

October 14, 2011

**Dr. James Manley**  
**PO Box 88732**  
**Steilacoom, WA 98388**

Dr. Manley:

Please accept this referral to initiate a full psychological evaluation with a parenting component for Mr. Joshua Powell (DOB 1/20/76) a parent on my caseload. This is a court ordered service for Mr. Powell with which he is willing to participate. The contact information for Mr. Powell is as follows:  
(253) 847-7191 home or (253) 226-0158 cell.

Mr. Powell is the father of Charles and Braden Powell (DOB 1/19/05 and 1/2/07). Mr. Powell was the primary caregiver to both boys (along with Mr. Powell's sister, Alina Powell) at the time of the boys' removal for his care. Charles and Braden were placed into foster care at the time of their removal (9/22/11) but were placed with maternal grandparents on 9/27/11. The children came into the State's custody via police protective custody at the time that Joshua Powell's father, Steven Powell, was arrested for multiple charges of voyeurism and possession of child pornography. Joshua Powell, his two sons, Joshua's sister, Alina, Joshua's brother, John, and the grandfather, Steven Powell, all resided in the same home at the time the children were removed from Joshua Powell's custody. Charles and Braden were removed from their father's care due to law enforcement's still ongoing investigation into the pornography items found in the home and law enforcement's inability, at this time, to rule out that other adults in the home may have been involved in the activity with which Steven Powell has already been charged.

Joshua Powell, at the contested shelter care hearing held 9/28/11, indicated he would participate in a psychological evaluation with parenting component stating that he would do whatever the court deemed necessary to bring his boys home to his care/custody. Joshua then decided to exercise his right to have legal input during this process and so there has been a slight delay in getting this service referred. Joshua indicated to the referring social worker that he wants to do whatever to speed up his boys coming home but at the same time does not want to do anything that could hinder their return or slow down the process.

#### TIMELINE of EVENTS/BACKGROUND:

December 2009: In the State of Utah, Charles' and Braden's mother is reported missing. Within weeks of Mrs. Powell being reported as missing, Joshua and his sons move to Washington State and begin residing with Joshua's father (and his adult siblings—sister Alina and brother John).

August 2011: As part of the investigation into Mrs. Powell's disappearance, West Salt Lake City police, in coordination with Pierce County Sheriff's Office, search Joshua's home and remove 15 computers from within.

September 22, 2011: Steven Powell, Joshua's father, is arrested for charges aforementioned after Pierce County Sheriffs are informed of the evidence found on the computers by the W. Salt Lake City police. Law enforcement places both Charles and Braden into protective custody and the Department place them in foster care pending a CPS investigation.

September 28, 2011: The Department files a dependency petition due to police protective custody expiring on this date. The Department, as informed by law enforcement regarding their ongoing investigation, did not feel Joshua's home was a safe environment for the children as law enforcement has informed the Department that all adults living in the home are subject to their active investigation, that only approximately 10% or less of the data on the computers seized had been analyzed/reviewed as of this date, and there is no proof that Joshua Powell did or did not have anything to do with the child pornography found.

At the time of this evaluation, Joshua Powell has not been charged with any crime related to either his wife's disappearance or related to the charges with which his father is currently in custody. Of concern to the Department are the following items related specifically to the children's wellbeing:

1. Joshua Powell is currently the only person of interest in his wife's (and the boys' mother) disappearance. Joshua has been reported as not fully cooperative with the investigation into her disappearance.
2. Charles and Braden have been heard, during the short time they were in foster care, as making statements about 'Mormons trying to steal them', 'Mormons trying to harm them', and that they 'hate Jesus'. Given the children's age, it would seem that these ideas were not generated of their own mind/opinion.
3. The referring social worker, when meeting with the boys, was told by Charlie that his grandparents (the maternal grandparents, Mr. & Mrs. Cox, with whom both boys are currently placed) abuse him when they abuse his father through the media and that his mother is currently hiding from everyone to keep from being abused by Mr. & Mrs. Cox. It is the referring worker's opinion that Charlie was reiterating statements overheard when made by others in his presence.
4. Charles has told school personnel how to bury an animal and cover it up so that it couldn't be discovered. School personnel did make a referral regarding his statement but also stated without the circumstances of Charles' mother's disappearance, they wouldn't have thought much of his statement.

5. Joshua Powell and his sons have been residing with his father, Steven Powell, for almost 18 months. During this time frame, Steven Powell has been publicly vocal about his obsession and inappropriate relationship with Susan Powell (Joshua's wife and Steven's daughter in law). Joshua Powell himself told the CPS investigative social worker that he had known about his father's obsession with his missing wife for quite some time (approximately 7-8 years) but was only upset with his father for approximately two weeks after Steven Powell told him information about his obsession would be seen on the seized computers. When asked if he would have turned in his father if he did have knowledge of the child pornography, Joshua Powell hesitantly replied, "Only if it were a threat to children". The Department has concerns that Joshua may be loyal enough to his father to not have reported Steven Powell's involvement (alleged) in child pornography given the fact that Joshua continued to reside with and be supportive of his father in light of the circumstances related to Steven Powell's feelings/relationship with Joshua's wife. The Department would expect any parent that could be deemed appropriate/safe, would believe that possession of child pornography by an individual would place children at risk.
6. During multiple interactions with the Department, Joshua seemed fixated on his in laws (the current relative placement for the children) and what he perceives as their unjust vendetta against him. Joshua, at the initial FTDM held at the Department, had to be redirected from conversation related to this feud several times and asked to focus on his sons.
7. Charles and Braden have been heard to say that their mother is hiding from her parents because her parents abuse her. While this may be better than the reality of what could have happened to their mother, it is certainly not something that the children have opined on their own and suggests, again, that the boys have been subjected to adult conversations that are more likely than not damaging to the boys psyche.

The Department is requesting that this psychological evaluation address the following areas:

- a) Does Mr. Joshua Powell have the capacity to safely and adequately parent his children appropriately?
- b) Will Mr. Powell be able to disengage from his father, or other family members that may be criminally charged, in order to be protective of his children if the need arises?
- c) Does Mr. Powell have any mental illness diagnoses that would prevent him from successfully parenting his children? If the answer is yes, please provide the diagnosis and discuss service needs and/or medications that will facilitate treatment for the diagnosis.
- d) Would Mr. Joshua Powell benefit from counseling regarding his wife's disappearance or other issues identified in the process of this evaluation?
- e) Will Mr. Joshua Powell be able to correct any identified parental deficiencies within the next six (6) months so that his children could be returned to his care in the near future?
- f) What are the risk factors and behavior patterns that may impact family reunification?
- g) Are there any identified issues surrounding forthrightness displayed during the evaluation you conduct with Mr. Joshua Powell?

- h) Please indicate any strengths/concerns/weaknesses of Mr. Joshua Powell's in regards to parenting, bonding, and attachment. Please include recommendations and prognosis for change.

The Department agrees with the standard agency payment of \$95.47 per hour for a maximum of 15 hours (total of \$1432.05). Enclosed herewith are copies of the most recent ISSP, CPS referral history on this family, and other court documents that may illuminate as to Mr. Joshua Powell's upbringing/family of origin. Mr. Powell has not yet engaged in any other services as this dependency was only recently filed. Please let me know if you have any further need for information.

The Department has attached to this referral several documents for your perusal to include the following:

1. Declarations filed in PC Superior Court related to the non-parental custody action filed by the Cox family. Declarations are from Charles Cox, Joshua Powell, and supporters of Joshua Powell.
2. Declarations filed in PC Superior Court related to restraining orders between Charles Cox and Joshua Powell. Declarations attached are written by Charles Cox and Mr. Powell.
3. Multiple declarations submitted in the divorce proceedings of Terrica Powell and Steven Powell. These are provided to give insight into Joshua Powell's childhood and family of origin.
4. Referral history on Joshua Powell/Charles & Braden Powell. Very limited information. There is no ISSP on this family as of yet.
5. Email from CHET social worker regarding the status of the children, a sample of the letters Joshua Powell is sending to the boys (through the Dept.), and visitation notes from 10/2-10/9. This information is provided to give you insight as to how the children are doing at this point in the case.

Please feel free to contact me at the number below with any additional questions. I look forward to receiving your report. Thank you for your time and attention to this matter.

Sincerely,

Ms. Forest Jacobson, MSW  
Court Social Worker  
Tacoma-Pierce East DSHS  
1949 S. State Street, MS: N27-32  
Tacoma, WA 98405  
253-983-6222 (phone)  
253-476-6835 (fax)  
[Forest.Jacobson@dshs.wa.gov](mailto:Forest.Jacobson@dshs.wa.gov)

# Psychological Assessment Referral Process

## FIRST LINE SUPERVISORY APPROVAL

The unit supervisor may approve a referral for a psychological or behavioral assessment requested by a social worker meeting the following criteria:

- The safety issues in the family are linked to psychological or mental health impairment as indicated in a referral, safety assessment, dependency petition or as discussed in a supervisory case consultation.
- The supervisor is approving an initial request for psychological or behavioral assessment and no other similar assessment has been completed in the last 12 months.
- The supervisor's signature on the ETP Referral Letter Form indicates that the required case consultation has occurred. The ETP Referral letter Form, cost expenditure approval, SSPS and all supporting documents must be included in the referral packet.

### Procedures to Obtain Supervisory Approval for Psychological and Behavioral Assessments

1. Social worker will complete ETP referral letter:
  - a. completing the template box at the top of the referral form
  - b. providing behaviorally descriptive areas of concern for client functioning
  - c. Outlining clear goals for the assessment
2. Social worker will email the completed request to the supervisor with a copy to the Area Administrator. The supervisor will review the ETP request within three business days.
3. Supervisor will e-mail the ETP referral letter back to the social worker and SSPS fiduciary team with one of three responses:
  - a. Approval
  - b. Denial
  - c. Request to resubmit the ETP with additional information.
4. Social worker will, upon receipt of the approved ETP request:
  - a. Print out hard copy of ETP Referral Form attaching supervisory e-mail approval
  - b. Mail approval packet and supporting documents to provider within three business days of supervisory approval or provider identification.

## MANAGEMENT APPROVAL

1. Each Area Administrator will develop a quality assurance plan to ensure referrals are made appropriately, information contained in the referral letters is detailed and behaviorally specific, and goals and outcomes identified are linked to the completion of timely permanent plans.
2. The area administrator will review requests that are non-standard. Examples of non-routine requests include but are not limited to:
  - Parent has less than 45 days clean and sober.
  - Request for a psychological or behavioral reassessment within 12 months of the completion of a similar assessment.
  - Existing evaluations appear inadequate.
  - There is a dispute over selection of a provider that was not resolved at the supervisor level.
  - The supervisor has exceeded their budget but believes an assessment is warranted.
  - The parent has the ability to pay for the assessment (if they do, DCFS should not purchase the assessment).
  - The assessment is requested by DLR or an adoption home study worker as part of assessing the suitability of the relative caregiver.

### Procedures to Obtain Management Approval for Psychological and Behavioral Assessments

1. Upon supervisory approval of ETP request:
  - Print out hard copy of ETP Referral Form attaching supervisory e-mail approval.
  - Supervisor submits packet with any supporting documentation to Area Administrator for approval.
2. Area Administrator will return the ETP referral letter within three business days to the SSPS fiduciary team with one of three responses:
  - Approval
  - Denial
  - Request to resubmit ETP with additional information.
  - SSPS team will log in the request and forward to the social worker for action.
  - Social worker will, upon receipt of management approval ETP request:
  - Mail approval packet and supporting documents to provider within three business days of management approval or provider identification.

James Manley, Ph.D.  
Pacific Psychology Services  
917 Pacific Ave. Ste. 404  
Tacoma, WA 98402

*Tel: 253.906.3733*

*email: chinapoot@gmail.com*

**PSYCHOLOGICAL EVALUATION**  
***Confidential***

**Name:** Joshua Powell  
**Date of Birth:** 01.20.76  
**Age:** 35 years  
**Evaluator:** James Manley, Ph.D.  
**Date of Interview:** 10.27.11  
**Date of Evaluation:** 12.09.11

***Reason for Referral***

Mr. Joshua Powell, a 35-year-old male, was referred for a psychological evaluation with parenting component by Forrest Jacobsen, SW. Mr. Powell is the father of Braden Powell (DOB: 01.02.07) and Charles Powell (DOB: 01.19.05). Mother, Susan Powell, has been missing since 12.07.09.

On 10.26.11, Mr. Powell entered in an Agreed Dependency with his two sons. The Dependency is based on circumstances related to his father, Steven Powell, who is now incarcerated on charges involving alleged voyeurism and child pornography. As part of the investigation Law Enforcement removed several computers from the home that are being reviewed. Charles and Braden were removed from their father's care due to the ongoing nature of the investigation and because they had been living with Steven Powell.

Mr. Joshua Powell has not been implicated with his father's alleged illegal activities.

***Testing***

On 10.19.11, Mr. Powell completed the following psychological measures for this evaluation.

- Personality Assessment Inventory (PAI)
- Shipley Institute of Living Scale-2
- Parent Stress Inventory (PSI)
- Child Abuse Potential Inventory-2 (CAPI-2)

***Sources of Information***

The following sources of information were used to formulate Mr. Powell's psychological evaluation.

- 11.05.92, letter by Michael Craig Powell
- 11.06.92, Declaration of Terrica Powell
- 11.06.92, Affidavit of Terrica Powell in Support of Immediate Restraining Orders



- 11.09.92, Supplemental Declaration of Terrica Powell 10.27.92, Cause No. 92-3029-09-8, Affidavit of Petitioner in Support of Motion for Order to Show Cause, by Terrica R. Powell
- 11.12.92, Superior Court, County of Spokane, Declarations in Support of Terrica Powell
- 12.01.92, Response to Certain Declarations filed by the Petitioner, by Steven C. Powell
- 01.14.93, Respondent's Declaration in Reply to Petitioner's Motion for Contempt, Filed 01.04.93, Statement by Steven Powell
- 02.09.93, CPS Intake Information subject: Terri Powell
- 08.20.10, CPS Intake Information
- 06.10.10, Internet article: Susan Powell.org, Mormons Mobilize Against the Powell Family
- 11.08.10, article, from the Salt Lake Tribune, "Josh Powell speaks: My wife, Susan, left us behind"
- 06.10.11, CPS Intake Information Undated, copies of title pages of "The Occult: A History and The Symbolism of Evil"
- 08.20.11, KOMO News, Rally for Susan Powell triggers shouting match, acquisitions
- 08.26.11, Declaration of Charles Cox in Support of Motion for Temporary Restraining Order, by Charles Cox
- 09.21.11, Declaration of Joshua Powell in Opposition to Plaintiff's Motion for Undated,
- 10.02.11, Letter from Joshua Powell to Charlie Powell
- 10.02.11, Visit Report Form, by Forest Jacobson
- 10.08.11, Letter from Josh Powell to Braden Powell
- 10.08.11, Letter from Josh Powell to Charlie Powell
- 10.08.11, Letter from Joshua Powell to Braden Powell
- 10.11.11, Email to Forest Jacobson from Brenda Severino
- 10.14.11, Referral Letter, by Forest Jacobson, MSW
- 10.27.11 & 10.29.11, Clinical Interview/ Mental Status Examination
- 10.30.11.02.11, Observation of Family Visits
- Undated letter by John Powell
- Preliminary Injunction, by Joshua Powell
- 11.14.11, 12.07.11, 12.09.11, Updates by Forest Jacobson, MSW

#### ***Advisement of Rights***

Prior to conducting this evaluation, Mr. Powell was informed of the nonconfidential nature of the evaluation. He agreed to participate.

#### ***Official Record***

*The following information was provided by the Department:*

Mr. Powell is the father of Charles and Braden Powell (DOB 1/19/05 and 1/2/07). Mr. Powell was the primary caregiver to both boys (along with Mr. Powell's sister, Alina Powell) at the time of the boys' removal for his care. Charles and Braden were placed into foster care at the time of their removal (9/22/11) but were placed with maternal grandparents on 9/27/11. The children came into the State's custody via police protective custody at the time that Joshua Powell's father, Steven Powell, was arrested for multiple charges of voyeurism and possession of child pornography. Joshua Powell, his two sons, Joshua's sister, Alina, Joshua's brother, John, and the grandfather, Steven Powell, all resided in the same home at the time the children were removed from Joshua Powell's custody.

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this time, to rule out that other adults in the home may have been involved in the activity with which Steven Powell has already been charged.

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It is the referring worker's opinion that Charlie was reiterating statements overheard when made by others in his presence.

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**11.14.11, Update by Forest Jacobsen, MSW**

Ms. Jacobsen confirmed that both Charlie and Brayden are regularly attending counseling.

**12.07.11, Update by Forest Jacobsen, MSW**

On this date Ms. Jacobsen sent an email to me that had originated from Detective E. Maxwell of the Major Crimes Unit of the West Valley City Police Department. It was dated 11.16.11. In the body of the email was a description of images found on Mr. Powell's computer soon after Susan Powell's disappearance. While the email was brief it stated the following concerning paragraph:

"The release will be narrowly defined and right now we are looking at 5-6 images of computer generated (avatar), incestual caricature, or morphed child pornography. These images were recovered from the 2009 search warrant and data that were seized."

**12.09.11, Update by Forest Jacobsen, MSW**

SW had conversation with boys' mental health therapist on this date. SW and Lori discussed the picture Charlie drew and also how the session that included Josh went to.

Regarding the picture, Lori was able to discuss the picture with Charlie a couple of sessions after he drew it (he refused to discuss it at the same session in which he drew it). Charlie stated nobody in the picture was him, but that the picture was of children playing in the first circle one of the children pushed the other child down and the child pushed down is alone in the second circle. No explanation of the "X" over the circle with two people inside of it. Lori stated Charlie continues to state he doesn't have friends, doesn't want friends, likes to do stuff alone when he is at school.

Regarding the session with Josh, Lori was a little upset with SW that SW didn't forewarn her about how Josh cannot stay on topic, has rapid speech, goes on verbal rants about the Cox family/media. SW stated SW wanted Lori to have a clear lens with which to view Josh and come to her own conclusions and that SW felt Josh was trying to be so cooperative that perhaps it wouldn't behave that way at this point in the case.

Lori stated the session did not go as planned nor as discussed with Josh in the first 30 minutes before the boys arrived. SW apologized.

Lori stated that she and Josh discussed that it would be nice if Josh would let the kids know that counseling is a safe place for them to discuss their feelings (as to the mother, their many moves that they are still adjusting to—from Utah to WA, from mom and dad to dad with his family, from dad to grandparents). Lori and Josh also discussed that it would be helpful if the kids got some sort of explanation as to what is going on since nobody seems to be doing that. Lori stated that she and Josh had discussion around what would be appropriate and not appropriate to tell the kids.

Lori had suggested closer to the truth than not is the best thing to tell them and suggested something akin to 'grandpa made bad choices and will be gone for a while as a consequence'. When the boys joined the session, Josh informed the boys that the Mormon police had made up bad information about their grandpa and put him in jail and that they were trying to do the same thing to him.

Josh did not bring up anything about their mother. Josh also ranted to Lori during the session and in front of the boys (in addition to the 'Mormon police explanation') several negative comments about the Cox family and the ongoing media and litigation issues. Lori stated she attempted to redirect Josh to other topics but his speech was so rapid and he was so deep into his rant that she could not get him to stop.

Lori has concerns regarding increased supervision that is not supervised by a Dept representative for fear that (since Josh did not mind having these conversations in front of her) Josh will continue these anti-Cox family rants which is not helpful to the boys in adjusting to their placement or getting any type of stability in their lives.

SW asked Lori to keep the Dept informed if there is a continued increase in behavioral issues and conflict type of treatment toward the grandparents and she believes it is because of the increased visitation. SW also asked Lori to gauge in her sessions whether the boys return to some of their old thought processes and maladjustment statements (negative about the grandparents based on what father says instead of their own experiences with them) now that visitation has increased.

Lori also mentioned that Charlie is stating he is remembering things about his mother now. When asked what he was remembering, he says he remembers that his mother left because grandpa was mean to her. Lori believes this is regurgitation of things heard from dad or in dad's presence because Lori states the boys usually have very positive things to say about their grandparents and she sees the interaction between the grandparents and the boys and doesn't see them fearful or angry at them unrelated to what they have heard from their father.

#### **Background Information**

*The following information has been provided by Mr. Powell.*

#### **Family History**

Mr. Powell was born in Spokane, WA. He and his family lived there until he was about 16 years-old. He is the second of a sibline of five, with two brothers and two sisters. Currently, he is estranged from his older sister, Jennifer.

He reported a history of close childhood relationships with all family members. He noted the present distance between he and Jennifer started around 1992 during his parents divorce. Mr. Powell noted Jennifer "pulled away then and has remained cold to all family members since." Mr. Powell indicated that his brother, John, ~~has been diagnosed with bipolar disorder and is currently in a psychiatric hospital.~~ His sister, Alina, is also living in the family household in Puyallup. Brother, Michael, is now attending the University of Minnesota.

Mr. Powell reported a strict, very structured family of origin, which was equally supervised by each parent. He noted his mother's rules were predicated by her religious convictions, while his father had been more concerned about safety issues.

During his teen years Mr. Powell noted his father dropped out of the LDS faith and this had caused a severe marital rift that eventually led to the end of the marriage. After the divorce, Mr. Steven Powell retained custody of all children. Joshua indicated that Jennifer stayed on with her mother.

His father, Steven Powell, was a long-term salesman for a furniture company. When he was age 17, his father was transferred from Spokane to Puyallup. Soon, sister, Jennifer, was married and relocated to Utah.

During his parents' divorce, Mr. Powell's mother was adamant that their father should not be raising the children. *(Review of Ms. Powell's statement during that time revealed her husband kept "pornography" in the house and the boys knew about it. Also in the discovery information were three pages of sketches. One had caricature drawing of a human-like figure depicted with reptile-like feet and a tail with a trident end. Instead of genitalia an open box was drawn. When asked about it Mr. Powell stated he could not have drawn it as he had no drawing talent and identified it was his brother's drawing.)*

When the children began to live with their father, his mother insisted Josh only come to her house by appointment. Mr. Powell found this unrealistic because his mother lived in the family home and he had tools and things in the garage he needed to access, but was limited by his mother's rule.

Mr. Powell denied any allegations that he ever physically or sexually abused his sister. He denied attempts to harm himself or commit suicide. When questioned further about suicide he noted that as a teen, he may have considered suicide and if he had put a rope around his neck, it was in an

attempt to get attention. When Mr. Powell was confronted by the documents suggesting otherwise, he noted he was not familiar with the documents and explained that in 1992, his parents were quite polarized and things had been blown out of proportion.

Presently, Mr. Powell's mother lives in Utah with her daughter, Jennifer. His father, who owns a house in Puyallup, was arrested in late September 2011. Recently, Mr. Powell relocated to his own residence in the Puyallup area.

When household rule violations occurred, the children received spankings as youngsters and as they got older their privileges were suspended. Mr. Powell denied experiencing physical or sexual abuse during his childhood. However, at times his mother would underscore her religious beliefs by using guilt as punishment.

After each growing up in the Mormon Church, Susan and Joshua Powell raised their children in this faith. However since Susan's disappearance and Joshua's relocation to Washington from Utah, he had felt unaccepted by the local Mormon Ward. He suspected his father-in-law, Mr. Cox, had spread negative information about him, and Mr. Cox's influence in the church had caused distance between Mr. Powell and the local congregation. Mr. Powell's religious convictions then shifted away from the Mormon faith and he now attends a Christian-based church. Mr. Powell feels well-supported by this group.

#### ***Relationship History***

Mr. Powell reported he and Catherine met at Mormon Ward function. They were about age 20. He estimated he and Catherine were together for 16 months. The couple dated for about a year prior to living together. During their relationship, they had been attending college. One point in their relationship, they took a "break" and during this period Catherine dated other men. Once Catherine and Josh got back together, he learned more about Catherine's involvement with another man and this had eroded his trust in her. Ultimately, this caused the end of their relationship.

Mr. Powell met Susan in 2000, when he was 24 and Susan was 19. They met at a Mormon sponsored function. In April 2001, after dating about six months, the couple married. Mr. Powell reported a positive marriage. He noted that eventually Susan's parents urged her to have a separate bank account. He noted he had been agreeable to this idea and stated, "It was like an allowance. Each one of us was to have fun-money to spend without having to discuss it with each other." Mr. Powell indicated the family did not have financial difficulties.

Early in their marriage, the couple lived with Josh's father, Steven Powell. Eventually, the couple took a 24/7 job, managing a retirement home. Their employment required them to live at the facility. After working this job for a year the couple decided to relocate to Utah. In 2004, Joshua and Susan Powell decided to move out of Washington "for a fresh start."

In 2009 Joshua and Susan experienced communication difficulties. Mr. Powell estimated their different careers had caused emotional distance. Mr. Powell reported his wife had a history of depression and earlier in the year Susan had attended counseling due to becoming suicidal. Mr. Powell indicated while his wife saw a psychologist but he did not know the professional's name.

According to Mr. Powell, after Susan completed her services with the psychologist she revealed her feelings and her treatment for depression to her husband. He noted, "She told me she was feeling better then. She told me she wouldn't hurt herself because she had decided she had too much to live for." At that point, the couple decided they could profit from marital counseling and

began attending therapy. Mr. Powell indicated their treatment spanned approximately four months and ended when his wife disappeared.

Mr. Powell noted their arguments typically focused on matters related to money, their parents, and at times about their religious beliefs. He noted that about 10 years ago "there was some fallout" after his father "hit on Susan." Mr. Powell denied any awareness of his father's ongoing obsession with his wife and considered it was "time to forgive and forget." However, he noted Susan was willing to be around his father, but he did not conceive there was a problem. He stated, "I didn't consider there was any sexual tension between them." He noted that Susan and his father "spent hours in his bedroom" while recording Susan singing. He noted his father had a recording studio in his bedroom and Susan had sung in his closet as his father used the clothing to dampen the sound.

As reported by Mr. Powell, on 12.06.09 the family had a guest for lunch. After dark that day Mr. Powell took both sons sledding at a local school. After returning from sledding, the boys ate supper. Mr. Powell later decided around midnight to take the boys camping in the blue mini-van. He indicated he took the children to a near-by trailhead called Pony Express Trail. He noted the trailhead was in the desert and after daybreak, he had built a little fire and let the fire smolder while the children played.

Mr. Powell reported it was not infrequent to go camping for a day or sometimes two days. On other outings, he would take the boys to the zoo or other places of interest. Sometimes Susan would come along and sometimes she would not. Mr. Powell reported the last time the family had gone winter camping "the issue was about being cold." Thus, Mr. Powell brought a small generator to power the electric heater he brought along "to keep everybody warm."

On 12.08.11, a follow-up interview with Mr. Powell was conducted telephonically. Mr. Powell clarified that on the evening on 12.06.09 when he had decided to take the boys camping he indicated his wife was "ok with it." He noted that her biggest concern was that the boys stayed warm. Mr. Powell estimated that the Pony Express trailhead was less than 40 miles out of town.

He referenced that prior to leaving the family home he had "washed" the couch and placed a fan near-by to dry it. He noted, "Susan did not like running machines. She would rather use scissors to trim the lawn instead of a weed whacker. We made an agreement, that I would wash the couch and she would shovel the walkway." Mr. Powell was uncertain about what his wife had been doing the last time he saw her but that she was "on her way to bed."

Mr. Powell was asked about the recent allegations of child-like pornography found on his computer by Utah Law Enforcement and cited in the 11.16.11 email by Detective Maxwell. Mr. Powell stated, "By every objective measure they do not have any evidence. Two years ago I allowed 20 US Marshalls to search my home and storage room. They brought computers with a CD and searched through my computers. It pulled up all the photos. They did not find anything then. This police department has serious credibility issues." Mr. Powell cited at one point "the police claimed to have found bones and that it was a 50:50 chance they were Susan's. Then it was down-graded to bone fragments, then to human remains, finally what they found turned out to be charred wood."

Mr. Powell denied any sort of interest or past viewing of child pornography. He noted, "The computers in the house were used by many people. My friends, and Susan's friends would come over and use the computers. The computers were not passworded. We had programming parties and had lots of people coming and going." Mr. Powell reported he had viewed adult pornography

on his computer but "I don't surf the web very often and when I look at those sites I make sure there is a statement from a lawyer saying the models are of age."

During the interview Mr. Powell remained highly vigilant regarding his sons' safety and mental health. He adamantly stated the Cox family were using anything they could to discredit him. He noted that in their initial declaration the boys were questioned in March of 2010 by a professional, Jennifer Knight, about their mother's disappearance against his wishes. Mr. Powell suspects strongly that the Cox family and a militant faction of the Mormon church were attempting to "kidnap" his children to keep them in the church. He cited, "The Mormon church does not like it if you leave the church and will do anything in its power to keep the children in the church." Mr. Powell noted that third party individuals had witnessed Mr. Cox remove Charlie and Braden from bible study at their school. Mr. Powell hypothesized Mr. Cox had colluded with the West Valley Police Department against him as the population in this town were conservative and higher than the 70% state-wide Mormon population.

Mr. Powell added he has significant concerns related to the safety and mental health needs of his sons while residing with their maternal grandparents. He referenced that in Susan Powell's journals she had recorded a history of physical and sexual abuse by her father. He noted, "She was beaten and raped by her father. He would go to her room after her shower when she only had a towel on and sexually molest her. She began to sexually act out at age 12. By the age of 13 she told her father if he did it again she would report it. The abuse stopped." Mr. Powell reported Mr. Cox has "stalked us (he and his two boys) and found us at Lowe's. The last time he tried to bully me like a 7<sup>th</sup> grader wanting to fight. He stood at the end of the isle watching me and when I began to call the store manager and police he left."

#### ***Education History***

Mr. Powell reported enjoying school and having no difficulties learning to read, write, or compute basic mathematics. He reported that he had a few friends that were close, but his social group was not a big one. He noted that as a child he teased children and said "some personal things to others when I was a kid." He noted his, "group" was the choir kids and he had sung in the choir for a few years.

Mr. Powell did not report experiencing significant behavioral difficulties such as school suspensions or expulsions. He denied getting into fights as a child.

Mr. Powell graduated from the University of Washington with a Business Administration/Management Bachelor's Degree 2002.

#### ***Work History***

Mr. Powell is presently employed with a software company in Kent, Washington. There, he writes computer script from home. He has been working with the company approximately nine months. He is able to telecommute for his employment.

Prior to that, Mr. Powell has worked as a contractor with Microsoft and other software companies in Utah. His longest job was for six years as a furniture installer.

#### ***Substance Abuse History***

Mr. Powell experimented with alcohol in his late teenage years. He recalled the substance had not agreed with him. The last time he consumed alcohol was in 1998.

Mr. Powell denied further experimentation with other substances.



***Medical History***

Mr. Powell reported being in good health.

***Mental Health History***

Mr. Powell attended counseling during a junior high school. He could not recall how long this lasted, but remembered it was related to his self-destructive tendencies. He could not provide further detail about his referral, but recalled there were times when he "clashed" with his family and had acted out.

Mr. Powell reported attending conjoint therapy with his wife for approximately four months immediately prior to her disappearance.

***Legal History***

At first, Mr. Powell denied having a juvenile legal history. However, when questioned about it further, he noted "come to think of it." He and a few other teenagers went into a "burned out" 7-11 type store and "grabbed a few things and left." At first, Mr. Powell stated he stole candy from the store. Upon further inquiry, he admitted that among the other things the boys had stolen were Playboy magazines. Mr. Powell was subsequently charged and convicted of his behaviors. He could not remember the exact charges. After his conviction Mr. Powell spent five days in a juvenile detention facility and performed community service.

Mr. Powell denied any adult criminal convictions.

***Psychological Assessment***

***Mental Status Examination***

On 10.27.11 and 10.29.11, 12.08.11, Mr. Powell participated in a total of eight-hours of clinical interview. He arrived promptly for each appointment in clean clothing suitable for the occasion. Mr. Powell consistently spoke in a clear manner with a normal rate and rhythm. He demonstrated an excellent fund of general knowledge and easily built rapport with the evaluator.

He described his mood as "everything." He explained, "There are things that I'm happy about and things I'm not happy about. I'm frustrated that people cannot see the lies that have been said about me. It makes me mad. I'm sad because my sons are not with me. I know what my wife went through living with her parents. Now, I know what my boys are going through. I know it's only temporary and I'm taking it one day at a time." Mr. Powell reported missing his wife greatly and that "people do not want to know the truth about her."

Mr. Powell went on to describe Susan's parents as wanting to portray her as perfect, "She wanted to be perfect, and her parents drove that. They were not willing to accept other possibilities." Mr. Powell reflected, "I used to think she wanted to come home. I can't imagine how she would be away from her sons and I for so long. I think she thought she could not live up to the standards that people set for her and left. Her parents used to set standards and if she would violate them, her parents would tell everyone about it. Susan would feel so small and did not feel she was worthy of her father's love. Her mother yelled at her a lot. She would look for acceptance outside of the home."

During each interview, Mr. Powell appeared to be defensive and sometimes responded in an evasive manner. Often times, this appeared to be a very subtle choice of words. For example, he tended to gloss over things and when asked for further detail, he would use qualifiers such as "come to think of it," or "that was a long time ago and I don't remember." Other descriptors he

frequently employed included "to be honest," and "frankly."

At other times, when asked follow-up questions Mr. Powell could/would not provide additional information citing he could not remember the particulars of an event. For example, Mr. Powell did not provide further explanation of his "self-destructive behaviors" as a teen. While he admitted attending counseling he could not recall any specifics of his referral or topics of therapy.

It is estimated Mr. Powell has an excellent memory. He experienced no difficulties recounting a variety of aspects and times of his childhood and young adult years. During his interviews appointments no cognitive thinking errors or difficulties in attention were noted. At times he could be tangential where he would drift into comments about the media, the Cox family, Jennifer Graves, and elements of the Mormon church trying to destroy his family.

Mr. Powell reported averaging seven to eight hours of sleep each night and awakes feeling rested. His appetite and weight were reported as stable and no fluctuations of weight or appetite were noted. He did not report symptoms consistent of depression.

Mr. Powell reported his anger triggers included, "The Coxes make me angry. It hasn't always been that way; it was not an extremely close relationship, but a positive one. He noted that Chuck and Judy Cox love Jennifer Graves. He noted that his sister, Jennifer, "aligned with the Coxes and when she was expressing anger they hid behind the face they were trying to create." Mr. Powell noted he had invited the Coxes to his son's birthday and later they told the media they were denied access. Mr. Powell reported the Coxes amplified their anger and "put my sons in the media." He was very opposed about his sons being involved in the family's media attention. Mr. Powell was quite protective toward his sons being involved in the ongoing investigation of their mother, and the resulting "media circus."

Other anger triggers include when others lie or attempt to manipulate him, he becomes "irritated." Mr. Powell offered an example of this, "When strangers file things about me to CPS that are not true. It is irritating, but I don't get angry." Mr. Powell is angry with his father because he disrespected his wife and violated his trust by hiding his "obsession" about her. He noted, "If I would have known about his obsession, I would've never let him read her journal. His attraction to Susan is not acceptable."

He reported Mr. Cox "has contacted all my Mormon friends personally, or on Facebook, and have convinced them to judge me. Now, they think I hate Mormons. Jennifer Graves disclosed some of my parents' divorce documentation. In them, were things I might have said when I was 16. I don't feel that way about things now."

Mr. Powell has demonstrated a strong level of suspicious preoccupation toward the Cox family and the Mormon Church. At times he qualified his statements via accusing a "certain faction" or "those Mormons" under Mr. Cox' influence. While placing blame for his situation upon the Cox family and his sister, Jennifer, he does not consider the impact his actions may have had on others. To place blame completely on the Cox family and his sister seems unwarranted.

There is evidence Mr. Powell's present level of suspiciousness and skewed thinking is more global. For example, in his recent family therapy session Mr. Powell would not stay focused on his sons' emotional needs, instead he referenced the "Mormon Police" taking Steven Powell away and that the same faction was trying to do the same thing to him. This appears to be a consistent theme with Mr. Powell at this time.

Whether Mr. Powell's elevated level of suspiciousness and vigilance is a product of pathology (i.e.: elements of delusional thinking or bruised narcissism), or a product of his ongoing circumstances, is unclear. His present vigilance may be a result of the intense scrutiny he has been under the past two years. More likely, Mr. Powell's present condition is the product of the interactive effects between his circumstances and elements of narcissism.

Mr. Powell denied past or present suicidal or homicidal ideation.

**Psychological Testing**  
**Shipley-2**

The Shipley-2 measures two aspects of cognition: crystallized knowledge, which is gained through education and experience; and fluid reasoning, or the capacity to use logic to learn and acquire new information or solve problems. Research shows that crystallized ability is relatively stable, whereas fluid reasoning is affected by aging, injury, and psychopathology. Because it assesses both types of ability, the Shipley-2 can be used not only to obtain a quick estimate of overall intelligence but also to reveal cognitive impairment. By uncovering discrepancies between the two, the Shipley-2 can provide evidence of cognitive deterioration. In addition, the Block Patterns scale is a good alternative when a nonverbal measure of fluid ability is needed.

Mr. Powell's cognitive functioning is in the above-average range. No significant differences between his abstract and verbal reasoning abilities were noted.

**Personality Assessment Inventory**

The PAI provides a number of validity indices that are designed to provide an assessment of factors that could distort the results of testing. Such factors could include failure to complete test items properly, carelessness, reading difficulties, confusion, exaggeration, malingering, or defensiveness.

Also evaluated is the extent to which the respondent attended appropriately and responded consistently to the content of test items. The respondent's scores suggest that he attended appropriately to item content and responded in a consistent fashion to similar items.

The degree to which response styles may have affected or distorted the report of symptomatology on the inventory is also assessed. Certain of these indicators fall outside of the normal range, suggesting that Mr. Powell may not have answered in a completely forthright manner.

With respect to positive impression management, the client's pattern of responses suggests he tends to portray himself as being relatively free of common shortcomings to which most individuals will admit, and he appears somewhat reluctant to recognize faults or problems in himself. Given this apparent tendency to repress undesirable characteristics, the interpretive hypotheses in this report should be reviewed with caution; the results may under-represent the extent and degree of any significant findings in certain areas due to the client's difficulties in acknowledging negative or unpleasant aspects of himself.

The self-concept of the respondent appears to involve a generally stable and positive self-evaluation. He is normally a confident and optimistic person who approaches life with a clear sense of purpose and distinct convictions. These characteristics are valuable in that they allow him to be resilient and adaptive in the face of most stressors. He describes being reasonably self-satisfied, with a well-articulated sense of who he is and what his goals are.

The respondent's interpersonal style seems best characterized as friendly and extraverted. He will

usually present a cheerful and positive picture in the presence of others. He is able to communicate his interest in others in an open and straightforward manner. He usually prefers activities that bring him into contact with others, rather than solitary pursuits, and he is probably quick to offer help to those in need of it. He sees himself as a person with many friends and as one who is comfortable in most social situations.

In considering the social environment of the respondent with respect to perceived stressors and the availability of social supports with which to deal with these stressors, his responses indicate that he reports having a level of stress comparable to that of normal adults, with the demands of the environment buffered by a large number of individuals to whom he can turn for support when needed. The combination of a highly developed system of social supports with a reasonably low stress environment is a favorable prognostic sign for future adjustment.

With respect to anger management, the respondent describes himself as a very meek and unassertive person who has difficulty standing up for himself, even when assertiveness is warranted. Thus, he may have some difficulty in the appropriate expression of anger.

The **Child Abuse Potential Inventory (CAPI)** is a caretaker-report measure developed to estimate the risk of a parent physically abusing a child. It was designed primarily as a screening tool for the detection of physical child abuse. The test consists of ten scales. The primary clinical scale is the 77-item physical child abuse scale. This abuse scale can be divided into six factor scales: Distress, rigidity, unhappiness, problems with child and self, problems with family, and problems as from others. Of these six scales, three (distress, rigidity, and unhappiness) describe psychological difficulties while the remaining three factors suggest interactional problems experienced by the test taker.

There are three validity scales: The lie scale, the random response scale, and the inconsistency scale. The validity scales are used in various combinations to produce three response distortion indices: The faking-good index, faking-bad index, and random response index.

Mr. Powell generated a valid test administration. It is noted the Faking Good Index was invalid suggesting the respondent attempted to present himself in a positive light. As such the Abuse Scales were not elevated.

Mr. Powell completed the **Parenting Stress Inventory**, an instrument designed to assess the extent to which there exist stressors in the parent-child bond, placing the relationship at risk for the development of dysfunctional parenting behavior or problematic behavior in the child.

Mr. Powell submitted a defensive test administration and appeared to be responding in an attempt to look good and deny any sources of stress. Occasionally, exceptionally competent parents involved with normal children in nonstressful family contexts will also earn a similar score. The former appears more likely. In turn, Mr. Powell did not endorse a significant number of major stressors outside of the parent-child relationship.

### ***Diagnosis***

Mr. Powell has been diagnosed with the following mental conditions as described by criteria outlined in the Diagnostic and Statistical Manual of Mental Disorders-Fourth Edition, Text Revision (DSM-IV-TR):

- Axis I:           Adjustment Disorder with Anxiety
- Axis II:           Traits: Narcissistic Personality Disorder

Axis III: Defer

Axis IV: Involvement with family court, Family problems, Legal problems

Axis V: Global Assessment of Functioning: 60 moderate symptoms (current)

***Observation***

On 10.30.11, a family visit was observed at the Foster Care Resource Network. Upon arrival Mr. Powell and his children were in the kitchen of facility making lunch. Both boys were introduced to the evaluator. They easily said hello and appeared to be relaxed with their father. Mr. Powell was making quesadillas for lunch. Two chairs were drawn up adjacent to the stove where each boy could stand and watch their father. Mr. Powell appropriately monitored their activities around the stove and hot dishes.

Mr. Powell remained upbeat and in control of their interactions. He easily prepared the meal and defused a few minor resistances (e.g.: Braden not wanting to let go of his candy, and planning to clip both the boys' finger nails.) During the preparation period various topics were discussed. Braden had a piece of gum and wanted to chew it before lunch. Father allowed Braden to have the single piece only after he divided the gum in half and gave some to his brother.

Braden appeared to be focused on his candy. Father stopped him from eating candy and redirected him toward the upcoming meal. Mr. Powell easily set this limit and was firm and polite, using please and thank you in his directives. It is noted he regularly spoke in a firm tone with a bit of volume. While his facial expressions were affectionate and he frequently smiled his vocal tone did not match his smile. The boys also spoke in a loud volume. Overall, the content of their conversation was appropriate. It is noted Mr. Powell continually peppered his communication with scientific information such as, "now I'm going to put cheese on it. Cheese has calcium and protein."

Mr. Powell talked to the boys about their food and how to prepare it. He evidenced solid knowledge about this topic. Father also told the boys about the upcoming family visit at his new residence in Puyallup. The boys were excited and Mr. Powell carefully told them about their visit and did not infer a longer stay.

During lunch Mr. Powell easily multitasked while chatting with each of his sons, eating, and checking the brownies he was baking in the oven. When Charlie did not eat much of his lunch Father stated, "I want you to eat more, it looks like you didn't eat very much." Notable was his firm tone. Charlie discussed the amount of his food and that he was not very hungry. It was evident that while Mr. Powell wanted his sons to eat, he was willing to listen to what they had to say. The boys told their father they had already eaten. Father replied, "I'm glad you ate at least some. Still, Braden walked around the kitchen with his candy in a fireman's hat.

When the brownies were done, the boys' appetites seemed to return. When handling the baking pan around the boys, Dad reminded them to watch out for the hot pan. The children observed while Dad cut out the brownies to make a "Frankenstein" shapes. Mr. Powell observed Charlie and Braden place candy "body parts" on the brownie and then helped them put frosting on the shapes. All appeared to enjoy the activity.

During this visit Braden tended to be more resistant to his father's direction. During these times Mr. Powell defused his resistance easily. Braden did not cry or tantrum, but he did not quit

attempting to eat the candy. It is noted Mr. Powell did not appear to be concerned when Charlie repeatedly stood on his chair to reach for brownie decorations. Braden kneeled on his chair in order to see things on the table. The kitchen chairs were fairly low and did not match the table height.

Father was noted as very organized and very much in control of the visit. It was apparent Father had practice about dividing up things evenly to circumvent any sibling squabbles. When Charlie left the table and took something to the trashcan after "it hit the floor," Dad praised him with a "good job" comment. At another point Mr. Powell discovered Braden had stuffed his mouth full of body parts and made him spit the wad out. Mr. Powell cleaned-up the kitchen as he went along.

When addressing a challenging behavior Father redirected the child (more often Braden during this visit). His tone raised and hardened as he did so. It appears Father increases his level of control and raises his voice when he was met with resistance. He did not seem frustrated while he raising his voice, but Mr. Powell clearly was the leader of the situation via his verbal comments and delivery style.

Mr. Powell seemed to quickly dismiss his firmer tone when the topic changed or after the child complied with his directive. Mr. Powell equally praised his sons during their craft time. Sometimes when doing so his comments seemed syrupy and a little stilted.

After lunch Father set up another craft for the boys. He had brought along Charlie and Braden's tool kit, safety glasses, and hobby aprons. The group put their safety glasses on and started to assemble a "funny house mirror" together. Father unfolded the directions and asked Braden what the first instruction was.

Braden correctly identified the step but would not comply with his father's request to put on his safety glasses. Braden asserted himself about not wanting to wear his safety glasses. As Braden continued to oppose his father's directive, Dad pulled him onto his lap (they were all on the kitchen floor with the project) and told him, "I know you're hopped up on candy but it is time to mind." Braden pushed his father's arm away and crawled about 7 feet away and lay calmly on the floor while Dad and Charlie continued with their project. Braden seemed disconnected and shut down.

A few minutes later Dad asked Braden if he wanted to join them and see the surprise he had brought. Braden rejoined the group but when Father insisted on wearing his safety glasses, Braden said, "I don't like glasses" and scooted away again, this time he went further away and around the corner of the stove. He did not watch his brother or father. He remained calm. Father stated, "Braden you're going to make me very sad if you don't participate." When Dad started working on Braden's project the boy returned to the group activity. Father offered Braden his safety glasses, which he put on. Dad wore Braden's glasses and looked into his eyes and they both laughed.

Notable was Father's excellent level of engagement with each son. Overall, he was upbeat and kept the topic of conversation focused on their activity. His comments were usually helpful, guided, and offered structure. He appeared to be practiced and fairly patient. No significant parenting deficits were noted during this supervised family visit.

On 11.02.11, a second observation session was held at Mr. Powell's new residence. This was the first time the boys had been there. Upon my arrival the boys' paternal aunt was leaving by the



dining area sliding door. Also in attendance was Forrest Jacobsen, SW. Mr. Powell had living at the residence less than a week. The place was a sparsely furnished 3-bedroom house. Things were neat and Mr. Powell had set up shelves in one bedroom and unpacked the boys' toys there.

During most of the visit Dad, Braden, and Charlie played with two small radio controlled helicopters in the living room. Mr. Powell was instrumental getting the toys operational and once ready would let each son play with the helicopters. The boys had mixed success flying the helicopters. From time to time he would offer a demonstration.

At one point their conversation Mr. Powell led the boys into the attached garage to show them something. During this period Mr. Powell stated, "And here is the camping gear and the sleeping pads," pointing to three brand-new pads rolled up and placed on shelves. Dad mentioned they were all ready to go camping again.

During the second half of the visit the group cooked-up some hamburger to put in a multi-layered Mexican-style dip. Dad had already prepared the ingredients and they were stored in little tupperware boxes. The boys enjoyed helping make the meal. Mr. Powell demonstrated excellent training skills and kept the meal progressing while each boy participated. His comments were appropriate and educational. Mr. Powell appeared to be very comfortable working in the kitchen.

During both visits Mr. Powell conducted himself appropriately. He was organized and had his visits well-planned. His parenting skills were excellent. He was able to minimize any dissention between the brothers. Mr. Powell offered each son equal amounts of time, eye contact, and positive reinforcement. He offered both sons assistance. During the second visit Braden did not appear resistant toward his father as in the first visit.

#### ***Parenting***

During the clinical interview Mr. Powell was asked a series of parenting questions related to the practical aspects of parenting. Based on his responses and what was observed during both visitation sessions, it is concluded Mr. Powell has excellent parenting and interpersonal skills.

Mr. Powell described his son Charlie, "He is six and very smart for his age. He is extremely good at science and he likes to explore things looking for bugs. He likes being with his friends and also likes to do things on his own. I take them to the YMCA to learn how to swim. He can be serious and likes to think and contemplate. He seems to be an academic, intellectual kid. He excels in a leadership role. If he feels someone is better or ahead of him, he can get frustrated and will stop. I encourage him to stick with things and not give up. He gets along well with his brother."

Mr. Powell noted parenting challenges related to Charlie include "keeping him focused on tasks he finds frustrating." He reported has engaged with Charlie's school counselor in order to improve his social development and help increase his ability to focus. He added, "Regarding his mother's absence I show him pictures of Susan and tell him his mother loves him. Charlie has been upset about being away from me, away from the home." Mr. Powell reflected, "Charlie knows a lot more about our family history and does not seem to be as influenced by the Cox's as Braden."

Mr. Powell described his younger son, Braden, "He is four and very intelligent. He has more concentration than Charlie. He can stick to a task and focus. He is observant and has a good memory. He started writing and reading younger than when Charlie did. He will ask people their name and practice writing it for days. Braden is bouncy and happy. A lot of things come naturally

to Braden. He can get stubborn and occasionally throw a tantrum when he can't get his way. The other day he was using a tool I didn't want him to use. I asked him for it back. I negotiated it away from him. Sometimes I'll give him a few moments to cool off and I'll try to figure out what he is upset about. When I asked him about living out of the home, he doesn't say much, he'll get huggy. He has always been an affectionate boy. Last week Braden asked me to give grandma back her photos." *(This comment suggests Braden may have been exposed to the ongoing conflict between Mr. and Ms. Cox and Mr. Powell.)*

Mr. Powell noted that a year before his sister, Jennifer, "came into our house and was taking some of my personal property. I stopped her. I looked in the box and found it was some of Susan's photos and journals. Jennifer called Chuck and he started yelling at me. He thought that was his property. That property does not go up to them, it will go down to the boys. The Cox's are throwing their lawsuit into my son's heads. They are trying to influence my sons. At one point Braden said he hated me."

Both boys have the ability to "roll with the flow." Mr. Powell noted he keeps things fairly structured around the house, "There are rules and boundaries set. As long as they stay within the boundaries and are not breaking things, it's good. When it's required I'll put them in a time-out. That can happen anywhere. If they are acting up at the grocery store they'll have a time out in the cart. I will also try to distract them with more positive things. *(It is noted that on one forwarded email from the social worker Mr. Powell inferred he would have placed a son on a 20-minute time out, which is too much time as the rule of thumb is one minute for each year of the child's age.)*

Ms. Jacobsen also forwarded another email relating a comment from a member of a lapidary group that Mr. Powell and his sons attended. The letter writer was not impressed with Mr. Powell's ability to control his sons. Mr. Powell noted, "One day the kids would run back and forth in the meeting. I would work on getting them to behave. I'm not going to come down on my kids, if they are inappropriate, I will stop it. For example, at the lapidary club items had been set out in the front where there was a "show and tell" table. The boys had been going up to the table and looking at the rocks. Some of the older people did not like how the boys were excited about it. Frankly some of the people are older and a little crotchety."

He opined the report from the lapidary club member was exaggerated. For example, Mr. Powell noted "the boys were not allowed to shine a flashlight in anyone's face." Sometimes when Braden has a tantrum I'll take him by the hand. Sometimes I'll tell him to walk and he won't, so I will hold him and walk forward. I did not allow them to disrupt the group. Mr. Powell noted he had curtailed their attendance at the club's meetings for a while.

Mr. Powell indicated he and Susan regularly took turns parenting and would alternate their parenting schedules to accommodate each other's professional obligations. He noted at times he stayed home, then Susan. At one point they were both working at home. Presently Mr. Powell telecommutes for a software company.

Mr. Powell reported a good understanding of human nutrition. He and Susan grew a garden during their time in Utah. He recounted various well-balanced recipes. He noted both boys like vegetables as, "that's the way we raised them."

Mr. Powell is finishing-up moving into his residence. It is a three bedroom, two bathroom house in Puyallup. The residence had a big yard and a place to play.

Many of Father's responses reflected an appropriate level of insight and care toward his children. He has a good working insight about being a parent. He demonstrated excellent verbal skills with Charlie and Braden during the observation sessions. It appears Mr. Powell has a strong commitment to raise his sons appropriately and offer them a stable home.

However, Mr. Powell tends to be defensive, in his comments and in some of his actions. He tends to gloss over some of his reactions and recollections about things.

### ***Conclusions and Recommendations***

*The following questions were asked by the Department.*

*Does Mr. Powell have the capacity to safely and adequately parent his children appropriately?*

After interviewing Mr. Powell and observing him interact with his two sons, there is nothing to suggest Mr. Powell does not have the intellect, skill, or practice to safely and adequately parent his two sons.

Still while he has demonstrated competent interpersonal skills with his sons, at times he has also spoken to them about inappropriate topics. His elevated vigilance and suspiciousness enters his discussions with Charlie and Braden and it is not in their best interests to be exposed to this commentary.

Based on the most recent report from the children's therapist Mr. Powell has very little capacity at this time to rein-in his opinions and commentary for the sake of his children's mental health. Until he can omit emotional, controversial, and polarizing topics during his family visits it appears they should continue to be supervised, with particular regard as to what is being discussed to the children.

It is concerning as Mr. Powell cannot or will not stay focused on his children's emotional/psychological needs during a time-limited, structured therapy session designed for them. The fact he was unable to be redirected during the therapy session is troubling. This suggests Mr. Powell cannot or will not stay focused on his children's needs enough to leave his apparent suspicions, vigilance, and perceived threats out of his communication.

Historically he has provided his sons a safe and healthy environment. It is also noted Mr. Powell tends to offer a high degree of structure his and his sons' interactions. At times, his interaction style seems forced or staged. He seems to be trying too hard. Whether this is Mr. Powell's baseline parenting style or is due to his present high degree of stress is unclear.

Also concerning is the potential for future conflict between father and sons when they become more independent thinkers. If Mr. Powell maintains his present parenting style this may lead to strong disagreement and alienation about things contrary to Mr. Powell's wishes, as they have with some of his family members.

There is no history of past abuse or neglect toward Charlie or Braden. However, concern is noted regarding Mr. Powell's December 2009 camping trip. As reported, he embarked on this excursion around midnight on 12.06.09. Then it was cold, windy, and dark. Mr. Powell described his camping site as not more than 40 miles away from his house. To leave under these circumstances, with two preschool children and one in a diaper, appears, at best, to be foolhardy. It does not appear Mr. Powell preplanned this trip or notified others about his whereabouts, which are fundamental safety measures for wilderness excursions. It also reflects Mr. Powell's tendency to

downplay or minimize external conditions. Father is urged to consider the various types of risk he might incur, make contingencies, and be more planful while camping with his children in the future.

*Will Mr. Powell be able to disengage from his father, or other family members that may be criminally charged, in order to be protective of his children if the need arises?*

Yes, it appears Mr. Powell has the ability to physically disengage from his family members. Since his father's arrest he has moved out of the family home and established his own residence. Historically, Mr. Powell and his wife demonstrated the ability to establish an independent lifestyle in Utah. Still, Mr. Powell reports no awareness of his father's ongoing inappropriate attraction toward his wife.

His recent behavioral demonstration in his son's therapy session does not appear protective of his son's psychological wellbeing.

*Does Mr. Powell have any mental illness diagnosis that would prevent him from successfully parenting his children?*

Mr. Powell has exhibited parenting traits suggestive of some level of over-control and being somewhat over-structured. However, this is not viewed as a severe parenting liability.

He has been diagnosed with anxiety related to adjusting to the many changes and stressors in his life including his wife's disappearance, his father's "obsession" toward her, his father's recent legal situation, being separated from his children, and them being subjected media attention.

The uncertainty of his future appears to weigh heavily on Mr. Powell. He also has expressed a high degree of concern regarding his children being with the Cox family and being unnecessarily being exposed to what he termed "the media circus."

Mr. Powell has also reported a mental health treatment history. He and his wife attended conjoint therapy during the four months prior to her disappearance. Mr. Powell stated he could not recall particular treatment goals of his marital counseling outside of "communication problems." He reported no major difficulties in his marriage.

Mr. Powell also acknowledged attending counseling for "self destructive tendencies" as a teenager. Mr. Powell stated he could not recall details about his initial referral or any of the topics that were discussed in therapy.

Psychological testing suggests Mr. Powell approached the tested administrations defensively. The resulting pattern of responses portrays someone free of common shortcomings to which most individuals will admit, and is somewhat reluctant to recognize faults or problems in himself.

Mr. Powell's responses to the parenting measures suggest a positive bond with his child. He denied any present stressors that might detract from his parenting, and reported low levels of major stressors in his daily life.

*Would Mr. Powell benefit from counseling regarding his wife's disappearance or other issues identified in the process of this evaluation?*

Yes. It is estimated Mr. Powell is living under a high degree of stress and would be well-served to

process his experiences with a psychologist. This would provide Mr. Powell an opportunity to review his parenting strategies and allow his sons an increased degree of autonomy. It is strongly recommended Mr. Powell contain his emotional and verbal reactions to external situations and people when interacting with his sons.

Given Mr. Powell's present level of defensiveness, the treating psychologist would be well-served to be experienced in personality disorders and a forensic setting.

*Will Mr. Powell be able to correct any identified parental deficiencies within the next six months so that his children could be returned to his care in the near future?*

Mr. Powell has been assessed as having many parenting strengths. Still, at times he has had difficulties containing the topics of conversation to be within appropriate bounds. While engaged in therapy Mr. Powell will have the opportunity to address his communication and thinking style. It seems reasonable, if Mr. Powell will engage in treatment, he can modify the parenting concerns discussed in this evaluation. It will require him to see Charlie and Braden as individuals, and to place their immediate needs ahead of his.

*What are the risk factors and behavior patterns that may impact family reunification?*

The following risk factors have been identified:

- High degree of self-focus
- Ongoing criminal investigation related to his wife's disappearance
- Allegations (unsubstantiated) of computerized child pornography being found on a computer in Susan and Josh Powell's home
- Intense level of polarization between the Cox and Powell family members
- High level of media attention to the Powell and Cox families

*Are there any identified issues surrounding forthrightness displayed during this evaluation conducted with Mr. Powell?*

As reported in the body of the report, much of Mr. Powell's psychological testing reflected a defensive test taking style. Mr. Powell approached his verbal interactions with the evaluator with a defensive stance. Many of his responses were subtly evasive and dodgy. He limited his self report and at times claimed he could not remember things. Categories of memory deficit include his history of self-destructiveness (and subsequent referral to a mental health professional) as a teen, different activities in his home of origin, and details about his marriage. This is contrasted with his above average cognitive functioning and precise memory about other matters during these same time periods. As such, Mr. Powell's defensiveness may have minimized, or not reported, a previous or existing mental health condition.

*Please indicate any strengths/concerns/weaknesses of Mr. Powell in regard to his parenting, bonding, and attachment to his sons. Please include recommendations and prognosis for change.*

Mr. Powell has been identified to have the following:

Strengths:

- Demonstrated competent parenting skills
- Has a positive loving bond with his sons
- No history of criminality
- No history of substance abuse

- No history of aggressive behaviors
- No history of child abuse or neglect
- Presently employed
- Has established a new residence

Concerns:

- Defensiveness
- Tendency to over-structure and control
- At times has an inability to curb his negative commentary when with his sons
- Ongoing investigation of his wife's disappearance
- Possible possession of computerized child pornography

*When taking into consideration that Josh resided with his father who has been charged with possession of a significant amount of child pornography and with law enforcement stating they believe Josh was involved in some way due to the technologically advanced nature of the child pornography with which Steven Powell was (allegedly) in possession and Josh stating he had no idea this was happening in his home and now Utah law enforcement's report to us that child pornography simulated images were on Josh's computer (in a home he did not share with his father or any other adult other than his wife) is there reasonable cause to have concerns related to child pornography or ongoing criminal investigation of such that would either warrant further evaluation or be a barrier to reunification of Josh with his sons?*

While there appears to be ongoing legal actions against Mr. Steven Powell there has been no data specifically tying this individual's behaviors to Josh Powell. Lately there have been allegations regarding possible child pornography found in the Powell's computer in Utah. These appear to be ongoing, unresolved legal entanglements for Mr. Josh Powell. It is noted he has not been charged. Whether or not he is directly involved with child pornography is a legal matter and beyond the scope of this report.

Mr. Powell has indicated he has no knowledge about his father's alleged illegal activities. He stated he does not have any knowledge of child pornography on his computer in Utah.

At the present time Mr. Powell has established a new and appropriate residence. Across his supervised visits Mr. Powell has demonstrated a strong foundation of parenting skills and an unwavering desire to parent his sons. While he has also demonstrated solid interpersonal skills while being observed by the undersigned evaluator, his desire to present in a positive manner may have filtered his behaviors and communication style. His demonstrated inability to curb his inappropriate commentary about "Mormon police" and the Cox family during a recent family therapy session is concerning.

When considering a prognosis for change, this evaluator typically identifies significant parenting deficits and offers recommendations to mitigate them. The case of Mr. Powell is different. Attention to the family was triggered by Mr. Steven Powell's arrest and the fact Joshua and his children were living at the same residence. As part of the ongoing investigation numerous computers were seized and are still being searched.

Part of the family's difficulty is the ongoing investigation of Susan Powell's disappearance. The ongoing legal and public interactions between the Powell and the Cox families create ongoing attention, agitation, and tension. This places additional pressure and stress on the family members involved, particularly Charlie and Braden.



In order to assist Mr. Powell's present adjustment difficulties he is referred to an experienced psychologist familiar with personality disorders and forensics.

In therapy Mr. Powell can address the identified parenting concerns and allow him an appropriate place to vent his anger and frustration. He must consistently place his children's need for an emotionally safe and stable environment ahead of his own. This report has also identified Mr. Powell as having many positive parenting skills.

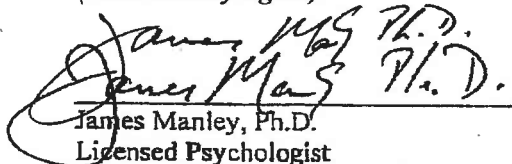
Coming to terms with his wife's absence and his embroiled interactions with the Cox family will better assist in his overall parental functioning. It is recommended Mr. Powell become more invested in his son's mental health and work within the prescribe bounds of their treatment plans. This would allow Charlie and Braden a safe opportunity to communicate their experiences and concerns to their father. It is important Mr. Powell become more aware of his intensity and his overbearing manner toward his sons.

Also of importance is the issue of stability for Josh Powell. Until further clarity is reached related to the legal situations noted above, Mr. Powell's stability is not secure. Once these matters have been resolved: when he is no longer a subject of investigation, when he can amend his communication style, and address the other identified parenting concerns, Father's reunification with his sons may be warranted.

In the meantime, Mr. Powell should have ongoing and regular supervised contact with Charlie and Braden (e.g. several hours each visit), two to three times a week. This is predicated on the children's wishes to see their father, the concurrence of their therapist, and Mr. Powell's ability to keep his focus on his children.

In sum, while Mr. Powell has not demonstrated significant parenting deficits, his emotional and residential stability is concerning. He is referred for therapy with a doctoral level therapist to process his loss, manage his frustrations, and hone his parenting strategies. He does not appear to need typical "parenting classes." In the meantime he and his sons should continue regular supervised family visits. Given the family's close bond, maintaining the above visitation schedule would be beneficial to both children and Mr. Powell.

Respectfully submitted  
(electronically signed)

  
James Manley, Ph.D.  
Licensed Psychologist

January 23, 2012

**Dr. James Manley**  
**PO Box 88732**  
**Steilacoom, WA 98388**

Dr. Manley:

Please accept this referral to initiate an addendum to your already completed full psychological evaluation with a parenting component for Mr. Joshua Powell (DOB 1/20/76) a parent on my caseload.

When you completed your above referenced report, the information available at the time indicated that Utah law enforcement was forwarding to Pierce County Sheriff's office 5-6 images that Utah officials stated were computer generated/animated child pornography depictions found on Mr. Powell's computer. The pictures were not made available to the Department (through Utah court order) until approximately January 17, 2012 and it is now clear there are many more images than initially indicated (approximately 400). You were included in the court order as being allowed to view the pictures for the purpose of this dependency action. In your initial report, you briefly covered the topic of these images and indicated that Mr. Powell stated he does not have any knowledge of child pornography on his computer from Utah. Now that the images are available for you to view, the Department would like you to answer the following questions:

- 1) Please describe the images you viewed briefly and then indicate in detail (the number of images, what the images depicted, and what your specific concerns may be) any images that you saw that were of concern to you with regard to Mr. Powell being reunified with his children.
- 2) Please indicate if any of your initial recommendations have been altered by these images.
- 3) Please indicate if you have any further recommendations after viewing these images.
- 4) If you share the Department's concern that alleged child pornography related activities have occurred in two of Mr. Powell's homes with him claiming no knowledge of such activities, please describe in detail why you have this concern.

Keeping in mind that you were included in the Utah court order to view these images but a future provider (if any further evaluation is recommended) has not been included, please be as specific as you can about the details in this addendum.

The Department agrees with the standard agency payment of \$95.47 per hour for a maximum of 4 hours (total of \$381.88). The pictures you will need to review can be accessed through Detective Sanders at the Pierce County Sheriff's office (it is my understanding you have already viewed these pictures at the time of this referral). Please let me know if you have any further need for information.

Please feel free to contact me at the number below with any additional questions. I look forward to receiving your report. Thank you for your time and attention to this matter.

Sincerely,

Ms. Forest Jacobson, MSW  
Social Worker  
Tacoma-Pierce East DSHS  
1949 S. State Street, MS: N27-32  
Tacoma, WA 98405  
253-983-6222 (phone)  
253-593-5066 (fax)  
[Forest.Jacobson@dshs.wa.gov](mailto:Forest.Jacobson@dshs.wa.gov)

# Psychological Assessment Referral Process

## FIRST LINE SUPERVISORY APPROVAL

The unit supervisor may approve a referral for a psychological or behavioral assessment requested by a social worker meeting the following criteria:

- The safety issues in the family are linked to psychological or mental health impairment as indicated in a referral, safety assessment, dependency petition or as discussed in a supervisory case consultation.
- The supervisor is approving an initial request for psychological or behavioral assessment and no other similar assessment has been completed in the last 12 months.
- The supervisor's signature on the ETP Referral Letter Form indicates that the required case consultation has occurred. The ETP Referral letter Form, cost expenditure approval, SSPS and all supporting documents must be included in the referral packet.

### Procedures to Obtain Supervisory Approval for Psychological and Behavioral Assessments

1. Social worker will complete ETP referral letter:
  - a. completing the template box at the top of the referral form
  - b. providing behaviorally descriptive areas of concern for client functioning
  - c. Outlining clear goals for the assessment
2. Social worker will email the completed request to the supervisor with a copy to the Area Administrator. The supervisor will review the ETP request within three business days.
3. Supervisor will e-mail the ETP referral letter back to the social worker and SSPS fiduciary team with one of three responses:
  - a. Approval
  - b. Denial
  - c. Request to resubmit the ETP with additional information.
4. Social worker will, upon receipt of the approved ETP request:
  - a. Print out hard copy of ETP Referral Form attaching supervisory e-mail approval
  - b. Mail approval packet and supporting documents to provider within three business days of supervisory approval or provider identification.

## MANAGEMENT APPROVAL

1. Each Area Administrator will develop a quality assurance plan to ensure referrals are made appropriately, information contained in the referral letters is detailed and behaviorally specific, and goals and outcomes identified are linked to the completion of timely permanent plans.
2. The area administrator will review requests that are non-standard. Examples of non-routine requests include but are not limited to:
  - Parent has less than 45 days clean and sober.
  - Request for a psychological or behavioral reassessment within 12 months of the completion of a similar assessment.
  - Existing evaluations appear inadequate.
  - There is a dispute over selection of a provider that was not resolved at the supervisor level.
  - The supervisor has exceeded their budget but believes an assessment is warranted.
  - The parent has the ability to pay for the assessment (if they do, DCFS should not purchase the assessment).
  - The assessment is requested by DLR or an adoption home study worker as part of assessing the suitability of the relative caregiver.

### Procedures to Obtain Management Approval for Psychological and Behavioral Assessments

1. Upon supervisory approval of ETP request:
  - Print out hard copy of ETP Referral Form attaching supervisory e-mail approval
  - Supervisor submits packet with any supporting documentation to Area Administrator for approval.
2. Area Administrator will return the ETP referral letter within three business days to the SSPS fiduciary team with one of three responses:
  - Approval
  - Denial
  - Request to resubmit ETP with additional information.
  - SSPS team will log in the request and forward to the social worker for action.
3. Social worker will, upon receipt of management approval ETP request:
  - Mail approval packet and supporting documents to provider within three business days of management approval or provider identification.

James Manley, Ph.D.  
Pacific Psychology Services  
917 Pacific Ave. Ste. 404  
Tacoma, WA 98402

Tel: 253.906.3733

email: chinapook@gmail.com

**PSYCHOLOGICAL EVALUATION**  
***Confidential***

**ADDENDUM**

**Name:** Joshua Powell  
**Date of Birth:** 01.20.76  
**Age:** 35 years  
**Evaluator:** James Manley, Ph.D.  
**Date of Interview:** 10.27.11  
**Date of Evaluation:** 01.31.12

On 12.29.11, I completed Mr. Powell's psychological evaluation. On 01.26.12, I was asked by Forest Jacobson to review a file of images sent to the Children's Administration from Law Enforcement in Utah as an addendum to my original report (12.09.11).

On 01.30.12, I reviewed the images with Detective Gary Sanders at the Pierce County Sheriff's office in downtown Tacoma. Detective Sanders indicated there were approximately 400 images in the file. Ms. Jacobson asked I respond to the following questions.

*Please describe the images you viewed briefly and then indicate in detail (the number of images, what the images depicted, and what your specific concerns may be) any images that you saw that were of concern to you with regard to Mr. Powell being reunified with his children.*

Description (graphic)

The images I reviewed consisted of hand drawings, computerized drawings, and photographs. The photographs (approximately 5) were not atypical of adult nude female photos found in adult magazines. However one photo appeared to be a photoshop product with frontal nudity of an adult female sitting toward the camera with her legs spread, exposing her vagina. Atop the woman's body was the head Emma Watson (from Harry Potter films). Also among the images was a "front cover" of a web site with similar photos of Emma Watson.

Some of the images were identifying logos from where the cartoons and 3-D images originated including: drawing incest.com, XXXtoon, and toonporn.

The cartoon images illustrated sexual themes involving well-known cartoon characters including: The Simpsons, The Flintstones, Jungle Book, Superman, Captain America, Cat Woman, Dennis the Menace, Teenage Mutant Ninja Turtles, Rugrats, The Family Guy, and Spongebob. Another group of images were drawn in the style of the recent movie, Avatar. Another set was more the Anime drawing style. Some drawings were of a science fiction /fantasy style art.

These drawings depicted a wide array of sexual activity including incest, group sex, fellatio, cunnilingus, sodomy, and fisting. A few depicted acts of bondage and others illustrated beasts having sex with a female via a penis and/or tentacles penetrating different orifices. All of the figures involved young slender females with secondary sex characteristics.

Another class of images appeared to be computer generated in a 3-D style. Scenes included mother on son, mother on daughter, father on daughter, and family group sex. There were approximately 15 of these images. Some had the website, drawing incest.com at the bottom of the panel. *(The corresponding web page depicts the same style of 3-D type characters involved in an array of sexual contact and an opportunity to subscribe to access their site. The entirety of these images involved incest and child molestation.)*

One of the 15 scenes depicted two adults on a bed with a boy and girl. The adults were coaching/praising the children's actions, in which the girl was fellating the boy. Another image captured a adolescent female fellating a penis and the caption read, "Come on Daddy, come on, let me finish what I started, you're gonna like it." Another scene depicted an adult female on her knees in front of a nude boy. The caption stated, "Boy: "Mommy it feels good" Mommy: "Does your little friend like it too?" Another scene depicted an adult male sitting, and standing in front of him was a prepubescent girl. Beside the girl was an adult female with her arm loosely wrapped around the girl's waist. The adult male was touching the girl's vagina. Another scene depicted an adult female and male with a boy, and a girl. All were nude and standing in a living room by a couch and coffee table. On table was a bottle of wine. All characters were holding what appeared to be wine glasses.

The graphic nature and the inherent approval of sex between family members of the 3-D images by the image's owner is concerning. While drawings may not be illegal, per se, they were very suggestive of a global approval of sex between an adult and a minor. The fact that such a collection images from different sites were collected suggests a high degree of interest. Inherent of viewing the object in the drawing is the fantasy of incest. It is also concerning that the dehumanization of the 3-D figures would promote permission to fantasize and dehumanize any human involvement.

#### Discussion

If these are Mr. Powell's images, it gives rise to great concern. Coupled with his general level of defensiveness across the evaluation there seems to be important aspects to Mr. Powell's life he is unwilling to discuss. To find incestual situations sexually stimulating calls into question several historical factors including his past/present denial of any irregular relationship between Susan and Steven Powell, a sexualized household as found described in Ms. Powell's (Josh's mother) divorce declaration, and the availability of pornography in family household. The following is from page 6 of my initial evaluation:

During his parents' divorce, Mr. Powell's mother was adamant that their father should not be raising the children. *(Review of Ms. Powell's statement during that time revealed her husband kept "pornography" in the house and the boys knew about it. Also in the discovery information were three pages of sketches. One had caricature drawing of a human-like figure depicted with reptile-*



*like feet and a tail with a trident end. Instead of genitalia an open box was drawn. When asked about it Mr. Powell stated he could not have drawn it as he had no drawing talent and identified it was his brother's drawing.)*

When the children began to live with their father, his mother insisted Josh only come to her house by appointment. Mr. Powell found this unrealistic because his mother lived in the family home and he had tools and things in the garage he needed to access, but was limited by his mother's rule.

Mr. Powell denied any allegations that he ever physically or sexually abused his sister. He denied attempts to harm himself or commit suicide. When questioned further about suicide he noted that as a teen, he may have considered suicide and if he had put a rope around his neck, it was in an attempt to get attention. When Mr. Powell was confronted by the documents suggesting otherwise, he noted he was not familiar with the documents and explained that in 1992, his parents were quite polarized and things had been blown out of proportion.

In a recent telephone conversation Mr. Powell disclosed that any pornography sites he visited he made sure there was a disclaimer that the models were over age 18.

Given the gaps of information about Mr. Powell there seems reason to conclude he may not presently be a stable and appropriate resource for his children. Until he can overcome his defensiveness and openly discuss himself in all areas of his life including sexuality, family, and healthy boundaries, any additional or change of visit structure is not recommended.

Given the gravity of the situation Mr. Powell is referred for a psychosexual evaluation by a psychologist to clarify his sexuality, parenting history, and attitudes. Mr. Powell could also bolster his self-report via a polygraph examination.

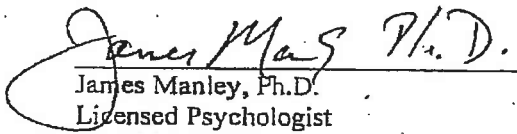
*Please indicate if any of your initial recommendations have been altered by these images. If you share the Department's concern that alleged child pornography related activities have occurred in two of Mr. Powell's homes with him claiming no knowledge of such activities, please describe in detail why you have this concern.*

My recommendation is that more information be gathered related to Mr. Powell. As noted, the reviewed images indicate someone's fantasy-laden view of having sex with children. This is not a healthy parenting perception.

I have not been privy to the details of Mr. Steven Powell's case. Whether the events are related or coincidental is uncertain. However there appears to be a pattern of poor sexual boundaries between the family members. This area, in addition to his self-focus, over-control of the children, and his difficulty adjusting to his present situation are topics for therapeutic inquiry.

Until more is known about Mr. Powell it is difficult to conclude he could provide a stable, safe, and consistently nurturing environment for his sons. Positive is Mr. Powell's recent engagement in psychotherapy. Through this venue Mr. Powell has the opportunity to clarify his situation, attitudes, and ability to address the parenting concerns at hand.

Respectfully submitted,

  
James Manley, Ph.D.  
Licensed Psychologist