

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
JOHN O. PASTORE CENTER, BLDG. 68-1  
1511 PONTIAC AVENUE  
CRANSTON, RHODE ISLAND 02920**

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IN THE MATTER OF

KENNETH R. NORIGIAN

RESPONDENT.  
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DBR No. 18CN002

**CONSENT AGREEMENT**

The Department of Business Regulation (the "Department") enters into this Consent Agreement with Kenneth R. Norigian (the "Respondent") to resolve the above-captioned matter pursuant to its authority under R.I. Gen. Laws § 42-35-9(d).

It is hereby agreed by and between the Division and the Respondent that:

1. Respondent possesses Rhode Island Certified Constable License No. 6091 ("License").
2. On September 24, 2018, Respondent was arrested and charged by the North Smithfield Police Department in District Court Case No. 32-2018-09905. Among the allegations related to potential felony charges were statements by Respondent that he was a Constable, which were made while he simultaneously endeavored to avoid arrest.
3. On October 22, 2018, Respondent was arrested and charged by the Middletown Police Department in District Court Case No. 21-2018-02121. Among the allegations related to potential felony charges were statements by Respondent that he was a Constable, which were made while he simultaneously endeavored to avoid arrest.
4. On November 5, 2018, Respondent voluntarily surrendered his License and agreed to the interim suspension of his License pending the outcome of the two criminal cases that served as the basis for the *Order to Show Cause* issued by the Department on November 13, 2018. A pre-hearing conference was held on January 29, 2019 and the parties have had regular discussions since that date.
5. On December 14, 2018, a Rule 48(a) dismissal form was filed for Respondent's Case No. 21-2018-2121 by the Middletown Police Department.

6. On April 5, 2019, a No Information was signed on behalf of the Attorney General's Office declining to charge Case No. 32-2018-09905 by criminal information.
7. At this time, Respondent represents that he has complied with the conditions of his License surrender and he requests that his License be reinstated.

Applicable Law

8. R.I. Gen. Laws § 9-5-10.5(a)(4) provides that the Department may suspend or revoke a constable's certification "[w]here a certified constable, in performing or attempting to perform any of the acts mentioned in this section, is found to have committed any of the following:
  - a. Inappropriate conduct that fails to promote public confidence, including failure to maintain impartiality, equity, and fairness in the conduct of his or her duties;
  - b. Neglect, misfeasance, or malfeasance of his or her duties;
  - c. Failure to adhere to court policies, rules, procedures, or regulations;
  - d. Failure to maintain the highest standards of personal integrity, honesty, and truthfulness, including misrepresentation, bad faith, dishonesty, incompetence, or an arrest or conviction of a crime."

Conditions

9. The Department maintains that Respondent's representations of his professional role in his dealings with law enforcement in both Case No. 32-2018-09905 and No. 21-2018-02121 are violations of § 9-5-10.5(a)(4)(a) and (d). Considering the dismissals of criminal cases, the Respondent's prior disciplinary history with the Department and the period of unofficial suspension already served by the Respondent, the parties have agreed to an amicable resolution of this matter without an administrative hearing and its attendant time and costs, and as such the Respondent admits and agrees that:
  - a. Respondent's representations of his professional role in his dealings with law enforcement on September 24, 2018 and on October 22, 2018 demonstrated inappropriate conduct that failed to promote public confidence and demonstrated a failure to maintain the highest standards of personal integrity;
  - b. As a result of the admission contained in paragraph 9(a), the Respondent's License will therefore be suspended for a period of two-hundred and ten (210) days, credit given for the period of the Respondent's voluntary interim suspension of two-hundred and ten (210) days from November 27, 2018 to June 18, 2019; and

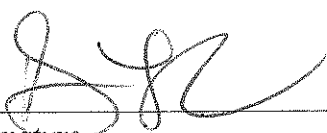
- c. Upon the Respondent's submission of his License renewal application and compliance with all Departmental renewal requirements, the Department agrees to conditionally renew Respondent's License for a period of one (1) year, credit given for the twelve (12) days between execution of this Consent Agreement and the date of the License expiration, provided that during the conditional licensing period the Respondent keeps the peace and is of good behavior as determined by the Department in its sole discretion. Upon conclusion of the conditional licensing period, the Department may fully restore the Respondent's License.
  - d. Non-exhaustive examples of the Respondent's obligation to keep the peace and be of good behavior during his conditional licensing period include accurately representing one's own identity and abstaining from using one's License to avoid arrest and/or charging when interacting with any law enforcement officer.
10. The Department and Respondent agree that this Consent Agreement and its terms represent the final determination of this matter.

Legal Effects of Consent Agreement

11. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*
12. *Enforcement.* If the Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, the Respondent will be in violation hereunder and the Department shall be entitled to immediately take enforcement or other action in accordance with applicable law.
13. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve the Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.
14. *Notice to the Court.* In accordance with R.I. Gen. Laws § 9-5-10.5(a)(5), upon issuance, a copy of this Consent Agreement will be forwarded to the Chief Judge of the Rhode Island District Court.


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For the Division:

  
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*Signature*  
Date: 6/18/19

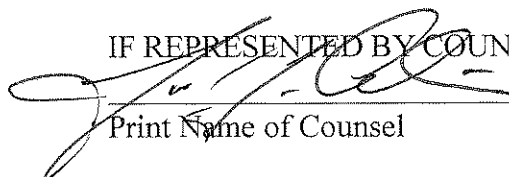
Donna L. Costantino, MBA  
Associate Director  
Commercial Licensing and Regulation

For the Respondent:

  
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*Signature*  
Date: 6 / 1 8 / 1 9

Kenneth R. Norigian

IF REPRESENTED BY COUNSEL:

  
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Print Name of Counsel

**Joseph J. Altieri, Ltd.**  
Attorney at Law  
203 South Main Street  
Providence, RI 02903