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8 **BEFORE THE**  
9 **BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 3503

12 **JONATHAN ALLEN GAMOND**  
13 12543 Chadwell Street  
14 Lakewood, CA 90715

**ACCUSATION**

15 Pharmacy Technician Registration  
16 No. TCH 38235

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity  
21 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

22 2. On or about June 12, 2001, the Board of Pharmacy (Board) issued Pharmacy  
23 Technician Registration No. TCH 38235 to Jonathan Allen Gamond (Respondent). The  
24 Pharmacy Technician Registration was in full force and effect at all times relevant to the charges  
25 brought herein and will expire on January 31, 2011, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board, under the authority of the following  
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

STATUTORY PROVISIONS

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2       4.    Section 118, subdivision (b) provides, in pertinent part, that the expiration of a license  
3 shall not deprive the Board jurisdiction to proceed with a disciplinary action during the period  
4 within which the license may be renewed, restored, reissued or reinstated.

5       5.    Section 490 states, in pertinent part:

6       “(a) In addition to any other action that a board is permitted to take against a licensee, a  
7 board may suspend or revoke a license on the ground that the licensee has been convicted of a  
8 crime, if the crime is substantially related to the qualifications, functions, or duties of the business  
9 or profession for which the license was issued.

10       “(b) Notwithstanding any other provision of law, a board may exercise any authority to  
11 discipline a licensee for conviction of a crime that is independent of the authority granted under  
12 subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties  
13 of the business or profession for which the licensee's license was issued.

14       “(c) A conviction within the meaning of this section means a plea or verdict of guilty or a  
15 conviction following a plea of nolo contendere. Any action that a board is permitted to take  
16 following the establishment of a conviction may be taken when the time for appeal has elapsed, or  
17 the judgment of conviction has been affirmed on appeal, or when an order granting probation is  
18 made suspending the imposition of sentence, irrespective of a subsequent order under the  
19 provisions of Section 1203.4 of the Penal Code.”

20       6.    Section 4300 states that “[e]very license issued may be suspended or revoked.”

21       7.    Section 4301 states, in pertinent part:

22       “The board shall take action against any holder of a license who is guilty of unprofessional  
23 conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.

24 Unprofessional conduct shall include, but is not limited to, any of the following:

25       .....

26       “(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or  
27 corruption, whether the act is committed in the course of relations as a licensee or otherwise, and  
28 whether the act is a felony or misdemeanor or not.



1 or duties of a pharmacy technician, as described below. Each conviction provides an independent  
2 basis for disciplinary action.

3 **FORCIBLE ORAL COPULATION (THREE COUNTS) (FELONY - 2009)**  
4 **PENETRATION BY FOREIGN OBJECT (FELONY - 2009)**

5 A. On or about June 24, 2009, after pleading nolo contendere, Respondent was  
6 convicted of one felony count of violating Penal Code section 289, subdivision (a)(1) [penetration  
7 by foreign object]; one felony count of violating Penal Code section 288a, subdivision (c)(2)  
8 [forcible oral copulation]; one felony count of violating Penal Code section 288a, subdivision  
9 (c)(2) [forcible oral copulation]; and one felony count of violating Penal Code section 288a,  
10 subdivision (c)(2) [forcible oral copulation], in the criminal proceeding entitled *The People of the*  
11 *State of California v. Jonathan Allen Gamond* (Super. Ct. Los Angeles County, 2009, No.  
12 VA109281). Respondent was sentenced to 30 years in Los Angeles County Jail and fined.

14 B. The circumstances surrounding the conviction are that on or about January 23,  
15 2009, Respondent approached the victim and a companion, pretending to be a police officer. He  
16 flashed a light at them and searched them. When the companion asked to see a badge, Respondent  
17 punched her and knocked her down – then pulled and dragged the victim into his vehicle.  
18 Respondent then drove to a secluded area, where he forced the victim to orally copulate him and  
19 committed other acts of sexual assault. He then released her. Several hours later, the victim  
20 reported that she had been kidnapped and raped by Respondent. Later, when Los Angeles County  
21 Sheriff's Department Officers identified and arrested Respondent, Respondent waived rights and  
22 gave a statement admitting involvement in the incident.

24 **CARRYING A LOADED FIREARM (MISDEMEANOR - 1998)**

25 C. On or about August 03, 1998, after pleading nolo contendere, Respondent was  
26 convicted of one misdemeanor count of violating Penal Code section 12094 [buying a handgun  
27 without identification mark]; and one misdemeanor count of violating Penal Code section 12031,  
28

1 subdivision (a) [carrying a loaded firearm in a public place], in the criminal proceeding entitled  
2 *The People of the State of California v. Jonathan Allen Gamond* (Super. Ct. Orange County,  
3 1998, No. CY98WM00815). Respondent was placed on probation for a period of 3 years and  
4 fined.

5 D. The circumstances of the conviction are that on or about October 24, 1997,  
6 Respondent purchased a handgun without an identification mark and also had in his possession a  
7 loaded firearm in a public place, endangering the general public.

8  
9 **VANDALISM (MISDEMEANOR - 1997)**

10 E. On or about August 18, 1997, after pleading nolo contendere, Respondent was  
11 convicted of one misdemeanor count of violating Penal Code section 594, subdivision (a)  
12 [vandalism under \$400 damage], in the criminal proceeding entitled *The People of the State of*  
13 *California v. Jonathan Allen Gamond* (Super. Ct. Los Angeles County, 1997, No. 7DW05780).  
14 Respondent was placed on probation for a period of 36 months.

15 F. The circumstances surrounding the conviction are that on or about June 1,  
16 1997, Respondent used a crowbar to pry open lockers belonging to the Downey Unified School  
17 District.

18  
19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Dishonest Acts)**

21 11. Respondent is subject to disciplinary action under section 4301, subdivision (f), in  
22 that Respondent was convicted of crimes involving dishonest acts when he purchased a handgun  
23 without identification mark, when he was found carrying a loaded firearm in a public place, and  
24 when he vandalized the lockers belonging to Downey Unified School District. Additionally,  
25 dishonest acts underlying his 2009 convictions for violent sexual acts included impersonation of a  
26 police officer. Complainant refers to, and by this reference incorporates, the allegations of  
27 paragraph 10, subparagraphs (A) through (F) as though fully set forth.  
28

1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Conduct that Would Have Warranted Denial of a License)**

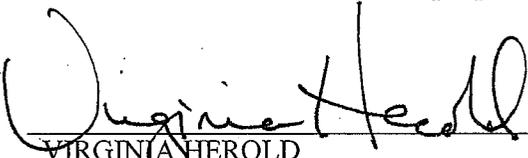
3 12. Respondent is subject to disciplinary action under section 4301, subdivision (p), in  
4 that Respondent was convicted of crimes involving conduct and actions that would have  
5 warranted denial of a license. Complainant refers to, and by this reference incorporates, the  
6 allegations of paragraph 10, subparagraphs (A) through (F) as though fully set forth.

7 **PRAYER**

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

- 10 1. Revoking or suspending Pharmacy Technician Registration No. TCH 38235, issued  
11 to Jonathan Allen Gamond;
- 12 2. Ordering Jonathan Allen Gamond to pay the Board the reasonable costs of the  
13 investigation and enforcement of this case, pursuant to Business and Professions Code section  
14 125.3; and
- 15 3. Taking such other and further action as deemed necessary and proper.

16  
17 DATED: 8/10/10

  
18 VIRGINIA HEROLD  
19 Executive Officer  
20 Board of Pharmacy  
21 Department of Consumer Affairs  
22 State of California  
23 Complainant

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