

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA K. SCHNEIDER
Senior Assistant Attorney General
3 GREGORY J. SALUTE
Supervising Deputy Attorney General
4 State Bar No. 164015
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2617
7 Facsimile: (619) 645-2061
Attorneys for Complainant

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

12 In the Matter of the Accusation Against:

Case No. 5770

13 **ANTHONY RAYMOND BEEBE**
14 **1343 West Nicolet Street**
Banning, CA 92220

A C C U S A T I O N

15 **Pharmacy Technician Registration No. TCH**
16 **89959**

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

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

24 2. On May 6, 2009, the Board issued Pharmacy Technician Registration Number
25 TCH 89959 to Anthony Raymond Beebe (Respondent). Respondent has also been known as
26 Tony Beebe. The Pharmacy Technician Registration was in full force and effect at all times
27 relevant to the charges brought herein and will expire on August 31, 2016, unless renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Code section 4300, subdivision (a) provides that every license issued by the
6 Board may be suspended or revoked.

7 5. Code section 4300.1 states:

8 The expiration, cancellation, forfeiture, or suspension of a board-issued
9 license by operation of law or by order or decision of the board or a court of law,
10 the placement of a license on a retired status, or the voluntary surrender of a
11 license by a licensee shall not deprive the board of jurisdiction to commence or
12 proceed with any investigation of, or action or disciplinary proceeding against, the
13 licensee or to render a decision suspending or revoking the license.

12 **STATUTORY PROVISIONS**

13 6. Code section 482 states:

14 Each board under the provisions of this code shall develop criteria to
15 evaluate the rehabilitation of a person when:

- 16 (a) Considering the denial of a license by the board under Section 480; or
- 17 (b) Considering suspension or revocation of a license under Section 490.

18 Each board shall take into account all competent evidence of rehabilitation
19 furnished by the applicant or licensee.

20 7. Section 4301 of the Code states:

21 The board shall take action against any holder of a license who is guilty of
22 unprofessional conduct or whose license has been procured by fraud or
23 misrepresentation or issued by mistake. Unprofessional conduct shall include, but
24 is not limited to, any of the following:

25 ...

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

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1 **REGULATORY PROVISIONS**

2 8. California Code of Regulations, title 16, section 1770, states:

3 For the purpose of denial, suspension, or revocation of a personal or
4 facility license pursuant to Division 1.5 (commencing with Section 475) of the
5 Business and Professions Code, a crime or act shall be considered substantially
6 related to the qualifications, functions or duties of a licensee or registrant if to a
7 substantial degree it evidences present or potential unfitness of a licensee or
8 registrant to perform the functions authorized by his license or registration in a
9 manner consistent with the public health, safety, or welfare.

8 **COST RECOVERY**

9 9. Code section 125.3 provides, in pertinent part, that the Board may request the
10 administrative law judge to direct a licentiate found to have committed a violation or violations
11 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
12 enforcement of the case, with failure of the licentiate to comply subjecting the license to not
13 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs
14 may be included in a stipulated settlement.

15 **CAUSE FOR DISCIPLINE**

16 **(Unprofessional Conduct - Commission of Any Act Involving Moral Turpitude,**
17 **Dishonesty, Fraud, Deceit, or Corruption)**

18 10. Respondent has subjected his Pharmacy Technician Registration to discipline
19 under Code section 4301, subdivision (f), in that he committed acts involving moral turpitude,
20 deceit, and corruption when he repeatedly harass and threaten to commit a crime against another
21 person, because of the person's race, color, religion, nationality, country of origin, ancestry, and
22 sexual orientation; acts that are substantially related to the qualifications, functions, and duties of
23 a registered pharmacy technician. The circumstances are as follows:

24 a. On several occasions before July 1, 2015, Respondent made numerous
25 annoying and harassing phone calls to an African-American woman in Moreno Valley,
26 California. The woman was the foster mother to Respondent's son. Shortly after gaining custody
27 of Respondent's sixteen-year-old son, Respondent left inflammatory messages on the foster
28 mother's voice mail making racial slurs and criminal threats against her and her biological son.

1 b. On July 1 and 2, 2015, Respondent left messages calling the foster mother
2 a “porch monkey, lesbian bitch, and an animal who raises gorillas.” On multiple occasions
3 during the messages, Respondent mentioned “taking a ball peen hammer” to the foster parent
4 and her “gorilla son” for putting their “gorilla hands” on his son. The foster mother recognized
5 Respondent’s voice having spoken with him on numerous occasions, and by the number of
6 messages she received. A responding deputy from the Moreno Valley Station of the Riverside
7 County Sheriff’s Department attempted to contact Respondent based on the phone number where
8 the messages originated. As soon as Respondent identified the deputy, Respondent disconnected
9 the call. The deputy made numerous attempts to call Respondent, but there was no answer. On
10 August 6, 2015, the deputy followed-up with the foster mother, who told the deputy that
11 Respondent had not contacted her recently.

12 c. On August 25, 2015, in a criminal proceeding entitled *The People of the*
13 *State of California vs. Anthony Raymond Beebe, aka Tony Beebe*, in Riverside County Superior
14 Court, Hall of Justice Courthouse, Criminal Division Case Number RIF1502372, Respondent
15 was charged with violating Penal Code (PC) sections 646.9, subdivision (a), stalking, and 422,
16 criminal threats of death and great bodily injury, both felonies. The charges alleged that in the
17 commission of the felonies, Respondent committed or attempted to commit the felonies because
18 of the victim’s race color, religion, nationality, country of origin, ancestry, and sexual orientation
19 within the meaning of PC section 422.75, subdivision (a). On May 6, 2016, Respondent is
20 scheduled for trial readiness conference.

21 **PRAYER**

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

24 1. Revoking or suspending Pharmacy Technician Registration Number TCH 89959,
25 issued to Anthony Raymond Beebe;

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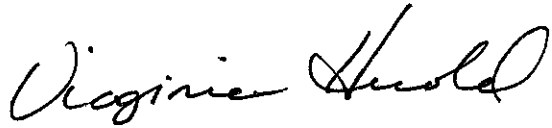
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2. Ordering Anthony Raymond Beebe to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

3. Taking such other and further action as deemed necessary and proper.

DATED: _____

4/20/16



VIRGINIA HEROLD
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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