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Corrected version

## Biggest number of offenders are "registered counselors"

By Julia Sommerfeld and Michael J. Berens  
Seattle Times staff reporters

To be a manicurist in the state of Washington, you must take 600 hours of training and pass both a written exam and a skills demonstration.

To cut hair, you need 1,000 hours of training and the two tests.

But to be a registered counselor, someone who will help guide troubled clients through some of their most difficult life challenges, you need take only a four-hour AIDS-awareness class. That's it — that and a \$40 registration fee. You don't even need a high-school diploma.

That sounds like an invitation for trouble — and it is.

In the past decade, the state has [sanctioned 104 registered counselors for sexual misconduct](#). That's more than for any other health profession, and more than the cases involving doctors, dentists and registered nurses combined. It's just a fraction of the actual incidents of abuse, since, experts say, most go unreported.

"It's kind of scary," said David Kaplan, chief professional officer of the American Counseling Association, based in Virginia. "If someone who has an eighth-grade education can walk in and be a counselor, how in the world is Washington protecting the public?"

Washington is the only state in the country that grants credentials to so many counselors — [17,016 at last count](#) — under such meager standards.

The abusers are an unscrupulous few among them, but their damage has been profound.

Registered counselors have ordered women in sex-abuse counseling to strip naked. They've groped



JOHN LOK / THE SEATTLE TIMES

Codie Deyo was threatened by counselor Thomas "Gene" McDonald after she spurned his sexual advances.



JOHN LOK / THE SEATTLE TIMES

Anthony W. Grant, at a Pierce County Superior Court hearing in June, pleaded guilty to "communications with a minor for immoral purposes." He was a registered counselor at Washington's only state-run psychiatric hospital for children. His state credential was revoked.



STEVE RINGMAN / THE SEATTLE TIMES

Robert Nicoloff, executive director of the Health Department's counselor programs, notes that ultimately it's the Legislature that decides what occupations are to be regulated.

**LICENSE TO HARM**

genitals, calling it "therapeutic touch." They've stalked and blackmailed clients who rebuffed their sexual advances.

Take, for instance, Richelle Yarbrough. The 30-year-old Spokane woman decided in 2001 to become a registered counselor so she could help troubled kids.

She had no formal training, no college degree. But she did have the 40 bucks.

She worked with troubled teens at a drug-and-alcohol program. In 2002, she lured a 17-year-old boy from the recovery program to her apartment, gave him beer and had sex with him. She did the same thing to his friend, also in the program.

Yarbrough warned them to keep quiet or she would "make us disappear," one of the teens said later.

Yarbrough was found out only after she boasted to a colleague about her conquests. She was fired, and her credential was later revoked.

Officials with the Department of Health, which disciplines registered counselors, say they protect the public by screening for felons before granting a credential and rooting out bad counselors once complaints come in.

"Sexual misconduct is not allowed under the law. So when we get a complaint and take action, there is some level of protection," said Mary Selecky, secretary of health.

Selecky and her staff do not analyze cases of sexual misconduct, one of the leading disciplinary problems in Washington health care. So they said they were surprised to learn of The Times' finding that registered counselors are the most prevalent offenders in health care.

But Yarbrough, now living in Everett, said she was "not surprised a bit" that registered counselors are the top offenders. "It wasn't always the highest quality people, you know."

**Unintended result**

*The situation is an unforeseen byproduct of a reform effort.*



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(Tue, 4/25)

- [The weakest pay the price for anemic state oversight](#)
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- [How sexual-misconduct complaints move through the system](#)
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- [The state's role in the flawed system](#)
- [What it takes to be a counselor](#)

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- [How to get help](#)
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Washington legislators had good intentions when they created the registered-counselor credential nearly 20 years ago.

Reports of sexual abuse and brainwashing by a fringe counseling group in Seattle spurred lawmakers to try to corral the burgeoning, unregulated practice of counseling. But instead, they flung open the gates.

The Legislature [enacted exacting standards](#) for mental-health counselors and for marriage and family therapists, requiring each to have a master's degree and thousands of hours of clinical training.

But fearing they would put less-educated counselors out of work, lawmakers created a classification called "registered counselor," with minimal requirements.

The initials "RC" after a practitioner's name on a shingle bring an air of authority and respectability. But few clients know that despite this title, these counselors — in rehab centers, state institutions, even their own private clinics — may have little or no training.

Most registered counselors perform their duties without problems — and many do have education and training. Others use the credential to gain clinical experience while they are in school to become a licensed mental-health counselor. But the state doesn't draw a distinction, and doesn't track which of these license-holders have any qualifications.

The only other state that gives a counselor credential to someone without requiring any training or education is Maine. That state has licensed 200 registered counselors, as opposed to Washington's 17,000-plus. And Maine officials want to do away with the low-level license.

Washington state officials "wouldn't license someone as a plumber or a hairdresser without some minimum competency," said Kaplan, of the American Counseling Association. "So why do they regulate who works on your hair but not in your head?"

Health Department officials say they are just following the law.

"Ultimately, the Legislature makes the decision on what particular groups should be regulated," said Robert Nicoloff, executive director of the Health Department's counselor programs.

Besides, Nicoloff denies the state "licenses" registered counselors at all. The state merely registers counselors and doesn't vouch for their qualifications, he said.

But Maine's director of licensing, Anne Head, disputes that: "It doesn't matter what you call it, it functions as a license. It's a piece of paper required to practice."

As a safeguard, Washington counselors are supposed to give each client a disclosure form about their own training.

After that, Nicoloff said, it's buyer beware.

But Washington law has a loophole: If counselors work at a facility, as Yarbrough did, they don't have to give out a disclosure statement.

Joanne Brekke, the former state representative who spearheaded the registered-counselor law in 1987, said she envisioned the credential as a way to regulate already-practicing counselors. She never expected her bill would instead create a licensing expressway, welcoming thousands with unproven skills and unknown

motives.

"Our goal was to protect counseling clients from abuse," Brekke said. "What has happened since, now that may be a different story."

### **Further victimized**

#### ***A 14-year-old patient becomes prey at a state institution.***

Despite their lack of training, registered counselors have landed jobs at some of the state's most secure facilities, dealing with the most challenging and vulnerable clients.

Anthony W. Grant, a former pizza-delivery driver with a bachelor's degree in psychology, worked as a registered counselor at Washington's only state-run psychiatric hospital for children, in Lakewood, Pierce County.

At the Child Study and Treatment Center in 2002, he met a girl named Crystal. Abandoned by a drug-addicted mother, sexually molested by an uncle, bounced between foster homes, she had just celebrated her 14th birthday at the center. (Her last name is not being used because The Times does not generally identify victims of sexual crimes.)

Grant, 29, befriended her. She said he gave her a music CD and a teddy bear. She named it "Tony," after him.

Crystal developed a crush on Grant and shadowed him on his evening shift. "He told me I was beautiful," she told The Times. "He told me he loved me. Nobody else has ever been that good to me."

She told police she lost her virginity to Grant, and they had sex repeatedly in the canteen, a nook with vending machines.

Grant has denied he ever touched her.

After Crystal moved in with a foster family in April 2003, her foster mother became concerned about Crystal's relationship with Grant. She intercepted e-mails in which he called Crystal "babe" and told her he missed the "feeling of having you near me." One of Grant's e-mails ended with: "Wanna go to the canteen tonight?;) (I wish!)."

Her foster mother called the police. The Department of Social and Health Services, which runs the center, concluded that Grant repeatedly had had sex with the 14-year-old.

Grant "took advantage of an extremely vulnerable child entrusted to the care of the state," Grant's boss at the center wrote in a letter firing him.

Grant was charged with rape of a child and tried in Pierce County Superior Court in 2004. Crystal was a reluctant witness.

The jury deadlocked on the rape charge. Last summer, Grant pleaded guilty to "communications with a minor for immoral purposes," received probation and was ordered to register as a sex offender.

The Health Department revoked his credential a few months later.

## Scorning the rules

### ***Some counselors try to justify sex acts as part of therapy.***

Behind the closed door of a counseling office, clients let down their guard and expose intimate feelings to a stranger. It's a scenario ripe for abuse by unscrupulous counselors.

Professional organizations of counselors, therapists and psychologists unambiguously declare that sexual contact with a client is wrong and harmful.

"The counselor has all the power and the client is completely vulnerable," said Karen Langer, president of the Washington Mental Health Counselors Association. "Under these circumstances, any sexual relationship is exploitive."

Registered counselors have exploited the problems they were supposed to be treating — from prior sexual abuse to drug addictions.

Some counselors have manipulated patients into sexual acts by convincing them they were a form of therapy.

Daniel Joehnk promoted his counseling methods as based on "the Christian directive." In 1999, a Port Orchard woman struggling with low self-esteem and depression was referred to him.

According to state investigators, Joehnk, then 42, spent most of their sessions performing so-called sexual-boundary exercises. His client said Joehnk had her sit on his lap to revisit childhood molestation, ordered her to strip, and asked her to give him oral sex.

Afterward, she blamed herself. "I cried every day. ... I had suicidal thoughts and was in probably the worst place in my life," she wrote to Health Department investigators in 2003.

After another client made a complaint about Joehnk and his boundary exercises, the state revoked his credential later that year.

Other counselors made up their own therapy methods.

Charles M. Vandergriff, 57, offered counseling to addicts in the basement of his North Seattle home. He told clients that his methods were based on the way Native American elders taught younger tribal members about spirituality, state records show. After he was accused of groping two female patients and making sexual advances toward two others, his credential was revoked in 2005.

Vandergriff told The Times he didn't recall sexually touching clients but couldn't deny it, either.

"I have no doubt I've crossed some boundaries, but my philosophy is rigid boundaries can inhibit healing," he said.

## Moving on up

### ***A counselor gets caught after state grants him higher credentials.***

Some registered counselors charged with crimes or abuse not only kept their licenses but were able to get the state to grant them more advanced credentials and greater power.

For instance, longtime registered counselor Thomas E. "Gene" McDonald Jr., 41, upgraded his license to work as a "chemical dependency professional." That allowed him to treat court referrals, so he set up his own drug-and-alcohol counseling clinic, Growth Inc., in Pullman.

Codie Deyo came to him in 2000 for help in keeping a drunken-driving charge off her permanent record. Because it was a first offense, the 22-year-old woman was eligible to have it deferred if she underwent alcohol counseling.

Unknown to Deyo, McDonald had previously been accused of raping a Pullman woman but charges were dropped. Later, he was tried for molesting a 2-year-old Everett girl but was not convicted.

As a registered counselor, he also had received two complaints of sexual misconduct and one for unprofessional conduct. The Health Department had dismissed all three.

At Deyo's first appointment, McDonald said he could help keep her driving record clean, but it would cost \$3,000 for the counseling sessions.

Then, according to Deyo, he leaned back in his chair, leered at her, and said, "There is another way." He said he'd been "fantasizing" about other methods of payment.

She ignored his come-on and told him she could pay the fee in installments. She traded a glance with her 16-year-old sister, who had come along for moral support.

"What would you do for me? Give me your little sister?" McDonald pressed.

Deyo laughed nervously and her sister left the room.

McDonald threatened Deyo, saying he could label her a drug addict if she didn't go along.

"He said, 'I can create such a legal web for you that you will never be able to find a way out,' " Deyo recalled.

She stumbled out of his office in disbelief. "I was so shocked and scared. He had all this information on me, I felt violated and trapped. But then I got angry, thinking how can someone like him be a counselor?"

Deyo quit the deferral program, accepted the conviction and reported McDonald to the police.

A couple of weeks later, she heard back from the police: McDonald had been arrested, but not because of her complaint.

A mother had sent her troubled 15-year-old daughter to live with McDonald, a family friend, believing the drug counselor could help the girl. Instead, he gave the teen drugs and sexually abused her.

He was found guilty of one count of third-degree rape, sentenced to a year in prison, and is now listed in the state's sex offender registry. The state revoked both of his counseling credentials.

McDonald should have been drummed out of the profession long ago, Deyo believes.

"Counseling was the perfect setting for him," she said. "He was a predator and the prey just walked through the door."

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