records but not verifying their answers unless they admit a criminal history.

The test program follows an investigation by the Journal Sentinel that examined the history of Francis Deisler, a serial rapist and bank robber who was licensed in 1993 by Wisconsin and as of earlier this year was a licensed clinical social worker before he let his license lapse. Deisler has recently come under investigation in Wisconsin, Michigan and Indiana for lying on his application.

The Journal Sentinel also disclosed that the state does not check criminal histories of prospective social workers.

The state uses the honor system for the more than 230 occupations regulated by the Department of Safety and Professional Services. The department last year issued nearly 40,000 licenses to people working in a wide array of professions ranging from barbers to physicians.

In the test program, about 500 social workers who are renewing their licenses will receive letters telling them that the state will run a criminal-background check on them.

It would be cost prohibitive to test all 10,000 state-licensed social workers, Dave Ross, department secretary, said in a letter this month to Kirsten Reader, administrator of the Division of Professional Credential Processing.

Background checks on all social workers would cost nearly \$150,000, plus an additional \$3 million in staff time over the two-year budget period, Ross wrote. The test program will cost \$8 per check or a total of \$4,000.

Zillmer said officials will review the results of the program to determine whether "to implement broader policy changes."

"Auditing a random sample of licenses will give the agency and the Social Work Section a clearer picture as to whether additional measures should be incorporated in the future," Ross wrote. Ross, a member of Gov. Scott Walker's cabinet, declined to be interviewed, referring questions to Zillmer.

She said background checks should pick up any criminal violations that occurred in Wisconsin that a social worker failed to report when they received or renewed their license in past years.

Some social workers already undergo background checks because they fall under Wisconsin's caregiver law requiring that people who make home health visits or provide services to the mentally ill and other vulnerable people have their backgrounds checked for criminal records by their employers.

Unlike Wisconsin, Michigan and Indiana — both of which also licensed Deisler — now run criminal background checks on everyone applying to be a social worker and many other licensed professions.

Ross wrote that the department surveyed surrounding states and found Illinois and Iowa have a program similar to Wisconsin's, while Michigan and Minnesota run fingerprint and criminal backgrounds. Indiana was not cited in Ross' letter.



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After the disclosure about Deisler, Walker said he was open to stricter regulations, though he did not call for a change in the law. Walker ordered Ross to review existing law to see if statutory changes needed to be made.

It's unknown whether Deisler, 76, who now lives in Indiana, listed his convictions on his original Wisconsin license application in 1993. That's because Wisconsin does not keep licenses after five years and a spokeswoman said she doesn't know whether the state asked applicants about criminal convictions when Deisler applied.

Indiana and Michigan do keep licenses. Based on those records, Indiana reprimanded Deisler this year for failing to report that he had changed his name. Michigan has filed a complaint against Deisler charging that he lied three times on his application — saying he had no conviction and giving a false date of birth and Social Security number.

Zillmer said a Wisconsin investigation of Deisler is ongoing.

Deisler was convicted of raping two women and a girl and of robbing a bank in the early 1970s. While in prison, he received a master's degree in counseling but did not receive a degree in social work, according to records in his criminal court file. Deisler was licensed as a social worker in Wisconsin in 1993.

After he was released from prison, Deisler moved to Indiana. He later founded the National Association of Forensic Counselors and the Forensic Training Institute, a training group.

The Michigan Board of Psychology Disciplinary Subcommittee voted this month to permanently suspend Deisler's license, said Michael Loepp, spokesman with that state's Department of Licensing and Regulatory Affairs.

Indiana reprimanded Deisler earlier this year for failing to notify the state he had changed his name. But officials took no other action on his convictions.



About John Diedrich

John Diedrich writes about crime, federal issues, ultimate fighting and guns. His investigations have been honored with various national awards including a George Polk Award for reporting on rogue gun stores and an IRE award for exposing botched undercover federal stings.

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Cary Spivak does investigative business projects and covers the casino industry. He has won numerous state and national awards.

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JOURNAL SENTINEL WATCHDOG UPDATE

Professional group calls for background checks on social workers

By John Diedrich and Cary Spivak of the Journal Sentinel

June 17, 2015

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Criminal court file exhibit

Francis J. Deisler (left wearing a hat) and Wayne Leo Casper entered the Continental Saving and Loan, 6500 N. 76th St., Milwaukee, to rob it on Oct. 4, 1972. The robbery was part of a crime spree that Deisler went on in 1972.

Wisconsin should run criminal background checks on all people applying to be social workers as a way of better protecting the public, according to a professional social workers group.

The Wisconsin chapter of the National Association of Social Workers has asked a state board that oversees licenses of social workers, therapists and others to take up the issue of conducting background checks on applicants, Executive Director Marc Herstand said.

Separately, Gov. Scott Walker opened the door Wednesday to stricter regulations, though he fell far short of calling for a change in the law, according to an email issued by his press secretary in response to questions from the Milwaukee Journal Sentinel.

Wisconsin runs on an honor system when it comes to criminal background checks for social workers and most of the more than 230 occupations regulated by the Department of Safety and Professional Services. The only time the agency runs a criminal background check on most license applicants is if a person admits having a criminal record or if it receives a complaint about a license holder. The agency issued nearly 40,000 licenses last year.

"If the state Legislature believes additional measures need to be implemented in the state licensing process, Governor Walker is willing to work with them and department officials," Laurel Patrick, Walker's press secretary, said in an email.

In addition, the governor's office on Wednesday directed Dave Ross, secretary of regulatory agency, to review the existing law "to determine whether there are statutory changes that need to be made," the email said.

State law does not prevent the agency from conducting criminal background checks on license applicants. The law also does not require the agency to conduct the reviews.

Spokeswomen for Assembly Leader Robin Vos (R-Rochester) and Assembly Majority Leader Jim Steineke (R-Kaukauna) said Wednesday that they would look into the issue. A spokesman for Senate Majority Leader Scott Fitzgerald (R-Juneau) did not return a call for comment.

Herstand, of the social workers association, said he assumed Wisconsin conducted background checks until he read a Journal Sentinel investigation on Francis Deisler, a convicted serial rapist and bank robber who was licensed in 1993 by Wisconsin and as of earlier this year was a licensed clinical social worker before he let his license lapse. Deisler has recently come under investigation in Wisconsin, Michigan and Indiana for lying on his application.

Unlike Wisconsin, Michigan and Indiana now run criminal background checks on everyone applying to be a social worker and many other licensed professions.

As part of their job, social workers may counsel sexual assault victims, abused children and the elderly and mentally ill patients, making it crucial that their background be checked, Herstand said.

"These are very vulnerable people," Herstand said. "There is no way someone who is a sex predator or rapist should be anywhere close to being licensed."

Some of those social workers fall under the state caregiver law requiring that people who make home health visits or provide services to the mentally ill and other vulnerable people have their backgrounds checked for criminal records by their employers.

But Herstand said the state should run a criminal-background check on all social worker license applicants, including those not now covered by the caregiver law.

Herstand said he emailed Nicholas Smiar, head of the state Social Worker Section, a panel that oversees social workers in Wisconsin, about the need to run background checks. The panel did not take up the issue at its meeting Wednesday but is expected to discuss it at a future meeting.

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Smiar declined to comment, saying he is not authorized to speak on behalf of the Department of Safety and Professional Services, which issues such licenses.

Hannah Zillmer, agency spokeswoman, said the parameters of the review ordered by Walker have not yet been set as the department was first told to conduct it on Wednesday afternoon. Ross, who directs the agency and is a member of Walker's cabinet, declined to be interviewed.

Zillmer said the system, as it stands, is solid.

"We believe our process works well to protect public safety," Zillmer said.

But Herstand said it is impossible to know how well the system is working because there is no way to know who is lying on applications, claiming they have no record when they really do.

"You wouldn't really know unless you checked," he said.

It's unknown whether Deisler, 76, who now lives in Indiana, listed his convictions on his original Wisconsin license application in 1993. That's because Wisconsin does not keep licenses after five years and a spokeswoman said she doesn't even know if the state asked applicants about criminal convictions when Deisler applied.

Indiana and Michigan, where Deisler also is licensed, do keep licenses. Based on those records, Indiana reprimanded Deisler this year for failing to report that he had changed his name. Michigan has filed a complaint against Deisler charging that he lied three times on his application — saying he had no conviction and giving a false date of birth and Social Security number.

Deisler crime spree

Deisler was convicted of raping two women and a girl and of robbing a bank in the early 1970s. While in prison, he received a master's degree in counseling but did not receive a degree in social work, according to records in his criminal court file. Deisler was licensed as a social worker in Wisconsin in 1993.

After he was released from prison, Deisler moved to Indiana. He later founded the [National Association of Forensic Counselors](#) and the [Forensic Training Institute](#), a training group.

Since news of Deisler's convictions became public, the National Association of Social Workers has suspended the institute's classes from its approved list, meaning social workers who attend FTI programs may not claim those as credit toward their state licensing requirements, said Gail Waller, spokeswoman for the NASW national branch.



About John Diedrich

John Diedrich writes about crime, federal issues, ultimate fighting and guns. His investigations have been honored with various national awards including a George Polk Award for reporting on rogue gun stores and an IRE award for exposing botched undercover federal stings.

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About Cary Spivak

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A JOURNAL SENTINEL WATCHDOG REPORT

Social worker obtained state licenses despite criminal past



Criminal court file exhibit Francis J. Deisler (wearing hat) and Wayne Leo Casper enter the Continental Savings and Loan at 6500 N. 76th St. to rob it on Oct. 4, 1972. He was later convicted and sent to prison for the crime spree.

By John Diedrich and Cary Spivak of the Journal Sentinel

June 13, 2015

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Watchdog Update: Association calls for background checks on social workers

Francis Deisler came to Wisconsin in the early 1970s with a lengthy criminal résumé but a chance at a fresh start, having helped authorities bust New York mobsters.

But Deisler soon returned to crime.

He raped several women while their husbands were at work. He robbed a Milwaukee bank and burglarized homes. And he kidnapped and raped a 14-year-old girl.

Deisler was convicted and spent a decade behind bars. He got out and became a licensed social worker and therapist in Wisconsin and two other states, specializing in treating addicts and sex offenders. After moving to Indiana, he launched several social service businesses and founded a national social worker training and accreditation organization.

It is unclear whether Wisconsin regulators knew about his criminal past, since the state did not — and still does not — routinely conduct a criminal-background check before issuing a social worker's license.

For almost all types of licenses issued by the Department of Safety and Professional Services, regulators rely on an honor system to determine if applicants have a criminal history, said Hannah Zillmer, spokeswoman for the department.

In those cases, the department runs a criminal-background check only for applicants who admit they have a conviction.

The system "works very well to protect the public," Zillmer said.

Allowing a convicted rapist like Deisler to treat sex offenders baffles the husband of one of his sexual assault victims, whom the Journal Sentinel is not identifying to protect his wife's identity as a sexual assault victim.

"I think there is a big difference in changing someone's actions and going into a professional field that is so opposed to what that person did," the husband said. "I will tell you after hearing this, I wondered if Charles Manson would make a good grief counselor?"

Now, more than two decades after Deisler became a licensed social worker, he is being investigated by regulators in Wisconsin, Indiana and Michigan.

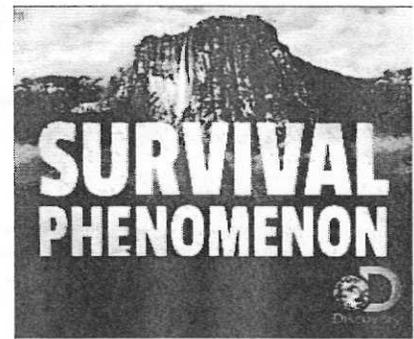
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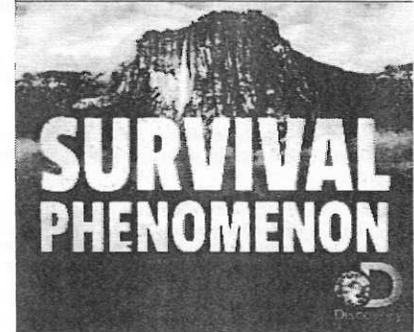
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Wisconsin regulators are trying to determine whether Deisler did not disclose his criminal past when he applied for a social worker's license — an investigation made difficult because state law requires that applications be routinely destroyed after five years, Zillmer said.

Deisler's original license applications filed in Indiana and Michigan are available to regulators in those states because officials don't destroy them.

Indiana reprimanded Deisler earlier this year for failing to notify the state he had changed his name. But officials took no other action on his convictions.

Michigan issued a complaint against Deisler for lying about his convictions on his application and providing a false date of birth and Social Security number. That investigation is ongoing. Wisconsin's probe into Deisler also is open.

In the years since Deisler was licensed, regulators in Michigan and Indiana began running criminal background checks for people seeking licenses to work in a variety of fields, including social work and health-related fields.

Deisler, whose legal name is now Frank Palani, did not return repeated calls and email messages seeking comment for this story.

Deisler's attorney, David R. Keesling of Tulsa, Okla., downplayed the investigations and his client's criminal career as it relates to licensing matters. While Keesling said he did not know whether his client disclosed his criminal record on license applications, he argued that states may have licensed him even with knowledge of his criminal past.

"There are many former criminals — ex-offenders — who have gone into these areas of counseling," Keesling said. He said Deisler is 76 years old and no longer works for the National Association of Forensic Counselors, which he founded, and does not actively practice as a social worker.

Deisler's wife, Karla Taylor, runs the association, Keesling said. He accused the Church of Scientology, which has close ties to the Narconon program — a drug addiction treatment program that is being sued by the forensic counselors group for trademark infringement — for contacting the media and regulators about Deisler's criminal history.

"If you don't like the message ... you try smearing the messenger," he said.

An attorney for Narconon declined to comment and the Church of Scientology did not respond to requests for comment.

Trouble at young age

Deisler was in trouble early. At age 13 in Brooklyn, he raped a 7-year-old girl at knife point, according to records in his Wisconsin court file. He was shot that same year.

As a teenager in the 1950s, he was convicted of burglary, forgery and theft. He was addicted to heroin and by 17, records show, he already had been in and out of juvenile lockup.

Deisler later served time in Sing Sing and Attica prisons in New York. In the late 1960s, he was associating with mob members. He was arrested for mail theft and robbery and agreed to turn state's evidence and help federal authorities on 13 mob members in exchange for a "full release" from all his earlier crimes, the records said.

In the early 1970s, he married his third wife and moved with her four young children to Plymouth, Wis., where her family had land. Federal authorities thought he could "hide" from mob revenge in Wisconsin, according to court records.

Deisler, then 33, applied to the State of Wisconsin to become an insurance agent, lying on his application, according to the records in Deisler's court file. The state didn't check that record either and granted him the license.

Deisler's insurance work was going well until he got entangled in a fight with the Town of Fredonia about putting a wastewater tank in his backyard. The permit was denied and Deisler took out an ad in a local newspaper, asking others in the community if they were "tired of unjust decisions" and promised to represent them, according to a Milwaukee Journal article from February 1972.

His ad sparked an inquiry by the State Bar Association into whether he had a law degree. Deisler claimed he had a degree to the Journal reporter but couldn't provide any proof. He said he planned to take the bar exam in Wisconsin. An investigation into his insurance license followed and officials learned he lied to get it, according to court records.

Later that year, Deisler went on a crime spree, part of it with Wayne Leo Casper, whom he had met in the insurance business. Deisler looked for homes in the newspaper that were being sold by the owner. The pair would go to the home and express interest in buying the house. They would come back later, armed with a gun, and rape the woman while her husband was at work, records show.

Deisler, who sometimes acted alone, was suspected in a half dozen such assaults, court records show. He and Casper also robbed the Continental Savings and Loan on N. 76th St. in Milwaukee in October 1972. That same month Deisler kidnapped a girl who was walking on W. Wisconsin Ave. in Milwaukee, drove her to Germantown and raped her, records show.

Police caught Deisler in December 1972, after he and Casper had kidnapped two girls at gunpoint. The girls managed to call police at a gas station in Kewaskum. When officers arrived, guns drawn, Deisler and Casper were reaching for a loaded gun under the car seat, according to a newspaper article.

Deisler was convicted of three sexual assaults, but he was declared mentally ill with a "sexual deviation." He was committed to a state secure hospital for treatment of "mental aberrations."

He served a couple of years for the rapes until doctors proclaimed him cured, but he remained in prison because of the robbery.

Deisler escaped from the secure hospital in 1974. He was caught and returned within two weeks.

From early on, prison officials viewed Deisler as a bright, but deceptive, inmate.

"He is fairly well educated," one official wrote in his file, "and always attempts to be someone that he is not."

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Turning to social work

While behind bars, Deisler pursued a college degree in social work, paying for his classes with thousands of dollars from federal disability payments, which he continued to receive in federal prison, according to records. Those records do not say why Deisler was getting disability payments.

In a 1974 letter to Milwaukee County Circuit Judge Max Raskin, who had sentenced him, Deisler wrote: "I have discovered a way of using the liability of being a felon and ex-convict as an asset, and that is by using my long past anti-social behavior and its consequences to help younger people through social work."

The reports from prison officials grew more positive. They called Deisler an "exemplary" inmate. The Parole Board was skeptical. They would not release him, citing his violent crimes.

In a petition to have his sentence cut, Deisler wrote that his only assaultive crime was the armed robbery. He didn't mention the rapes.

"I have come a long way with my life. I have rewritten my life script," he wrote.

By 1980, Deisler had received a master's degree and was allowed to leave prison daily for clinical training in Milwaukee, records show. He became the first incarcerated person in Wisconsin to achieve state certification as an alcohol and drug counselor, his records said. Deisler divorced his third wife and married his fourth, a woman who did prison ministry work.

Deisler was held in prison until his mandatory release date in 1981.

By the late 1980s, he was living in Fort Wayne, Ind., and teamed up with a man he met in prison to open a counseling business, which at one point was treating three-quarters of all drunken drivers coming through the court system there, according to a news article about Deisler and his business.

Deisler used a confrontational style of counseling alcoholics and addicts and said his critics — who raised his criminal background as a problem — were just jealous.

"If people believe you can be rehabilitated and get well, then what I'm doing shouldn't be a problem," he told an Indiana reporter in 1988.

Licenses received

In the early 1990s, Deisler received social worker licenses in Wisconsin, Indiana and Michigan. On the form for the Michigan license, he answered "no" to the question, "Have you ever been convicted of a crime?" He listed on the application that he did intern work at Camp Winnebago, but he didn't say that was a prison camp.

Deisler tried to keep his crimes from Wisconsin and New York secret. He asked the Fort Wayne Journal-Gazette not to publish details about his rapes and robberies, saying he would leave Fort Wayne, according to the article, which included the information anyway.

But he didn't leave town. In 1996, he expanded beyond his treatment clinic to open a private juvenile detention facility. A county children's court judge gave his five-page FBI criminal history to local news outlets, saying he wanted to raise the question of whether someone with a criminal background should be running the facility.

Deisler told a reporter: "You've got a judge here who, on one hand, tells kids to clean up their act, they can have a life. Now, he's saying even though I've cleaned up my act, I can't have a second chance. There's something wrong there."

Deisler founded the [National Association of Forensic Counselors Inc.](#), according to records in Nevada, where the company is incorporated. The organization, whose motto is "Honesty-Competency-Integrity," provides certification and continuing education and holds training sessions around the country through a related nonprofit company, [Forensic Training Institute](#).

This year, the institute is doing training for social workers in nine states, including its national event in Indiana in September. The nonprofit brought in \$112,000 in revenue in 2013 and listed Deisler as its president on the tax return it filed last year.

[Michael Stone](#), a professor of clinical psychiatry at Columbia University, had been scheduled to be keynote speaker at the group's event but canceled when told of Deisler's history.

Stone said Deisler's convictions should have disqualified him from doing social work and it was "farfical" that he should work in the field.

"His crimes would not qualify him for anything but prison," he said.

3 states, 3 investigations

Earlier this year, Indiana completed its investigation into Deisler and reprimanded him for failing to tell state officials he legally changed his name. In a statement, a spokeswoman with the Indiana Behavioral Health and Human Services Licensing Board said Deisler's crimes from the 1970s were not "actionable."

"The disciplinary process exists to consider actual verified violations of licensing rules, including evidence of criminal conduct or other conduct that was committed since the licensee's most recent renewal, or not reported where required in previous renewals or casts doubt on the individual's competence to practice," wrote Molly Johnson, adding that Deisler's initial license application from 1992 asked if he had been convicted of a crime in the past five years. He marked "no," which was correct, she said.

In Michigan, officials issued a complaint last month accusing Deisler of lying three different ways on his 1993 application. That form asks if the applicant has ever been convicted of a crime. Deisler also put down a false Social Security number and date of birth, the complaint says. Deisler has responded to the complaint, but the State of Michigan refused to release it because the investigation remains open.

In Wisconsin, even if Deisler disclosed his record on his application in 1993, it is unknown whether it would have prevented him from getting a license.

Zillmer, the spokeswoman for the state regulatory agency, declined to say whether a person with a similar rap sheet applying today would qualify for a state license. "I don't answer hypothetical questions," she said.

When the agency learns of an applicant's criminal past, regulators must consider the crime's relation to the profession the person seeks to enter, the age of the crime and efforts at rehabilitation, Zillmer said. The

agency regulates more than 230 professions, ranging from barbers to doctors, and issued nearly 40,000 licenses last year.

State law does not prohibit the agency from conducting criminal background checks on applicants for other licenses. Yet, the state has opted not to do such criminal background checks, unless the applicant waves the red flag by acknowledging they have a rap sheet.

Repeated requests to interview Dave Ross, the department's secretary and a member of Gov. Scott Walker's cabinet, were denied.

In an email, Zillmer said that department's licensing procedure "lets individuals enter a career path, and also ensures state oversight for competent and safe practice of professions."

If applicants lie about their criminal past, the department may still catch them if a member of the public blows the whistle, Zillmer said.

In Deisler's case, that took 20 years.

How to file a complaint

To file a complaint with the Wisconsin Department of Safety and Professional Services, go to <http://dsps.wi.gov/Complaints-and-Inspections/Complaints/> or call (608) 266-2112 or (877) 617-1565.



About John Diedrich

John Diedrich writes about crime, federal issues, ultimate fighting and guns. His investigations have been honored with various national awards including a George Polk Award for reporting on rogue gun stores and an IRE award for exposing botched undercover federal stings.

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AB 812 Professional Licensure Disclosure & Misrepresentations

Testimony of Senator Steve Nass

Senate Committee on Labor & Government Reform

March 9, 2016 • 330 Southwest, State Capitol

Thank you committee members for the opportunity to provide testimony in support of Assembly Bill 812. This bill will protect Wisconsin citizens from unscrupulous people trying to hide past criminal activity on applications for professional credentials through the Department of Safety and Professional Services (DSPS).

Can you imagine a family member, friend, or any vulnerable citizen being served by a social worker that is a multi-time rapist and bank robber, with a lengthy criminal record?

This past summer, a case was uncovered in which a man named Francis Deisler, a convicted serial rapist and bank robber, had been licensed to be a social worker by the Wisconsin Department of Safety and Professional Services. The state subsequently determined that Deisler lied on his license application in 1993 when he said he had never been convicted of a crime.

While it is against the law now to lie on an application for a professional credential, there are no teeth to the existing law because no punishment is spelled out for violating it. The most the state can do to an offender is to take away their license.

AB 812 puts teeth into the law by making it a Class A Misdemeanor to intentionally make a material misstatement or omission in an application or renewal of a credential issued by DSPS. Under the bill, the maximum penalty is nine months in jail and a fine of up to \$10,000.

The bill also requires DSPS to ensure that all application forms for professional credentials include a statement regarding the prohibition of providing false information and the penalty that would result.

Increasing the penalty for providing false information on a licensure application will provide a deterrence to people lying on these forms, where there is virtually none under existing law.

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Recently, DSPS began doing limited background checks on a narrow portion of the state's social workers, auditing a 5% random sample applying for a license or renewal. This amounts to about 500 of the roughly 10,000 social workers licensed in Wisconsin. Prior to that, there was essentially only an honor system in place, where applicants were simply asked to disclose criminal records. Department regulators do not verify the information unless the applicant admits to having a criminal history.

AB 812 is a positive step forward to improving the integrity of the state's licensing process and protecting our citizens who rely on this information when placing their trust in these licensed professionals.