





8. RIAC seeks a declaration that, in accordance with its exclusive authority to deny Mr. Parent security credentials based on his willful and knowing incursion into a secure area post-employment, Mr. Parent cannot seek reinstatement as a remedy for any alleged wrongful termination.

9. Without a declaratory ruling, RIAC cannot act to fill the open ARFF lieutenant role formerly held by Mr. Parent and will continue to suffer the harms associated with a vacant position in a critical public safety unit. RIAC will also be subjected to the substantial risk of conflicting legal obligations relative to Mr. Parent's eligibility to serve in the ARFF Unit.

### **PARTIES**

10. Plaintiff Rhode Island Airport Corporation is a quasi-public corporation created under Rhode Island law that manages and operates, among other facilities, the Rhode Island T.F. Green International Airport ("Airport") in Warwick, Rhode Island. *See* R.I. Gen. Laws § 1-2-7.1(a).

11. Defendant Stephen R. Parent is a resident of North Smithfield, Rhode Island, and was formerly employed by RIAC as an ARFF lieutenant.

### **JURISDICTION AND VENUE**

12. The Superior Court has jurisdiction pursuant to R.I. Gen. Laws § 9-30-1.

13. Providence County is a proper venue pursuant to R.I. Gen. Laws § 9-4-4.

14. The Superior Court has subject matter jurisdiction over the claims asserted in this action and personal jurisdiction over the parties.

## STATEMENT OF FACTS

### **I. RIAC is responsible for ensuring the safety and security of Rhode Island airports in accordance with the mandates of federal law.**

15. The General Assembly created RIAC and charged it with ensuring the “safe and efficient operation” of state airports. R.I. Gen. Laws §§ 1-2-7.1, 42-64-7.1.

16. The safe and secure operation of Rhode Island’s airports is not only a paramount policy priority for RIAC, but also a federally-mandated obligation subject to a comprehensive scheme of statutes and regulations. *See* 49 C.F.R Part 1542. As the operator of a commercial service Airport, RIAC is required by federal law to ensure that secured areas of the Airport are protected from unauthorized entry and must comply with all Transportation Security Administration–issued directives and mandates. *See* 49 C.F.R. §§ 1542.101, 1542.303

17. RIAC is required to implement a TSA-approved Airport Security Program (ASP) that establishes security protocols applicable to all airport operations, including standards and procedures for determining who may be granted access to secure or sterile areas of the Airport and on what conditions that authorization is permitted. *See* 49 C.F.R. § 1542.101.

18. RIAC must also comply with federal regulations that require airport operators to establish secured areas and to prevent and detect unauthorized entry to and movement within those areas. *See* 49 C.F.R. §§ 1542.201, 1542.203.

19. Additionally, federal law requires that all airport employees adhere to security regulations, rules, policies, and systems and prohibits anyone from accessing secured areas without complying with access control systems, measures, and procedures. *See* 49 C.F.R. § 1540.105.

20. Failure to comply with its security obligations could subject RIAC to federal penalties and fines or the loss of its ability to maintain a security certificate, effectively terminating its ability to provide commercial air service.

21. All RIAC employees are required to hold security credentials. [REDACTED]

Regardless, RIAC requires all employees who need such credentials to undergo federally-mandated criminal history record checks and Airport security training before RIAC grants them security access. *See* 49 C.F.R. § 1542.209.

22. All employees granted security credentials—including Mr. Parent during his former employment with RIAC—must undergo recurrent training and background checks to retain these credentials.

**II. RIAC has established a federally-approved Airport Security Program.**

23. An ASP is a federally-mandated set of procedures, protocols and rules implemented by an airport to ensure the safety and security of passengers, staff, aircraft, and critical aviation infrastructure by protecting against potential threats like terrorism, criminal acts, and unauthorized persons and items.

24. The content of an ASP is mandated by TSA and other aviation authorities. All ASPs must be approved by TSA, including any amendments, and TSA is empowered to undertake investigative and enforcement actions to ensure compliance with all security requirements. *See* 49 U.S.C. § 114 (f), (u), 49 C.F.R. § 1503.

25. RIAC's most recent ASP [REDACTED]

26. [REDACTED]

27. [REDACTED]

[REDACTED]

28. [REDACTED]

[REDACTED]

29. [REDACTED]

[REDACTED]

[REDACTED]

30. [REDACTED]

[REDACTED]

31. Mr. Parent received recurrent training on the ASP, [REDACTED]

[REDACTED]

**III. RIAC revoked Mr. Parent's security credentials on October 28, 2024 in accordance with its federally-approved ASP.**

32. RIAC terminated Mr. Parent from his position as an ARFF lieutenant on October 28, 2024, for endangering airport operations by knowingly and willfully discouraging applicants from working in the ARFF Unit.

33. At the time of his termination, RIAC revoked Mr. Parent's security access and deactivated his access media. Defendant was informed in writing that his security access was revoked and that his credentials were deactivated.

34. The ASP requires that all security credentials be returned to RIAC upon termination of employment. If RIAC does not collect revoked security credentials, it may be subject to regulatory enforcement action or federal penalties.

35. Mr. Parent did not return his deactivated badge to RIAC despite being instructed to do so by RIAC.

36. Mr. Parent has challenged the grounds for his termination and is seeking, among other things, reinstatement to his position as an ARFF lieutenant—a position that requires security credentials and access to secured areas of the Airport.

**IV. Mr. Parent knowingly and willfully entered a secure, non-public area of the airport without proper authorization and in violation of RIAC's clear directives.**

37. On November 1, 2024, after being notified multiple times by RIAC representatives that he was prohibited from accessing secure areas of the Airport with or without an escort, Mr. Parent unlawfully accessed the Airport's ARFF Station—a secured, non-public area—and removed RIAC property.

38. At approximately 9:30am on Friday, November 1, 2024, Mr. Parent arrived at the vehicle gate to the parking lot of the ARFF Station. [REDACTED]

[REDACTED]

39. Mr. Parent used the intercom and sought entry without communicating with the Officer in Charge of the shift. An on-duty firefighter—one of Mr. Parent’s former subordinates—opened the gate remotely and Mr. Parent entered the secure parking lot.

40. [REDACTED] the Deputy Chief of the ARFF Unit immediately confronted Mr. Parent, explaining that he was not allowed to enter the facility. Mr. Parent ignored the Deputy Chief’s directive, thrusting his middle fingers in the air toward the Deputy Chief in a manner universally recognized as vulgar and derogatory.

41. Mr. Parent walked into the fire station unbadged and unescorted in violation of federal regulations and RIAC security protocols. He entered the alarm/watch room alone and partially closed the door behind him. After a brief period, he left the room carrying a binder and proceeded back to the parking lot, again making vulgar gestures directed at the Deputy Chief. He also made verbal threats to the Deputy Chief. He started his vehicle and left through the vehicle gate.

42. When exiting the ARFF Unit parking lot, Mr. Parent failed to follow proper security protocols [REDACTED]

[REDACTED]

[REDACTED]

43. Mr. Parent’s unauthorized access caused alarm among Airport employees. Per Department of Homeland Security regulations, the Airport notified TSA of Mr. Parent’s breach of Airport security.

44. Defendant’s unauthorized incursion into secured, non-public areas of the Airport on November 1, 2024—in addition to his knowing and willful disregard of

an order to leave the area—violated federal regulations as well as RIAC’s ASP and security policies, compromising the integrity of the Airport’s security and safety.

**V. RIAC has exclusive authority to grant or deny security credentials to individuals seeking access to secured areas as required by federal law.**

45. The authority to access the secure areas of the Airport is a privilege and not a right.

46. As an Airport operator with a TSA-approved ASP, RIAC has the exclusive authority to grant, deny, revoke, or modify an employee’s ability to access secure areas of the Airport or to obtain security credentials.

47. Mr. Parent previously recognized RIAC’s authority on matters of security. On September 9, 2013, Mr. Parent signed an application for a security badge stating that RIAC “reserves the right to revoke the authorization of individuals for airport I.D. Badges where such action is determined to be in the best interest of airport security.”

48. Mr. Parent’s signed September 9, 2013 application for a security badge also includes an acknowledgment that “[e]mployees will not aid in ‘piggy backing’ (allowing unauthorized access to secure or restricted areas) nor shall they otherwise breach, disobey or disregard any security directive, plan or program at the Airport.”

49. Defendant’s signed February 2021 and February 2023 badge renewal forms include an acknowledgement that “T.F. Green Airport reserves the right to revoke this ID badge where such action is determined to be in the best interest of airport security and will take available legal actions to retrieve the badge.”

50. RIAC’s exclusive authority to grant or deny Airport access privileges is necessary to ensure Airport safety and security and to comply with its federally-mandated security obligations.

51. Defendant's signed February 2021 and February 2023 badge renewal forms including an acknowledgement of "security responsibilities" including an initialed agreement to comply with the requirement that Defendant "not access, or attempt to access, any area of the airport without a valid operational need."

**VI. RIAC must address Mr. Parent's security breach and cannot fill the open AARF lieutenant position without a declaratory judgment affirming that he is not entitled to reinstatement.**

52. Mr. Parent has contested his termination in a separate arbitration proceeding and seeks, among other things, reinstatement to his former position.

53. Consistent with its federal regulatory obligations, RIAC is obliged to address Mr. Parent's intentional breach of its security procedures. Ignoring his conduct in the context of his request for reinstatement could subject RIAC to federal investigation and enforcement action. *See, e.g.*, 49 C.F.R. §§ 1503, 1542.203, 1542.207, 1542.209.

54. RIAC also continues to suffer from the financial strain posed by the accrual of overtime payments with a less-than-fully staffed ARFF unit.

55. Even if Mr. Parent is reinstated, he may not work at the ARFF without applying for and receiving security credentials permitting unescorted access to secure, non-public areas of the Airport, in accordance with ASP and TSA requirements.

56. Based on his post-employment breach of Airport security protocols, federal regulations [REDACTED], Mr. Parent would not be eligible for new security credentials, including credentials that would permit him to access secure, non-public areas of the Airport without an escort. Without such access, Mr. Parent cannot serve in the ARFF Unit or in any other position at RIAC.

57. A declaratory judgment in this action will establish whether Mr. Parent is disqualified from seeking reinstatement as a remedy for alleged wrongful

termination and Mr. Parent's disqualification will enable RIAC to address immediately Mr. Parent's knowing violation of its security protocols and the harms caused by the vacant ARFF lieutenant position. A declaratory judgment would allow RIAC to fill the position left vacant by Mr. Parent's termination, a position that is critical to the safety and security of the Airport.

**COUNT I**

**DECLARATORY JUDGMENT  
PURSUANT TO R.I. GEN. LAWS § 9-30-1**

58. RIAC repeats and re-alleges paragraphs 1 through 57 as if fully set forth herein.

59. An actual and justiciable controversy exists concerning whether, in light of RIAC's exclusive authority over security credentials under federally-mandated procedures, Mr. Parent is entitled to claim reinstatement to his former role as an AARF Lieutenant.

60. Pursuant to R.I. Gen. Laws § 9-30-1, *et seq.*, RIAC seeks a declaration that, consistent with RIAC's exclusive authority under federal law, Mr. Parent cannot be reinstated to his former position.

**PRAYER FOR RELIEF**

WHEREFORE, RIAC respectfully requests that the Court:

1. Enter judgment in RIAC's favor on all counts contained in this Complaint;
2. Enter the declaratory ruling requested in Count I; and
3. Award any other relief, both general and special, at law or in equity, to which RIAC is justly entitled.

Respectfully submitted,

RHODE ISLAND AIRPORT CORPORATION

By its Attorneys,

/s/ Daniel J. Procaccini

Michael D. Chittick (# 5967)

Daniel J. Procaccini (# 8552)

Todd D. Amaral (# 10906)

ADLER POLLOCK & SHEEHAN P.C.

100 Westminster Street, 16th Floor

Providence, RI 02903

Tel: (401) 274-7200

Fax: (401) 351-4607

mchittick@apslaw.com

dprocaccini@apslaw.com

tamaral@apslaw.com

Dated: July 2, 2025