



**TWO
RIVERS**
WISCONSIN

POLICE DEPARTMENT
1717 E. Park Street
P.O. BOX 87
Two Rivers, WI 54241-0087



TO: City Manager – Greg Buckley
FROM: Chief Brian W. Kohlmeier
DATE: June 2, 2022
SUBJECT: Liquor License Application: Timothy J. Klein

It is my recommendation to the Two Rivers City Council to approve the application for Agent Appointment for Liquor License to Timothy J. Klein upon presentation of sufficient evidence of rehabilitation as outlined below.

In 1995, Timothy J. Klein was convicted of: Manufacture, Distribution or Delivery of THC (marijuana), two hundred grams or less – in a Park Zone. This offense is a felony offense.

Statute 125.04 (5)(b) states, in part, that “No license or permit related to alcohol beverages may, subject to ss. 111.321, 111.322 and 111.335, be issued under this chapter to any person who has habitually been a law offender or has been convicted of a felony unless the person has been duly pardoned.”

Statute 111.335 (3)(a) 1., requires that for an offense to be considered for refusal to license that the offense substantially relate to the circumstances of the particular job or licensed activity. The felony offense Mr. Klein has been convicted of is substantially related to the license activity applied for.

Statute 111.335 (4)(c)1 & 2, requires the applicant be afforded the opportunity “to show evidence of rehabilitation and fitness to engage in the licensed activity.” Competent evidence of sufficient rehabilitation and fitness to perform the licensed activity may be established by the production of any of the following:



- a. The individual's most recent certified copy of a federal department of defense form DD-214 showing the person's honorable discharge, or separation under honorable conditions, from the U.S. armed forces for military service rendered following conviction for any offense that would otherwise disqualify the individual from the license sought, except that the discharge form is not competent evidence of sufficient rehabilitation and fitness to perform the licensed activity if the individual was convicted of any misdemeanor or felony subsequent to the date of the honorable discharge or separation from military service.
 - b. A copy of the local, state, or federal release document; and either a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or other evidence that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.
2. In addition to the documentary evidence that may be provided under subd. 1. to show sufficient rehabilitation and fitness to perform the licensed activity under par. (c) 1. b., the licensing agency shall consider any of the following evidence presented by the individual:
- a. Evidence of the nature and seriousness of any offense of which he or she was convicted.
 - b. Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
 - c. The age of the individual at the time the offense was committed.
 - d. The length of time that has elapsed since the offense was committed.
 - e. Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
 - f. All other relevant evidence of rehabilitation and present fitness presented.

Mr. Klein and his representative have provided sufficient evidence through documentation which in my opinion establishes sufficient proof of rehabilitation under the circumstances regarding this case. Therefore, I recommend approval for said liquor license and agent appointment.