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2 BEFORE THE
3 TEACHER STANDARDS AND PRACTICES COMMISSION
4 STATE OF OREGON
5

6 In the Matter of the)
7 Teaching License of) ORDER OF DENIAL
8 ANGELO JAMES HONJAS)
9)
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11
12 FINAL ORDER
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14 By resolution dated September 16-17, 1999, the Teacher Standards and
15 Practices Commission adopts the attached proposed order to uphold the
16 Executive Director's denial of Angelo James Honjas' application for
17 reinstatement of his revoked Teaching License.

18
19 DATED THIS 20th day of September, 1999.
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21 TEACHER STANDARDS AND PRACTICES COMMISSION
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23
24 By 
25
26 David V. Myton, Executive Director
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28 NOTICE: YOU ARE ENTITLED TO A JUDICIAL REVIEW OF THIS ORDER.
29 JUDICIAL REVIEW MAY BE OBTAINED BY FILING A PETITION FOR REVIEW
30 WITHIN 60 DAYS FROM THE SERVICE OF THIS ORDER. JUDICIAL REVIEW
31 IS PURSUANT TO THE PROVISIONS OF ORS 183.482 TO THE OREGON
32 COURT OF APPEALS.
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1	04/07/93	Final Order granting probation
	09/18/93	Custody report, Portland Police Bureau
2	02/25/94	Order of conviction, Multnomah Circuit Court
	07/14/93	Psychological report of Kevin McGovern, Ph.D.
3	Undated	Letter from Mr. Honjas, received by TSPC on 9/30/93
	02/03/94	Stipulation, surrender of License and Order
4	04/25/94	Police report, The Dalles Police Department
	08/03/94	Judgment of Conviction, driving while suspended, Wasco Circuit Court
5	04/16/99	Amended Order Declaring Felony to be Misdemeanor, Wasco Circuit Court
6	10/28/94	Multnomah County Judgment Order
	05/03/94	Custody Report, Lake Oswego Police Department
7	10/04/94	Judgment of Conviction, driving while suspended, Clackamas County Circuit Court
8	07/21/94	Traffic accident report and custody report, Portland Police Bureau
	10/28/94	Judgment of Conviction and Case Register, Multnomah Circuit Court, failure to perform duties of a driver
9	10/28/94	Judgment of Conviction, DUII, Multnomah Circuit Court
10	08/03/95	Violation Report, Clackamas County Community Corrections
	06/21/93	Letter from Karen Gruetter, CareMark Chemical Dependency Treatment Program
11	12/08/93	Letter from Karen Gruetter, CareMark Chemical Dependency Treatment Program
12	11/06/95	Police report, Lake Oswego Police Department
13	08/01/95	Department of Veterans Affairs report
	05/07/96	Certificate of Recognition, Chemical Addiction Rehabilitation Section
14	01/15/97	Lake Oswego Police Report
	09/29/93	Letter from David V. Myton
15	02/28/96	Custody report, Portland Police Bureau
	01/20/99	Application for License Authorizing Public School Service Form C-1
16	02/28/96	Report, PSU Public Safety, Letter from Mr. Honjas

17 Mr. Honjas initially objected to the Commission receiving testimony from Deborah
18 Greene on the ground that Ms. Greene had not been identified as a witness at least ten days prior
19 to the hearing in compliance with OAR 584-019-0025. The panel heard the testimony of
20 Ms. Greene and at the end of the hearing gave Mr. Honjas the opportunity to request a
21 continuance in order present evidence in response to Ms. Greene's testimony. Mr. Honjas did
22 not request a continuance and elected to waive his right to object to Ms. Greene's testimony
23 based on lack of notice under OAR 584-019-0025.

1 **FINDINGS OF FACT**

2 1. Mr. Honjas held an Oregon Teaching License from 1986 until February 3, 1994.

3 He was employed as a teacher with the Portland School District from 1986 through the 1992-93
4 school year.

5 2. On July 31, 1991, the Commission entered an order finding that Mr. Honjas had
6 violated Commission standards by being convicted of driving under the influence of intoxicants
7 and by making a false statement on his application for renewal of his teaching certificate when
8 he failed to acknowledge his conviction for driving under the influence. The Commission placed
9 Mr. Honjas on probation for a period of one year subject to the condition that he conduct himself
10 as a law-abiding citizen.

11 3. In 1992, the Commission received another complaint concerning Honjas, and held
12 a hearing on March 19, 1993. On April 7, 1993, the Commission entered an order containing
13 findings of fact that Mr. Honjas had been engaged in sexually inappropriate activity in a public
14 park and in an adult bookstore. A copy of the Commission's findings of fact in that order are
15 attached to this order as Exhibit "A" and incorporated by reference herein.

16 The Commission again placed Mr. Honjas on probation subject to a number of strict
17 conditions, including treatment for his alcoholism. In placing Honjas on probation, the
18 Commission stated:

19 A mitigating factor is that Honjas' acts of driving under influence of
20 intoxicants, his behavior in the adult bookstore and his behavior in the
21 park occurred while Honjas was under the influence of alcohol, and that
22 alcohol was apparently a contributing factor to his conduct. Thus, if
23 Honjas ceases his drinking behavior, there is reason to believe that his
inappropriate behavior will not recur. A second mitigating factor is that
Honjas has received good evaluations as a teaching and appears to have
done a good job with students participating in music programs at Harriett
Tubman Middle School.

1 Revocation could be justified in this case, but the panel concludes that
2 Honjas should be given one last chance to conform his behavior to
Commission standards and to overcome his alcoholism.

3 4. Within six months of the 1993 Order of Probation, Mr. Honjas consumed alcohol,
4 was arrested and subsequently convicted on February 25, 1994, for driving under the influence of
5 intoxicants. As a result, he surrendered his Oregon Teaching License, and the Commission
6 accepted the surrender and revoked the license on February 3, 1994.

7 5. Since his conviction on February 25, 1994, Mr. Honjas has been convicted of the
8 following additional offenses:

- 9 a. Driving while suspended, Wasco Circuit Court, August 3, 1994.
10 b. Hit and run, Multnomah County Circuit Court, October 28, 1994.
11 c. Driving under the influence, Multnomah Circuit Court, October 28, 1994.
12 d. Driving while suspended, Clackamas County Circuit Court, October 4, 1994.

13 6. Mr. Honjas participated in an alcohol and drug treatment program through
14 CareMark Chemical Dependency Treatment Program in 1993. In December 1993, Mr. Honjas
15 was terminated from the CareMark Program due to his failure to attend required meetings. In
16 1995, Mr. Honjas enrolled in a drug and alcohol treatment program with the Department of
17 Veterans Affairs. Mr. Honjas was suspended from the program in August 1995, based on his
18 failure to attend required outpatient group meetings. In 1996, he re-enrolled in the Veterans
19 treatment program and received a certificate of completion from the program on May 7, 1996.
20 Since May 7, 1996, Mr. Honjas has resumed his drinking and has not maintained sobriety.

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1 7. On February 28, 1996, Mr. Honjas was confronted by a Campus Security Officer
2 in a restroom at Portland State University. On that occasion, Mr. Honjas smelled strongly of
3 alcohol and was found to have a mostly empty bottle of vodka in his pack. Mr. Honjas testified
4 that he found the bottle of vodka in the restroom and that he took only one swallow out of the
5 bottle because he was taking Antabuse at the time. He further testified that he put the bottle into
6 his pack in order to give it to a friend. Mr. Honjas' explanation is not credible, and the panel
7 finds that he had been drinking alcohol on this occasion.

8 8. On January 15, 1997, Mr. Honjas appeared at his daughter's daycare center while
9 under the influence of intoxicants. Daycare officials called the police because they were worried
10 that Mr. Honjas was too intoxicated to take custody of his child.

11 9. Deborah Greene testified that Mr. Honjas lived with her from 1992 until May
12 1997. She testified that Mr. Honjas continued to consume alcohol, often to excess, during the
13 period he lived in Ms. Greene's household. The panel finds Ms. Greene's testimony to be
14 credible and makes a finding that Mr. Honjas continued to consume alcohol until at least through
15 the period of May 1997.

16 10. Mr. Honjas testified that he is now sober and has not consumed alcohol since July
17 1997, except for one occasion when he took a sip of champagne at a wedding. He stated that
18 Alcoholics Anonymous had been ineffective for him and that he disagreed with many of the
19 principles of Alcoholics Anonymous. He further testified that he attended another organization
20 with whose philosophy he agreed, however, that organization is no longer active. Mr. Honjas is
21 not currently participating in any established alcohol treatment program. He presented no
22 independent verification of his claimed sobriety.

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1 11. Mr. Honjas has been only sporadically employed since his teaching license was
2 revoked. He did not present persuasive evidence that he has established an independent
3 employment pattern or a stable lifestyle.

4 **CONCLUSION OF LAW**

5 Mr. Honjas has the burden of proof to show that he has good moral character and is fit to
6 hold an Oregon Teaching License. ORS 342.143 and OAR 584-050-006. Mr. Honjas has failed,
7 by a substantial degree, to demonstrate fitness to have his teaching license reinstated.
8 Mr. Honjas did not present satisfactory evidence of sustained and successful participation in an
9 alcohol treatment program. He did not present witnesses to verify his claimed sobriety. He has
10 continued to have run-ins with the police while in an intoxicated state. His testimony concerning
11 his recent progress and stability was contradictory and not credible.

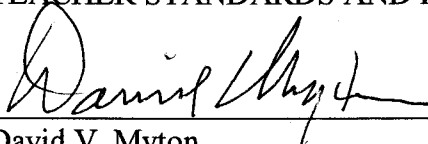
12 In a recent order, the Commission stated that an educator seeking reinstatement has the
13 burden to show good moral character and sufficient rehabilitation to assure that there will be no
14 reoccurrence of unprofessional conduct. *In the Matter of the Teaching License of Robert*
15 *Phillip Carwithen (May 19, 1999)*. Mr. Honjas' evidence falls short of meeting that burden.

16 **PROPOSED ORDER**

17 The application for reinstatement of the teaching license of Angelo James Honjas is
18 hereby denied.

19 DATED this 20th day of September 1999.

20 TEACHER STANDARDS AND PRACTICES COMMISSION

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22 _____
David V. Myton

- 1 TSPC Exhibit 1 - Stipulation of Facts and Order of Probation, dated July 31, 1991.
- 2 TSPC Exhibit 2 - Portland Police Report, dated December 2, 1992.
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- 4 TSPC Exhibit 3 - Portland Police Report, dated January 31, 1991.
- 5 TSPC Exhibit 5 - Copy of ORS 163.465 defining "Public Indecency."
- 6
- 7 Honjas Exhibit 6 - Teacher Evaluation Form, dated May 9, 1992.

EVIDENTIARY RULINGS

- 9 1. Ms. Diamond objected to Mr. McKeever asking Honjas what he thought
10 the effect would be if the school community becomes generally aware
11 of Honjas' actions that caused his arrest in Laurelhurst Park, on
12 the ground that the question called for a conclusion. The panel
13 concludes that the question sought information about which Honjas
14 may have knowledge, and the objection was overruled.
- 15 2. Ms. Diamond objected on the ground of hearsay to the question and
16 answer of Mr. Coakley concerning complaints about Mr. Honjas that
17 were received by Mr. Coakley from his vice principal. The testimony
18 of Mr. Coakley was reliable and is not inadmissible simply because
19 it may contain hearsay statements. The objection is overruled.

FINDINGS OF FACT

- 21 1. Honjas holds an Oregon basic teaching license with an endorsement in
22 music. He has been employed with the Portland School District since
23 1986, and is currently teaching at the Harriet Tubman Middle School.
- 24 2. On July 22, 1991, Honjas entered into a stipulation of facts with
25 the Commission in which he admitted that he had been found guilty of
26 the crime of driving under the influence of intoxicants and that he

1 had knowingly made a false statement in his application for a
2 teaching certificate by denying that he had ever been arrested for a
3 major traffic offense that was pending in a court or that he had
4 ever been convicted of a major traffic offense. Based on this
5 stipulation, the Commission ordered Honjas to be placed on probation
6 for a period of one year.

7 3. On December 2, 1992, Portland Police Officer Sinnott was on walking
8 patrol in Laurelhurst Park, located in Portland, Oregon. The police
9 department had received numerous complaints from neighbors in the
10 area about persons engaging in sexual activities in public areas of
11 the park. Officer Sinnott observed Honjas engaged in oral sex with
12 another man while in the bushes located approximately five feet from
13 a walking path.

14 4. Officer Sinnott stopped Honjas and observed that Honjas smelled of
15 alcohol and was extremely intoxicated. Officer Sinnott took Honjas
16 into custody and transported Honjas to a detoxification area where
17 Honjas spent the night.

18 5. On January 31, 1991, Honjas was apprehended by Sergeant Bennett of
19 the Portland Police Department inside an adult bookstore located at
20 628 East Burnside, Portland. Sergeant Bennett was walking down a
21 corridor of video booths inside the bookstore when he viewed
22 Honjas sitting in one of the booths with the door open. Honjas'
23 penis was exposed and he was masturbating in the plain view of
24 Sergeant Bennett. Sergeant Bennett placed Honjas under arrest and
25 took Honjas into custody. Honjas was verbally abusive to the
26 officer and was very intoxicated.

- 1 6. Honjas has received favorable evaluations from his supervisor at
2 Harriet Tubman Middle School. Honjas has started extracurricular
3 band and other music programs at the middle school which Honjas'
4 supervisor described as "above and beyond the call of duty." While
5 there was some testimony that Honjas' principal had received
6 complaints, these complaints were not documented in Honjas'
7 personnel file, and the panel does not consider this testimony to be
8 significant.
- 9 7. Abby Seemann and Ural Thompson are parents in the district. They
10 testified that Honjas has been an excellent music teacher and that
11 he relates well to middle school children. Both parents stated they
12 had not observed Honjas act inappropriately towards students and
13 they they had no concerns about Honjas working with middle school
14 age students.
- 15 8. Teachers Deborah Greene and Patrick Ross testified that Honjas has
16 been a good music teacher and that he relates well to students.
- 17 9. Honjas testified that he is an alcoholic. Diana Counce is employed
18 by the school district to work with students that have alcohol and
19 drug problems. Ms. Counce is in the Masters Program at Portland
20 State University and is working towards her certification for
21 alcohol treatment. Ms. Counce testified that she believes Honjas is
22 an alcoholic. Ms. Counce recommended that Honjas undergo a
23 residential alcohol treatment program. Ms. Counce gave the opinion
24 that Honjas' prognosis for recovering from his alcoholism is good.
- 25 10. The panel concludes that Honjas' alcoholism was a contributing
26 factor to his inappropriate conduct.

1 11. Edward Schmitt, Personnel Director for Portland Public Schools,
2 testified that Honjas' activities in Laurelhurst Park and in the
3 adult bookstore rendered him unfit to be a teacher in the Portland
4 Public School District. Mr. Schmitt testified that this conclusion
5 is not changed by the fact that Honjas' activities occurred when he
6 was off duty as a teacher nor even if he assumes that Honjas has
7 been an exemplary teacher.

8 12. Honjas disclosed prior to the hearing his activities in Laurelhurst
9 Park and the adult bookstore to witnesses Greene, Thompson, Seemann
10 and Ross.

11 13. There is no persuasive evidence that Honjas' alcoholism or drinking
12 habits have affected his on-the-job responsibilities.

13 14. The school district became aware in early January 1993, of police
14 reports describing Honjas' behavior in Laurelhurst Park. As of the
15 date of the hearing, the district had taken no disciplinary action
16 against Honjas.

17 ULTIMATE FINDING OF FACT

18 On December 2, 1992, Honjas engaged in sexual conduct with another
19 person consisting of contact between Honjas' mouth and the penis of
20 another person while in a public place, Laurelhurst Park, located in
21 Portland, Oregon.

22 CONCLUSIONS OF LAW

23 1. Gross unfitness is any conduct which renders an educator unqualified
24 to perform his or her professional responsibilities, including
25 conduct occurring outside of school hours and off school premises
26 when such conduct bears a demonstrable relationship to the