

entered the home he pushed Respondent with two hands, and attempted to physically swing at him. Respondent Clemente stated that he was injured as a result, spending time in the hospital and rehab after this occurred. Respondent discussed with another constable he injured himself days earlier lifting a large bag of cat litter.

7. Providence Police obtained a warrant for Respondent Clemente's arrest. He was arraigned on misdemeanor charges of Reporting a False Crime and Disorderly Conduct on May 21, 2026, in District Court Case No. 61-2026-03839.
8. On May 27, 2026, the Department issued an *Emergency Order Summarily Suspending Respondent's Constable Certification; Order to Show Cause Why Certification Should Not Be Suspended, Revoked, or Otherwise Sanctioned; Notice of Hearing and Appointment of Hearing Officer* ("Emergency Order").

PREVIOUS DEPARTMENTAL DISCIPLINE

9. In DBR No. 18CN001, Respondent Clemente entered into a Consent Agreement regarding unprofessional conduct during an eviction, involving R.I. Gen. Laws §§ 9-5-10.5(a)(4)(i), (ii), and (iv), and agreed to a period of supervised evictions for Departmental evaluation.¹

STATEMENT OF LAW

10. In an emergency situation, the APA § 42-35-14(c) states that "If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined."
11. Pursuant to R.I. Gen. Laws § 9-5-10.5(a), "Upon the receipt of a written complaint, request of the board...or upon its own initiative, the department shall ascertain the facts and, if warranted, hold a hearing for the reprimand, suspension, or revocation of a certification. The director, or his or her designee, has the power to refuse a certification or place an applicant on probation for any of the following reasons: ...

(4) Where 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;

¹ Two out of six complaints filed with the District Court prior to the transfer of jurisdiction to the Department concluded with discipline. Each are discussed in the Consent Agreement for 18CN001.

- (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.
12. Pursuant to R.I. Gen. Laws § 9-5-10.5(c), "The Department is authorized to levy an administrative penalty of not exceeding one thousand dollars (\$1,000) for each violation for failure to comply with the provisions of this chapter or with any rule or regulation of the Department.
 13. Pursuant to the Regulation, § 1.8(A), "Professional Standards. All Certified Constables in the execution of their duties shall...2. Be tactful in the performance of his or her duties and exercise patience and discretion even under difficult circumstances...4. Treat everyone they encounter with dignity and respect. 5. Refrain from conduct involving dishonesty, fraud, deceit, misrepresentation or that reflects adversely on the profession."
 14. Pursuant to the Regulation, § 1.15(A), "Any violation of the Act or these Regulations may be subject to enforcement by the Department as an administrative violation and may be grounds for license suspension, revocation or denial."

CONDITIONS

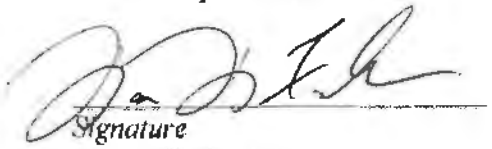
15. In an effort to affect a timely and amicable resolution of the issues raised herein, the Parties enter into this Consent Agreement solely for the purposes of avoiding the burdens and expenses of litigation and pursuant to the following representations, terms and conditions:
 - a. Respondent admits and acknowledges that his behavior on or about March 4, 2026 during the eviction violated the Regulation, § 1.8(A)(2) and (5);
 - b. Respondent's Constable Certification shall be suspended for a period of three (3) months from the date of issuance of the Emergency Order, such that Respondent shall not engage in, or accept any remuneration for, any Certified Constable activity until **August 28, 2026**;
 - c. Respondent acknowledges and agrees that on or before **June 17th, 2026**, he shall facilitate the return of personal items from the moving company to the Resident who was the subject of the eviction and mentioned in paragraphs 3-6;
 - d. Respondent acknowledges and agrees that he shall hereafter allow persons being evicted to obtain personal items from the relevant eviction property, and such items shall include but not be limited to: pets, service animals, children, paperwork, medicine, food and clothes; and
 - e. Respondent enters into this Consent Agreement voluntarily and of his own free will.
17. *Final Determination.* The parties agree that this Consent Agreement and its terms represent the final determination of this matter.

18. *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.*
19. *Enforcement.* If Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, Respondent will be in violation hereunder and the Department shall be entitled to immediately take enforcement or other action in accordance with applicable law.
20. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve Respondent of the obligation to comply with other applicable laws or regulations administered by or through the Department of any other governmental agency.

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SIGNATURE PAGE

For the Department:



Signature
Donald DeFedele
Associate Director

Date: June 8, 2026

Respondent:



Signature
By: Mr. Michael Clemente

Date: June 5, 2026