Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE STATE OF RIDGEWAY

Syllabus

RIDGEWAY PARKS SERVICE, ET AL. *v.* STEKING

APPEAL FROM THE ADMINISTRATIVE COURT OF RIDGEWAY

No. 22–02. Argued May 13, 2022—Decided May 15, 2022

Appellee, a former Ranger for the Ridgeway Parks Service, was caught dispensing and distributing several police-grade firearms to another account. Following an investigative report, the Ridgeway Parks Service found appellee's conduct to be intentional, and dishonorable discharged him. The Parks Service also forwarded the incident to the Ridgeway Law Enforcement Training Center (LETC), which regulates all certifications granted to peace officers in the State of Ridgeway. The LETC then revoked appellee's peace officer certification and blacklisted him from obtaining future certifications from the LETC. After appellee filed a lawsuit challenging both his dishonorable discharge from the Ridgeway Parks Service and his blacklist from the LETC, the Administrative Court set aside the blacklist, holding that it was a blacklist from employment under 2 R. Stat. § 332. The Administrative Court also set aside appellee's dishonorable discharge from the Parks Service on other grounds.

Held: The Administrative Court misapplied the law in construing a LETC blacklist from obtaining certifications as a blacklist from employment under 2 R. Stat. § 332. Pp. 5–11.

(a) In reviewing the decision of the Administrative Court, this Court looks to whether the Administrative Court, in rendering its judgment, relied on a blatant misapplication of the law, violated a constitutional right or liberty, or abused its discretion. 2 R. Stat. § 398. P. 5.

(b) 2 R. Stat. § 332 states that "[i]t is a violation of law to blacklist an individual from employment." The first presumption in statutory interpretation is that a legislature says in a statute "what it means" and means in a statute "what it says there." *Connecticut Nat. Bank* v. *Germain,* 503 U. S. 249, 253-254. Thus, the Court must give undefined terms their ordinary meaning. See, *e.g.*, *Taniguchi* v. *Kan Pacific*

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Saipan, Ltd., 566 U. S. 560, 566; *Asgrow Seed Co*. v. *Winterboer*, 513 U. S. 179, 187. Pp. 5-6.

(1) The term "employment" involves an individual's state of being employed. The term "employ," in turn, has traditionally encompassed the scenario of an individual being given work to be done with some sort of income or pay, both legally and in the ordinary sense. The term "from," in turn, is used in this context to indicate physical separation or an act or condition of removal, abstention, exclusion, et cetera.

(2) Under the phrase's ordinary meaning, a LETC certification cannot be considered a blacklist from employment under 2 R. Stat. § te332, because an individual does not receive automatic employment upon earning their certification. Rather, a certification represents the idea that LETC believes the individual being certified is qualified to be a peace officer in the State of Ridgeway. Although it is true that a LETC certification serves as a requisite for an individual to serve in specific positions for virtually all law enforcement agencies in the state, the fact that no employment is directly tied to obtaining a LETC certification counsels against holding LETC blacklists as blacklists from employment. The plain text is also unambiguous in its command; by limiting the prohibition against blacklists specifically against employment, § 332 is consistent with Developer Oversight's view that "[a]ll persons who maintain good behavior . . . have the right to employment." 2 R. Stat. § 401. Furthermore, a LETC certification blacklist is not considered the end of the world for an individual's prospects of obtaining any job. Pp. 6-9.

(c) Appellee's argument that the phrase "from employment" should be construed broadly is rejected by the fact that the plain meaning is unambiguous. Appellee failed to identify an indication that Developer Oversight, in drafting 2 R. Stat. § 332, intended for the phrase to take on some other meaning instead of its ordinary meaning. Cf. *Williams* v. *Taylor,* 529 U. S. 420, 431; *Walters* v. *Metropolitan Ed. Enterprises, Inc*., 519 U. S. 202, 207. Appellee's reliance on the title of the Administrative Procedures Act is also rejected for the reason that the title of a law is only useful in resolving ambiguous words or phrases in a statute. *Whitman* v. *American Trucking Association,* 531 U. S. 457, 483. Pp. 7-8.

(d) The Administrative Court's holdings were based on the fact that "prolonged consequences" of a LETC blacklist could hinder individuals in gaining employment. But such raw consequentialist calculations have been discouraged and play no role in the Court's decision. *Niz-Chavez* v. *Garland,* 141 S. Ct. 1474, 1486. When interpreting a statute, our task is to apply the law's plain meaning "as faithfully as we can," not "to assess the consequences of each approach and adopt the one that

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produces the least mischief." *BP p.l.c.* v. *Mayor and City Council of Baltimore,* 141 S. Ct. 1532, 1542. Such a rule ensures that courts do not disregard the plain text of the case because of "extratextual considerations," *Bostock* v. *Clayton County,* 140 S. Ct. 1731, 1749. Pp. 9-11.

1 R. Adm. 1, affirmed in part and reversed in part.

POWELL, J., delivered the opinion of the Court, in which BURGER, C. J., and ZAC2524, J., joined.[1] JACKSON, J., took no part in the consideration or decision of this case.

[1] The Honorable zac2524, Superior Court Judge, sitting by designation.

NOTICE: This opinion is subject to formal revision before publication in the preliminary print of the Ridgeway Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of Ridgeway, Palmer, R. W., of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.

SUPREME COURT OF THE STATE OF RIDGEWAY

No. 22-02

RIDGEWAY PARKS SERVICE, ET AL., APPELLANTS *v.* STEKING2008

ON APPEAL FROM THE ADMINISTRATIVE COURT OF RIDGEWAY

[May 15, 2022]

JUSTICE POWELL delivered the opinion of the Court.

2 R. Stat. § 332 states that "[i]t is a violation of law to blacklist an individual from employment." In this case, appellee was dishonorably discharged from the Ridgeway Parks Service after he was caught dispensing and dealing several police-grade firearms to another account. In addition, his certification from the Law Enforcement Training Center was revoked, and he was blacklisted from obtaining such a certification in the future. This appeal requires us to determine whether such a blacklist issued to prevent an individual from obtaining a prerequisite certification is lawful. We hold that such blacklists are not blacklists from employment under 2 R. Stat. § 332.

I

A

The Ridgeway Law Enforcement Training Center (LETC) was established as part of the Public Safety Act, 2022 Session Laws s. 6, with the purpose of certifying "all peace officers in the State of Ridgeway." 8 R. Stat. § 101. Although certification is not a statutory requisite for employment as a peace officer in law enforcement departments except the

Ridgeway Parks Service, see 7 R. Stat. § 106, virtually all law enforcement departments in the State of Ridgeway have enacted some sort of policy requiring that employees possess a certification issued by the LETC. See, *e.g.*, Rid. State Police, Department Policy Guide §§ 101.1-101.2, p. 7 (2021); Ridgeway Parks Service, Department Handbook on Differences Between Volunteers and Full Rangers (2022), online at https://trello.com/c/8Uy2aDJ2/39-differences-between-volunteers-and-full-rangers (as visited Apr. 30, 2022). Thus, a certification from LETC has been widely sought after by citizens as more and more individuals seek to become peace officers in the State of Ridgeway.

Nevertheless, a LETC certification is not necessarily permanent. The Director of the LETC possesses the power to revoke a certification when due process is afforded and "proper demonstration of reasoning and evidence" is provided for such a revocation. 8 R. Stat. § 111. Lesser offenses can result in strikes and warnings, which are less severe but nonetheless reflect punishment for misconduct. See *id.* § 112. Thus, peace officers may face disciplinary records on their certifications as a result of misconduct that has occurred on their part.

The Administrative Procedure Act, 2022 Session Laws s. 2, codified at 2 R. Stat. § 301 *et seq.,* was enacted along with the Public Safety Act. Recognizing that "[a]ll persons who maintain good behavior… have the right to employment," 2 R. Stat. § 401, Developer Oversight enacted the Administrative Procedure Act to protect employees of the government against arbitrary punishment. 2 R. Stat. § 333. Under 2 R. Stat. § 332, it is therefore illegal to blacklist someone from "employment."

B

Appellee was a former ranger of the Ridgeway Parks Service, certified by the LETC. According to appellee's administrative claim, appellee had to leave his computer for about

15 to 20 minutes on March 13th, 2022.[1] Adm. Cl. for Appellee, at 2. Appellee's brother, who owned a different account, promptly logged onto appellee's computer and logged onto Ridgeway County on appellee's account. *Id.,* at 2-3. Having logged onto Ridgeway County, appellee's brother then utilized his account to dispense several police-grade firearms while he was on the Ridgeway Parks Service team, and distributed the dispensed firearms to an account allegedly owned by appellee's brother (recipient account).[2]

A restricted State of Ridgeway Discord contains several logs to prevent abuses of certain features reserved to government officials. The lead investigator for the Ridgeway Parks Service in appellee's investigation was notified of the incident after noticing numerous firearms being dispensed by appellee through one of such "drop logs" on Discord. See Ridgeway Parks Service, Internal Affairs Unit Case Report (5-22-0084-RPS, 2022). After noticing the unusual number of drop logs, the investigator notified several other high-ranking officials of the Parks Service, who promptly joined the server that appellee and the recipient account had exchanged the firearms in. By this point, appellee had already returned to his computer, only to realize that he had been placed on administrative leave and was requested to appear before the lead investigator to be questioned for the inci-

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[1] Appellee notes that the Inaugural Laws, of which the Public Safety Act is part of, was not enacted until after the date the Inaugural Laws were enacted. That issue is not presented before us in this case, however, so we decline to address it. Cf. *Intel Corp. Investment Policy Comm.* v. *Sulyma*, 140 S. Ct. 768, 775 n. 2 (2020).

[2] According to the Ridgeway Parks Service, appellee, as a certified peace officer and Park Ranger, was able to legally dispense the police-grade firearms. See Ridgeway Parks Service, Internal Affairs Unit Case Report (5-22-0084-RPS, 2022); Ridgeway Parks Service, Department Handbook on Differences Between Volunteers and Full Rangers (2022), online at https://trello.com/c/8Uy2aDJ2/39-differences-between-volunteers-and-full-rangers (as visited Apr. 30, 2022).

dent. Following the lead investigator's questioning of appellee, the Parks Service investigator concluded that appellee intentionally and unlawfully dispensed and distributed police-grade firearms to the recipient account, and recommended appellee's dishonorable discharge from the Parks Service. The Parks Service dishonorably discharged and blacklisted appellee from the department on the same day of the incident.

The trouble did not end there for appellee, however. The Parks Service also forwarded the incident to the LETC, which immediately ordered the revocation of appellee's LETC certification and a blacklist preventing appellee from obtaining a new certification. *In re SteKing2008,* RSC-AD-268 (Apr. 23, 2022), p. 2.

C

On April 12th, 2022, appellee filed suit in the Administrative Court, challenging his dishonorable discharge from the Ridgeway Parks Service, as well as his blacklist from obtaining a certification from LETC. Appellee argued that his dishonorable discharge from the Parks Service was unlawful under 2 R. Stat. § 311, that he was not afforded due process before the LETC revoked his LETC certificate under 8 R. Stat. § 110, and that his blacklist from LETC was unlawful because it operated as a *de facto* employment blacklist as prohibited under 2 R. Stat. § 332.

The Administrative Court agreed with appellee, and set aside his dishonorable discharge and LETC blacklist. *In re SteKing2008,* 1 R. Adm. 1 (2022). The Administrative Court held that the LETC blacklist operated as a *de facto* blacklist from employment under 2 R. Stat. § 332 because it appeared that appellee would be unable to obtain such employment. *Id.,* at 1. The Administrative Court also held that because both the Parks Service and LETC did not afford due process to appellee at the time of his dishonorable discharge and blacklists, the administrative actions were unlawful, and

thus had to be set aside. *Id.,* at 2-3. The Administrative Court ordered an administrative hearing on the issue of appellee's dishonorable discharge from the Ridgeway Parks Service under 2 R. Stat. § 383, which found that appellee had indeed intentionally dispensed and distributed police-grade firearms to the recipient account and that a dishonorable discharge from the Parks Service was warranted.[3] See RSC-AD-268, at 4. We initially noted probable jurisdiction limited to a question regarding judicial disqualification, 1 Rid. 509 (2022), but amended our order to note probable jurisdiction limited to the following question: whether the Law Enforcement Training Center has the power to blacklist individuals from obtaining a certification. *Id.*

II

We have jurisdiction over this appeal under 2 R. Stat. § 397. We must determine whether Administrative Court, in rendering its judgment, relied on a blatant misapplication of the law, violated a constitutional right or liberty, or abused its discretion. See 2 R. Stat. § 398.

As noted above, 2 R. Stat. § 332 states that "[i]t is a violation of law to blacklist an individual from employment." The Parks Service and LETC claim that based on the text of 2 R. Stat. § 332, Developer Oversight did not intend to prohibit blacklists against obtaining certifications, and thus the blacklist issued by LETC was lawful. As both parties acknowledge, the phrase in contention in this case is "from employment." See Brief for Appellee 5, also cf. Brief for Appellant 8. Both parties also attempt to point out ambiguities in the text and advocate for us to use various canons of statutory construction to resolve those ambiguities. But both the Parks Service and LETC and appellee are jumping the gun – our first task is to presume that a legislature says in

[3] A blacklist from LETC was not recommended by the presiding tribunal-at-large in its final judgment.

a statute "what it means" and means in a statute "what it says there." *Connecticut Nat. Bank* v. *Germain,* 503 U. S. 249, 253-254 (1992). Because the phrase "from employment" is undefined in the Public Safety Act or any other relevant statute, we must give the phrase its ordinary meaning in order to satisfy this first step. See, *e.g.*, *Taniguchi* v. *Kan Pacific Saipan, Ltd.,* 566 U. S. 560, 566 (2012); *Asgrow Seed Co.* v. *Winterboer*, 513 U. S. 179, 187 (1995).

In general, the term "employment" involves an individual's state of being employed. Merriam-Webster's Collegiate Dictionary 408 (11th ed. 2020). The term "employ," in turn, has traditionally encompassed the scenario of an individual being given work to be done with some sort of income or pay. *Id.* (defining the term "employ" as "to provide with a job that pays wages or a salary"); see also American Heritage Dictionary 585 (5th ed. 2016) ("[t]o provide work to (someone) for pay"); Black's Law Dictionary 604 (9th ed. 2009) (defining employment as "[w]ork for which one has been hired and is being paid by an employer"). The term "from," in turn, is used in this context to indicate physical separation or an act or condition of removal, abstention, exclusion, et cetera. Merriam-Webster's Collegiate Dictionary, at 503; see also American Heritage Dictionary, at 705.

Under the phrase's plain meaning, then, 2 R. Stat. § 332 is unambiguously clear: a department may not prevent someone from receiving a paid job. Here, an LETC certification is not an opportunity for employment, standing alone. Simply receiving a certification does not mean an individual is necessarily gaining employment. Rather, a certification represents the idea that LETC believes the individual being certified is qualified to be a peace officer in the State of Ridgeway. Of course, it is true that a LETC certification serves as a requisite for an individual to serve in specific positions for virtually all law enforcement agencies in the

state, see *infra,* at 1-2.[4] But there is no indication that those who receive certifications from LETC are automatically assigned a position in a certain law enforcement agency, with little wiggle room. The plain text of 2 R. Stat. § 332 cannot be stretched to claim that employment also applies to certifications acting as requisites for certain types of employment. One who receives a certification from LETC is not being offered a job with a salary or pay, and, consequentially, a LETC blacklist from obtaining a certification is not, under the ordinary meaning of "employment," a blacklist from employment under 2 R. Stat. § 332.

Appellee tries to argue that the phrase "from employment" signals a broad prohibition on *all* blacklists relating to employment. Brief for Appellee 6. He claims that the term "employment" is ambiguous because it could mean "100 different things to 100 different people," Tr. of Oral Arg. 9, but fails to point out and offer an indication that Developer Oversight did not intend for the terms' ordinary meanings to apply in § 332.[5] Cf. *Williams* v. *Taylor,* 529

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[4] Interestingly, the Ridgeway County Sheriff's Office has a unit that is specifically comprised of "non-certified persons." See 6 R. Stat. § 213. The Parks Service and LETC also noted the existence of such a division in their oral argument, as did appellee. Tr. of Oral Arg., at 16. Thus, the Administrative Court's assertion that appellee cannot and will not obtain a job at "any law enforcement agency" is called into serious doubt. 1 R. Adm., at 1.

[5] Indeed, appellee seems to have not realized that we must first look towards the phrase's ordinary meaning when it is undefined in a statute. Such an instruction is useful because it allows us to determine the exact context of a phrase based on what the terms "conveyed to reasonable people at the time they were written." A. Scalia & B. Garner, Reading Law: The Interpretation of Legal Texts 16 (2012). As one scholar put it, the "prime directive in statutory interpretation is to apply the meaning that a reasonable reader would derive from the text of the law," so that "for hard cases as well as easy ones, the ordinary meaning (or the `everyday meaning' or the `commonsense' reading) of the relevant statutory text is the anchor for statutory interpretation." W. Eskridge, Interpreting Law 33, 34-35 (2016) (footnote omitted). Thus, "[s]tatutory construction must

U. S. 420, 431 (2000); *Walters* v. *Metropolitan Ed. Enterprises, Inc.*, 519 U. S. 202, 207 (1997). Appellee does attempt to point towards the original title of the Administrative Procedure Act, see Tr. of Oral Arg. at 14, to indicate Developer Oversight's intent of adopting a broader definition of "employment," but fails to realize that the title of a legislative act may not "limit the plain meaning of text." *Pennsylvania Dept. of Corrections* v. *Yeskey,* 524 U. S. 206, 212 (1998). Rather, the title of a statute is useful in statutory interpretation only to "she[d] light on some ambiguous word or phrase in the statute itself." *Whitman* v. *American Trucking Association,* 531 U. S. 457, 483 (2001) (brackets in original) (quoting *Carter* v. *United States,* 530 U. S. 255, 267 (2000)).

On the other hand, however, the plain text of the statute clearly demonstrates Developer Oversight's intentions in enacting § 332. By limiting the prohibition against blacklists specifically against employment, § 332 is consistent with Developer Oversight's view that "[a]ll persons who maintain good behavior… have the right to employment." 2 R. Stat. § 401, *supra.*[6] As both parties noted, a LETC certification blacklist is not considered the end of the world for an individual's prospects of obtaining any job. Appellee concedes that even though an individual's chances of obtaining

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begin with the language employed by [the legislature] and the assumption that the ordinary meaning of that language accurately expresses the legislative purpose." *Milner* v. *Department of Navy,* 562 U. S. 562, 569 (2011) (quoting *Park 'N Fly, Inc.* v. *Dollar Park & Fly, Inc.*, 469 U. S. 189, 194 (1985)). Of course, such a rule is not absolute; where the "the literal application of a statute will produce a result demonstrably at odds with the intentions of its drafters . . . the intention of the drafters, rather than the strict language, controls." *United States* v. *Ron Pair Enterprises, Inc.,* 489 U. S. 235, 242 (1989) (citation omitted).

[6] This view is consistent with our duty to interpret the statute before us in "'the most harmonious, comprehensive meaning possible' in light of the legislative policy and purpose." *Weinberger* v. *Hynson, Westcott & Dunning, Inc.,* 412 U. S. 609, 631-632 (1973) (quoting *Clark* v. *Uebersee Finanz-Korp.,* 332 U. S. 480, 488 (1947)).

employment in, for example, the Sheriff's Office Corrections Division is unlikely because "a LETC Certification plays a big part in how departments view a person," Tr. of Oral Arg., at 16, it is still probable that an individual could be employed in such a capacity even with a LETC blacklist. Furthermore, an interpretation that a blacklist against obtaining certifications from LETC is not unlawful under § 332 is not unreasonable. Blacklists, like other forms of disciplinary methods such as certification revocation or strikes and warnings, are meant to reflect a peace officer's previous misconduct. Cf. *infra,* at 2. Thus, Developer Oversight's intent to guarantee employment to those "in good behavior," 2 R. Stat. § 401, would not be frustrated by an LETC blacklist against obtaining a certification. Developer Oversight clearly did not intend for 2 R. Stat. § 332 to be a blacklist over requisites of employment, especially within the ordinary meaning of the term "employment." To hold otherwise would be an attempt to disregard the plain language of the statute simply because the legislature "must have intended something broader," *Michigan* v. *Bay Mills Indian Community,* 572 U. S. 782, 794 (2014), when it clearly did not do so.

III

The Administrative Court held that appellee's LETC certification blacklist, however, was more of a *de facto* employment blacklist from law enforcement departments because appellee would be "hindered in gaining employment" in law enforcement departments with such a blacklist. See 1 R. Adm., at 1. The Administrative Court also argued that such a blacklist could not reasonably viewed as merely a blacklist from certification because of its "prolonged consequences." *Id.,* at 2.

We disagree. First, when interpreting a statute, our task is to apply the law's plain meaning "as faithfully as we can," not "to assess the consequences of each approach and adopt the one that produces the least mischief." *BP p.l.c.* v. *Mayor*

and City Council of Baltimore, 141 S. Ct. 1532, 1542 (2021) (quoting *Lewis* v. *Chicago,* 560 U. S. 205, 217 (2010)). As the Supreme Court stated, the fact that the legislature failed to foresee all the consequences of a statutory enactment is not a sufficient reason for "refusing to give effect to its plain meaning." *Lockhart* v. *United States,* 546 U. S. 142, 146 (2005) (quoting *Union Bank* v. *Wolas,* 502 U. S. 151, 158 (1991)). The statute is unambiguous in that blacklists excluding individuals from *receiving* jobs is unlawful, but clearly does not state that a blacklist excluding individual from obtaining a certification, even one that serves as a requisite for some jobs, is prohibited.

The Administrative Court therefore based its judgment on a "raw consequentialist calculation" of the effects a blacklist from obtaining a LETC certification may result to an individual. *Niz-Chavez* v. *Garland,* 141 S. Ct. 1474, 1486 (2021). Appellee also tries to advocate for a consequentialist interpretation of the legality of LETC blacklists, but to no avail. Although such considerations certainly seem extremely tempting, evaluating the consequences "plays no role in our decision." *Id.* Our job is "neither to add nor to subtract, neither to delete nor to distort [the words of the legislature]," *62 Cases of Jam* v. *United States*, 340 U. S. 593, 596 (1951), but to "give the law's terms their ordinary meaning." *Niz-Chavez,* 141 S. Ct., at 1486.[7] In that small way, we ensure that our government does not "exceed its statutory license," see *id.,* and that courts do not disregard

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[7] See also *Borden* v. *United States,* 141 S. Ct. 1817, 1829 (2021) (plurality opinion) ("[a] court does not get to delete inconvenient language and insert convenient language to yield the court's preferred meaning"); *Michigan* v. *Bay Mills Indian Community,* 572 U. S. 782, 794 (2014) (courts do not have the power to disregard clear language simply because the legislature "must have intended something broader") (internal quotation marks omitted); *Pavelic & LeFlore* v. *Marvel Entertainment Group, Div. of Cadence Industries Corp.,* 493 U. S. 120, 126 (1989) (noting that a reviewing court's task is to "apply the text, not improve on it").

a statute's plain terms on some "extratextual consideration." *Bostock* v. *Clayton County,* 140 S. Ct. 1731, 1749 (2020). Regardless of the consequences that may result when a blacklist from obtaining a certification from LETC is ordered against an individual, such a blacklist is not explicitly prohibited by 2 R. Stat. § 332. As the Parks Service and LETC note, § 332 prohibits blacklists "on" employment, not "around" employment. See Tr. of Oral Arg. 6. By incorrectly assuming that 2 R. Stat. § 332's restrictions against blacklists from employment also includes blacklists from obtaining a certification considered a requisite by some departments for certain positions, the Administrative Court mistakenly distorted the text of 2 R. Stat. § 332 in holding that a LETC blacklist from obtaining a certification is unlawful.

* * *

For the reasons stated above, we hold that blacklists issued by the Ridgeway Law Enforcement Training Center against obtaining a certification in the future is lawful under 2 R. Stat. § 332, and that the Administrative Court misapplied the law when it held otherwise. Insofar as the Administrative Court held that blacklists from the LETC from obtaining certifications were unlawful, its judgment is reversed. The judgment of the Administrative Court is otherwise affirmed.

Affirmed in part and reversed in part.

JUSTICE JACKSON took no part in the consideration or decision of this case.