

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE PROFESSIONAL COUNSELOR SECTION OF THE MARRIAGE AND  
FAMILY THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK  
EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

GARY L. JONES,  
RESPONDENT.

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FINAL DECISION AND ORDER

0004989

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Division of Legal Services and Compliance Case No. 15 CPC 014

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Gary L. Jones  
2415 Mt. Zion  
Janesville, WI 53545

Professional Counselor Section of the Wisconsin Marriage and Family Therapy,  
Professional Counseling, and Social Work Examining Board  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Gary L. Jones (dob January 19, 1965) is licensed to practice professional counseling in the state of Wisconsin, having license number 3905-125, first granted on June 7, 2007 and current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2415 Mount Zion, Janesville, Wisconsin 53545.

### Patient A

2. Patient A began seeing Respondent for treatment in May of 2014.
3. On May 27, 2015, Patient A's husband disappeared. Respondent called Patient A from his personal phone the next day, twice on June 6, and once on June 9.
4. On June 12, 2015, at 7:38 a.m., Respondent texted Patient A stating "Help me [Patient A]. Shit hit the fan last night. Can you meet me at 2111 W. Manogue Rd. as soon as possible."
5. Later that same day, Patient A attended a counseling session with Respondent. During that counseling session, Respondent told Patient A that he had had two visions involving her missing husband. One vision purportedly involved Patient A's missing husband deceased in a garbage can and another involved a "creature" and her missing husband covered in mud.
6. Later that same day, Respondent went to Patient A's residence and kissed Patient A.
7. Between June 12 and June 14, 2015, Respondent and Patient A exchanged many text messages. The text messages indicate that Respondent and Patient A were involved in a romantic relationship.
8. On June 16, 2015, Patient A disclosed to the assistant administrator at the counseling center that she felt betrayed by her therapist as he wanted more than a client/therapist relationship with her.
9. Patient A reported the text messages to the local police department.

### Patient B

10. During an interview on April 20, 2016, with an investigator from the Department, Respondent initially denied, but later admitted that Patient B and her family were patients.
11. Respondent maintained throughout the interview that he never had a romantic relationship with Patient B.
12. Telephone records show hundreds of text messages and hours of telephone calls between Respondent and Patient B.
13. On July 8, 2015, Evansville Police Department received a 911 call regarding a possible domestic disturbance.
14. Law enforcement records indicate that a witness reported seeing a vehicle driven by Respondent stop on the highway and a female (Patient B) exit the vehicle. Patient B ran from Respondent's vehicle towards some storage sheds, where the witness advised Patient B to get into the witness' vehicle.

15. According to law enforcement records, Respondent verbally assaulted the witness until the witness informed the Respondent “not to mess with her as she had a dog” in the vehicle.

16. The witness and Patient B drove to Janesville with the Respondent following. The witness dropped Patient B off at the Janesville Police Department.

17. Respondent was interviewed by a law enforcement officer regarding the above incident. Respondent indicated that he and Patient B were having an argument and she wanted to leave the car. Respondent went on to state that Patient B “has been in several abusive relationships and has PTSD because of that.” Respondent indicated that he believed that their argument had sparked some sort of issue with Patient B.

18. Patient B was also interviewed by the police and stated that she was in a romantic relationship with Respondent and had been seeing him frequently for the past two weeks.

#### Patient C

19. On January 8, 2016, the Janesville Police Department was called to the Respondent’s house regarding a disturbance between two males.

20. The disturbance was between the Respondent and his adult son. The officers spoke with the adult son, Respondent, and Patient C, a former patient of Respondent who was at the residence.

21. In April of 2016, Patient C was admitted at the Rock County Crisis Intervention Unit. Patient C was accompanied by the Respondent who disagreed with Rock County staff regarding Patient C’s diagnoses. According to a staff member, Patient C and Respondent presented themselves as a couple, and Patient C reported that Respondent is both her boyfriend and her therapist.

22. In the interview held on April 20, 2016, Respondent was asked about Patient C. Respondent initially denied that Patient C had been a patient but later acknowledged that she had been a patient.

23. Respondent neither admits nor denies any of the allegations above, but wishes to surrender his license.

24. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 457.26(2), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Gary L. Jones engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(11), by engaging in sexual contact, sexual conduct, or any other behavior with a client which could reasonably be construed as seductive. For purposes of this rule, a person shall continue to be a client for 2 years after the termination of professional services.

3. By the conduct described in the Findings of Fact, Gary L. Jones engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(13), by failing to avoid dual relationships or relationships that may impair the credentialed person's objectivity or create a conflict of interest.

4. As a result of the above violations, Gary L. Jones is subject to discipline pursuant to Wis. Stat. § 457.26(2)(h).

#### ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the license to practice professional counseling in the state of Wisconsin issued to Gary L. Jones (license no. 3905-125) is hereby accepted.

3. Respondent may petition for reinstatement of his license to practice professional counseling in the State of Wisconsin after two years from the date of this order.

4. In the event Respondent petitions the Section for reinstatement as a professional counselor in the future, the Section may enter an order denying such petition without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license shall be in the discretion of the Section.

5. In the event Respondent petitions the Section for reinstatement of his license to practice professional counseling in the state of Wisconsin, Respondent shall pay the costs of this matter in the amount of \$3225.00.

6. Respondent shall immediately return all indicia of Wisconsin licensure to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

7. This Order is effective on the date of its signing.

PROFESSIONAL COUNSELOR SECTION OF THE WISCONSIN MARRIAGE AND  
FAMILY THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK EXAMINING  
BOARD

by:

  
A Member of the Section

10.24.16  
Date

STATE OF WISCONSIN  
BEFORE THE PROFESSIONAL COUNSELOR SECTION OF THE MARRIAGE AND  
FAMILY THERAPY, PROFESSIONAL COUNSELING AND SOCIAL WORK EXAMINING  
BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

GARY L. JONES,  
RESPONDENT.

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STIPULATION

0004989

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Division of Legal Services and Compliance Case No. 15 CPC 014

Respondent Gary L. Jones and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Nicholas Fairweather.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Professional Counselor Section of the Wisconsin Marriage and Family Therapy, Professional Counseling and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance


or consent of the parties. Respondent waives all rights to any appeal of the Section's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Section, the parties agree not to contend that the Section has been prejudiced or biased in any manner by the consideration of this attempted resolution.

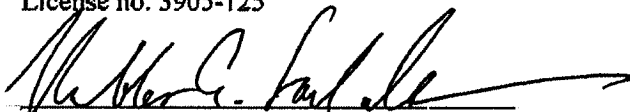
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or Respondent's attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

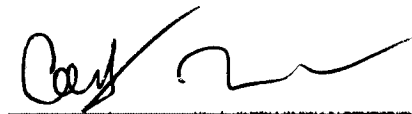
8. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.

  
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Gary L. Jones, Respondent  
2415 Mt. Zion  
Janesville, WI 53545  
License no. 3905-125

10/3/16  
Date

  
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Nicholas Fairweather, Attorney for Respondent  
Hawks Quindel S.C.  
222 West Washington Avenue #450  
Madison, WI 53703

10/4/16  
Date

  
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Cody Wagner, Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

10/4/16  
Date