

BEFORE THE  
BOARD OF BEHAVIORAL SCIENCES  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Statement of Issues  
Against:

**ALEJANDRO BARELA**  
P.O. Box 191042  
Sacramento, CA 95819

**Associate Clinical Social Worker Applicant**

Respondent.

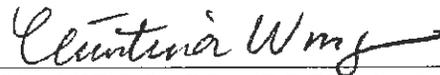
Case No. 2002015000084

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Behavioral Sciences, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on July 23, 2015.

It is so ORDERED June 23, 2015.



FOR THE BOARD OF BEHAVIORAL SCIENCES  
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
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7 *Attorneys for Complainant*

8 **BEFORE THE**  
**BOARD OF BEHAVIORAL SCIENCES**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues  
Against:

Case No. 2002015000084

12 **ALEJANDRO BARELA**  
13 **P.O. Box 191042**  
14 **Sacramento, CA 95819**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

15 **Associate Clinical Social Worker Applicant**

16 Respondent.

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Kim Madsen ("Complainant") is the Executive Officer of the Board of Behavioral  
21 Sciences. She brought this action solely in her official capacity and is represented in this matter  
22 by Kamala D. Harris, Attorney General of the State of California, by Kristina T. Jarvis, Deputy  
23 Attorney General.

24 2. Respondent Alejandro Barela ("Respondent") is represented in this proceeding by  
25 attorney Adam J. Richards, whose address is: 765 University Avenue, Sacramento, CA 95825.

26 3. On or about May 29, 2014, Respondent filed an application dated May 29, 2014, with  
27 the Board of Behavioral Sciences to obtain registration as an Associate Clinical Social Worker.

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1 **JURISDICTION**

2 4. Statement of Issues No. 2002015000084 was filed before the Board of Behavioral  
3 Sciences (Board) , Department of Consumer Affairs, and is currently pending against  
4 Respondent. The Statement of Issues and all other statutorily required documents were properly  
5 served on Respondent on December 22, 2014.

6 5. A copy of Statement of Issues No. 2002015000084 is attached as exhibit A and  
7 incorporated herein by reference.

8 **ADVISEMENT AND WAIVERS**

9 6. Respondent has carefully read, fully discussed with counsel, and understands the  
10 charges and allegations in Statement of Issues No. 2002015000084. Respondent has also  
11 carefully read, fully discussed with counsel, and understands the effects of this Stipulated  
12 Settlement and Disciplinary Order.

13 7. Respondent is fully aware of his legal rights in this matter, including the right to a  
14 hearing on the charges and allegations in the Statement of Issues; the right to be represented by  
15 counsel at his own expense; the right to confront and cross-examine the witnesses against him;  
16 the right to present evidence and to testify on his own behalf; the right to the issuance of  
17 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
18 reconsideration and court review of an adverse decision; and all other rights accorded by the  
19 California Administrative Procedure Act and other applicable laws.

20 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
21 every right set forth above.

22 **CULPABILITY**

23 9. Respondent admits the truth of each and every charge and allegation in Statement of  
24 Issues No. 2002015000084.

25 10. Respondent agrees that his Associate Clinical Social Worker application is subject to  
26 denial and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary  
27 Order below.

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**CONTINGENCY**

1  
2       11. This stipulation shall be subject to approval by the Board of Behavioral Sciences.  
3 Respondent understands and agrees that counsel for Complainant and the staff of the Board of  
4 Behavioral Sciences may communicate directly with the Board regarding this stipulation and  
5 settlement, without notice to or participation by Respondent or his counsel. By signing the  
6 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek  
7 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails  
8 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary  
9 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal  
10 action between the parties, and the Board shall not be disqualified from further action by having  
11 considered this matter.

12       12. The parties understand and agree that Portable Document Format (PDF) and facsimile  
13 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile  
14 signatures thereto, shall have the same force and effect as the originals.

15       13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an  
16 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
17 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
18 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary  
19 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
20 writing executed by an authorized representative of each of the parties.

21       14. In consideration of the foregoing admissions and stipulations, the parties agree that  
22 the Board may, without further notice or formal proceeding, issue and enter the following  
23 Disciplinary Order:

**DISCIPLINARY ORDER**

24  
25       IT IS HEREBY ORDERED that Respondent Alejandro Barela will be issued a registration  
26 as an Associate Clinical Social Worker and said registration will be immediately revoked. The  
27 revocation will be stayed and the Respondent placed on three (3) years probation on the following  
28 terms and conditions. Probation shall continue on the same terms and conditions if Respondent is

1 issued a subsequent registration, becomes licensed, or is granted another registration or license  
2 regulated by the Board during the probationary period.

3 **1. Psychological / Psychiatric Evaluation**

4 Within 90 days of the effective date of this decision, and on a periodic basis thereafter as  
5 may be required by the Board or its designee, respondent shall complete a psychological or  
6 psychiatric evaluation by such licensed psychologists or psychiatrists as are appointed by the  
7 Board. The cost of such evaluation shall be borne by respondent. Failure to pay for the report in  
8 a timely fashion constitutes a violation of probation.

9 Such evaluator shall furnish a written report to the Board or its designee regarding  
10 respondent's judgment and ability to function independently and safely as a counselor and such  
11 other information as the Board may require. Respondent shall execute a Release of Information  
12 authorizing the evaluator to release all information to the Board. Respondent shall comply with  
13 the recommendations of the evaluator.

14 If a psychological or psychiatric evaluation indicates a need for supervised practice, (within  
15 30 days of notification by the Board), respondent shall submit to the Board or its designee, for its  
16 prior approval, the name and qualification of one or more proposed supervisors and a plan by  
17 each supervisor by which the respondent's practice will be supervised.

18 If respondent is determined to be unable to practice independently and safely, upon  
19 notification, respondent shall immediately cease practice and shall not resume practice until  
20 notified by the Board or its designee. Respondent shall not engage in any practice for which  
21 registration or licensure issued by the Board is required, until the Board or its designee has  
22 notified the respondent of its determination that respondent may resume practice.

23 **2. Psychotherapy**

24 Respondent shall participate in ongoing psychotherapy with a California licensed mental  
25 health professional who has been approved by the Board. Within 15 days of the effective date of  
26 this decision, respondent shall submit to the Board or its designee for its prior approval the name  
27 and qualifications of one or more therapists of respondent's choice. Such therapist shall possess a  
28 valid California license to practice and shall have had no prior business, professional, or personal

1 relationship with respondent, and shall not be the respondent's supervisor. Counseling shall be at  
2 least once a week unless otherwise determined by the Board. Respondent shall continue in such  
3 therapy at the Board's discretion. Cost of such therapy is to be borne by respondent.

4 Respondent may, after receiving the Board's written permission, receive therapy via  
5 videoconferencing if respondent's good faith attempts to secure face-to-face counseling are  
6 unsuccessful due to the unavailability of qualified mental health care professionals in the area.  
7 The Board may require that respondent provide written documentation of his good faith attempts  
8 to secure counseling via videoconferencing.

9 Respondent shall provide the therapist with a copy of the Board's decision no later than the  
10 first counseling session. Upon approval by the Board, respondent shall undergo and continue  
11 treatment until the Board or its designee determines that no further psychotherapy is necessary.

12 Respondent shall take all necessary steps to ensure that the treating psychotherapist submits  
13 quarterly written reports to the Board concerning respondent's fitness to practice, progress in  
14 treatment, and to provide such other information as may be required by the Board. Respondent  
15 shall execute a Release of Information authorizing the therapist to divulge information to the  
16 Board.

17 If the treating psychotherapist finds that respondent cannot practice safely or independently,  
18 the psychotherapist shall notify the Board within three (3) working days. Upon notification by  
19 the Board, respondent shall immediately cease practice and shall not resume practice until  
20 notified by the Board or its designee that respondent may do so. Respondent shall not thereafter  
21 engage in any practice for which registration or licensure issued by the Board is required until the  
22 Board or its designee has notified respondent that he may resume practice. Respondent shall  
23 document compliance with this condition in the manner required by the Board.

### 24 3. Relapse Prevention Program

25 Within fifteen (15) days from the effective date of the decision, Respondent shall submit to  
26 the Board or its designee for prior approval the name of one or more program(s) for relapse  
27 prevention. Respondent shall enter a relapse prevention program within fifteen (15) days after  
28 notification of the board's approval of such program. Respondent shall successfully complete

1 such treatment contract as may be recommended by the program and approved by the Board or its  
2 designee . Respondent shall submit proof satisfactory to the Board or its designee of compliance  
3 with this term of probation. Respondent shall sign a release allowing the program to release to  
4 the Board all information the Board deems relevant. Respondent shall take all necessary steps to  
5 ensure that the relapse prevention program submits quarterly written reports to the Board  
6 addressing the Respondent's treatment and progress in the program.

7 Components of the treatment contract shall be relevant to the violation and to the  
8 Respondent's current status in recovery or rehabilitation. The components may include, but are  
9 not limited to: restrictions on practice and work setting, random biological fluid testing,  
10 abstinence from drugs and alcohol, use of worksite monitor's participation in chemical  
11 dependency rehabilitation programs or groups, psychotherapy, counseling, psychiatric  
12 evaluations, and other appropriate relapse prevention programs. All costs of participating in the  
13 program(s) shall be borne by Respondent.

14 **4. Abstain from Controlled Substances / Submit to Biological Fluid Testing and**  
15 **Samples**

16 Respondent shall completely abstain from the use or possession of controlled or illegal  
17 substances unless lawfully prescribed by a medical practitioner for a bona fide illness.

18 Respondent shall immediately submit to biological fluid testing, at respondent's cost, upon  
19 request by the Board or its designee. The length of time and frequency will be determined by the  
20 Board. There will be no confidentiality in test results. Any confirmed positive finding will be  
21 immediately reported to respondent's current employer and shall be a violation of probation.

22 **5. Abstain from Use of Alcohol / Submit to Biological Fluid Testing and Samples**

23 Respondent shall completely abstain from the use of alcoholic beverages during the period  
24 of probation.

25 Respondent shall immediately submit to biological fluid testing, at respondent's cost, upon  
26 request by the Board or its designee. The length of time and frequency will be determined by the  
27 Board. There will be no confidentiality in test results. Any confirmed positive finding will be  
28 immediately reported to the respondent 's current employer and shall be a violation of probation.

1           **6. Attend Dependency Support Program**

2           Respondent shall attend a dependency support program approved by the Board no less than  
3 2 times per week. Respondent shall provide proof of attendance at said program with each  
4 quarterly report that Respondent submits during the period of probation. Failure to attend, or to  
5 show proof of such attendance, shall constitute a violation of probation.

6           **7. Obey All Laws**

7           Respondent shall obey all federal, state and local laws, all statutes and regulations  
8 governing his conduct, and remain in full compliance with any court ordered criminal probation,  
9 payments and other orders. A full and detailed account of any and all violations of law shall be  
10 reported by the respondent to the Board or its designee in writing within seventy-two (72) hours  
11 of occurrence. To permit monitoring of compliance with this term, respondent shall submit  
12 fingerprints through the Department of Justice and Federal Bureau of Investigation within 30 days  
13 of the effective date of the decision, unless previously submitted as part of the licensure  
14 application process. Respondent shall pay the cost associated with the fingerprint process.

15           **8. File Quarterly Reports**

16           Respondent shall submit quarterly reports, to the Board or its designee, as scheduled on the  
17 “Quarterly Report Form” (rev. 01/12/01). Respondent shall state under penalty of perjury  
18 whether he has been in compliance with all the conditions of probation. Notwithstanding any  
19 provision for tolling of requirements of probation, during the cessation of practice respondent  
20 shall continue to submit quarterly reports under penalty of perjury.

21           **9. Comply with Probation Program**

22           Respondent shall comply with the probation program established by the Board and  
23 cooperate with representatives of the Board in its monitoring and investigation of the respondent's  
24 compliance with the program.

25           **10. Interviews with the Board**

26           Respondent shall appear in person for interviews with the Board or its designee upon  
27 request at various intervals and with reasonable notice.

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1           **11. Failure to Practice**

2           In the event respondent stops practicing in California, respondent shall notify the Board or  
3 its designee in writing within 30 calendar days prior to the dates of non-practice and return to  
4 practice. Non-practice is defined as any period of time exceeding thirty calendar days in which  
5 respondent is not engaging in any activities defined in Sections 4980.02, 4989.14, 4996.9, or  
6 4999.20 of the Business and Professions Code. Any period of non-practice, as defined in this  
7 condition, will not apply to the reduction of the probationary term and will relieve respondent of  
8 the responsibility to comply with the probationary terms and conditions with the exception of this  
9 condition and the following terms and conditions of probation: Obey All Laws; File Quarterly  
10 Reports; Comply With Probation Program; Maintain Valid License/Registration; and Cost  
11 Recovery. Respondent's license/registration shall be automatically cancelled if respondent's  
12 period of non-practice totals two years.

13           **12. Change of Place of Employment or Place of Residence**

14           Respondent shall notify the Board or its designee in writing within 30 days of any change  
15 of place of employment or place of residence. The written notice shall include the address, the  
16 telephone number and the date of the change.

17           **13. Supervision of Unlicensed Persons**

18           While on probation, respondent shall not act as a supervisor for any hours of supervised  
19 practice required for any license or registration issued by the Board. Respondent shall terminate  
20 any such supervisory relationship in existence on the effective date of this Decision.

21           **14. Notification to Clients**

22           Respondent shall notify all clients when any term or condition of probation will affect their  
23 therapy or the confidentiality of their records, including but not limited to supervised practice,  
24 suspension, or client population restriction. Such notification shall be signed by each client prior  
25 to continuing or commencing treatment. Respondent shall submit, upon request by the Board or  
26 its designee, satisfactory evidence of compliance with this term of probation.

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1           **15. Notification to Employer**

2           Respondent shall provide each of his current or future employers, when performing services  
3 that fall within the scope of practice of his registration or license, a copy of this Decision and the  
4 Statement of Issues before commencing employment. Notification to the respondent's current  
5 employer shall occur no later than the effective date of the Decision or immediately upon  
6 commencing employment. Respondent shall submit, upon request by the Board or its designee,  
7 satisfactory evidence of compliance with this term of probation.

8           **16. Violation of Probation**

9           If respondent violates the conditions of his probation, the Board, after giving respondent  
10 notice and the opportunity to be heard, may set aside the stay order and impose the discipline,  
11 revocation of respondent 's registration or license provided in the decision.

12           If during the period of probation, an accusation, petition to revoke probation, or statement  
13 of issues has been filed against respondent's registration or license or application for licensure, or  
14 the Attorney General's office has been requested to prepare such an accusation, petition to revoke  
15 probation, or statement of issues, the probation period set forth in this decision shall be  
16 automatically extended and shall not expire until the accusation, petition to revoke probation, or  
17 statement of issues has been acted upon by the board. Upon successful completion of probation,  
18 respondent's license or registration shall be fully restored.

19           **17. Maintain Valid Registration or License**

20           Respondent shall, at all times while on probation, maintain a current and active registration  
21 or license with the Board, including any period during which suspension or probation is tolled.  
22 Should respondent's registration or license, by operation of law or otherwise, expire, upon  
23 renewal respondent's registration or license shall be subject to any and all terms of this probation  
24 not previously satisfied.

25           **18. Registration or License Surrender**

26           Following the effective date of this decision, if respondent ceases practicing due to  
27 retirement or health reasons, or is otherwise unable to satisfy the terms and conditions of  
28 probation, respondent may voluntarily request the surrender of his registration or license to the

1 Board. The Board reserves the right to evaluate the respondent's request and to exercise its  
2 discretion whether to grant the request or to take any other action deemed appropriate and  
3 reasonable under the circumstances. Upon formal acceptance of the surrender, respondent shall  
4 within 30 calendar days deliver respondent's registration or license and certificate and if  
5 applicable wall certificate to the Board or its designee and respondent shall no longer engage in  
6 any practice for which registration or a license is required. Upon formal acceptance of the  
7 tendered registration or license, respondent will no longer be subject to the terms and conditions  
8 of probation.

9 Voluntary surrender of respondent's registration or license shall be considered to be a  
10 disciplinary action and shall become a part of respondent's registration or license history with the  
11 Board. Respondent may not petition the Board for reinstatement of the surrendered registration  
12 or license. Should respondent at any time after voluntary surrender ever reapply to the Board for  
13 registration or licensure respondent must meet all current requirements for registration or  
14 licensure including, but not limited to, filing a current application, meeting all current educational  
15 and experience requirements, and taking and passing any and all examinations required of new  
16 applicants.

17 **19. Instruction of Coursework Qualifying for Continuing Education**

18 Respondent shall not be an instructor of any coursework for continuing education credit  
19 required by any license issued by the Board.

20 **20. Notification to Referral Services**

21 Respondent shall immediately send a copy of this decision to all referral services registered  
22 with the Board in which respondent is a participant. While on probation, respondent shall send a  
23 copy of this decision to all referral services registered with the Board that respondent seeks to  
24 join.

25 **21. Reimbursement of Probation Program**

26 Respondent shall reimburse the Board \$1,200.00 per year for the costs it incurs in  
27 monitoring the probation to ensure compliance for the duration of the probation period.

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**ACCEPTANCE**

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Adam J. Richards. I understand the stipulation and the effect it will have on my registration as an Associate Clinical Social Worker. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral Sciences.

DATED: 6-17-15 Alejandro Barela  
ALEJANDRO BARELA, Respondent

**APPROVAL AS TO FORM AND CONTENT**

I have read and fully discussed with Respondent Alejandro Barela the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 6/17/2015 Adam J. Richards  
Adam J. Richards  
Attorney for Respondent

**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Behavioral Sciences.

Dated: June 17, 2015

Respectfully submitted,  
KAMALA D. HARRIS  
Attorney General of California  
JANICE K. LACHMAN  
Supervising Deputy Attorney General

KRISTINA T. JARVIS  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Statement of Issues No. 2002015000084**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 KRISTINA T. JANSEN  
Deputy Attorney General  
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9 **BOARD OF BEHAVIORAL SCIENCES**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
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11 In the Matter of the Statement of Issues  
12 Against:

Case No. 2002015000084

13 **ALEJANDRO BARELA**  
14 **AKA ALEX BARELA**  
15 **AKA ALEJANDRO JIMINEZ**

**STATEMENT OF ISSUES**

16 **Associate Clinical Social Worker Applicant**

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Kim Madsen (Complainant) brings this Statement of Issues solely in her official  
21 capacity as the Executive Officer of the Board of Behavioral Sciences, Department of Consumer  
22 Affairs.

23 2. On or about May 29, 2014, the Board of Behavioral Sciences, Department of  
24 Consumer Affairs received an application for registration as an Associate Clinical Social Worker  
25 from Alejandro Barela (Respondent). On or about May 29, 2014, Alejandro Barela certified under  
26 penalty of perjury to the truthfulness of all statements, answers, and representations in the  
27 application. The Board denied the application on September 5, 2014.

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1 JURISDICTION

2 3. This Statement of Issues is brought before the Board of Behavioral Sciences (Board),  
3 Department of Consumer Affairs, under the authority of the following laws. All section references  
4 are to the Business and Professions Code unless otherwise indicated.

5 4. Section 480 of the Code states:

6 "(a) A board may deny a license regulated by this code on the grounds that the applicant has  
7 one of the following:

8 "(1) Been convicted of a crime. A conviction within the meaning of this section means a plea  
9 or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is  
10 permitted to take following the establishment of a conviction may be taken when the time for  
11 appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order  
12 granting probation is made suspending the imposition of sentence, irrespective of a subsequent  
13 order under the provisions of Section 1203.4 of the Penal Code.

14 "(3) (A) Done any act that if done by a licentiate of the business or profession in question,  
15 would be grounds for suspension or revocation of license.

16 5. Section 4992.3 of the Code states:

17 "The board may deny a license or a registration, or may suspend or revoke the license or  
18 registration of a licensee or registrant if he or she has been guilty of unprofessional conduct.  
19 Unprofessional conduct includes, but is not limited to, the following:

20 "(a) The conviction of a crime substantially related to the qualifications, functions, or duties  
21 of a licensee or registrant under this chapter. The record of conviction shall be conclusive evidence  
22 only of the fact that the conviction occurred. The board may inquire into the circumstances  
23 surrounding the commission of the crime in order to fix the degree of discipline or to determine if  
24 the conviction is substantially related to the qualifications, functions, or duties of a licensee or  
25 registrant under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo  
26 contendere made to a charge substantially related to the qualifications, functions, or duties of a  
27 licensee or registrant under this chapter is a conviction within the meaning of this section. The  
28 board may order any license or registration suspended or revoked, or may decline to issue a license

1 or registration when the time for appeal has elapsed, or the judgment of conviction has been  
2 affirmed on appeal, or, when an order granting probation is made suspending the imposition of  
3 sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the  
4 person to withdraw a plea of guilty and enter a plea of not guilty, or setting aside the verdict of  
5 guilty, or dismissing the accusation, information, or indictment.

6 **CAUSE FOR DENIAL OF APPLICATION**

7 (Substantially Related Criminal Convictions)

8 6. Respondent's application is subject to denial under section 480, subdivisions (a)(1) and  
9 (3)(A) and section 4992.3, subdivision (a), in that he has been convicted of crimes substantially  
10 related to qualifications, functions, or duties of an associate clinical social worker as follows:

11 a. On or about February 15, 1994, in a criminal proceeding in San Diego Superior  
12 Court, Case Number C150140, Respondent was convicted of violating Penal Code section 12025,  
13 subdivision (a)<sup>1</sup>, carrying a concealed weapon in a vehicle, a misdemeanor. Respondent was  
14 driving a vehicle when he was pulled over for suspected driving under the influence of alcohol.  
15 Respondent had a weapon on the floor of the back seat of his vehicle.

16 b. On or about May 21, 1996, in a criminal proceeding entitled *People v. Alex*  
17 *Barela* in Solano County Superior Court Case Number C41627, Respondent pled guilty and was  
18 subsequently convicted of violating Health and Safety Code section 11379, subdivision (a),  
19 transporting a controlled substance for purposes of sale with the enhancement of Penal Code  
20 section 12022, subdivision (c), possessing a firearm during the commission of the offense, a felony.  
21 The circumstances are that on or about February 10, 1996, Respondent was pulled over for  
22 speeding, and had several open containers of alcohol in his vehicle. The police officers ultimately  
23 impounded Respondent's vehicle and in doing so found amphetamines and indicators that  
24 Respondent was engaged in the illegal sale of controlled substances. Officers also found a weapon  
25 with the ammunition clip removed nearby.

26  
27 <sup>1</sup> The Deadly Weapons Recodification Act of 2010 (SB 1080 (Committee on Public Safety), 2010  
28 Cal. Stat. ch. 711) reorganized the statutes governing control of deadly weapons, without  
changing their substance. Penal Code section 12025(a) is now Penal Code section 25400 (a).

1 c. On or about May 21, 1996, in a criminal proceeding entitled *People v. Alex*  
2 *Barela* in Solano County Superior Court Case Number C41628, Respondent pled guilty and was  
3 subsequently convicted of violating Health and Safety Code section 11379, subdivision (a),  
4 transporting a controlled substance for purposes of sale, a felony, with the enhancement of Penal  
5 Code section 12022.1, that at the time of the commission of the offense, Respondent was released  
6 from custody on bail from case number C41627, which is described in paragraph (b), above. The  
7 circumstances are that on or about March 27, 1996, Respondent, while under surveillance by law  
8 enforcement officers, drove from Solano County to Sacramento County where he met with an  
9 individual who provided him with large quantities of illegal controlled substances. Respondent  
10 then returned to Solano County where he was stopped and arrested by law enforcement officers.

11 d. On or about July 14, 2008, in a criminal proceeding entitled *People v. Alejandro*  
12 *Barela* in Solano County Superior Court Case Number FCR247011, Respondent pled no contest  
13 and was subsequently convicted of violating Health and Safety Code section 11377, subdivision  
14 (a), possession of a controlled substance, to wit, methamphetamine, a felony. The circumstances  
15 are that on or about August 30, 2007, Respondent began shooting a BB gun at his neighbor's  
16 house, causing \$400.00 damage and superficial injury to his neighbor. Respondent was subdued  
17 by SWAT and discovered to be in possession of methamphetamine. During the criminal  
18 proceedings, on or about November 6, 2007, Respondent was found to be incompetent to stand  
19 trial and was committed to the Department of Mental Health under Penal Code section 1370. Due  
20 to Respondent's commitment, the criminal proceedings were suspended. On or about July 7,  
21 2008, Respondent was found to be competent and the criminal proceedings were reinstated.

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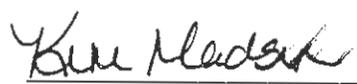
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Behavioral Sciences issue a decision:

1. Denying the application of Alejandro Barela for an Associate Clinical Social Worker registration;
2. Taking such other and further action as deemed necessary and proper.

DATED: ~~December 17, 2014~~



KIM MADSEN  
Executive Officer  
Board of Behavioral Sciences  
Department of Consumer Affairs  
State of California  
*Complainant*

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