

**STATE OF NEW HAMPSHIRE  
BOARD OF BARBERING, COSMETOLOGY AND ESTHETICS  
121 SOUTH FRUIT ST  
CONCORD, NEW HAMPSHIRE 03301**

In the Matter of:  
Sande Lamanuzzi  
Personal Cosmetology License Number: 3235  
Shop License Number: 770  
(Adjudicatory Proceedings)

Docket No. 2018-01

**DECISION AND ORDER**

By the Board: Holly Rodrigues, Chair and Presiding Officer  
Joshua Craggy, Board Member  
Kassie Dubois, Board Member  
Jeanne Chappell, Board Member  
Absent was: Kimberly Hannon<sup>1</sup>

Appearances: Laurel O'Connor, Hearing Counsel

**BACKGROUND**

In cases where public health, safety or welfare requires emergency action, RSA 313-A:22; RSA 541-A:30, III, and New Hampshire Board of Barbering, Cosmetology and Esthetics Administrative Rule (“Bar”) 402.03 authorize the New Hampshire Board of Barbering, Cosmetology and Esthetics (“Board”) to suspend a license to practice pending completion of an adjudicatory proceeding.

On or about January 2, 2018, the Board received information in the form of email complaints regarding Sande Lamanuzzi (“Respondent”). The complaints referenced two reports from News 9 WMUR called “Operation Granite Shield nabs three in Franklin” and “Woman accused of possession of drugs with intent to distribute”. One report stated the Respondent was arrested and charged with possession with intent to distribute a narcotic drug and four counts of possession of a controlled drug. The second report stated the Respondent was charged with two counts of possession of a controlled drug with intent to distribute, two counts of possession of a controlled drug and six counts of default or breach of bail.

An “Order of Emergency License Suspension and Notice of Hearing” approved by the Board on March 6, 2018, was issued on March 6, 2018. Effective immediately, the Respondent’s cosmetology license was suspended, her salon license was suspended, and was ordered not to practice cosmetology in this state until further notice. The Notice of Hearing scheduled an adjudicatory/disciplinary hearing for March 12, 2018.

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<sup>1</sup> Absent members did not deliberate or vote on the matter.

As set forth in the Notice of Hearing, the relevant issues to be decided were:

- A. Whether, between January 2015 and January 2018, Respondent committed professional misconduct by being arrested for several Class A and B felonies and Class A and B misdemeanors, most of which were related to drugs in violation of RSA 313-A:22, II (d) and/or RSA 313-A:22, II (e);
- B. Whether, on or about May 2, 2016, Respondent falsified her renewal application for her shop in violation of RSA 313-A:22, II (a); and/or Bar 501.02 (b);
- C. Whether on or about May 22, 2017, Respondent falsified her renewal application for her shop in violation of RSA 313-A:22, II (a); and or Bar 501.02 (b);
- D. If any of the above allegations are proven, whether and to what extent, Respondent should be subjected to one or more of the disciplinary sanctions authorized by RSA 313-A:22.

Although properly notified, the Respondent did not attend the hearing; therefore, the hearing was held in absentia. The Order of Emergency License Suspension and Notice of Hearing were hand-delivered to the Respondent at the Strafford County Jail where she is currently incarcerated. The Board considered all of the exhibits entered.

The Hearing Counsel entered the following exhibits into evidence:

1. Article from WMUR.com dated December 9, 2017.
2. Article from WMUR.com dated January 2, 2018.
3. Case Summary from the 6<sup>th</sup> Circuit-District Division-Concord.
4. Case Summary from the 6<sup>th</sup> Circuit-District Division-Franklin.
5. Case Summary from the Hillsborough Superior Court Northern District.
6. Case Summary from Merrimack Superior Court.
7. Case Summary from Merrimack Superior Court.
8. Case Summary from 6<sup>th</sup> Circuit-District Division-Concord.
9. Renewal Application for Two-Year Shop License.
10. Renewal Application for Two-Year Personal License.
11. Renewal Application for Two-Year Shop License.

## 12. Order of Emergency License Suspension and Notice of Hearing.

### HEARING TESTIMONY

#### **I. Hearing Counsel's Case**

The Board has the authority to grant cosmetology licenses. See RSA 313-A:11. On or about March 6, 1984, the Board granted the Respondent a license to practice cosmetology in the State of New Hampshire. The Respondent holds cosmetology license number 3235. The cosmetology license is the Respondent's personal license.

The Board has the authority to grant shop licensure in accordance with RSA 313-A:19. Pursuant to this authority, the Board may grant shop licensure to an individual who is the owner of the shop if this individual has a personal license as a barber, cosmetologist, manicurist, or esthetician. See RSA 313-A:19, II. On or about March 16, 1992, The Board granted the Respondent shop license number 770.

The Board granted Hearing Counsel's motion to present the case on an offer of proof. Hearing Counsel explained each exhibit. Exhibit 1 is an article from WMUR stating that state police arrested three people in Franklin as part of Operation Granite Shield. See Exhibit 1. The Respondent was charged with possession with intent to distribute a narcotic drug and four counts of possession of a controlled drug.

Exhibit 2 is an article from WMUR which showed that the Respondent was facing drug charges after attempting to sell methamphetamine and heroin. See Exhibit 2. The Respondent was arrested during a traffic stop on an arrest warrant out of Concord. During the arrest the police found what they suspected to be fentanyl and prescription drugs on the Respondent. During the vehicle search, more fentanyl was found as well as what they believed to be crystal meth and prescription pills. The Respondent was charged with two counts of possession of a controlled drug with intent to distribute, two counts of possession of a controlled drug, and six counts of default or breach of bail.

Exhibit 3 is a Case Summary from the 6<sup>th</sup> Circuit-District Division- Concord. See Exhibit 3. The Respondent was charged with Controlled Drug: Acts Prohibited and found guilty by the Court on 10/28/15.

Exhibit 4 is a Case Summary from the 6<sup>th</sup> Circuit-District Division- Franklin. See Exhibit 4. On or about 10/31/16, the Respondent was charged with Controlled Drug: Acts Prohibited and found guilty by the Court on 01/17/17.

Exhibit 5 is a Case Summary from the Hillsborough Superior Court-Northern District. See Exhibit 5. On or about 09/07/17, the Respondent was charged with Controlled Drug: Acts Prohibited and Controlled Drug: Sched -4; Possession. This case is still pending.

Exhibit 6 is a Case Summary from the Merrimack Superior Court. See Exhibit 6. On or about December 8, 2017, the Respondent was charged with Bail Order, Controlled Drug: Acts Prohibited and Number of Plates. This case is still pending.

Exhibit 7 is a Case Summary from the Merrimack Superior Court. See Exhibit 7. On or about December 29, 2017, the Respondent was charged with Controlled Drug: Acts Prohibited and Breach of Bail. This case is still pending.

Exhibit 8 is a Case Summary from the 6<sup>th</sup> Circuit-District Division-Concord. See Exhibit 8. On or about 01/01/18, the Respondent was charged with Criminal Trespass. This case is still pending.

Exhibit 9 is a shop renewal form the Respondent submitted to the Board on 5/18/15. See Exhibit 9. The renewal asks the question: "Have you ever been convicted of any felony or misdemeanor, other than a traffic violation, which has not been annulled by a court?". The Respondent circled "No" in response and also signed the renewal form.

Exhibit 10 is a shop renewal form the Respondent submitted to the Board on 5/02/16. See Exhibit 10. The renewal asks the question: "Have you ever been convicted of any felony or misdemeanor, other than a traffic violation, which has not been annulled by a court?". The Respondent circled "No" in response and also signed the renewal form.

Exhibit 11 is a shop renewal form the Respondent submitted to the Board on 5/22/17. See Exhibit 11. The renewal asks the question: "Have you ever been convicted of any felony or misdemeanor, other than a traffic violation, which has not been annulled by a court?". The Respondent circled "No" in response and also signed the renewal form.

Exhibit 12 is a copy of the Order of Emergency License Suspension and Notice of Hearing.

## **II. Respondent's Case**

The Respondent was unavailable to testify. The Respondent is currently incarcerated at the Strafford County Jail.

## **FINDINGS OF FACT**

The Board took into consideration all exhibits. The Board found the entire narrative, in all of the sections, in the above-captioned 'Hearing Testimony' to be true.

### RULINGS OF LAW

1. On or about October 28, 2015, Respondent committed professional misconduct by being convicted of Controlled Drugs: Acts Prohibited in violation of RSA 313-A:22, II (d) and/or RSA 313-A:22, II (e).
2. On or about October 31, 2016, Respondent committed professional misconduct by being arrested for Controlled Drugs: Acts Prohibited in violation of RSA 313-A:22, II (d) and/or RSA 313-A:22, II (e).
3. On or about September 7, 2017, Respondent committed professional misconduct by being arrested for Controlled Drugs: Acts Prohibited in violation of RSA 313-A:22, II (d) and/or RSA 313-A:22, II (e).
4. On or about December 8, 2017, Respondent committed professional misconduct by being arrested for Controlled Drugs: Acts Prohibited in violation of RSA 313-A:22, II (d) and/or RSA 313-A:22, II (e).
5. On or about December 29, 2017, Respondent committed professional misconduct by being arrested for Controlled Drugs: Acts Prohibited in violation of RSA 313-A:22, II (d) and/or RSA 313-A:22, II (e).
6. On or about January 1, 2018, Respondent committed professional misconduct by being arrested for Criminal Trespass in violation of RSA 313-A:22, II (d).
7. On or about May 2, 2016, the Respondent falsified her renewal application for cosmetology in violation of RSA 313-A:22 II, (a) and/or Bar 501.02(b).
8. On or about May 22, 2017, the Respondent falsified her renewal application for shop in violation of RSA 313-A:22 II, (a) and/or Bar 501.02(b).

The Board has authority to undertake disciplinary action against a licensee, after a hearing and a finding that the licensee has committed misconduct as described above or has engaged in acts that pose a threat to public health or safety. RSA 313-A:22; Bar 402.03.

### DISCIPLINARY ACTION

**THEREFORE IT IS ORDERED**, that the Respondent's personal cosmetology and shop licenses are **SUSPENDED** for a period of five years. At any point during the suspension the Respondent may petition the Board for a hearing on whether the suspension should be lifted.

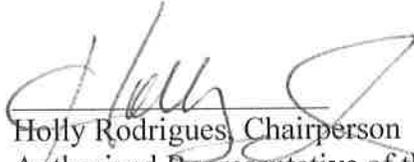
**IT IS FURTHER ORDERED**, that the Respondent's failure to comply with any terms or conditions imposed by this Order shall constitute unprofessional misconduct pursuant to RSA 313-A:22, II (c), and a separate and sufficient basis for further disciplinary action against the licensee.

**IT IS FURTHER ORDERED**, that this Order shall become a permanent part of the Respondent's file, which is maintained by the Board as a public document.

**IT IS FURTHER ORDERED**, that this Order shall take effect as an Order of the Board on the date an authorized representative of the Board signs it.

Date 5-14-18

BY ORDER OF THE BOARD

  
Holly Rodrigues, Chairperson  
Authorized Representative of the Board