

IN THE MATTER OF
MONTEZ CHAPMAN
Applicant

*** BEFORE THE MARYLAND STATE**
*** BOARD FOR THE CERTIFICATION**
*** OF RESIDENTIAL CHILD CARE**
*** PROGRAM PROFESSIONALS**
*** CASE NUMBER: 2024-011**

* * * * *

FINAL ORDER

On August 15, 2024, the Maryland State Board for the Certification of Residential Child Care Program Professionals (the “Board”) notified **MONTEZ CHAPMAN** (the “Applicant”) of the Board’s intent to deny his application for residential child and youth care practitioner (“RCYCP”) certification, pursuant to the Maryland Certification of Residential Child Care Program Professionals Act (the “Act”), Md. Code Ann., Health Occ. §§ 20-101 *et seq.* (2021 Repl. Vol. & 2023 Supp.). Specifically, the Board based its action on the following provisions of the Act:

Health Occ. § 20-313. Investigations by Board; grounds for discipline

(b) Subject to the hearing provisions of § 20-314 of this subtitle, the Board may deny a certificate to any applicant, reprimand any certified program administrator or certified residential child and youth care practitioner, place any certified program administrator or certified residential child and youth care practitioner on probation, or suspend or revoke a certificate if the applicant, certified program administrator, or certified residential child and youth care practitioner:

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

On October 30, 2024, a Case Resolution Conference (“CRC”) was held before a committee of the Board. The CRC Committee proposed a resolution, which the Applicant agreed with. However, the CRC Committee’s offer was nullified when the Applicant failed to comply with a time-sensitive prerequisite condition. Because the matter could not be resolved as suggested by the CRC Committee, the Applicant was informed that he may proceed with an evidentiary hearing. On November 27, 2024, the Applicant stated in an email, “Close the case I don’t need a hearing I won’t be available thank you” and verbally informed the Administrative Prosecutor that he wants the case to be closed and will not be available for a hearing. In a letter dated December 5, 2024, the Board informed the Applicant that due to his statements rescinding his prior request for an evidentiary hearing, the Board will not schedule one unless he notifies the Board within thirty (30) days of service that he would like to proceed with an evidentiary hearing. In the letter, the Board informed him that if the Board does not receive a written request for a hearing within thirty (30) days of service of the letter, the Board will find that he waived his right to an evidentiary hearing and will execute this Final Order. More than thirty (30) days have elapsed since the service of the letter on the Applicant, and the Applicant has not responded.

FINDINGS OF FACT

The Board makes the following findings of fact:

1. On or about October 24, 2023, the Board received the Applicant’s application for RCYCP certification (the “Application”).

2. In the Application, the Applicant answered “yes” to question 4, which asked: “Have you pled guilty, nolo contendere, or been convicted of, or received probation before judgment for any criminal act excluding misdemeanor traffic violations?”

3. The application instructed applicants who answered “yes” to question 4 to attach a written explanation and “provide true test copies of (arrest and charges), court record and final disposition.”

4. Per these instructions, the Applicant provided true test copies of relevant court documents and a two-page letter explaining his criminal history.

5. In the two-page letter provided with his Application, the Applicant stated, *inter alia*:

- a. On November 8, 2003, when he was 18, he was arrested for illegal possession of narcotics while in a food establishment in Baltimore, Maryland. On May 13, 2005, he was found guilty in the criminal case that arose from this arrest (0B01564381) and received probation before judgment (“PBJ”) with one year of probation.
- b. On February 26, 2005, he was arrested in Baltimore, Maryland after a police officer pulled over the car he was in with two other people and “recovered 80 vowels [*sic*] of illegal narcotics.” In this case (205115005), on October 7, 2005, he pleaded guilty to possession of CDS (controlled dangerous substance) with intent to distribute and was sentenced to 4 years’ incarceration with 3 years, 11 months, and 29 days suspended, and 3 years of supervised probation.
- c. On February 16, 2018, he was arrested “due to an ongoing investigation involving 10 other co-defendants” while he was “in possession of \$1,200 in currency, and 100 pills of illegal narcotics.” Following his arrest, his home and cars were searched by police, who found “an additional 325 grams of illicit narcotics, paraphernalia, a handgun and an additional \$25,000 in cash.” In this case (118082008), on April 29, 2019, he pleaded guilty to “Con-CDS Dist- Narc” and “Firearm w/ Fel Convict,” and was sentenced to 20 years for the conspiracy charge and 5 years for the handgun.

- d. While in custody for case number 118082008, he completed several programs and petitioned the Court for a modification hearing. On September 21, 2022, the Court granted his request for modification of sentence, and, as a result, he was released on May 3, 2023 to complete a six-month-long program at a treatment center,¹ to be followed by a one-month-long outpatient wellness program and 3 years of probation.
- e. He is currently working as a Youth Care Professional at a youth treatment center and has completed the required number of classes to apply for certification as a RCYCP.
- f. In his current position, he works “with challenged youth, teaching them life skills, assisting them with obtaining their goals and acknowledging their progress.” He chose this field because he has “a passion to help change the lives of the youth in society today,” and he believes that his “mistakes can be used as a teachable moment” to help children avoid making the same mistakes he made and become productive citizens with better opportunities in life.

6. The court records (true test copies of docket entries) provided by the Applicant contain the following information relating to criminal cases in which the Applicant was convicted:

- a. **Case 205115005:** On October 7, 2005, the Applicant appeared in the Circuit Court for Baltimore City and pleaded guilty to one count of **Conspiracy to Distribute CDS** (a misdemeanor). Upon conviction, the Applicant was sentenced to 4 years’ incarceration with 3 years, 11 months, and 29 days suspended, and 3 years of supervised probation.
- b. **Case 118082008:** On April 29, 2019, the Applicant appeared in the Circuit Court for Baltimore City and pleaded guilty to one count of **Conspiracy to Distribute CDS** (a misdemeanor) and one count of **Prohibited Possession of Regulated Firearm** (a felony), under Md. Code, Public Safety § 5-133(c). Upon conviction, the Applicant was sentenced to 20 years’ incarceration for conspiracy to distribute CDS and 5 years concurrent for firearm possession. On September 21, 2022, the Court modified the Applicant’s sentence and, as a condition of his

¹ For confidentiality and privacy purposes, the names of individuals and facilities involved in this case are not disclosed in this document. The Applicant may obtain the names of all individuals and facilities referenced in this document by contacting the administrative prosecutor.

release on probation, committed him to the Maryland Department of Health for treatment pursuant to Md. Code, Health Gen. § 8-507.

7. The Applicant also provided a letter from his parole and probation agent, dated December 26, 2023, which states that the Applicant's probationary term began on October 3, 2022, when he was admitted into a residential treatment program. The Applicant successfully completed the program and was discharged on April 13, 2023. The Applicant is currently on probation with his term set to expire on October 3, 2025, if he remains in compliance.

8. On November 27, 2024, the Applicant stated in an email, "Close the case I don't need a hearing I won't be available thank you" and verbally informed the Administrative Prosecutor that he wants the case to be closed and will not be available for a hearing.

9. In a letter dated December 5, 2024, the Board informed the Applicant that due to his statements rescinding his prior request for an evidentiary hearing, the Board would not schedule one unless he notified the Board within thirty (30) days of service that he would like to proceed with an evidentiary hearing. In the letter, the Board informed the Applicant that if the Board does not receive a written request for a hearing within thirty (30) days of service of the letter, the Board will find that he waived his right to an evidentiary hearing, based in his November 27, 2024 statements, and will execute this Final Order. More than thirty (30) days have elapsed since the service of the letter on the Applicant, and the Applicant has not responded.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that (1) the Applicant knowingly, intelligently, and voluntarily waived his right to an evidentiary hearing in this matter, and (2) the Applicant's felony conviction for prohibited possession of

a regulated firearm constitutes grounds for denying the Application under Health Occ. § 20-313(b)(4) (prior conviction for a felony or a crime involving moral turpitude).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is, this January day of 29, 2025, by the affirmative vote of a quorum of the Board, hereby:

ORDERED that Applicant **Montez Chapman's** Application for Residential Child and Youth Care Practitioner Certification, received by the Board on or about October 24, 2023, is hereby **DENIED**; and it is further

ORDERED that this Final Order is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2019).

1/29/2025
Date

Krystal Davis
Krystal Davis, Chair
Maryland State Board for the Certification of Residential
Child Care Program Professionals