

**BEFORE THE STATE FIRE PREVENTION COMMISSION  
OF THE STATE OF DELAWARE**

IN RE:            RALPH D. TUCKER                                 )  
   )    CASE NO.: 1507  
EMT I.D. NO.: 506586     )

**NATURE OF THE PROCEEDINGS**

Pursuant to due notice, a hearing was held before the Delaware State Fire Prevention Commission on January 19, 2016 concerning a disciplinary complaint against Ralph D. Tucker. In the Complaint, the State of Delaware alleged that Mr. Tucker violated the provisions of Part 710 Section 14.4.1.6 of the Commission Regulations in that his conduct was unprofessional as defined by Section 14.4. Specifically, the State alleged that Mr. Tucker was arrested for and charged with one count of Theft Greater than \$1500, two counts of Theft Less than \$1500, and one count of Unlawful Use of a Credit Card. The State alleges the victim of these charges was the Harrington Fire Company. Moreover, the State alleges Mr. Tucker was arrested on charges of Theft by False Pretenses and the victim of this crime is Peninsula Pawn Shop. Finally, the State alleges that, in further violation of the Commission regulations, Mr. Tucker never self-reported that he was arrested or criminally charged.

Zoe Plerhoples, Deputy Attorney General, presented the State's case. Mr. Tucker did not appear. Patricia Davis, Deputy Attorney General, advised the Commission.

**SUMMARY OF THE EVIDENCE**

In addition to live testimony, the following documents were introduced and made part of the record:

State Exhibit 1, consisting of the December 21, 2015 notice of hearing letter sent to Mr. Tucker, notifying him of the date and time of the hearing.

State Exhibit 2, consisting of a copy of the State's complaint filed against Mr. Tucker with the State Fire Prevention Commission.

State Exhibit 3, consisting of a certified copy of Mr. Tucker's criminal disposition indicating a plea of guilty to one count of theft by false pretenses, less than \$1500.

In addition to the documentary evidence, the Commission considered the live testimony of Ms. Sherry Lambertson. Ms. Lambertson testified that she is employed by the State Fire Prevention Commission as its Executive Specialist, handling the day to day duties of the Commission. She has worked in this job for the past nineteen years. In this capacity, she mailed a notice of hearing for today's hearing on December 21, 2016 to 105 Northwest Street in Harrington, Delaware. This address was obtained by the State Fire School. The notice was not returned as undeliverable and a "green card" was returned, signed by Mr. Tucker.

Investigator David Truax was sworn and testified that he is employed as a compliance officer/investigator for the Delaware State Fire Prevention Commission. In this capacity, he inspects ambulance providers for compliance with Commission regulations and receives notifications from DELJIS when certified ambulance technicians are convicted of crimes. Mr. Truax was notified of Mr. Ralph Tucker's criminal conviction in this manner. Mr. Tucker's EMT certification status is currently active. Mr. Truax determined that Mr. Tucker was charged with one count of Theft Greater than \$1500, two counts of Theft Less than \$1500, and one count of Unlawful Use of a Credit Card, and that the victim of these charges was the Harrington Fire Company. Through his investigation, Mr. Truax further determined that Mr. Tucker was arrested on charges of Theft by False Pretenses and the victim of this crime is Peninsula Pawn Shop. Mr. Truax investigated further and determined that Mr. Tucker stole two saws and then turned them into a pawn shop. Upon questioning by the police about this incident, Mr. Tucker

admitted that he also stole \$70.00 from a locked box at the Harrington Fire Department and used that Fire Company's gas card without authorization.

Mr. Truax testified that all EMTs are required to report to the Commission if they are arrested, within thirty days of their arrest. Mr. Tucker never reported his arrest.

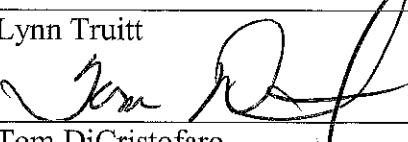
#### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

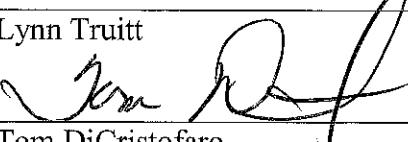
The Commission finds that Mr. Tucker violated the provisions of Commission Regulations Part 710, Section 14.4 and Section 14.8 in that he has been convicted of a crime substantially related to the practice of EMT services and he never self-reported either his arrest or his conviction. In reaching this conclusion, the Commission relied upon the certified copy of Mr. Tucker's criminal conviction as well as the testimony of Mr. Truax. Moreover, the Commission concludes that Mr. Tucker violated the provisions of Part 710 Section 14.4.1.6 of the Commission Regulations in that his conduct was unprofessional as defined by Section 14.4.

The nature of Mr. Tucker's conduct indicates a serious breach in the public trust and the reliability of one member of a Fire Company with regard to all other members and, by extension, the public at large. In order to properly protect the public, it is hereby ordered that Mr. Tucker's EMT certification is permanently revoked.

#### **IT IS SO ORDERED:**

David J. Roberts  
David J. Roberts, Chairman

Lynn Truitt  


Tom DiCristofaro  


Ron Marvel  


Alan Robinson  
Alan Robinson, Vice Chairman

Marvin Sharp  
Marvin Sharp

Anthony Guzzo  
Anthony Guzzo