

IN THE MATTER OF

JOHN H.C. WOODLAND, JR.

ADT APPLICANT

* BEFORE THE MARYLAND
* BOARD OF PROFESSIONAL
* COUNSELORS AND THERAPISTS
* CASE NO.: 2024-013

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**FINAL DECISION AND ORDER GRANTING APPLICATION FOR ALCOHOL AND
DRUG TRAINEE STATUS AND ORDER OF PROBATION**

On or about February 6, 2023, the Maryland Board of Professional Counselors and Therapists (the “Board”) received an application from John H.C. Woodland, Jr. (the “Applicant”) to obtain a status to practice as an Alcohol and Drug Trainee (ADT”) in the State of Maryland. On April 19, 2024, the Board issued a “Notice of Intent to Deny Alcohol and Drug Trainee Application” (the “Charges”), which notified the Applicant that the Board voted to deny his application trainee status as an ADT and charge him with violations of the Maryland Professional Counselors and Therapists Practice Act, Md. Code Ann., Health Occ. §§ 17-101 *et seq.* (2021 Repl. Vol. & 2023 Supp.), specifically:

§ 17-509. Denial, suspension or revocation of license.

Subject to the hearing provisions of § 17-511 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny trainee status, a license, or a certificate to any Respondent, place any trainee, licensee, or certificate holder on probation, reprimand any trainee, licensee, or certificate holder, or suspend, rescind, or revoke the status of any trainee, a license of any licensee, or a certificate of any certificate holder if the Respondent, trainee, licensee, or certificate holder:

- (10) Is convicted of or pleads guilty or nolo contendere to a felony or a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside[.]

The Charges also notified the Applicant of the opportunity to request an evidentiary hearing before the Board. The Applicant submitted a timely request for an evidentiary hearing.

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On July 19, 2024, a Case Resolution Conference (CRC) was held to attempt to reach a settlement in this case in lieu of proceeding to an evidentiary hearing on the Charges. No settlement was reached at the CRC.

By letter dated November 7, 2024, the Board notified the Applicant that an evidentiary hearing was scheduled for December 20, 2024. This notice was sent via regular and certified mail, return receipt requested, to the Applicant's last known address of record pursuant to Health Occ. § 17-511(c) and Md. Code Ann., State Gov't § 10-208.

On December 20, 2024, the Board held an evidentiary hearing, and a quorum of the Board was present. Sherrai Hamm, Assistant Attorney General and Administrative Prosecutor was present on behalf of the State. The Applicant did not appear.

EVIDENCE PRESENTED

State's Exhibits

1. Notice of Hearing to Applicant dated October 9, 2024. (2 pages)
2. Investigative Report with Investigative Index dated July 31, 2023. (5 pages)
 - a. ADT Application, Court Records, and Explanation of Criminal History. (19 pages)
 - b. Probation Officer Letter. (3 pages)
 - c. Pre-Sentence Investigation Report. (12 pages)
 - d. Supplement to Pending Motion for Reconsideration of Sentence Report. (23 pages)
 - e. Probation Supervision Order. (7 pages)
3. Charges.
 - a. Notice of Intent to Deny Alcohol and Drug Trainee Application dated April 19, 2024 and Unsigned Order of Denial of Alcohol and Trainee Application. (13 pages)

State's Witnesses

1. Board Investigator, Maryland Board of Professional Counselors and Therapists

Applicant's Exhibits

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1. None.

Applicant's Witnesses

1. None

FINDINGS OF FACT

1. On or about February 6, 2023, the Board received an Alcohol and Drug Trainee Application (the "Application") from the Applicant.

2. Under the section of the Application titled *Information Regarding Background*, the Applicant answered "YES" to question number two (2), which asks:

Have you pled guilty, *nolo contendere* (sic), or been convicted of, received probation before judgment, or had a conviction set aside for any criminal act (excluding traffic violations)?

3. The Application instructs applicants who answered "YES" to question two (2) to "attach a separate page with a complete explanation of each occurrence (include date, time, location, disposition, etc.) and a certified copy of the disciplinary/court document from the issuing agency."

4. The Applicant submitted certified copies of court documents and a narrative statement explaining his criminal history.

5. The Board's review of the Applicant's criminal history revealed the following:

A. In or around December 1983, the Applicant was found guilty by a Pennsylvania Court to Reckless Endangering Another Person, for firing a handgun. The Applicant was sentenced to four to twelve months incarceration.

B. In or around December 1983, the Applicant was found guilty of drug related charges in the Circuit Court for Baltimore County. The Applicant was sentenced to three years' incarceration.

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C. On or about March 13, 1986, the Applicant was convicted of two counts of first-degree murder and related handgun violations in the Circuit Court for Baltimore City, Maryland. On or about April 25, 1986, the Applicant was sentenced to two consecutive life sentences.

D. On or about June 14, 2021, the Applicant's term of incarceration was resentenced to time served. The Applicant was released from incarceration and placed on supervised probation for a period of five years.

DISCUSSION

Upon consideration of the foregoing Findings of Fact, the Board finds, by a preponderance of the evidence, that the Applicant's convictions, as set forth above, constitute a violation of the Maryland Professional Counselors and Therapists Act under Health Occ. §17-509 (10) (Is convicted of or pleads guilty or nolo contendere to a felony or a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside...). Further, the Board finds that the Applicant's violation of the Practice Act falls within the Board's sanctioning guidelines. *See* COMAR 10.58.09.06B(10). The range of potential disciplinary sanctions under category B(10) is reprimand to revocation or denial of license or certificate, and the range of monetary penalties is \$500.00 to \$5,000.00. *Id.*

In light of this violation, the Board must determine whether to grant the Applicant's application for ADT status or to deny a status to the Applicant. Factors relevant to the Board's analysis include: (1) the age at which the crime was committed; (2) the circumstances surrounding the crime; (3) the length of time that has passed since the crime; (4) subsequent work history; (5) employment and character references; and (6) any other evidence that demonstrates whether the applicant poses a threat to the public health or safety. *See* HO § 17-503(d)(1).

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The Board has a statutory duty to protect the public health, safety, and welfare. To fulfill that duty, the Board must have confidence that an individual issued an ADT status by the Board can be trusted to perform the responsibilities of a trainee in an honest, reliable manner; to provide safe care to dependent and vulnerable client populations; and to maintain professional boundaries.

The Applicant failed to appear at the evidentiary hearing to dispute the facts in this case, however, the Board finds that he has taken affirmative steps to address his prior criminal behavior. In his narrative statement, the Applicant explained that both his parents died during his adolescence. The death of his parents led to the Applicant's substance abuse and criminal behavior, including selling drugs. In 1986, he was convicted of two counts of first-degree murder and related handgun violations and sentenced to two consecutive life sentences as a result. The Applicant stated that, in prison, he began to turn his life around by leading an organization that provides counseling services to at-risk youth. The Applicant stated that he is currently employed with a treatment center as a program assistant while also attending the Community College of Baltimore County. The Applicant stated that he has learned to be a benefit to society rather than a harm to it.

The Board is supportive of the Applicant's past efforts and continuing focus on overcoming the challenges of his past criminal background. Therefore, considering the Applicant's demonstrated commitment, the Board finds that he is a suitable candidate for an ADT status, subject to probationary terms and conditions. Accordingly, the Board will grant the Applicant a status to practice as an Alcohol and Drug Trainee in Maryland, but it shall be placed on probation for a term to run concurrent with the Applicant's remaining criminal supervised probation, with the condition that the Applicant may request termination of his probation at the conclusion of his criminal supervised probation.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Applicant violated Md. Code Ann., Health Occ. § 17-509:

§ 17-509. Denial, suspension or revocation of license.

Subject to the hearing provisions of § 17-511 of this subtitle, the Board, on the affirmative vote of a majority of its members then serving, may deny trainee status, a license, or a certificate to any Respondent, place any trainee, licensee, or certificate holder on probation, reprimand any trainee, licensee, or certificate holder, or suspend, rescind, or revoke the status of any trainee, a license of any licensee, or a certificate of any certificate holder if the Respondent, trainee, licensee, or certificate holder:

- (10) Is convicted of or pleads guilty or nolo contendere to a felony or a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside[.]

ORDER

Based upon the foregoing Findings of Fact, Discussion, and Conclusions of Law, it is hereby:

ORDERED that the Applicant's status to practice as an Alcohol and Drug Trainee in the State of Maryland is hereby **GRANTED**; and it is further

ORDERED that the Applicant's status to practice as an Alcohol and Drug Trainee in the State of Maryland is hereby placed on **PROBATION** for a **TERM TO RUN CONCURRENT WITH THE APPLICANT'S REMAINING CRIMINAL SUPERVISED PROBATION**, beginning on the effective date of this Order, subject to the following terms and conditions:

1. The Applicant's status to practice as an alcohol and drug trainee will be listed in the Board's computer records and website with the status of "**Probation**".
2. The Applicant shall immediately notify all employers of the probationary status of

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the Applicant's ADT status and arrange for all employers to submit, in writing, confirmation that they have reviewed this Order;

3. The Applicant shall arrange for the Applicant's Board approved supervisor at the Applicant's place of employment to submit written quarterly supervision reports to the Board evaluating the Applicant's work performance and ADT practice. If the Applicant's employment terminates at any of the Applicant's place(s) of employment before the due date of a quarterly report, then a final supervision report is due on the last day of employment. It is the Applicant's responsibility to ensure that supervision reports are submitted to the Board and to notify the Applicant's supervisor when these reports are due. An unsatisfactory report will be considered a violation of probation and this Order;

ORDERED that the Applicant shall obey all state and federal laws. If the Applicant is convicted of, or pleads guilty to, any crime(s), whether or not any appeal or other proceeding is pending to have the conviction or plea set aside, the Applicant shall notify the Board, in writing, of any conviction(s) or guilty plea(s) within **TEN (10) DAYS** of the conviction or guilty plea. Failure to report a conviction or guilty plea to the Board in writing within **TEN (10) DAYS** is a violation of probation and this Order; and it is further

ORDERED that the Applicant shall be responsible for paying all costs required to comply with all the terms and conditions of this Order; and it is further

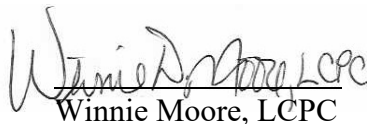
ORDERED that once the Applicant's criminal supervised probation has ended, the Board will consider a petition for termination of the Applicant's probationary status, provided that the Applicant has been compliant with all of the probationary terms and conditions in this Order; and it is further

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ORDERED that if the Applicant violates any of the terms and conditions of this Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing, may impose, by further order of the Board, any sanction(s) authorized by Health Occ. § 17-509 and COMAR 10.58.09, including reprimand, additional probation, suspension, revocation, and/or monetary penalty; and it is further

ORDERED that this is a Final Decision and Order of the Maryland Board of Professional Counselors and Therapists and, as such, is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2019 Repl. Vol. & 2024 Supp.).

3/11/2025
Date



Winnie Moore, LCPC
Board Chair
Maryland Board of Professional Counselors and
Therapists

NOTICE OF APPEAL RIGHTS

Any person aggrieved by a final decision of the Board under Md. Ann. Code, Health Occ. § 17-509 may take a direct judicial appeal within thirty (30) days of the date this Order is mailed, as provided by Md. Ann. Code, Health Occ. § 17-512, Md. Ann. Code, State Gov't § 10-222, and Maryland Rule 7-203(a)(2) (“Time for Filing Action”).