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BEFORE THE
STATE BOARD OF CLINICAL SOCIAL WORKERS
STATE OF OREGON

In the Matter of the License to Practice)
as a Licensed Clinical Social Worker of:)
SAMUEL ARTHUR SILVERMAN, LCSW,) DEFAULT SUSPENSION
Licensee.) ORDER

The State Board of Clinical Social Workers (Board) is the state agency responsible for licensing and disciplining clinical social workers in the State of Oregon. Samuel Arthur Silverman, LCSW (Licensee) is licensed as a clinical social worker, and has been practicing in Medford, Oregon.

1.

On January 14, 1997, the Board met and voted to issue an Emergency Suspension Order against Licensee for gross negligence in the practice of clinical social work and violation of the Board's rules pursuant to OAR 877-30-070(1), (4) and (6), for conduct described as follows:

1.1 On October 4, 1996, the Board received a letter under the mandatory reporting requirement from an LCSW practicing in Jackson County, alleging that while in the course of treating G.S., a 17 year-old male, the mandatory reporter became aware of the following:

- a. G.S. had sought individual therapy from Licensee in order to decrease his symptoms of anxiety and depression.

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- 1 b. G.S. was uncomfortable with Licensee as he would
2 reportedly focus the sessions on G.S.' sexual fantasies.
- 3 c. When G.S. was reluctant to disclose his sexual
4 fantasies, Licensee suggested G.S. masturbate in the
5 office in order to create arousal and increase G.S.'
6 capacity to remember his sexual fantasies.
- 7 d. On October 28, 1996, G.S. filed a complaint with the
8 Board against Licensee for the conduct described above.
9 A copy of said Complaint is attached hereto and marked
10 Exhibit A.
- 11 e. On November 19, 1996, the Board attempted to serve
12 Licensee with G.S.' complaint by certified mail to the
13 last known address on file with the Board in Medford,
14 Oregon, but was unsuccessful. The post office returned
15 the complaint as unclaimed.

16 1.2 On December 22, 1996, Licensee was arrested on Three
17 Counts of second-degree sodomy (Sodomy II) and Four Counts of
18 first-degree sex abuse (Sexual Abuse I), involving B.F., a
19 13 year-old male, more particularly described by B.F. as follows :

- 20 a. B.F. and Licensee's son were friends. On or about August,
21 1996, B.F. was visiting Licensee's son at Licensee's
22 residence. B.F. went upstairs and Licensee approached
23 B.F. and grabbed and squeezed B.F.'s groin with his hand
24 for about a minute from the outside of B.F.'s pants.
- 25 b. On another occasion, Licensee and his son came to B.F.'s
26 home to pick him up for a class. Licensee again
approached and grabbed B.F.'s groin on the outside of his
pants and rubbed his groin for about 35 seconds, moving
his hand up and down.
- c. On another occasion, when B.F. spent the night at
Licensee's residence, Licensee again approached B.F. from
behind, put his hands in B.F.'s pants and grabbed his
penis and moved his hand around in a circular motion for
about a minute.
- d. On another occasion, Licensee grabbed B.F. from behind,
grabbed his groin on the outside of his pants. B.F. tried
to get away but Licensee held onto him very tightly and
would not let him go. This incident particularly scared
and concerned B.F.

1 e. On one occasion, Licensee unfastened B.F.'s pants, took
2 B.F.'s penis into his mouth for about two minutes, and
3 then had B.F. take Licensee's penis into B.F.'s mouth.
Licensee then ejaculated on himself.

4 f. In late November, 1996, Licensee again approached B.F.
5 while at Licensee's home and proceeded to "sodomize"
B.F. for about one and half minutes, but was interrupted
6 when Licensee heard his son approaching.

7 1.3 On December 30, 1996, Licensee was charged with Two
8 Counts of Sexual Abuse I and One Count of Attempted Sexual Abuse I,
9 involving D.G., a 13 year-old male, more particularly described by
D.G. in the following statement given to the Ashland Police Department:

10 a. D.G. stated that Licensee had been making sexual
11 advances towards him for the past two years.

12 b. D.G. stated that Licensee had placed his hand or thumb
13 inside the waistband of D.G.'s pants and run his hand
and thumb around the inside of D.G.'s pants, and that
this occurred about 50 times in the last two years.

14 c. When asked by the detective about the time Licensee came
15 closest to touching his penis during these episodes,
D.G. stated that within the last four months, Licensee
16 came to D.G.'s home to pick him up for a class and would
put his hand down the front of D.G.'s pants and moved
17 his fingers back and forth on his bladder and his pubic
area. D.G. also stated that on five to ten occasions,
18 D.G. went with Licensee to the Ashland Racquet and
Fitness Center where they would go to the sauna together
and both were naked several times. On one occasion,
19 D.G. stated Licensee circled D.G.'s penis with his hand,
touching D.G. on the thighs and abdomen while doing so,
20 in close proximity to his penis.

21 d. D.G. stated that on one occasion, D.G. was at Licensee's
22 home playing a computer game. Licensee sat next to D.G.
and proceeded to unbutton D.G.'s pants. D.G. buttoned
his pants back up and Licensee unbuttoned them again.
23 D.G. rebuttoned them. D.G. stated that this may have
gone on a third time.

24 e. D.G. stated that on about 10 occasions, Licensee kissed
25 him on the cheek and asked D.G. to kiss him, and that
twice D.G. got in Licensee's bed with him and does not
26 know what Licensee did while D.G. was asleep.

1 1.4. On December 31, 1996, the Board received an article that
2 appeared in the Mail Tribune on December 31, 1996, describing
3 Licensee's arrest on multiple counts of sex abuse with teenagers.
4 A copy of the article is attached hereto and marked Exhibit B.

5 1.5 A second attempt was made to serve Licensee with the
6 complaint and other materials by certified mail and the envelope
7 was returned by the post office indicating it was refused on
8 January 4, 1997.

9 1.6 Pursuant to ORS 183.430(2), on January 14, 1997, the
10 Board voted to suspend Licensee's license as a clinical social
11 worker on an emergency basis. The Board issued the Emergency
12 Suspension Order on January 15, 1997.

13 1.7 On January 16, 1997, Ms. Elizabeth Buys, Administrator
14 for the Board, telephoned Silverman and left a message informing
15 Silverman of the Board's vote to suspend his license. On January
16 17, 1997, Silverman returned the call and Ms. Buys verbally
17 informed him that the Board had voted to suspended his license
18 under ORS 183.430(2).

19 1.8 On January 17, 1997, the Board attempted service by
20 certified mail. However, Silverman refused service of the January
21 15, 1997 Emergency Suspension Order.

22 1.9 On January 23, 1997, an operative of the Oregon
23 Department of Justice mailed a copy of the January 15, 1997 Order
24 to Silverman at "445 Jennifer Street, Ashland, Oregon 97520."

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1 1.10 On January 28, 1997, at 8:04 pm, Silverman left a
2 message at the Board offices that he had received the January 15,
3 1997 Emergency Suspension Order.

4 1.11 The Board finds that the January 15, 1997 Emergency
5 Suspension Order was served upon Silverman no later than January
6 28, 1997. The Order provided that failure to request a hearing
7 would result in the order becoming final by operation of law.

8 1.12 The Board met May 6, 1997 at its regularly scheduled
9 time and considered this matter. Silverman still had not
10 requested a hearing. The Board found that more than 90 days had
11 elapsed since Silverman had been served with the January 15, 1997
12 Emergency Suspension Order. That being the case, the Board voted
13 pursuant to ORS 183.415(6) to issue a default order against
14 Silverman immediately and indefinitely suspending his license.

15 2.

16 The Board finds that the above-described acts were committed
17 by Licensee.

18 3.

19 The Board finds that the above-described acts committed by
20 Licensee violate ORS 675.540(1)(d) and (e) and OAR 877-30-070(1),
21 (4) and (6) in that they constitute gross negligence and that
22 Licensee's conduct with minors indicates a serious danger to the
23 public if Licensee is allowed to continue to practice as a
24 Licensed Clinical Social Worker.

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NOW, THEREFORE, IT IS HEREBY ORDERED that the license of Samuel Arthur Silverman is immediately suspended for an indefinite period of time and he shall not practice as a Licensed Clinical Social Worker or use the title Licensed Clinical Social Worker forthwith.

IT IS SO ORDERED this 21st day of May, 1997.

STATE BOARD OF CLINICAL SOCIAL WORKERS
State of Oregon

By: Signature on File in Board Office
Elizabeth A. Buys, Administrator

NOTICE: You are entitled to judicial review of this order pursuant to the provisions of ORS 183.480. Judicial Review may be obtained by filing a petition in the Oregon Court of Appeals. The petition must be filed within 60 days from the date of service of this order.

JKS:jaUGO0FF3B