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STATE OF WISCONSIN
BEFORE THE SOCIAL WORKER SECTION
EXAMINING BOARD OF SOCIAL WORKERS,
MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

LISA M. LOUDEN, C.S.W.,

FINAL DECISION AND ORDER

RESPONDENT

LS0103152SOC

The parties to this action for the purposes of § 227.53, Stats., are:

Lisa M. Louden, C.S.W.

7850 N. 107th Street # 16

Milwaukee, WI 53224

Social Worker Section

Wisconsin Examining Board of Social Workers,

Marriage and Family Therapists and Professional Counselors

P.O. Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision in this matter, subject to the approval of the Social Worker Section. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Lisa M. Louden, C.S.W., Respondent, date of birth June 4, 1968, is certified by the Social Worker Section as a social worker in the state of Wisconsin pursuant to certificate number 6641, which was first granted November 25, 1997.
2. Respondent received a bachelor of science degree in social work from the University of Wisconsin-Oshkosh on June 9, 1997.
3. Respondent took and passed the basic level AASSWB examination on September 13, 1997.
4. Respondent's last address reported to the Department of Regulation and Licensing is 7850 N. 107th Street #16,

Milwaukee, WI 53224.

5. From June 23, 1997 until July 5, 1999, Respondent was employed by the State of Wisconsin Department of Health and Family Services (DHFS), Division of Care and Treatment Facilities, as a social worker at the Wisconsin Resource Center (WRC) in Winnebago, Wisconsin.

6. The WRC is a secured correctional facility providing services to two groups of individuals. The long-term population is inmates with mental health problems and/or difficulty functioning in the standard correctional environment. The other is civilly committed sexual offenders who have completed their prison sentences but are still judged a danger to the community.

7. From July 5, 1999 until her resignation on November 8, 1999, Respondent was employed by the Department of Corrections (DOC) as a social worker in the Alcohol Treatment Unit (ATU) at the Drug Abuse Correctional Center (DACC), a secured correctional facility in Winnebago, Wisconsin.

8. The ATU is a 56 bed, 8 week, treatment program for male offenders. Clients have alcohol misuse as a primary dysfunction. While the majority of clients list alcohol as their drug of choice, most are multiple substance abusers. Program components include: communication and social skills groups; rational thinking; drug/alcohol education; adult children of alcoholics and family dysfunctions; dependency; criminal thinking; grief; stress and relaxation; domestic violence; values clarification and relapse prevention. In addition, clients have the opportunity to participate in alcohol support group meetings held both on-site and off-site.

9. Policies and work rules at WRC, DOC and DACC all prohibit employees' fraternization with inmates. The intent of the fraternization policies and rules is to forbid relationships that may create conflicts of interest and to provide security for inmates and staff at the institutions.

10. Respondent was aware of the fraternization policies and work rules at both locations at which she was employed. She had received an Employee Handbook when first employed at WRC and on June 23, 1997, Respondent signed an acknowledgment stating that she had received a copy of the WRC fraternization policy and that she would follow that policy.

11. Inmate A was incarcerated at DACC during the time Respondent was employed there. He was in the program on the Alcohol Treatment Unit (ATU), where Respondent worked as a social worker. At that time, Respondent became acquainted with Inmate A while she was performing her duties on the ATU and her only opportunities to see and speak with Inmate A were the result of her being employed as a social worker on the ATU. Under DOC rules, he was Respondent's client.

12. In late September or early October 1999, Inmate A met with Respondent in her office on the ATU on two or three occasions to discuss recovery issues. Respondent contends that during those meetings, she became attracted to Inmate A.

13. In October 1999, on his last day at DACC before being transferred to the Abode Correctional Center (Abode) in Milwaukee, Wisconsin, Inmate A came to Respondent's office to thank her and say goodbye. At that time, Respondent and Inmate A decided to write to each other with the intention of pursuing a friendship or potential relationship.

14. Inmate A was transferred to Abode, where he remained a client of DOC. On October 22, 1999, Respondent sent Inmate A a four page handwritten letter. In the letter, Respondent:

- Began "I miss you. I really like talking to you and being around you. You make me smile and laugh and feel good. You are also totally good looking . . ."
- Included one of her DOC business cards and a photograph of herself. Respondent had written a note on the back of the photograph signed "XOOXXOXOX Forever, Lisa."
- Suggested she was aware she was violating the fraternization policy by stating "I'm a little bit paranoid about writing too much, because staff read mail on some occasions (sic). The rule with Correctional staff is that staff can't have any sort of relationship with any inmates or on parole."
- Stated "I really believe we are doing the right thing & that things will be hard for awhile, but then it will be great. I just like you so very much & care about you. I'm not about to let you go, so don't even think about it!"
- Wrote other similar statements regarding her feelings toward Inmate A and her hopes for their future, and included other personal information.
- Stated "Also, tell your mom if she does that phone thing with us, I can send her money for the bill. I know those calls are expensive."
- Concluded with "I can't wait to hug you and kiss you. I want you to hold me in your arms. Until then, with love, Lisa."

15. Respondent's letter to Inmate A was intercepted by security at Abode. As a result, on October 25, 1999, Respondent was suspended from her employment and on November 8, 1999, Respondent submitted her written resignation from her employment at DOC because of violations of work rules. Respondent's resignation was

accepted by DOC.

16. On November 23, 1999, Inmate A had Respondent added to his approved visitors list and she began visiting him at Abode. During those visits, Respondent held hands with Inmate A. She also hugged and kissed him at the beginning and end of visits. No further physical contact is permitted in that setting.

17. In mid-March 2000, Respondent sent Inmate A a letter, which had enclosed three photographs of Respondent in which she is completely nude. Two of the photos are in silhouette of her lying prone on a bed and the third is of her standing, with the view from behind.

CONCLUSIONS OF LAW

1. The Social Worker Section of the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has jurisdiction over this matter pursuant to §457.26(2), Stats.

2. The Social Worker Section of the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has authority to enter into this stipulated resolution of this matter pursuant to §227.44(5), Stats.

3. Respondent's conduct, as set out above, constitutes failure to avoid a dual relationship, which is unprofessional conduct as defined by Wis. Adm. Code § SFC 20.02(13), and subjects Respondent to discipline pursuant to §457.26(2)(f), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The surrender by Lisa M. Loudon, C.S.W., of her certificate to practice as a social worker in the state of Wisconsin is hereby accepted, effective immediately.

2. If Respondent ever petitions the Section for any certification as a social worker:

a. Respondent shall notify the Division of Enforcement (Division) of the request and the Division shall have the opportunity to apprise the Section of all allegations and information contained in the investigative file.

b. If the Section believes that it will be of assistance to the Section in responding to Respondent's petition:

i. Respondent shall, at her own expense, have undergone an assessment by a mental health care practitioner with experience in assessing health care providers who have violated professional boundaries.

ii. The practitioner performing the assessment must have been approved by the Section or its designee, with an opportunity for the Division of Enforcement to make its recommendation, prior to the assessment being performed.

iii. Respondent shall provide the Section with the practitioner's written report and provide the Section with the opportunity to discuss the evaluation and findings with the practitioner.

c. Following the presentation of information by the Division and review of any assessment requested by the Section, the Section may in its sole discretion elect to certify Respondent, with or without limitations, or to deny Respondent's petition.

d. If Respondent believes that the Section's denial of certification is inappropriate or that any limitation imposed by the Section is inappropriate, Respondent may seek a class 1 hearing pursuant to § 227.01(3)(a), Stats., in which the burden shall be on Respondent to show that the Section's decision is arbitrary or capricious. The denial of certification or limitations on Respondent's certification shall remain in effect until there is a final decision in Respondent's favor on the issue.

e. Respondent shall appear before the Section on an annual basis, if requested by the Section, to review the progress of any treatment and rehabilitation.

The rights of a party aggrieved by this Decision to petition the Section for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin this 15th day of March, 2001.

Cornelia Gordon-Hempe

Chairperson

Social Worker Section