

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE
CRANSTON, RI 02920**

<u>IN THE MATTER OF:</u>	:	
	:	
MICHAEL CAIRES	:	DBR No. 19CN001
	:	
<u>RESPONDENT.</u>	:	

CONSENT AGREEMENT

The Department of Business Regulation (“Department”) enters into this Consent Agreement with Michael Caires (“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 Department and Respondent that:

1. Respondent held a Certified Constable License No. CNS.0006007, which was first issued by the Rhode Island District Court (“District Court”) in 1998.
2. On or about May 11, 2015, Respondent’s Certified Constable licensed was suspended by the Chief Justice of the District Court due to felony criminal charges.
3. On or about July 1, 2015, the licensing of Certified Constables was transferred from the District Court to the Department.
4. On or about April 18, 2016, Mr. Caires petitioned the Department to allow him to have his license reinstated while he was awaiting trial. The Department notified Respondent that it was upholding the previous decision made by the District Court Judge until there was an outcome from the trial. The Department advised that at said time, Respondent could once again petition the Department for the license depending upon the outcome.

5. On or about November 24, 2017, Respondent submitted a renewal application for licensure to the Department. The Department presented this application to the Certified Constable Board (“Board”) on December 12, 2017, for review and consideration. The Board denied Respondent’s request with the recommendation that Respondent may apply after successfully completing his probation and no other charges on his BCI.

6. On or about November 15, 2018, Respondent submitted a renewal application, continuing education certificate, bond, photo, and the licensing fee for \$400.00. Also accompanying this application, Respondent submitted a copy of the Superior Court Judgement & Disposition entered on September 6, 2017, indicating that Respondent plead nolo contendere, paid restitution in the amount of twenty-five thousand dollars (\$25,000.00), and received 1-year unsupervised probation. According to the judgement date, Respondent’s probation period had ended.

7. On or about November 20, 2018, the Department provided written notification to Respondent that a current BCI report was needed in order to consider the renewal application submitted on November 15, 2018.

8. On December 10, 2018, the Department received said BCI report pertaining to Respondent from the R.I. State Division of Criminal Identification.

9. On January 7, 2019, the Board reviewed the renewal application and all subsequent documentation. The Board recommended that the Department allow Respondent to receive his Certified Constable license under a consent agreement with the following stipulations:

- a. Respondent shall receive 45 hours of retraining with an approved trainer & receive favorable completion letter from the trainer to be submitted to the Department.

- b. Respondent shall be placed on a probationary licensing period determined by the Department. The Department has determined a one (1) year probationary licensing period to commence on the reinstatement date of the license.

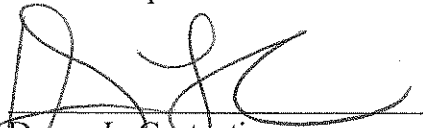
10. By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws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

11. If Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein or as extended by agreement of the parties, Respondent will be in violation hereunder and the Department shall be entitled to immediately to take enforcement or other action in accordance with applicable law.

12. Compliance with the terms of this Consent Agreement does not relieve Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.

13. This Consent Agreement shall be deemed entered into as of the date of execution by all parties. This Consent Agreement shall be binding upon Respondent's successors.

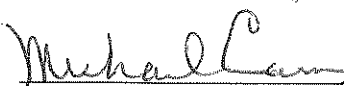
For the Department:



Donna L. Costantino,
Associate Director, Division of Commercial
Licensing and Regulations

Date: 4/10/19

For Respondent:



Michael Caires
Respondent

Date: 4/10/19