

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
SAMANTHA L. MURPHY, S.W., :
RESPONDENT. : **ORDER 0006310**

Division of Legal Services and Compliance Case No. 17 SOC 026

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

Samantha L. Murphy, S.W.
609 N. 4th St.
Tomahawk, WI 54487-2124

Social Worker 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 Social Worker 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 Samantha L. Murphy, S.W., (DOB October 26, 1986) holds a credential in the state of Wisconsin to practice social work, having certificate number 11133-120, first issued on June 13, 2012, and current through February 28, 2021. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 609 North 4th Street, Tomahawk, Wisconsin 54487-2124.

2. At all times relevant to this proceeding, Respondent was employed by the Department of Corrections (DOC) as a social worker at a youth correctional institute (Institute), located in Irma, Wisconsin.

3. On January 23, 2017, an incarcerated youth filed a complaint with the Institute that alleged that Respondent's behavior was against the Institute's policies.

4. On February 27, 2017, Respondent was placed on administrative leave from the Institute and the Institute began an investigation.

5. On February 28, 2017, investigators interviewed Respondent regarding the DOC complaint.

- a. Respondent attempted to access blocked and prohibited websites from her work computer, with incarcerated youths present, 118 times between November 22, 2016, and February 6, 2017. The websites were blocked and prohibited for adult themes.
- b. Respondent allowed incarcerated youths to conduct unapproved phone calls.
- c. Respondent allowed incarcerated youths to send improperly approved letters.
- d. Respondent accessed the Wisconsin Circuit Court Access system with incarcerated youths to check on family member's court cases.

6. On March 9, 2017, investigators again interviewed Respondent regarding the DOC complaint.

- a. Respondent did not report a birthday card given to her from an incarcerated youth that contained inappropriate remarks.

7. On March 29, 2017, the Institute terminated Respondent's employment.

8. On September 5, 2018, in a response to the Department, Respondent admitted to printing pictures for incarcerated youths at the Institute which turned out to contain adult material.

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

CONCLUSIONS OF LAW

1. The Social Worker 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, 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, Samantha L. Murphy, S.W., 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.

3. By the conduct described in the Findings of Fact, Samantha L. Murphy, S.W., engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(22), by engaging in gross negligence in practice in a single instance, or negligence in practice in more than one instance.

4. By the conduct described in the Findings of Fact, Samantha L. Murphy, S.W., engaged in unprofessional conduct as defined by Wis. Stat. § 457.26(2)(g), by performing social work while engaging in conduct which evidences a lack of knowledge or ability to apply professional principles or skills.

5. As a result of the above violations, Samantha L. Murphy, S.W., is subject to discipline pursuant to Wis. Stat. § 457.26(2)(f).

ORDER

1. The attached Stipulation is accepted.

2. The SURRENDER of the certificate to practice social work in the state of Wisconsin issued to Samantha L. Murphy, S.W., (certificate number 11133-120) is hereby accepted.

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

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

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

by:


A Member of the Section

7/23/19
Date

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SAMANTHA L. MURPHY, S.W.,
RESPONDENT.

:
:
:
:
:

STIPULATION
ORDER 0006310

Division of Legal Services and Compliance Case No. 17 SOC 026

Respondent Samantha L. Murphy, S.W. 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.

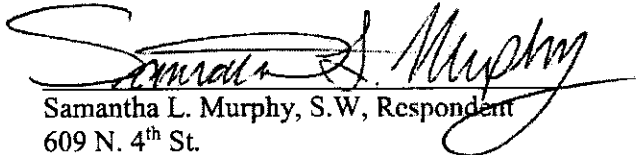
4. Respondent agrees to the adoption of the attached Final Decision and Order by
the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional
Counseling, and Social Work Examining Board (Section). The parties to the Stipulation consent
to the entry of the attached Final Decision 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.

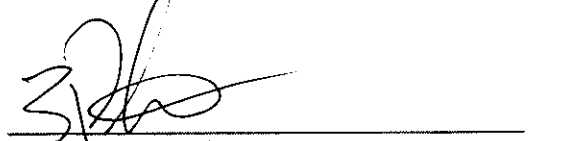
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent or Respondent's 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.


Samantha L. Murphy, S.W, Respondent
609 N. 4th St.
Tomahawk, WI 54487-2124
Certificate no. 11133-120

3/20/2019
Date


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

3/20/2019
Date