

**Rhode Island Department of Health  
Division of Emergency Medical Services**

**In the Matter of  
Domenic P. Marchetti, EMT-Cardiac**

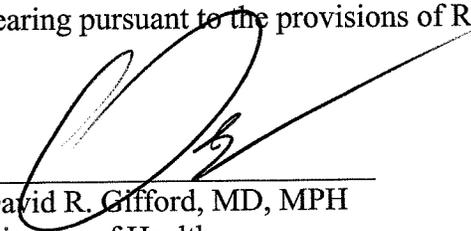
**Summary Suspension**

On June 20, 2006, the Rhode Island Department of Health, Division of Emergency Medical Services, completed its investigation into charges filed by Rhode Island State Police indicating that the Respondent committed four (4) counts of First Degree Child Molestation. The charges stem from allegations made by a victim, now twenty (19) years old, asserting that the Respondent had been sexually assaulting him beginning when he was eleven (11) years old.

The Department received information that on April 13, 2006, Respondent voluntarily reported to the Hope Valley Barracks of the Rhode Island State Police in reference to a criminal investigation involving the alleged sexual assault of the aforementioned victim. The Respondent signed a witness statement in the presence of the interviewing officer and two additional officers, admitting that he had engaged in sexual relations with the victim beginning when the victim was eleven (11) years old. During the interview, the Respondent stated that he was twenty-one (21) years old when he first began having sexual relations with the victim. He also stated that he knew, as an adult, that legally and mentally the victim did not have the capability of consenting to this sexual activity. The Respondent admitted to having sexual relations with the minor victim on an average of once a week from the summertime of 1998 until January of 1999. He also stated that the sexual relationship with the minor victim rekindled during the summer of 1999 into the year 2000.

**ORDER**

After a review of the information received, it has been determined that the continuation in practice as an Emergency Medical Technician of Domenic P. Marchetti would constitute an immediate danger to the public. Accordingly, Domenic P. Marchetti is suspended from practicing as an emergency medical technician until further Order of the Department of Health. Respondent's suspension is in accordance with the terms of the administrative procedures act RIGL 42-35-14 ( c ). The Respondent is entitled to a hearing pursuant to the provisions of R.I.G.L. 42-35-14( c ).

  
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David R. Gifford, MD, MPH  
Director of Health

6/21/06  
Date

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PROVIDENCE, SC

DEPARTMENT OF HEALTH  
HEALTH SERVICES REGULATION

IN THE MATTER OF DOMENIC P. MARCHETTI,  
EMT-CARDIAC

EMS FILE NO: 06-019

ADMINISTRATIVE DECISION

This matter came on for hearing before an Adjudication Officer within the Department of Health (hereinafter State) on July 6, 2006 upon allegations that Domenic P. Marchetti (hereinafter Respondent) is unfit for licensure as an EMT pursuant to 16.1(b) of the Rules and Regulations Relating to Emergency Medical Services (R23-4.1 EMS). Specifically, the State alleges that the Respondent committed conduct that is adverse to the health, welfare and safety of the public in violation of 16.1 (f) of the Regulations and that he violated state law and Regulation 16.1 (g) by having sexual relations with a minor.

The State appeared and was represented by legal counsel. The Respondent failed to appear at hearing or to otherwise plead in this matter. The Respondent is a licensed Emergency Medical Technician (hereinafter EMT) in the State of Rhode Island.

TRAVEL OF THE CASE  
AND  
FINDINGS OF FACT

This matter first came to the attention of the Department of Health when its Complaint Unit received information from the Office of the Attorney General and the State Police that they had arrested the Respondent on criminal charges relating to child molestation.

Utilizing the information obtained from the State Police and the Attorney General, the State determined that the continuation of the Respondent as a licensed EMT would constitute an immediate danger to the public. The Director of Health therefore summarily suspended the Respondent's EMT license on June 21, 2006. (State's 1). The Summary Suspension was hand delivered to the Respondent at his home. The Respondent was provided with a Statement of The Charges (State's 3) and a Time and Notice of Hearing (State's 2) affording him an opportunity to be heard as to why his license as an EMT should not be permanently revoked. The date for hearing was set for July 6, 2006 at 10:00 am.

The State provided a witness, June Leary, who testified that she had spoken directly with the Respondent on July 5, 2006 confirming the date for hearing that had been mailed to him via certified and regular mail. (State's 4) Mrs. Leary testified that the Respondent stated to her that he was aware of the hearing and that he would be "unable to attend". He did not offer any explanation as to why he would not be in attendance, nor did he request a continuance of the hearing date. The State also received notice from Attorney Michael Zarrella that he would be representing the Respondent in the pending criminal matter, but that he would not be representing him in this administrative proceeding. Given the Respondent's failure to appear, the State requested that the matter proceed to hearing as noticed.

The State provided testimony from Trooper Alboum of the RI State Police. The trooper testified that he participated in the interview and arrest of the Respondent and that he was also present when the victim gave his statement to the police. The trooper's witness statement was entered into the record as State's 5, and the Respondent's statement was entered as State's 8. The trooper's statement relates that he interviewed the victim, his mother, his sister and his girlfriend. The mother stated that she first learned of the child abuse on April 10, 2006 when it was reported to her by her son. At that time, her son told her that her that his sexual encounters with the Respondent had commenced in 1998 when he was 11 years old and were continuing until the present. Mother told the police that the victim is learning disabled, a fact of which the Respondent was aware. The victim was prompted to come forward in April 2006 and reveal his relationship with the Respondent when he recently observed the Respondent engaging in the same type of behavior with another young boy. \* The victim told the troopers that the Respondent had invited him on an overnight camping trip that occurred in the summer of 1998. Prior to that date, the victim stated that he and the Respondent had engaged in some sexual touching, but had not progressed further. On the camping trip, the victim and the Respondent engaged in oral sex, each giving it and getting it. After the trip, they began engaging in sex with each other frequently, approximately once a week on average. The Respondent took the victim on a second overnight camping trip wherein they engaged in anal and oral sex. Thereafter, their sexual encounters increased to as many as four (4) times per week, continuing until April 2006. By that time, the victim had reached 19 years of age.

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\* The State's attorney had indicated on the record that he did not believe that evidence of the Respondent's sexual encounters with other children were contained in the documents that were submitted into evidence. However, it is clearly set forth in State's 5.

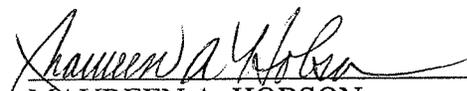
The Respondent's statement to the State Police was confirmatory and more revealing than was the victim's own statement. It can be accurately described as a complete confession and admission of the actions that the victim described to the police. The Respondent told the State Police that he had routinely engaged in mostly oral, but occasionally anal, sex with the victim from the time that the victim was 11 years old until he reached 19. The Respondent actually told the police that it was difficult to have anal sex with the Respondent when he was 11 years old "because obviously size difference". The Respondent described the encounters as consensual, although he admitted that he knew that the victim was incapable of giving consent and that his actions were wrong. He also admitted that on the occasions when the two had sex, he would repeatedly admonish the victim not to tell anyone as he (Respondent) would go to jail for his actions. He also admitted to supplying the victim with illegal drugs and money in return for sex. In justification, the Respondent stated that he knew that the victim was a drug user and that he, the Respondent, gave him drugs in order to protect him from taking drugs that had been adulterated. The Respondent further advised the police that he felt that that his sexual activities with the victim at a young age may have caused the victim to be experiencing mental problems in 2006, and the Respondent offered to assist the victim in getting into some counseling. The Respondent indicated to the police that he was certain that he would be going to jail, but that he was more concerned over what would happen to the victim.

#### CONCLUSION

It is clear from the testimony and evidence on the record that the Respondent has engaged in child molestation. There is further evidence on the record to suggest that the Respondent, if given the opportunity, would engage in this conduct with other children. Undoubtedly, the Respondent's conduct is inimical to the health, welfare and safety of the public and in violation of the aforesaid Rules and Regulations promulgated by the Department of Health.

Based upon the foregoing, the Respondent's license as an EMT-CARDIAC is hereby REVOKED.

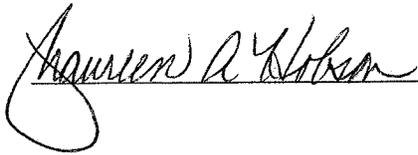
ENTERED THIS 6<sup>TH</sup> DAY OF JULY, 2006.

  
MAUREEN A. HOBSON  
Adjudication Officer  
RI Department of Health  
Three Capitol Hill  
Providence, RI 02908

THE FOREGOING ADMINISTRATIVE DECISION MAY BE APPEALED TO THE SUPERIOR COURT BY FILING A WRITTEN COMPLAINT WITHIN 30 DAYS OF THE DATE HEREOF AT 250 BENEFIT STREET, PROVIDENCE, RI. FILING AN APPEAL DOES NOT AUTOMATICALLY STAY THE ORDER ENTERED ABOVE.

CERTIFICATION

I certify that a copy of the within Administrative Decision was mailed, postage prepaid, to Domenic P. Marchetti at his last known address, 740 Main Street, Hope Valley, RI 02832 on the 7<sup>th</sup> day of July, 2006.

  
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