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

FINDINGS OF FACT

1. Dennis Arnold Allen, C.P.C., Respondent, date of birth October 8, 1943, was certified by the Professional Counselor Section as a professional counselor in the state of Wisconsin pursuant to certificate number 1815, which was first granted May 12, 1995.

2. Respondent's last address reported to the Department of Regulation and Licensing is P.O. Box 5063, De Pere, WI 54115.

3. Respondent received a masters degree in counseling from the University of Wisconsin-Oshkosh in 1974.

4. Respondent was employed for several years by the Wisconsin Department of Corrections (DOC) as a psychological services associate providing services to inmates. During 1995, Respondent worked first at Green Bay Correctional Institution (GBCI) and later at Oshkosh Correctional Institution (OSCI).

5. Following an investigation, DOC concluded that while employed at OSCI, Respondent had conversations with a number of inmates who were in the Sex Offenders Treatment Program, or considering enrolling in the program, in which Respondent:

- Made derogatory and defamatory remarks about the Sex Offenders Treatment Program.
- Made derogatory and defamatory remarks about the Sex Offenders Treatment Program staff.
- Made derogatory and defamatory remarks about DOC.
- Impugned the professional credentials, techniques and motives of the Sex Offenders Treatment Program staff.
- Led inmates to believe that Sex Offenders Treatment Program staff were racially biased and not motivated to act in the best interests of the inmates.
- Encouraged inmates to leave or not enroll in the Sex Offenders Treatment Program.

6. DOC concluded that Respondent's conversations with the inmates:

- Did incalculable damage to the Sex Offenders Treatment Program's ability to treat inmates.
- Undermined the willingness of a very dangerous population of sex offenders to participate in and derive benefit from the program.

CONCLUSIONS OF LAW

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

2. The Professional Counselor Section of the 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 at DOC subjects him to discipline pursuant to Wis. Adm. Code § SFC 20.02(22) and § 457.26(2)(h), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the surrender by Dennis Arnold Allen, C.P.C., Respondent, of his certification as a professional counselor in the state of Wisconsin is hereby accepted, effective immediately.
2. That if Respondent elects to seek any certification from the Professional Counselor Section, Respondent may be certified under the following conditions:
 - a. Respondent shall provide proof sufficient to the Section that Respondent has met all requirements for that certification which are then required by statute and administrative rule.
 - b. 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 investigative file 96 CPC 002.
 - c. If the Section believes that it will be of assistance to the Section in responding to Respondent's petition:
 - i. Respondent shall, at his own expense, have undergone an assessment by a mental health care practitioner with experience in assessing health care providers who have had difficulties with professional-client 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.
 - d. 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.
 - e. 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.
3. Any request for certification with any proof required by this Order shall be mailed, faxed or delivered to:

Department Monitor
Department of Regulation And Licensing
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264

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 17th day of July, 2002.

Colleen James, C.P.C.

Chairperson

Professional Counselor Section