	1	BEFORE THE
	2	TEACHER STANDARDS AND PRACTICES COMMISSION
	3	STATE OF OREGON
	4	In the Matter of the Application) for Teaching License of:
	5) FINAL ORDER TONY LEE BROWN,) (By Default)
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	8	On February 26, 1996, Tony Lee Brown (Brown) filed an
	9	application with the Teacher Standards and Practices Commission
	10	(Commission) for an Oregon teaching license. In his application,
	11	Brown informed the Commission that he had been convicted of the
	12	crime of stalking in California. The Commission conducted an
	13	investigation and on July 12, 1996, took action to deny Brown's
()	14	application. On August 5, 1996, the Commission issued a Notice
`	15	of Opportunity for Hearing to Brown. Brown requested a hearing
	16	on August 19, 1996. The Commission scheduled a hearing for
	17	October 10, 1996, at 9 a.m. in Salem, Oregon and informed Brown
	18	of the date and location of the hearing on September 4, 1996.
	19	The Commission appointed a three-member panel to conduct the
	20	hearing.
	21	At approximately 8:40 a.m. on October 10, Brown left a
aga po ago around 2 - 11 - 2	22	telephone message at the Commission offices stating that Brown
	23	was not prepared for the hearing and requesting a postponement of
	24	the hearing.
	25	Brown's request for postponement is denied. Brown was
	26	provided notice of the charges against him on August 5, 1996. He
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- 1 was advised of the date, time and place of the hearing on
- 2 September 4. He was provided copies of documents related to the
- 3 evidence against him on September 4 and again on September 30.
- 4 These documents included copies of court documents and copies of
- 5 police reports related to the charges against him. The
- 6 Commission finds that Brown did not make a timely request for a
- 7 postponement, and he did not state sufficient grounds to allow a
- 8 postponement.
- 9 Brown did not appear at the hearing on October 10, 1996.
- 10 The Commission finds Brown to be in default. The Commission
- 11 makes the following findings of fact and conclusions of law based
- 12 on the record of this case consisting of the files and records of
- 13 the Commission in this matter.

14 FINDINGS OF FACT

- 15 1. Brown applied for a basic Oregon teaching license with
- 16 an endorsement in physical education on February 26, 1996.
- 17 2. On October 26, 1990, the Superior Court of San
- 18 Bernadino County, California granted a restraining order against
- 19 Brown. The restraining order prohibited Brown from contacting,
- 20 molesting, attacking, striking, threatening, sexually assaulting,
- 21 battering, telephoning or disturbing the peace of Adriana
- 22 Armstrong or her two minor children. The order further required
- 23 Brown to immediately move from Armstrong's residence at 14535
- 24 Flathead Road, Apple Valley, California. Brown was also required
- 25 under the order to stay at least 500 yards from Ms. Armstrong and
- 26 her residence.
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- 1 3. On July 19, 1991, Brown was arrested for violating the
- 2 restraining order by going to Armstrong's home without her
- 3 permission and subjecting her to verbal abuse.
- 4. On April 20, 1992, Armstrong reported to the police
- 5 that Brown had stolen items from Armstrong's garage.
- 6 Subsequently on November 18, 1992, the police carried out a
- 7 search warrant at Brown's home and found the property that
- 8 Armstrong had reported stolen.
- 9 5. On May 23, 1992, Brown entered Armstrong's home without
- 10 her permission by breaking through the front door. While in the
- 11 house, Brown got into a physical altercation with a male visitor
- 12 in Armstrong's home.
- 13 6. On July 20, 1992, Brown was arrested for violation of
- 14 the restraining order for coming to Ms. Armstrong's home and
- 15 refusing to leave.
- 7. On September 10, 1992, Brown was arrested for "spousal"
- 17 abuse." On this occasion, Brown came to Armstrong's home at
- 18 8 a.m. in the morning. Brown entered the home without permission
- 19 and confronted Armstrong in her bedroom, where he subjected
- 20 Armstrong to physical abuse by striking her on the face and body
- 21 and stuffing a towel into Armstrong's mouth.
- 22 8. On October 15, 1992, Brown was arrested for the crime
- 23 of stalking for coming to Armstrong's house without her
- 24 permission, ringing the door bell and running away from the
- 25 house.
- 26 ///
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- 1 9. On October 19, 1992, Brown was again arrested for 2 making harassing telephone calls to Armstrong soon after he was 3 released from custody on the arrest for the stalking offense. 4 Brown entered a quilty plea to the crime of stalking. 5 Under California law, a person is guilty of this crime who willfully, maliciously and repeatedly follows or harasses another 6 7 person and who makes a credible threat with the intent to place 8 that person in reasonable fear of his or her safety. This crime 9 is a felony under California law when committed while there is a restraining order in place. 10 11 On May 18, 1993, Brown was sentenced to two years in prison by the Superior Court of San Bernadino, California. 12 has now completed his prison sentence and is currently still on 13 14 parole. ULTIMATE FINDING OF FACT 15 Brown repeatedly violated a restraining order by 16 12. harassing and physically assaulting Adriana Armstrong. Brown was 17 convicted of the felony crime of stalking on May 18, 1993. 18 19 CONCLUSION OF LAW Brown's conduct constitutes gross neglect of duty under 20 13. OAR 584-20-040 and Brown has failed to demonstrate good moral 21 character as required by ORS 342.143 for persons applying for an 22 Oregon teaching license. 23 24 ///
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1	ORDER
2	The application for an Oregon teaching license of Tony Lee
3	Brown is hereby DENIED.
4	Dated this 10 th day of December, 1996.
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6	TEACHER STANDARDS AND PRACTICES COMMISSION
7	Daniel Chry Lo
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9	David V. Myton, Executive Secretary
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11	NOTICE: YOU ARE ENTITLED TO JUDICIAL REVIEW OF THIS ORDER.
12	JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS
13	ORDER. JUDICIAL REVIEW IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON COURT OF APPEALS.
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(Tony Lee Brown)

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CERTIFICATE OF MAILING

I hereby certify that I served the foregoing Order by mailing a true copy thereof, certified by me as such, by U.S. first class mail, and U. S. Certified Mail, with Return Receipt Requested addressed to:

TONY LEE BROWN 19656 BUCK CANYON DRIVE BEND OR 97702

Dated this 10th day of Olerenter, 1996.

Charlene A. Smith

Secretary to the Commission