

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE COMPLEX
1511 PONTIAC AVENUE
CRANSTON, RI 02920

RECEIVED BY

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DIVISION OF LEGAL SERV.

IN THE MATTER OF:

KENNETH R. NORIGIAN,

Respondent.

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DBR No.: 16CN001

CONSENT ORDER

The Department of Business Regulation (“Department”) and Kenneth R. Norigian (“Respondent”) hereby agree to the following:

1. Respondent is licensed as a Certified Constable (License No. 6091) by the Department in accordance with R.I. Gen. Laws §§ 9-5-10.1 to -10.6.

2. 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:

- (i) Inappropriate conduct that fails to promote public confidence, including failure to maintain impartiality, equity, and fairness in the conduct of his or her duties;
- (ii) Neglect, misfeasance, or malfeasance of his or her duties;
- (iii) Failure to adhere to court policies, rules, procedures, or regulations;
- (iv) 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.

3. The Department was provided with evidence that on or about October 5, 2016, Respondent was charged with misdemeanor larceny (<\$1500) in Rhode Island District Court, 6th District. The police report from the arresting agency, the Bristol Police Department, stated that

Respondent committed the alleged larceny at a residence prior to serving process as a Certified Constable at the same property.

4. Because the charges against Respondent related to the performance of his work as a Certified Constable, the Department contacted Respondent regarding the voluntary suspension of his Certified Constable License.

5. Respondent cooperated with the Department and agreed to a voluntary 30-day suspension of his Certified Constable License on October 14, 2016. On November 10, 2016, the Hearing Officer continued the suspension until November 22, 2016, based upon Respondent's representations that the criminal proceedings would be resolved by that date.

6. On November 18, 2016, the charges of misdemeanor larceny were dismissed by the Bristol Police Department for the following reasons: Respondent had no prior criminal record; restitution had been paid; and Respondent completed 40 hours of community service.

7. Other than the allegations set forth in the instant matter, Respondent has had no other disciplinary history as a Certified Constable.

8. The Department's position is that, had a hearing been held in this matter, it would have demonstrated that Respondent had violated R.I. Gen. Laws § 9-5-10.5(a)(4).

9. No specific findings of fact or conclusions of law have been made by the Department or the Hearing Officer relative to the above cited statutory provisions.

10. Without admitting or denying any violations alleged herein, Respondent hereby agrees to the following:

- A. A forty (40) day suspension of his Certified Constable License No. 6091, which has already been served, as described in paragraphs 4 & 5 above;

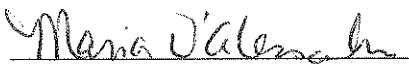
- B. For forty-five (45) consecutive days from the signing of this Consent Order by Respondent and his Counsel, Respondent shall only serve process under the supervision of a Certified Constable, who has been approved by the Department as someone who would qualify as a training constable under § 9-5-10.1(b)(3) and who does not have a familial or business relationship with Respondent. The training constable shall submit a written report to the Department by February 1, 2017, that reflects the dates and times of supervision and comments on the aptitude and professionalism of Respondent.
- C. Respondent shall submit to the Department a detailed log of every service of process performed since his license was returned to him on November 22, 2016, until February 28, 2017. Respondent shall submit a log on the first of each month, starting on December 1, 2016, with the last log due on March 1, 2017. If the first of the month is a holiday or weekend, the log is due the following business day. For every act requiring certification, the log must record the name and address of every person/business served, the date and time of the service, and the nature of the service.
- D. Respondent acknowledges that he cannot remove any object from any location where he was assigned to serve process without the express consent of the owner of any such object.

11. The Department and Respondent agree that this Consent Order and its terms represent the final determination of this matter. However, if Respondent fails to satisfy all of the

requirements set forth in paragraph 10, the Department may initiate further administrative proceedings against Respondent.


12. By agreeing to resolve this matter through the execution of this Consent Order, Respondent voluntarily waives his right to the hearing process, and voluntarily waives his right to pursue an appeal to the Rhode Island Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 et seq.

For the Division:

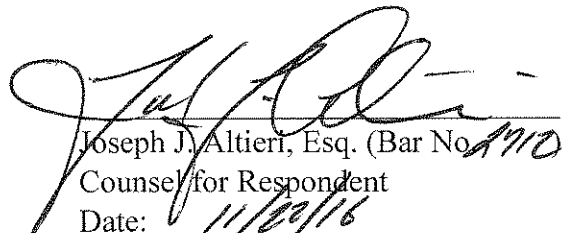


Maria D'Alessandro, Esq.
Deputy Director, Securities, Commercial
Licensing, and Gaming & Athletics
Date: 11/23/16

For the Respondent:

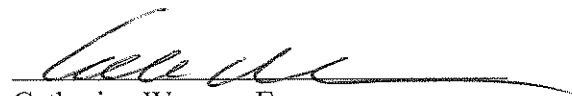


Kenneth R. Norigian
Respondent
Date: 11/23/16



Joseph J. Altieri, Esq. (Bar No. 1710)
Counsel for Respondent
Date: 11/29/16

RECOMMENDED BY:



Catherine Warren, Esq.
Hearing Officer
Date: 11/29/16

ORDER

I have read the Consent Order as agreed to by and between the parties in the above captioned matter and I hereby take the following action:

ADOPT REJECT

Date: 12/1/16

Scottye Lindsey
Scottye Lindsey
Director

CERTIFICATION

I hereby certify on this 1st day of December, 2016, that a copy of the within Consent Order was sent by first class mail, postage prepaid, to:

Kenneth R. Norigian 32 Waterman Ave Johnston, RI 02919	Joseph J. Altieri, Esq. 350 South Main St. Providence, RI 02903
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AND BY E-MAIL TO:

1. Joseph J. Altieri, Esq., Joe@AltieriLawRI.com
2. Donna DiPalma, R.I. District Court, DDiPalma@courts.ri.gov
3. Maria D'Alessandro, Esq., DBR Deputy Director, Securities, Commercial Licensing, Gaming & Athletics
4. Donna Costantino, DBR Associate Director Commercial Licensing, Gaming & Athletics
5. Kim Precious, DBR Implementation Aid
6. Amy C. Stewart, Esq., DBR Legal Counsel

Chris - Anne J. [Signature]