

IN THE MATTER OF	*	BEFORE THE MARYLAND
MICHELE L. MIDDLETON, LMSW	*	BOARD OF SOCIAL WORK
RESPONDENT	*	EXAMINERS
LICENSE NUMBER: 22421	*	CASE NUMBER: 19-2668

\* \* \* \* \*

**FINAL CONSENT ORDER**

The Maryland Board of Social Work Examiners (the “Board”) charged **Michele L Middleton, LMSW**, License Number: **22421**, (the “Respondent”), under the Maryland Social Workers Act (the “Act”), Md. Code Ann., Health Occ. (“Heath. Occ.”) §§ 19-101 *et seq.* (2014 Repl. & 2019 Supp.). Specifically, the Board charges the Respondent with violating the following:

**Health Occ. § 19-311. Denials, reprimands, suspensions, and revocations-Grounds.**

Subject to the hearing provisions of § 19-312 of this subtitle, the Board may deny a license to any applicant, fine a licensee, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the applicant or licensee:

- (4) Commits any act of gross negligence, incompetence, or misconduct in the practice of social work;
- (5) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of social work; [and]
- (6) Violates any provision of this title or regulations governing the practice of social work adopted and published by the Board[.]

The pertinent provisions of COMAR provide the following:

**COMAR 10.42.03.03 Responsibilities to Clients.**

- B. The licensee may not:
- (1) Participate or condone dishonesty, fraud, deceit, or misrepresentation;
  - (2) Misrepresent professional qualifications, education, experience, or affiliation;
  - (3) Exploit a relationship with a client for personal advantage or satisfaction[.]

**COMAR 10.42.03.05 Relationships.**

- A. The licensee may not enter into a dual relationship with a client or an individual with whom the client has a close personal relationship.
- D. The licensee may not engage in sexual misconduct with either current or former clients.
- E. The licensee may not engage in sexual misconduct with a client, supervisee, student, trainee, or colleague over whom the licensee exercises professional authority.
- G. Prior Sexual Relationships. The licensee may not provide professional services to an individual with whom the licensee has previously engaged in sexual behavior.

**FINDINGS OF FACT**

1. At all times relevant hereto, the Respondent was licensed to practice social work in the State of Maryland. The Respondent was originally licensed to practice masters-level social work in Maryland on or about November 22, 2016. The Respondent's license expires on October 31, 2020.

2. At all times relevant hereto, the Respondent was employed by a company (“Company”) that contracted with correctional facilities located in Delaware and Maryland to provide mental health services to inmates.<sup>1</sup>

3. At all times relevant hereto, the Respondent was assigned by Company officials to provide mental health services at a correctional facility (“Facility”) located in Maryland. The Respondent worked at the Facility from April 2018 to May 2019.

4. On or about June 24, 2019, the Board received a complaint regarding the Respondent’s conduct with a Facility inmate (“Inmate”).

5. On or about August 1, 2018, Inmate became the Respondent’s client. In September 2018, Inmate was released from the Facility. In January 2019, Inmate returned to the Facility and he continued as the Respondent’s client.

6. After Inmate returned to the Facility, Facility officials received information from a Facility employee that the Respondent was having a romantic and sexual relationship with Inmate. After learning this information, Facility officials began an investigation.

7. During the investigation, Facility officials listened to recorded telephone calls made by Inmate on a phone used by Facility inmates. Facility officials learned that Inmate made approximately one hundred and thirty-four (134) telephone calls to the Respondent on a phone used by inmates. Telephone logs showed that the phone calls were made by Inmate were to the Respondent’s home and cell phone numbers.

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<sup>1</sup> The names of Company, Facility and Inmate have been omitted to protect privacy.

8. After listening to the recorded telephone calls, Facility officials learned that the Respondent had a romantic and sexual relationship with Inmate after his September 2018 release from the Facility. Facility officials also learned that the Respondent and Inmate continued their romantic relationship once Inmate returned to the Facility in January 2019.

9. Facility officials heard the Respondent and Inmate on recorded phone calls discussing their sexual encounters, including the Respondent's sexual likes and dislikes. The Respondent was also heard telling Inmate that she loved him.

10. Facility officials also learned from listening to the recorded phone calls that the Respondent had placed money in Inmate's commissary accounts and provided the Inmate with a cell phone.

11. Facility officials also heard Inmate on a recorded phone call discussing with the Respondent his plan to assault a Facility correctional officer. The Respondent never reported Inmate's plan to harm an employee to Facility officials.

12. Facility officials confronted the Respondent about her inappropriate relationship with Inmate. She initially denied having an inappropriate relationship with Inmate. The Respondent told Facility officials that she only had a professional relationship with Inmate. The Respondent denies that she did not initially inform Facility officials of her inappropriate relationship with Inmate.

13. After Facility officials informed the Respondent that they listened to the record phone calls between her and Inmate, the Respondent admitted that she had a sexual relationship with Inmate, after his September 2018 release from Facility. The Respondent

told Facility officials that a love letter was the only thing that she gave to Inmate. The Respondent denied providing Inmate with a cell phone.

14. Following her admissions to Facility officials, the Respondent was terminated, and her Facility security clearance was revoked.

15. Facility officials reported the Respondent's inappropriate conduct with Inmate to Company officials. Company officials contacted the Respondent and asked her if she was having a personal relationship with a Facility inmate. The Respondent told Company officials that she was not having a personal relationship with a Facility inmate.

16. After the Respondent was terminated by Facility officials, Inmate's cell was searched. During the search, Facility officials found love letters and computer printouts from the Respondent. Facility officials also found a cell phone and cell phone accessories that the Respondent had given the Inmate.

17. The Respondent's letters and computer printouts to the Inmate described their sexual relationship. She also wrote poetry to the Inmate and told the Inmate that she was in love with him.

18. Facility officials discovered that the Respondent and Inmate continued to correspond after her termination. Facility officials found text messages between Inmate and Respondent on the phone retrieved during the search of the Inmate's cell. The text messages discussed the Respondent's termination that occurred before the search.

19. On or about June 25, 2019, the Respondent was charged with one (1) count of Contraband Delivery, in violation of Md. Code Ann., Crim Law §9-412 (a)(1), in the District Court of Wicomico County, Maryland.

20. On or about August 12, 2019, the Respondent pleaded guilty to one (1) count Contraband Delivery, in violation of Md. Code Ann., Crim Law §9-412 (a)(1), in the District Court of Wicomico County, Maryland.

21. The Respondent was sentenced to probation before judgment. The Respondent was placed on two (2) years unsupervised probation; ordered to complete one hundred (100) hours of community service, and pay court costs and fines.

22. On or about October 16, 2019, the Respondent was interviewed under oath by Board staff. The Respondent admitted under oath that she had a sexual relationship with the Inmate between September 2018 and January 2019. She also admitted that she had inappropriate telephone and written communications with the inmate when he while was in the Facility.

23. The Respondent's conduct as set forth above is a violation of Health. Occ. § 19-311(4), (5), and (6); and COMAR 10.42.03.03(B)(1), (2), and (3); and COMAR 10.42.03.06(A), (D), (E), and (G).

#### **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes that the Respondent violated Health Occ. §19-311 (4), (5), and (6) and COMAR10.42.03.03B (1), (2), and (3) and COMAR 10.42.03.06(A), (D), (E), and (G).

**ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is, by a majority of the Board considering this case:

**ORDERED** that the Respondent's license to practice graduate social work in the State of Maryland is hereby **REVOKED**; it is further

**ORDERED** that the Respondent shall return all social work licenses to the within ten (10) days ; it is further

**ORDERED** that the Respondent shall be responsible for all costs incurred in fulfilling the terms and conditions of this Consent Order; and it is further

**ORDERED** that this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 Repl. Vol. & 2019 Supp.).

**08/14/2020**

\_\_\_\_\_  
Date



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Gerard Farrell, Board Chair  
State Board of Social Work Examiners

CONSENT OF MICHELE L. MIDDLETON, LMSW

I, **MICHELE L. MIDDLETON, LMSW** acknowledge that I have chosen not to be represented by an attorney before entering into this Consent Order. By this Consent Order and for the purpose of resolving the issues raised by the Board, I agree and accept to be bound by the foregoing Consent Order and its conditions. I waive any rights I may have to contest the Findings of Fact and the Conclusions of Law. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by the law. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I affirm that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing. I sign this Consent Order, voluntarily and without reservation, after having an opportunity to consult with counsel, and I fully understand and comprehend the language, meaning and terms of this Consent Order.

8-11-20  
Date

Michelle Middleton  
Michele L. Middleton



STATE OF: Maryland

CITY/COUNTY OF: Caroline

**NOTARY**

I hereby certify that on this 11<sup>th</sup> day of August, 2020, before me, a Notary Public for the State of and the City/County aforesaid, personally appeared Michele L Middleton, LMSW, License Number: 22421 and made oath in due form of law that the foregoing Consent Order was his voluntary act and the statements made herein are true and correct

AS WITNESS my hand and Notarial Seal.

Kristy L Marshall  
Notary Public

My Commission Expires: 10/15/23

