

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

**IN RE: MICHAEL D. COOK**                    )  
  )     **Case No. 2023**  
**EMT I.D. NO. 104393**                        )  
**(LEGACY EMT ID#142693)**                 )

**CONSENT AGREEMENT**

A written Complaint has been filed with the Delaware State Fire Prevention Commission (“Commission”) alleging that Michael D. Cook (“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 Wilmington, Delaware and was an emergency medical technician (“EMT”) in Delaware pursuant to the provision of 16 *Del. C. Ch. 67*.

2. Respondent’s EMT Certification, I.D. Number 142693, (Legacy EMT ID#142693), was originally issued on March 25, 2007 and expired on March 31, 2021.

Respondent is eligible to requalify for his certification.

3. At all times relevant, Respondent was working with the Cranston Heights Fire Company as an EMT.

4. On or about June 26, 2020, Respondent forwarded a message to several people, including Y.R., a New Castle County paramedic, via Facebook Messenger that included

racially offensive language and imagery targeting African Americans. Y.R. is African American.

5. On or about June 26, 2020, Respondent sent the same message to M.H., a volunteer at the Fire Company. M.H. is African American.

6. Respondent was subsequently arrested and indicted by a Grand Jury for two counts of Hate Crime in violation of 11 *Del. C.* 1304(a)(1), a Class G Felony and three counts of Harassment in violation of 11 *Del. C.* §1311(a)(2), a Class A Misdemeanor.

7. On June 30, 2021, Respondent pled guilty to two counts of misdemeanor Harassment and placed on supervised probation for one year and ordered to undergo a mental health evaluation and treatment. The State entered a nolle prosequi on the balance of the charges on the indictment as part of the plea agreement.

8. By his alleged conduct, Respondent violated Ambulance Service Regulation 14.4.2.3 in that he engaged in dishonorable, unethical or other conduct likely to harm the public.

9. Respondent hereby admits that the allegations set forth in paragraphs 1 through 8 above are true and correct.

10. In mitigation of his conduct, Respondent avers as follow:

- a. Respondent complied with all conditions of probation on the above-referenced criminal case and was successfully discharged early on January 12, 2022.
- b. Respondent has been awarded multiple awards for his work as a member of the fire service:

- i. Cranston Heights Fire Co. 2019 Member of the Year
  - ii. Cranston Heights Fire Co. 2012 4<sup>th</sup> Most Active Firefighter
  - iii. Cranston Heights Fire Co. 2014 Top Driver
  - iv. 2017 Delaware Chapter A.T.C.A. 18<sup>th</sup> Annual Show – Best Emergency Vehicle
  - v. 2018 Special Judges Awarded Cradle of Liberty Antique Fire Apparatus Association
- c. Respondent participated in numerous fundraising events through the fire service.

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

- a. Respondent's EMT certification shall be suspended indefinitely; and
- b. Should Respondent decide to reapply for certification as an EMT, he shall petition the Commission in writing for a hearing, at which time the Commission shall determine whether any additional discipline is necessary to protect the public.

12. The parties to this Consent Agreement are the State of Delaware and Respondent.

13. The parties agree and acknowledge that nothing contained in this Consent Agreement shall affect any rights or interests of any person not a party to this Agreement.

14. Respondent acknowledges that he is waiving his rights under the State Fire Prevention Regulations and 29 *Del. C.* Ch. 101 to a hearing before the Commission prior to

the imposition of disciplinary sanctions.

15. Respondent acknowledges that he has carefully read and understands this Consent Agreement, and is entering into this Consent Agreement freely, knowingly, voluntarily, and after having received or having been afforded the opportunity to receive the advice of counsel.

16. Respondent acknowledges that this Consent Agreement is a public record within the meaning of 29 *Del. C.* § 10002 and will be available for public inspection and copying as provided for by 29 *Del. C.* § 10003.

17. The parties acknowledge and agree that this Consent Agreement is subject to approval by the Commission.

18. The parties acknowledge and agree that if the Commission does not accept this Consent Agreement, it shall have no force or effect, except as follows:


- a. Neither Respondent, nor anyone on his behalf, will in any way or in any forum challenge the ability of the Commission or any of its members to conduct an evidentiary hearing relating to the allegations in the subject Complaint;
- 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.


19. 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.

20. 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.

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

  
\_\_\_\_\_  
Michael D. Cook  
Respondent

  
\_\_\_\_\_  
Renee Hrivnak (ID#3742)  
Deputy Attorney General  
Delaware Department of Justice

Dated: 8/6/24

Dated: 8/13/2024

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**Case No.: 2023**

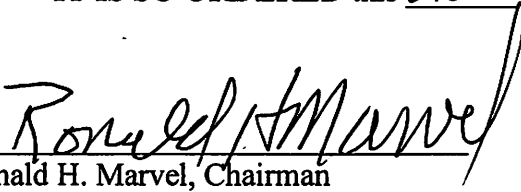
**EMT I.D. NO. 104393**

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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;

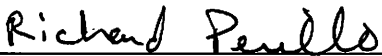
**IT IS SO ORDERED** this 20<sup>th</sup> day of August, 2024.

  
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Ronald H. Marvel, Chairman


  
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William Kelly, Vice Chairman

  
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Lynn Truitt

  
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Jeff Eisenbrey

  
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Richard T. Perillo

  
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Joseph J. Leonetti, Sr.

  
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Kenneth Ryder