

Before the
N.H. Electricians Licensing Board
Concord, N.H. 03301

In the Matter of:

Chad Amodio, #11371M
Adjudicatory/Disciplinary Proceeding)

Docket No. 17-02

FINAL DECISION AND ORDER

This proceeding was commenced by a Notice of Hearing issued August 31, 2017 by the Electricians' Licensing Board ("the Board"), to determine if Chad Amodio #11371M ("the Respondent") engaged in professional misconduct in violation of RSA 319-C:12 (II)(b), (c) and/or(d), and Elec 405.01(a)(1) and (3) as evidenced by respondent's conviction in 2014 for Travel With Intent to Engage in Illicit Sexual Conduct by the United States Federal District Court in the State of Maine.

INFORMATION

A hearing was held on September 12, 2017 at the Board office commencing at approximately 9:30 a.m. Mr. Amodio was present with his counsel, James Moir, Esquire and offered testimony to demonstrate why he had not engaged in professional misconduct. Dean Sotirakopoulos, Chief Electrical Inspector, was Hearings Counsel and offered testimony to establish that the respondent has engaged in professional misconduct as set forth above.

Based upon the information set forth in the respondent's renewal application and the disclosure of his felony conviction for Travel With Intent to Engage in Illicit Sexual Conduct, the Board issued a Conditional Denial of the respondent's application. Thereafter, the respondent requested a Show Cause Hearing in the matter. Based upon the foregoing, the Board found that there is a reasonable basis for commencing a show cause adjudicatory/disciplinary proceeding against the respondent pursuant to RSA RSA 319-C:12 (II)(b), (c) and (d), and Elec 405.01(a)(1).

Board members present were ¹

Peter Cicolini, Chairman, Presiding Officer
Joe Casey, Board Member,
Matt Connors, Board Member
William Infantine, Public Member
Jack Grube, Public Member.

The following exhibits were introduced into evidence and accepted into the record without objection:

Exhibit 1 – Renewal Application for NH Master’s Electrician License received 3/31/17;
Exhibit 2 – Conditional Denial Issued by the Board on 04/04/17;
Exhibit 3 – Criminal Conviction documentation from the Federal Court, US District Court of Maine, dated 3/31/15;
Exhibit 3-a - Copy of Federal Statute 18 U.S.C. 2423 (2002) – Transportation of Minors;
Exhibit 4 – Bangor Daily News Article dated 11/7/14 regarding respondent’s conviction;

FINDINGS OF FACT

1. Chad Amodio was first granted a license to practice as a Master Electrician in the State of New Hampshire on 8/5/04. Respondent holds license number 11371M. The respondent is seeking a renewal of his Master’s license, which was received by the Office of Professional Licensure and Certification on 3/31/17.
2. The respondent disclosed on his renewal application that he had been convicted of a felony in 2015 and attached an explanation of the conviction as part of his renewal application.
3. The respondent’s felony conviction was for Travel With Intent to Engage in Illicit Sexual Conduct.
4. The conviction of intent to engage in illicit sexual conduct specifically indicates the offense is sexual conduct with a minor.

¹ The same Board members also deliberated and voted on this Final Decision and Order.

5. Additionally, respondent's explanation for the offense, which was incorporated as part of the renewal application, stated "I also never showed up at my final destination."
6. Respondent did in fact drive to the location where he intended to meet a 13 year old girl, after stopping and purchasing liquor and other items.
7. Respondent is still officially considered incarcerated for this offense as he has not been released from the halfway house, where he is pending his transition to being released.
8. Respondent is required as part of his probation to engage in sex offender treatment as directed by the supervising officer . . . He shall abide by all policies and procedures of that program." See Exhibit 3
9. Although the respondent could have commenced sex offender treatment during his incarceration, he has not done so and does not intend to do so until he begins his probation.
10. Accordingly, the Board has no information to review in order to determine any assessment of the respondent regarding this treatment.
11. The respondent signed the application following the statement on the form that states "I have read the contents hereof and clearly understand that the correctness and truth of my statements as recorded in this application are material, not only to the issuance of the certificate of licensure, as applied for, but also to the retention of said certificate, if issued."

CONCLUSIONS OF LAW

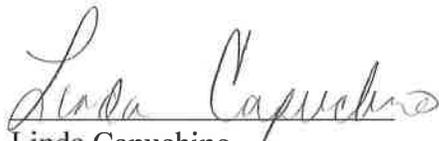
Based upon the Respondent's testimony and evidence presented at the hearing, as well as the findings of fact set forth above, the Board finds that the Respondent committed professional misconduct pursuant to RSA 319-C:12 (II)(b), (c) and (d) and Elec 405.01(a)(1) as a result of his felony conviction for Travel With the Intent to Engage in Illicit Sexual Conduct on 3/31/15 by the United States Federal District Court for the District of Maine. The Board also considered that the respondent is was not yet free of legal incarceration at the time of the hearing in this matter and had not commenced any sex offender treatment.

THEREFORE, IT IS ORDERED that the Respondent's application for renewal at this time is DENIED. Respondent is encouraged to apply for renewal in the future, after he has been officially released from incarceration and has a record of having engaged in sex offender treatment as ordered by the Court.

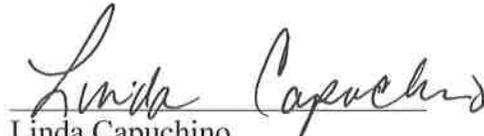
Respondent may appeal this Order pursuant to New Hampshire RSA 319-C:12-b.

BY ORDER OF THE BOARD

Dated: September 25, 2017


Linda Capuchino
Division Director
Office of Prof. Lic. & Certification
NH Board of Electricians

A copy of this Order has this day been forwarded to James Moir, Esquire, counsel for respondent and Dean Sotirakopoulos, Hearings Counsel.


Linda Capuchino