

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

IN RE: RICHARD WALLS JR.)
) Case Nos.: 2025; 2026; 2048
EMT I.D. NO.: 707879)

CONSENT AGREEMENT

A written Complaint has been filed with the Delaware State Fire Prevention Commission (“Commission”) alleging that Richard Walls Jr. (“Respondent”), an emergency medical technician in the State of Delaware, has engaged in conduct which constitutes grounds for discipline under 16 *Del. C.* Ch. 67 and the Delaware State Fire Prevention Regulations.

Respondent and the State enter into this Consent Agreement and submit it to the Commission for review and approval as a means of resolving the pending administrative prosecution against Respondent pursuant to 16 *Del. C.* Ch. 67 and 29 *Del. C.* Ch. 101.

IT IS UNDERSTOOD AND AGREED THAT

1. Respondent is a resident of Dagsboro, Delaware and is certified as an emergency medical technician (“EMT”) in Delaware pursuant to the provisions of 16 *Del. C.* Ch. 67.

2. On September 12, 2020, Respondent was arrested for and charged with one count of driving under the influence of alcohol in violation of 21 *Del. C.* § 4177, one count of leaving the scene of a property collision in violation of 21 *Del. C.* § 4201, one count of failing to remain in a single lane in violation of 21 *Del. C.* § 4122, one count of being drunk on a highway in violation of 21 *Del. C.* § 4149 and one count of failure to report a collision involving alcohol or drugs in violation of 21 *Del. C.* § 4203 in court case number 2009005998.

3. The charges in the above-referenced case stemmed from an incident on or

contact pursuant to Family Court orders;

- c. In Court case 2011006485, Respondent was given a Diversion Plea of Probation before Judgment to Harassment, and ordered to complete mental health and substance abuse evaluations, as well as domestic violence counseling, and placed on probation until May 2022.

7. Respondent has violated Part 710, Section 14.4.1.6 of the Delaware State Fire Prevention Regulations in that he has engaged in unprofessional conduct.

8. Respondent hereby admits that the allegations set forth in paragraphs one (1) through seven (7) above are true and correct.

9. Respondent and the State agree that the appropriate disciplinary sanctions shall be as follows:


- a. Respondent's EMT certification shall be placed on probation for one year;
- b. During the period of probation and before his probationary term ends, Respondent shall provide proof to the Commission that he has satisfactorily complied with the terms of his criminal probation, including proof of completion of the substance abuse evaluation, mental health evaluation, and any other counseling ordered by the Court; and
- c. Failure to comply with this Order, including any arrest or violation of criminal probation, may result in further discipline, including suspension or revocation of Respondent's EMT certification, without further hearing;
- d. Should Respondent's certification be suspended pursuant to paragraph (c), such suspension shall not lift until Respondent petitions the Commission for a hearing; and
- e. The Commission may, in its discretion, lift Respondent's probationary status upon proof of his successful discharge from criminal probation.

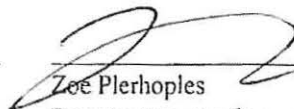
- b. The Consent Agreement, or conduct or statements made in negotiating the Consent Agreement, will be inadmissible at any administrative, civil or criminal legal proceeding; and
- c. No provision contained in the Agreement shall constitute or have the effect of an admission by the Respondent as to any fact alleged in the Complaint in this matter or in this Agreement.

17. If the Commission accepts the Consent Agreement and enters it as an Order, the Consent Agreement shall be admissible as evidence at any future proceedings before the Commission.

18. The parties acknowledge and agree that this Consent Agreement, along with any exhibits, addendums, or amendments hereto, encompasses the entire agreement of the parties and supersedes all previous understandings and agreements between the parties, whether oral or written. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

19. This Consent Agreement shall be effective upon acceptance by the Commission and entry of the Commission's Order.


Richard Walls, Jr.
Respondent


Lee Plerhoples
Deputy Attorney General
Delaware Department of Justice

Dated: 1-10-2022

Dated: 1/11/2022

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ORDER

WHEREAS, the Delaware State Fire Prevention Commission has reviewed this matter and hereby approves the Consent Agreement of the parties, and enters it now as an Order of the Delaware State Fire Prevention Commission;

IT IS SO ORDERED this 18th day of January, 2021.




Ronald H. Marvel, Chairman



Alan Robinson, Jr., Vice Chairman



Lynn Truitt



William Kelly



Joseph A. Leonetti, Sr.



Richard T. Perillo



Bill Betts