

IN THE MATTER OF
ANTONIO HOWARD, JR.
Applicant

* BEFORE THE MARYLAND STATE
* BOARD FOR CERTIFICATION OF
* RESIDENTIAL CHILD CARE
* PROGRAM PROFESSIONALS
* Case Number: 2024-012

* * * * *

FINAL ORDER

On February 10, 2025, the Maryland State Board for the Certification of Residential Child Care Program Professionals (the “Board”) issued a Notice of Intent to Deny Application for Residential Child and Youth Care Practitioners Certification to **ANTONIO HOWARD, JR.** (“the Applicant”), based on his violations of the Maryland Certification of Residential Child Care Program Professionals Act (the “Act”), codified at Md. Code Ann., Health. Occ. §§ 20-101 et seq. (2021 Repl. Vol. & 2024 Supp.). The pertinent provisions of the Act provide as follows:

Health Occ. § 20-302.1. Certification as residential child and youth care practitioner.

- (a) To qualify for a certificate as a residential child and youth care practitioner, an applicant shall be an individual who meets the requirements of this section.
- (b) The applicant shall be of good moral character.

Health Occ. § 20-313. Investigations; complaints; sanctions; prohibited acts.

...

- (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:

...

- (3) Otherwise fails to meet substantially the standards for certification adopted by the Board under § 20-205 of this title; [or]
- (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[.]

With respect to Health Occ. § 20-313(3), the pertinent standards for certification adopted by the Board are as follows:

COMAR 10.57.03.05 Action on Application.

A. Criminal History Record Information.

- (1) Upon receipt of an applicant's criminal history records information in accordance with Health Occupations Article, § 20-303, Annotated Code of Maryland, the Board shall consider the following factors in determining whether to grant a certificate:
 - (a) The age at which the crime was committed;
 - (b) The circumstances surrounding the crime;
 - (c) The length of time that has passed since the crime;
 - (d) Subsequent work history;
 - (e) Employment and character references; and
 - (f) Other evidence that demonstrates whether the applicant poses a threat to the public health or safety.

...

C. Denial of Applications.

(1) The Board may deny certification if the applicant has:

...

- (e) Violated Health Occupations Article, Title 20, Annotated Code of Maryland, or any provision of this subtitle; or
- (f) Been shown to lack good moral character.

The Board notified the Applicant that the Applicant had 30 days to request a hearing. More than 30 days have elapsed, and the Applicant failed to request a hearing.

FINDINGS OF FACT

The Board finds the following facts:

1. On or about July 9, 2024, the Board received a Residential Child and Youth Care Practitioners Certification Application (the “Application”) from the Applicant.

2. In the Application, the Applicant answered “yes” to question four, which asked: “Have you ever pled guilty, nolo contendere, been convicted of, or received probation before judgment for any criminal act (excluding minor, non-jailable traffic offenses)?

3. The Application directs applicants who answered “yes” to question four to attach a written explanation and provide true test copies of related court records.

4. The Applicant provided an explanation, stating, *inter alia*:

On May 2, 2016, at the age of 22, me and two of my friends were driving through our neighborhood where we were going to smoke (marijuana). Then, we ran into an acquaintance. One of my friends and I got out of our vehicle, while the acquaintance hopped into our vehicle with my other friend. The rest of us were standing around, outside of the vehicles. However, after a brief while we heard gunshots from inside of the vehicle. At that point, everyone who was

outside of the vehicles ran. When I heard the gunshots, I panicked. I did not consider what I was just involved in or what had just taken place. I did not think to call for help. I quickly realized that not only was I in the wrong place at the wrong time, but my friends were not my friends. The next thing I knew my picture, along with the other people with me, was on the news and we were wanted in connection with a murder. I then contacted my parents, retained a lawyer, and turned myself in on May 7, 2016.

In his explanation, the Applicant further disclosed that, after turning himself in, he was taken into custody and charged with robbery and gun possession. Ultimately, according to the Applicant, he was sentenced to seven and a half years in prison.

5. The Applicant provided records concerning his criminal history. According to these records:

- a. On or about May 12, 2015, in case number GC14186158-00 in the Fairfax County General District Court, Virginia, the Applicant was convicted of and/or pled guilty and/or *nolo contendere* to one count of Disorderly Conduct, in violation of Va. Code § 18.2-415 (a misdemeanor). The court sentenced the Applicant to a term of incarceration of twelve (12) months, all suspended.
- b. On or about August 23, 2019, in case number CT160742B in the Circuit Court for Prince George's County, Maryland, the Applicant was convicted of and/or pled guilty and/or *nolo contendere* to one count of Robbery with a Dangerous Weapon, in violation of Md. Code Ann., Criminal Law § 3-403 (a felony) and one count of Use of Firearm in Commission of Crime, in violation of Md. Code Ann., Criminal Law § 4-204 (a misdemeanor). The court sentenced the Applicant to an aggregate term of incarceration of twenty (20) years with all but twelve (12) years suspended. Currently, the Applicant is under the supervision of the Division of Parole and Probation, which expires on or about November 2, 2028.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law the following:

6. By, on or about August 23, 2019, in case number CT160742B in the Circuit Court for Prince George's County, being convicted of or pleading guilty or *nolo contendere* to a charge of Robbery with Dangerous Weapon, in violation of Md. Code Ann., Criminal Law § 3-403 (a felony), the Applicant pled guilty to a felony, in violation of Health Occ. § 20-313(c)(4) and/or COMAR 10.57.03.05C(1)(e).

7. By being convicted of or pleading guilty or *nolo contendere* to crimes and engaging in the underlying conduct; the Applicant evidences a lack of good moral character, in violation of Health Occ. § 20-302.1(a)-(b) and/or COMAR 10.57.03.05C(1)(f).

8. By being convicted of or pleading guilty or *nolo contendere* to crimes and engaging in the underlying conduct; the Applicant fails to meet substantially the standards for certification adopted by the Board under Health Occ. § 20-205, in violation of Health Occ. § 20-313(c)(3); and/or COMAR 10.57.03.05A(1)(a)-(f); and/or COMAR 10.57.03.05C(1)(e) and/or (f).

9. By participating in the activities detailed above in the Allegations of Fact, the Applicant violated Health Occ. § 20-302.1(a)-(b); and/or Health Occ. § 20-313(c)(3) and/or (4); and/or COMAR 10.57.03.05A(1)(a)-(f); and/or COMAR 10.57.03.05C(1)(e) and/or (f).

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 3rd day of April, 2025, by a majority of the quorum of the Board, hereby:


ORDERED that **ANTONIO HOWARD, JR.’S** Application for Residential Child and Youth Care Practitioners Certification in the State of Maryland is hereby **DENIED**; and it is further

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

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. § 20-315, the Applicant has the right to take a direct judicial appeal. Any appeal shall be filed within thirty (30) days from the date of this Final Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, Md. Code Ann., State Gov’t § 10-201 *et seq.* (2021 Repl. Vol. & 2024 Supp.); and Title 7, Chapter 200 of the Maryland Rules of Procedure.

4/2/2025
Date



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