

STATE OF RHODE ISLAND  
AND  
PROVIDENCE PLANTATIONS

DEPARTMENT OF EDUCATION

DEPARTMENT OF EDUCATION  
V.  
ROGER RENZI

DECISION

**Held: Good cause is found for dismissal  
and for annulment of teaching  
certificate.**

Date: December 1, 1994

Mr. Roger Renzi was a teacher at the Adult Correctional Institute until October of 1992 when he was dismissed based upon the following charges which were brought against him by the Department of Corrections:

Conduct Unbecoming a Correctional Employee: Off Duty Misconduct -- Wherein you associated and/or socialized with an escaped inmate of the R.I. Department of Corrections, James Beach, on various occasions from 06/22/92 through and including 06/26/92.

Conduct Unbecoming a Correctional Employee: Off Duty Misconduct -- wherein you aided and abetted escaped convict, James Beach, by harboring him in your personal vehicle and attempting to elude R.I. State Police Officers on or about 06/26/92.

This matter is now before the Commissioner on the basis of Mr. Renzi's appeal of this dismissal. The Rhode Island Department of Education has intervened in this matter in order to argue that Mr. Renzi's teaching certificate should be revoked. The Department of Education alleges against Mr. Renzi as follows:

1) As a teacher employed by the Rhode Island Department of Corrections and thus subject to the Department of Corrections' Code of Ethics and Conduct for All employees, specifically Sections III, IV, and V(15) and (24), you associated with an escaped inmate of the Department of Corrections, i.e., James Beach, on various occasions from June 22, 1992 through and including June 25, 1992.

2) As a teacher employed by the Rhode Island Department of Corrections and thus subject to the Department of Corrections' Code of Ethics and Conduct for All Employees, specifically Sections III, IV, and V(15) and (24), you aided and abetted an escaped inmate of the Department of Corrections, i.e., James Beach, by harboring him in your personal

vehicle and attempted to elude Rhode Island State Police Officers on or about June 25, 1992.

Each of the items of cause listed above constitutes conduct contrary to the requirement of Rhode Island General Law 16-12-3 that every teacher aim to implant and cultivate principles of morality and virtue in the minds of students. Each item demonstrates that you are professionally unfit to perform the duties of a teacher.

We have received extensive testimony in this case over a long period of time. Many continuances had to be granted for various good and substantial reasons. Still the facts of this case are relatively simple.

Mr. Roger Renzi lives at Power Road in Pawtucket, Rhode Island. Mr. Renzi was a teacher at the Adult Correctional Institute in Cranston, Rhode Island. Some time in 1990 Mr. Renzi hired one James Beach to do occasional work at his (Mr. Renzi's) house. At some point Mr. Renzi allowed Mr. Beach to store several bags of personal items at this house. Mr. Renzi next ran into Mr. Beach when Mr. Beach turned up as a inmate at the ACI. Mr. Beach took classes taught by Mr. Renzi at the ACI.

On or about June 22, 1992 Mr. Beach escaped from his Work Release Program. According to Mr. Beach's testimony he went to Mr. Renzi's house where he spent two or three days. Mr. Beach asserted that Mr. Renzi did not know that he was on "escape status"<sup>1</sup>.

Two state police officers testified that they had received a tip that Mr. Beach was living at Mr. Renzi's house. Detective Lynch testified that he drove by Mr. Renzi's house a number of times but that he saw nothing unusual. On June 25, however, Detective Lynch was in the vicinity of Mr. Renzi's house.

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<sup>1</sup>The force of this testimony is weakened by a statement which Mr. Renzi later made to the police. In this statement, given at Pawtucket Memorial Hospital, he indicated that Mr. Renzi knew at all times that he was on "escape status".

Detective Lynch was driving an unmarked blue Ford Taurus. He saw Mr. Renzi and Mr. Beach leaving Mr. Renzi's house and entering a white station wagon that was registered to Mr. Renzi. Detective Lynch testified as follows:

I observed two males leaving the house, Mr. Renzi and Mr. Beach. They got into the white colored station wagon that was registered to Roger Renzi's name, and they left the residence in that vehicle. They took an immediate right-hand turn on to the side street that abuts Power Road. I attempted to stop the vehicle by utilizing the Taurus' flashing headlights. The vehicle slowed first, sped up, then slowed at the stop sign, which the side street he was entering on to was Smithfield Avenue.

HEARING OFFICER: What do you mean by flashing lights?

THE WITNESS: Headlights that flash on and off, emergency lights, specially constructed lights.

A. Upon approaching the stop sign at Smithfield Avenue, the operator of the vehicle, Mr. Renzi, put on his turn signal to go right, but in essence, conducted a left-hand turn. As he is turning left, the passenger in the car, James Beach, jumped from the vehicle, ran across Smithfield Avenue, climbed a fence at Veterans' Park, jumped from the fence. I think he attempted to jump to a ledge, missed the ledge and fell about 25, 30 feet on to the pavement. At this point I was giving chase, of course, into the Park area, and I was alerted by a person working over on the ball field some distance away that Mr. Beach was lying on the pavement with some injuries to his ankles. I eventually made it over the fence, down to the area where Mr. Beach was, and after sometime -- because as I was going over the fence, I dropped my portable radio, so I had no contact when I was on the ground with Mr. Beach. I asked the civilian who alerted me that Mr. Beach was injured on the ground to go pick up my portable radio, so I could let somebody know

where I was. He made the trek back, found my portable, returned it to me, and I advised Lincoln Barracks of the fact that I had an escapee in custody, and he was injured. I requested a rescue.

While this was happening Mr. Renzi left the scene. He went to his brother's house which was not too far distant. He then went back to the park area and asked some bystanders "if they saw anything that was going on over there, and they told me that they had seen police and rescue or whatever". Mr. Renzi made no effort then or on any following day to report his dealings with Mr. Beach to the police or to officials at the ACI.

We find that Mr. Renzi's failure to report this incident greatly undermines his credibility. We therefore do not credit Mr. Renzi's assertion that Mr. Beach first turned up on his doorstep on the morning of the 25 of June. Mr. Renzi asserted that while Mr. Beach did not threaten him he felt threatened by Mr. Beach's demeanor. Mr. Renzi testified that he realized almost immediately that Mr. Beach was on "escape status". He testified that he wanted to get Mr. Beach to a more public area where he felt Mr. Beach would present less of a threat. Mr. Renzi testified that he offered to drive Mr. Beach to a nearby gas station where he could obtain some money for Mr. Beach's use.

Still, when Mr. Beach jumped from the car, Mr. Renzi made no report to the police. Mr. Renzi had no way of knowing whether the police had in fact recaptured Mr. Beach whom he purported to fear. For all he knew Mr. Beach might still have been at large. Mr. Renzi's failure to report is much more consistent with conscious culpability and a hope for evasion of responsibility than it is with innocent confusion.

We also note that at the intersection during the pursuit Mr. Renzi put on his turn signal as if to make a right turn -- but he in fact turned left as Mr. Beach made his escape. This evasive measure of signaling the wrong direction is consistent

with a desire to avoid contact with the police. We do not credit Mr. Renzi's explanation of what happened. The officer following did not see Mr. Beach reach for the steering wheel as was described by Mr. Renzi. Moreover Mr. Renzi testified that Mr. Beach "pushed" the bottom of the steering wheel. This would have resulted in a right turn rather than a left turn.

In sum we conclude that Mr. Renzi knowingly aided Mr. Beach during his period on "escape status". He also fraternized with Mr. Beach which was contrary to the policy of the Department of Corrections. Good cause therefore exists for sustaining Mr. Renzi's dismissal and for annulling his teaching certificate.

We note for the record that Mr. Renzi did present a number of character witnesses on his behalf. These witnesses however, in our view, did not give such a clear cut endorsement of Mr. Renzi as to induce us to change our view of this matter.

#### Conclusion

The decision of the Department of Corrections to dismiss Mr. Renzi is affirmed. The request of the Department of Education to annul Mr. Renzi's teaching certificate is granted.



Forrest L. Avila, Hearing Officer

Approved:



Peter McWalters, Commissioner

December 1, 1994

Date