

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	1:09-CV-119-CAP
THE STATE OF GEORGIA, <u>et al.</u> ,	)	
	)	
Defendants.	)	
_____	)	

**DECLARATION OF DONALD P. OSWALD**

Pursuant to 28 U.S.C. § 1746, I, Donald P. Oswald, do hereby declare:

**A. Background and Expertise**

1. I am a professor at Virginia Commonwealth University, Department of Psychiatry, and a licensed clinical psychologist. I reside in Richmond, VA.
2. I currently serve as an expert consultant for the United States' monitoring of the State of Georgia's compliance with the January 15, 2009, settlement agreement (the "Agreement") in United States v. Georgia, Case No. 1:09-cv-00119-CAP. The United States has continued to retain me as a litigation expert.

3. I have extensive experience and professional expertise in the provision of psychological services, behavioral support planning, and interdisciplinary integration of services to individuals with mental illness and/or developmental disabilities in institutional and community settings. My curriculum vitae is attached as Attachment A.
4. I currently am employed at Virginia Commonwealth University as a core psychology faculty member, an affiliate clinical professor in the department of psychology, an associate chair for child psychology in the department of psychiatry, and as a professor in the department of psychiatry. I have been employed in various capacities at the Virginia Commonwealth University since 1990.
5. Since 1995, I have been the senior psychologist at the Virginia Treatment Center for Children in Richmond, Virginia.
6. I serve or have served as an expert consultant to the United States in monitoring agreements in cases pertaining to the care and treatment provided at institutions for individuals with mental illness and/or developmental disabilities, including *United States v. Iowa*, *United States v. New Mexico*, *United States v. Washington*, *United States v. Tennessee*, and *United States v. Kentucky*. I also have served as an expert consultant to the

United States in various investigations of similar institutions, including Metropolitan State Hospital in Norwalk, California, W.A. Howe Developmental Center in Tinley Park, Illinois, and the Clyde L. Choate Developmental Center in Anna, Illinois.

7. I have authored publications on topics including self-injury, anxiety disorders, and pervasive developmental disorders, and have made presentation on topics such as behavioral management and the developmentally disabled, behavioral modification, and behavioral assessments of dually diagnosed individuals.
8. In my role as expert consultant to the Department of Justice in this case, I have assessed treatment planning services, and particularly, the treatment services provided to individuals who exhibit dangerous or challenging behaviors. I have visited and examined these issues during site visits to the Georgia Regional Hospital at Atlanta ("GRHA"), Northwest Georgia Regional Hospital ("NWGRH"), Georgia Regional Hospital at Savannah ("GRHS"), and Central State Hospital ("CSH"). I visited GRHA on September 17 through 21, 2007 and August 2 through 6, 2009; NWGRH on October 29 through November 2, 2007; GRHS on December 17 through

21, 2007 and June 22 through 26, 2009; and CSH on January 11 through 15, 2010 (collectively the “State Hospitals”).

9. Before, during, and after those visits, I reviewed documents relevant to the care, treatment, and services provided at those facilities, including relevant policies, procedures, forms, templates, reports, and minutes of hospital and psychology department committees. These documents included both State and hospital-specific policies, procedures, forms, templates, and reports. I reviewed the charts of hundreds of patients served by these hospitals. A representative sample of documents reviewed can be found at page 80 of the compliance report for GRHS, attached to the United States' Motion as Exhibit 4.
10. During the visits to the hospitals, I interviewed numerous administrative and clinical staff members about the care, treatment, services, and programs provided at the hospitals. I also attended numerous meetings regularly-held at the hospitals pertaining to the care, treatment, services, and programs provided at the hospitals. A representative sample of the interviews and meetings I attended can also be found at page 80 of the compliance report for GRHS.

### **Individuals Served in the State Hospitals**

11. The State Hospitals provide services to persons with serious mental illness, developmental disabilities, and substance abuse disorders. Many individuals in the hospitals have co-occurring diagnoses, for example, both a mental illness and a developmental disability, or both a mental illness and a history of substance abuse. In addition, many individuals in the State Hospitals also have physical disabilities or medical concerns.
12. It is my opinion that many, if not the majority, of the individuals in the State Hospitals are institutionalized when they could be more appropriately served in a community-based setting.

### **Treatment Services at the State Hospitals are Inadequate**

13. The State Hospitals do not provide treatment that is individualized and appropriate for those individuals with intensive needs, including those with dangerous and challenging behaviors. The failure to provide meaningful treatment to address and reduce these dangerous behaviors is an egregious departure from generally accepted professional standards, and places all individuals in the State Hospitals at an unnecessary risk of harm.
14. Generally accepted professional standards require treatment planning that is person-centered, individualized, and integrated across disciplines. Across

the State Hospitals, treatment plans, which should be the foundation of an adequate plan of care, departed significantly from these standards. The deficiencies in treatment planning were encountered at each of the facilities I reviewed and reflect systemic deficiencies. I found no evidence of a functioning system to ensure that dangerous behavior, serious incidents, and trends indicating behavioral deterioration are quickly detected and responded to with substantive changes in treatment plans.

15. The generally accepted standard of care requires treatment teams to respond to dangerous and maladaptive behaviors with meaningful behavioral treatments. Meaningful and effective behavioral treatments begin with a functional assessment of the maladaptive, or target, behavior. A behavioral support plan is then developed that teaches and reinforces specific alternate, replacement behaviors that are expected to serve the same function as the dangerous target behavior and replace the target behavior over time. Treatment teams must track individuals' progress by collecting objective data about the target and replacement behaviors in order to assess the effectiveness of the intervention, and make changes if the chosen interventions are not effective. It is my opinion that there is a need for significant additional staff training and expertise in each of these

fundamental areas before the State Hospitals will be able routinely to provide this standard of care.

16. Behavioral support plans (“BSPs”) at the State Psychiatric Hospitals are not provided consistently to those individuals with challenging and dangerous behaviors that need them. Many patients who were repeatedly subject to seclusion, restraint, and/or administration of PRN psychotropic medications (PRN or *pro re nata* medications are given on an as-needed basis and should be reserved for emergency crisis intervention) — have no behavioral supports in place. Similarly, many individuals with repeated episodes of aggression and self-injury lack adequate behavioral supports. In many instances, even if a treatment team has recognized a need for a BSP, these plans are not developed and implemented in a timely manner. These failures are an egregious departure from generally accepted professional standards.
17. Many of the plans I reviewed were also inadequate in fundamental respects — they lack an underlying functional assessment of the behavior, the assessment does not match the plan, or the plan provides only generic and non-individualized replacement behaviors and interventions. Treatment teams also frequently fail to collect objective data on the target and replacement behaviors, and fail to review and revise plans that are clearly

not working to reduce the dangerous behaviors. Each of these deficiencies allows dangerous and challenging behaviors to continue without appropriate intervention and results in continuing – but preventable – incidents of aggression, assault, and self-injury in the State Hospitals.

18. The potential for harm from these unchecked behaviors is significant, and the result can be fatal. For example, a patient who killed another patient in April 2009 had been charged with two prior homicides before his admission to CSH, but no BSP was developed until after the killing at CSH.
19. In the maximum security forensics unit at CSH, there is a stark underutilization of appropriate behavioral interventions to address maladaptive behaviors – in many cases, the very behaviors that led to these individuals’ confinement in the only maximum security psychiatric unit in the state.
20. Policies at the State Hospitals require treatment teams to meet and develop a BSP when an individual experiences a set number of adverse incidents, often referred to as meeting a “trigger” for review. Yet many individuals experience repeated incidents and still do not receive adequate BSPs, or, in many instances, any BSP. For example, a patient at GRHS suffered multiple restraint and PRN episodes, including three restraints and nearly-daily PRNs

in the week before a psychological evaluation, yet the evaluation recommended neither a behavioral assessment nor a BSP for this patient.

21. A patient at GRHA had 17 instances of seclusion, restraint and manual holds due to physically assaultive behavior over a period of months, but did not have a BSP.
22. Two individuals at GRHA had, respectively, 18 and 20 PRN medications administered during their 25 and 18-day admissions, but no BSPs were developed before they were discharged.
23. Simply writing a BSP is not enough to ensure adequate treatment.

Treatment teams must monitor and evaluate progress, and revise the plans as necessary. One individual who struck a peer had a BSP implemented shortly thereafter, although no functional assessment was completed before the BSP was implemented. A few months later, the same individual committed three more assaults over a seven day period. Despite these new assaults, the chart did not include any documentation on the plan's effectiveness since its implementation, nor any reflection on a need to update the plan due to the outbreak of aggressive incidents.

24. A BSP developed in late June 2009 for an individual at GRHS did not mention or address an incident from two weeks earlier in which this individual grabbed and ingested cleaning fluid.
25. Behavioral data in individual charts is frequently missing or out of date, making it impossible for treatment teams to adequately review and revise plans as necessary.
26. Individuals in the State Hospitals are at risk of serious harm. There is no system to ensure timely and effective intervention when patients engage in repeated, or escalating episodes of aggression or self-injury. Staff do not display competency in using functional behavioral analysis and positive behavioral supports to reduce dangerous behaviors. Treatment teams do not routinely review and revise treatment plans that are failing. Finally, there appear to be far too few professional staff with sufficient expertise and training in provision of individualized behavioral treatments to provide that treatment to the many individuals who demonstrate a need for it.

\* \* \* \* \*

The foregoing is based on my professional expertise, and also my personal knowledge of conditions and policies governing treatment planning at the State Hospitals, gained through my examination of documents including clinical records

and policies, my observations, and interviews with hospital staff, patients, and administrators, and State administrators.

I certify under penalty of perjury that the foregoing is true and correct.

Executed this 26<sup>th</sup> day of January, 2010.

  
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DONALD P. OSWALD

# Attachment A

# CURRICULUM VITAE

## PERSONAL INFORMATION

Name: Donald Paul Oswald  
SSN:  
DOB: October 27, 1953

Work Address: Department of Psychiatry  
Medical College of Virginia Campus  
Virginia Commonwealth University  
Box 980489  
Richmond, VA 23298-0489

E-mail Address: [doswald@vcu.edu](mailto:doswald@vcu.edu)

Home Address: 8825 Brucewood Dr.  
Richmond, VA 23235

Phone: Work: (804) 828-9900  
Home: (804) 330-2969

## LICENSURE

Licensed Clinical Psychologist, Commonwealth of Virginia, Department of Health Professions, Board of Psychology (License Number: 001811).

## EDUCATION

Bachelor of Science in Psychology - 1975  
Eastern Mennonite College  
Harrisonburg, Virginia  
Graduated magna cum laude

Master of Education in School Psychology - 1981  
James Madison University  
Harrisonburg, Virginia

Master of Science in Psychology - 1987  
Virginia Polytechnic Institute and State University  
Blacksburg, Virginia

Doctor of Philosophy in Psychology - 1989  
Virginia Polytechnic Institute and State University  
Blacksburg, Virginia

## POSTDOCTORAL TRAINING / SPECIAL EXPERIENCE

APA Approved Internship in Clinical Psychology (1989-90)  
Yale Child Study Center  
Yale University  
New Haven, CT

## ACADEMIC APPOINTMENTS / SIGNIFICANT WORK EXPERIENCE

- Autism Unit Classroom Instructor (1976-1980)  
Grafton School, Inc., Berryville, Virginia
- Autism Unit Administrator (1980-85)  
Grafton School, Inc., Berryville, Virginia
- Parent Training Consultant (1982-83)  
Potomac Comprehensive Diagnostic and Guidance Center, Romney, West Virginia
- Co-founder and – director, Developmental Disabilities Consultant (1983-85)  
Virginia Autism Resource Center, Winchester, Virginia
- Technical Assistance Consultant - Preschool Handicapped Children (1986-87)  
Virginia Polytechnic Institute and State University, Blacksburg, VA
- Behavior Management Consultant (1986-88)  
Mount Rogers Community Services Board, Wytheville, Virginia
- Teaching Assistant (1986-87)  
Graduate Proseminar in Clinical Psychology  
Virginia Polytechnic Institute and State University, Blacksburg, VA
- Teaching Assistant (1989)  
Undergraduate Abnormal Psychology  
Virginia Polytechnic Institute and State University, Blacksburg, VA
- Teaching Assistant (1989)  
Psychological Assessment of Children  
Yale University, New Haven, CT
- Psychologist (1990 to 1997)  
Virginia Treatment Center for Children, Richmond, VA
- Assistant Professor (July 9, 1990 - 1997)  
Department of Psychiatry  
Virginia Commonwealth University, Richmond, VA
- Assistant Affiliate Clinical Professor (1994 - 1997)  
Department of Psychology  
Virginia Commonwealth University  
Taught *Child Psychotherapy*, graduate-level course in the VCU Department of Psychology in spring term of 1996-97
- Director of Internship Training (1993 - 1997)  
Child Clinical Psychology Internship Training Program  
Virginia Treatment Center for Children, Richmond, VA
- Deputy Director of Training (1993 - 1999)  
Commonwealth Institute for Child and Family Studies, Richmond, VA
- Education Director (Acting) – (1999-2000)  
Autism Center of Virginia  
Department of Psychiatry  
Virginia Commonwealth University  
Richmond, VA
- Consulting Psychologist - (2000)  
Hiram Davis Medical Center  
Central State Hospital  
Petersburg, VA
- Associate Professor (1997 - 2004)  
Department of Psychiatry  
Virginia Commonwealth University, Richmond, VA
- Senior Psychologist (1995 to present)**  
Virginia Treatment Center for Children, Richmond, VA
- Core Psychology Faculty Member (1997 - present)**  
Virginia LEND program  
Virginia Commonwealth University  
Richmond, VA

**Affiliate Clinical Professor** (1997 - present)  
Department of Psychology  
Virginia Commonwealth University

**Associate Chair for Child Psychology** (1995 - present)  
Division of Clinical Psychology  
Department of Psychiatry  
Virginia Commonwealth University

**Consulting Psychologist** – (2002-present)  
U.S. Department of Justice  
Civil Rights Division  
Washington, DC

**Professor** (2004 - present)  
Department of Psychiatry  
Virginia Commonwealth University, Richmond, VA

### **PROFESSIONAL MEMBERSHIPS / AFFILIATIONS**

American Psychological Association  
Division 12 (Clinical Psychology)  
Division 53 (Clinical Child Psychology)

Council for Exceptional Children  
Division of Research

AcademyHealth – Health Services Research Association  
Association for the Advancement of Behavior Therapy  
American Public Health Association  
APHA - Mental Health Section

Sigma Xi Scientific Research Society  
Phi Kappa Phi Honor Society

Member, Board of Directors, Agoraphobics Building Independent Lives (1999 – 2001)  
Member, Board of Directors, The Autism Program of Virginia (1998 – present)  
Member, Advisory Board, Autism Society of America – Central Virginia Chapter (2005-present)

### **EDITORIAL APPOINTMENTS**

Associate Editor (1992 - present)  
*Journal of Child and Family Studies*

Consulting Editor (2000 - present)  
*Focus on Autism and Other Developmental Disabilities*

Consulting Editor (2005 – 2006)  
*Behavioral Disorders*

Consulting Editor (1997 - 2001)  
*Journal of Clinical Child Psychology*

Member, Editorial Board  
*SED Quarterly* (1993 - 1995)  
*Focus on Autism and Other Developmental Disabilities* (1998 – 2000)  
*Journal of Emotional and Behavioral Disorders* (2004 – present)  
*PsycCRITIQUES* (2006 – 2009)

Associate Editor (1993 - 1998)  
*Journal of Behavioral Education*

Guest Co-Editor: Special Issue  
*Behavior Modification* (1992)  
*Clinical Psychology Review* (1992)

Reviewer  
*Journal of Consulting and Clinical Psychology*  
*Journal of Clinical Child Psychology*  
*Professional Psychology: Research & Practice*  
*Journal of Applied Behavior Analysis*

*Behavior Modification*  
*American Journal on Mental Retardation*  
*Research in Developmental Disabilities*  
*Journal of Special Education*  
*Focus on Autism and Other Developmental Disabilities*  
*Buros Mental Measurements Yearbook*  
*Social Problems*  
*Public Health Reports*  
*Psychological Assessment*  
*Pediatrics*  
*Education and Treatment of Children*

### **SPECIAL AWARDS / HONORS**

Distinguished Graduate Student Assistant (1985-86)  
Virginia Polytechnic Institute and State University  
Fellow, Bush Center in Child Development and Social Policy (1989-90)  
Yale Child Study Center, Yale University  
John Merck Research Fellow (1989-90)  
Yale Child Study Center, Yale University  
Distinguished Graduate Student Assistant (1985-86)  
Virginia Polytechnic Institute and State University  
School of Medicine Research Recognition award (2005)  
Virginia Commonwealth University  
Autism Professional-of-the-Year Award (2006)  
Commonwealth Autism Service

### **FUNDED RESEARCH**

Principal Investigator, "Pilot Implementation of Assessment Protocol for Evaluation of Group Therapy Program", (1991). Supported by Commonwealth Institute for Child and Family Studies Small Grants Program. \$2,200.

Principal Investigator, "Facilitator Influence in Facilitated Communication", (1992). Supported by School of Medicine Biomedical Research Support Grant, National Institute of Health. \$ 5,000.

Principal Investigator, "Functional Analysis Interview Guide: Initial Validation Study" (1993); Supported by the Grants-In-Aid Program for Faculty of Virginia Commonwealth University. \$ 6,635

Principal Investigator, "Facial Expression Perception and Identification in Autism" (1995); Supported by the A.D. Williams Committee, Medical College of Virginia Campus, Virginia Commonwealth University. \$ 9,925.

Principal Investigator, "Project ALIGN: Supporting Data Based Decision Making to Align the Intent and Implementation of IDEA with the Goals of National Educational Reform" (1995-96). Supported by the U.S. Dept. of Education, Office of Special Education and Rehabilitative Services, Grant No. H023 A50032. \$ 113,561.

Principal Investigator, "Project ACHIEVE: Achieving High Standards and Equity for Diverse Populations" (1997-2000). Supported by the Office of Educational Research and Improvement, US Dept. of Education, Grant No. R308F70020. \$ 439,117.

Principal Investigator, "Development and dissemination of multidisciplinary standardized protocols for the diagnosis and treatment of persons with autism." (1998-2000). Supported by The Autism Program of Virginia, Richmond, VA. \$ 78,880.

Principal Investigator, "Project PROGRESS: Predicting Outcomes by Gender and Exceptionality Status" (2001-2004). Supported by the Office of Special Education Programs, US Dept. of Education. Grant No. H324D000040-01 \$ 515,548.

Principal Investigator, "Continuation: Development and dissemination of multidisciplinary standardized protocols for the diagnosis and treatment of persons with autism." (2000-2002). Supported by The Autism Program of Virginia, Richmond, VA. \$ 80,000.

Principal Investigator, "Balancing information sharing and confidentiality for youth." (2001) Supported by the Virginia Department of Criminal Justice Services, Richmond, VA. (\$58,562).

Project Director, "A model for integrating research knowledge and skills (MIRKS): Focusing on health disparities in children with special health care needs." (2002-2005). Supported by Maternal and Child Health Research: Training Program Enhancement Award (Project No: 1 T05 MC 00009-01). \$ 60,000.

Principal Investigator, "Analysis of Costs Associated with Autism and Developmental Disabilities." (2004-2005). Supported by CDC-AUCD Collaborative Researcher Award. (\$11,640).

Principal Investigator, "Project ASSESS: Asperger's Syndrome and Special Education Student Services." (2005-2007). Supported by the Office of Special Education Programs, US Dept. of Education. Grant No. H324C040023. \$ 539,963.

Co-principal Investigator, (PI: Kevin Sutherland, Ph.D.) "Behavior Intervention with Students with SED" (2004-2008). Supported by the Office of Special Education Programs, US Dept. of Education.

Co-Principal Investigator, (PI: Carla Mazefsky, Ph.D.) "Comorbidity in adolescents with Asperger's disorder" (2007 – 2008). Supported by the Organization for Autism Research. \$ 60,000.

Project Director (PI: Joann Bodurtha, MD) "Knowledge to Practice: Engaging Health Professionals and Families in Evidence-Based Research" (2007-2010). Supported by Health Resources and Services Administration. \$60,000.

Co-Principal Investigator, Project Director (PI: Joann Bodurtha, MD) "Virginia Systematic Training in Autism and Neurodevelopmental Disabilities (VA-STAND)" (2009-2011). Supported by Health Resources and Services Administration. \$200,000.

## **OTHER RESEARCH EXPERIENCE**

Project Co-Director (1981-82)

"Planning Community Homes" - Developmental Disabilities Grant Project  
Grafton School, Inc.

Research Assistant (1985-86)

Social Skills Training Project  
Virginia Polytechnic Institute and State University

Project Consultant (1985-88)

Developmental Disabilities / Autism Research Project  
Virginia Autism Resource Center Winchester, Virginia

Master's Thesis (1986-87)

Virginia Polytechnic Institute and State University  
"Role taking and social interaction competence in mental retardation and autism"  
Chair: Thomas H. Ollendick, Ph.D.

Dissertation (1988-89)

Virginia Polytechnic Institute and State University  
"Social information processing in aggressive and withdrawn preschool children"  
Chair: Thomas H. Ollendick, Ph.D.

Clinician Interviewer (1990)

Child and Adolescent Psychiatric Epidemiology Study  
Yale Child Study Center, Yale University

Site Coordinator (1991)

"Comorbidity of depression and acting-out disorders in inpatient adolescents"  
Virginia Treatment Center for Children

Investigator (1992-93)

"Deinstitutionalization of hard-to-place children: Evaluation of a treatment home program"  
Commonwealth Institute of Child and Family Studies

Investigator (1993)  
"Dual diagnosis: child psychiatric inpatients with mental retardation"  
Commonwealth Institute of Child and Family Studies

## **BIBLIOGRAPHY**

### **Articles**

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- Oswald, D.P. & Singh, N.N. (1992). Current research on social behavior. *Behavior Modification*, 16, 443-447.
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- Oswald, D.P. (2003). Response to Forness (2003): Parting reflections on education of children with emotional or behavioral disorders. *Behavioral Disorders, 28*, 202-204.
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- Sutherland, K.S., & Oswald, D.P. (2005). The relationship between teacher and student behavior in classrooms for students with emotional and behavioral disorders: Transactional processes. *Journal of Child and Family Studies, 14*, 1-14.
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- Oswald, D.P. & Mazefsky, C.A. (2006). Empirically supported psychotherapy interventions for internalizing disorders. *Psychology in the Schools, 43*, 439-449.
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- Coutinho, M.J., Oswald, D.P., & Best, A.M. (2006). Differences in outcomes for female and male students in special education. *Career Development for Exceptional Individuals, 29*, 48-59.
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### **Posters and Workshop Presentations**

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- Mayfield, M.R., Oswald, D.P., DeZarn, J., & Mayfield, S.G. (1979). Skill training as treatment: A program for autistic children. Paper presented at Virginia Association for Children with Learning Disabilities Annual Conference.
- Mayfield, S.G. & Oswald, D.P. (1981). Autism in Virginia: A statewide study. Paper presented at Virginia Psychological Association.

- Mayfield, S.G. & Oswald, D.P. (1982). Teaching autistic children at school, at home, and in the community. Paper presented at Council for Administrators of Special Education Annual Conference.
- Oswald, D.P. (1982). Manuals for the development of community-based facilities for adolescents and adults with autism. Paper presented at the National Society for Children and Adults with Autism Annual Convention. Omaha, Nebraska.
- Oswald, D.P. (1982). Teaching and working with mentally retarded/ autistic individuals. Workshop presented at Lynchburg Training School and Hospital. Lynchburg, Virginia.
- Oswald, D.P. (1983). Behavior management for the severely handicapped (autistic). Paper presented at Virginia Department of Education Workshop. Harrisonburg, Virginia.
- Markwood, J.M., Pate, A., & Oswald, D.P. (1984). The process and procedures for placement of exceptional children in independent special education facilities. Paper presented at Virginia Council for Exceptional Children Annual Conference.
- Oswald, D.P. (1984). Community living alternatives for autistic adolescents. Paper presented at Virginia Autism Resource Center Semi-annual Conference.
- Oswald, D.P. (1986). Philosophical considerations in serving the developmentally disabled. Training workshop, Mount Rogers Community Services Board. Wytheville, Virginia.
- Oswald, D.P. (1986). Communication and the developmentally disabled. Training workshop, Mount Rogers Community Services Board. Wytheville, Virginia.
- Oswald, D.P. (1986). Behavior management and the developmentally disabled. Training workshop, Mount Rogers Community Services Board. Wytheville, Virginia.
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- Oswald, D.P. & Ollendick, T.H. (1987). Role taking ability in autism and mental retardation. Paper presented at the Annual Meeting of the Southeastern Psychological Association. Atlanta, Georgia.
- Oswald, D.P. (1987). Autism in the preschool years: Characteristics and intervention. Paper presented at the Virginia Department of Education Conference for Early Childhood Special Educators. Richmond, Virginia.
- Oswald, D.P. (1987). Behavior modification: Beyond the basics. Workshop presented at Virginia Association of Independent Special Education Facilities Fall Conference. Richmond, Virginia.
- Oswald, D.P. (1987). Behavioral assessment of dually diagnosed individuals. Workshop presented at the Virginia Autism Resource Center Fall Conference. Richmond, Virginia.
- Oswald, D.P., Crowe, H. & Ollendick, T.H. (1987). Multi-method assessment in the identification of socially dysfunctional children. Paper presented at Association for the Advancement of Behavior Therapy Annual Convention. Boston, Massachusetts.
- Oswald, D.P. (1988) Behavioral characteristics in autism: A view across age and level of functioning. Paper presented at the Southeastern Psychological Association Annual Meeting. New Orleans, Louisiana.
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- Oswald, D.P. (1991). Self-efficacy for impulse control in behavior disordered children. Paper presented at Commonwealth Institute for Child and Family Studies Annual Conference. Virginia Beach, Virginia.
- Hunt, J., Mayfield, G.M., & Oswald, D.P. (1992). Facilitated communication: An overview and review of research to date. Paper presented at the Virginia Autism Resource Center Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P. & Ollendick, T.H. (1992). A comparison of developmental and behavioral characteristics of aggressive and withdrawn preschoolers. Paper presented at the Association for the Advancement of Behavior Therapy Annual Convention. Boston, Mass.
- Oswald, D.P., Thompson, W., & Mayfield, D. (1993). Facilitated communication: Applications in assessment and treatment. Paper presented at the Virginia Autism Resource Center Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P. (1993). Facilitated communication: An initial validation study. Paper presented at Commonwealth Institute for Child and Family Studies Annual Conference. Virginia Beach, Virginia.
- Blackburn, D.W., Moritz, J., & Oswald, D.P. (1993). Assessment of children's and adolescent's object relations. Paper presented at Commonwealth Institute for Child and Family Studies Annual Conference. Virginia Beach, Virginia.
- Oswald, D. P. (1994). Psychiatric disturbance in children. Specialized Foster Care Training Program. Pulaski, Virginia.
- Baker, J.A., Wiley, S., & Oswald, D.P. (1994). Crisis intervention with action-out children and adolescents. Paper presented at Virginia Emergency Services Conference. Virginia Beach, Virginia.
- Oswald, D.P. (1994). Regional and historical trends in the identification of children with emotional or behavioral disorders. Paper presented at Commonwealth Institute for Child and Family Studies Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P. (1994). Correlates of state identification rates: Mental retardation as a case example. Paper presented at Commonwealth Institute for Child and Family Studies Fourth Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P. & Cox, L. (1994). Functional analysis of disruptive behavior in children. Paper presented at Commonwealth Institute for Child and Family Studies Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P. & Coutinho, M.J. (1995). Identification of students with SED: Correlates of state child-count data. Paper presented at the Research and Training Center for Children's Mental Health Annual Conference. Tampa, Florida.
- Coutinho, M.J. & Oswald, D.P. (1995). Placement of students with serious emotional disturbance: National and state variations across time. Paper presented at the Research and Training Center for Children's Mental Health Annual Conference. Tampa, Florida.
- Oswald, D.P. (1995). Facilitated communication revisited: The ethics of innovation. Paper presented at the Maximizing Potentials Conference. Virginia Beach, Virginia.
- Coutinho, M.J., Oswald, D.P., & Conroy, M.A. (1995). Basis of exit: State by state trends and the impact of state economic and demographic factors for youth with severe behavior disorders. Paper presented at the Nineteenth Annual Conference on Severe Behavior Disorders of Children and Youth. Tempe, Arizona.
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- Singh, N.N., Oswald, D.P., & Ellis, C.R. (1995). The neuropsychology of facial identify and facial expressions in children with mental retardation. Paper presented at Commonwealth Institute for Child and Family Studies Sixth Annual Conference. Virginia Beach, Virginia.
- Coutinho, M.J. & Oswald, D.P. (1995). Identification of students with serious emotional disturbance: Predicting identification at the local level. Paper presented at Commonwealth Institute for Child and Family Studies Fifth Annual Conference. Virginia Beach, Virginia.
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- Coutinho, M.J. & Oswald, D.P. (1996). Dropout rates for children with disabilities. Paper presented at Commonwealth Institute for Child and Family Studies Sixth Annual Conference. Virginia Beach, Virginia.
- Coutinho, M.J., Oswald, D.P., Singh, N.N., & Best, A. (1997). The representation of African American students as mentally retarded / seriously emotionally disturbed: District level analyses. Paper presented at the Symposium on Culturally and Linguistically Diverse Exceptional Learners. New Orleans, Louisiana.
- Coutinho, M.J. & Oswald, D.P. (1997). Using national data and state experiences to improve special education policies / law. Paper presented at the Annual Convention, Council for Exceptional Children. Salt Lake City, Utah.
- Oswald, D.P. (1997). Positive behavioral support for children with autism and their families. Paper presented at the Positive Behavioral Support Conference, Virginia Institute for Developmental Disabilities. Richmond, Virginia.
- Oswald, D.P. (1997). Choice making and elementary-aged children. Paper presented at the First Annual S.Gail Mayfield Training Institute, Grafton School, Inc. Winchester, Virginia.
- Coutinho, M.J. & Oswald, D.P. (1997). Gender and disability in special education. Paper presented at the Commonwealth Institute for Child and Family Studies Seventh Annual Conference. Virginia Beach, Virginia.
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- Coutinho, M.J. & Oswald, D.P. (1997). The role of gender in the identification and placement of students with mental retardation. Paper presented at the Commonwealth Institute for Child and Family Studies Seventh Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P. (1997). Service delivery system and community factors that influence placement decisions in the Comprehensive Services Act. Paper presented at the Commonwealth Institute for Child and Family Studies Seventh Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P. (1997). Autism update: Applying current research to practice. Workshop presented by the Commonwealth Institute for Child and Family Studies, Richmond, VA
- Coutinho, M.J. & Oswald, D.P. (1998). Disproportionate representation of minorities in special education. Paper presented at the Sixth Annual Pacific Coast Research Conference, LaJolla, Virginia.
- Oswald, D.P. (1998). Assessing decision making abilities of persons with mental retardation. Paper presented at the 21st Annual Symposium on Mental Health and the Law, Charlottesville, Virginia.
- Cohen, R., Oswald, D.P., Singh, N.N., Best, A.M., & Wiley, S. (1998). Utilization management and decision support guidelines for child mental health services. Paper presented at the First International Conference on Child and Adolescent Mental Health, The Chinese University of Hong Kong, Hong Kong, PRC.
- Oswald, D.P. (1998). Current research in autism: Diagnosis and assessment. Paper presented at the Second Annual S. Gail Mayfield Summer Training Institute, Winchester, Virginia.
- Oswald, D.P. (1998). Current research in autism: Intervention. Paper presented at the Second Annual S. Gail Mayfield Summer Training Institute, Winchester, Virginia.
- Coutinho, M.J. & Oswald, D.P. (1998). National and State-Level Longitudinal Analysis of SED Ethnicity Data. Paper presented at the Commonwealth Institute for Child and Family Studies Eighth Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P., Coutinho, M.J., & Dayton, K. (1998). Comparing Trends Across Ethnic Groups: A Study of African American and Hispanic Students with SED. Paper presented at the Commonwealth Institute for Child and Family Studies Eighth Annual Conference. Virginia Beach, Virginia.
- Coutinho, M.J., Oswald, D.P., & Nguyen, N.T. (1998). Effectiveness of State-Level Initiatives: A Closer Look at Four States. Paper presented at the Commonwealth Institute for Child and Family Studies Eighth Annual Conference. Virginia Beach, Virginia.

- Oswald, D.P. & Coutinho, M.J. (1998). National progress in addressing disproportionate representation in special education. Paper presented at the CEC Symposium on Culturally and Linguistically Diverse Exceptional Learners. Washington, DC.
- Coutinho, M.J., Oswald, D.P., & Best, A.M. (1999). Describing and predicting national ethnic representation as mentally retarded, emotionally disturbed, and learning disabled. Paper presented at the CEC Annual Convention. Charlotte, North Carolina.
- Oswald, D.P. & Goza, A.B. (1999). Developmental disorders: Diagnostic assessment of young children. Paper presented at the 37<sup>th</sup> Annual Child Psychiatry Spring Forum. Richmond, Virginia.
- Cohen, R., Baker, J., Wiley, S., Oswald, D., Doyle, N., Wechsler, H., & Krishnamoorthy, J. (1999). Applying utilization management principles to a comprehensive services system for children with serious emotional and behavioral disorders and their families: An initial assessment. Paper presented at the Commonwealth Institute for Child and Family Studies Ninth Annual Conference. Virginia Beach, Virginia.
- Nguyen, N., Oswald, D.P., and Coutinho, M.J. (1999). Overview of issues of gender disproportion in special education. Paper presented at the Commonwealth Institute for Child and Family Studies Ninth Annual Conference. Virginia Beach, Virginia.
- Coutinho, M.J., Oswald, D.P., & Best, A. M. (1999). Gender disproportion in emotional and behavioral disorders. Paper presented at the Commonwealth Institute for Child and Family Studies Ninth Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P., Best, A.M., & Coutinho, M.J. (1999). Gender disproportion in learning disabilities and mental retardation. Paper presented at the Commonwealth Institute for Child and Family Studies Ninth Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P. (1999). Diagnostic assessment of young children with autism. . Paper presented at the Commonwealth Institute for Child and Family Studies Ninth Annual Conference. Virginia Beach, Virginia.
- Oswald, D.P. & Goza, A.B. (1999). Interdisciplinary assessment of young children with pervasive developmental Disorders. Paper presented at the AAUAP Annual Meeting. Bethesda, Maryland.
- Epstein, M.H., Dakan, E., Hertzog, M., & Oswald, D.P. (2000). Research advances on the Behavioral and Emotional Rating Scale. Paper presented at the 13<sup>th</sup> Annual Research Conference: Expanding the Research Base. Clearwater Beach, Florida.
- Cohen, R. & Oswald, D.P. (2000). Applying utilization management to a statewide integrated system of care: The Virginia experience. Paper presented at the 13<sup>th</sup> Annual Research Conference: Expanding the Research Base. Clearwater Beach, Florida.
- Oswald, D.P., Coutinho, M.J., & Best, A.M. (2000). Influences on disproportionate representation of children of color in special education. Paper presented at the 2<sup>nd</sup> International Conference on Child and Adolescent Mental Health. Kuala Lumpur, Malaysia.
- Oswald, D.P. (2000). Early identification, screening, and assessment in autism. Paper presented at the Caring for Children with Autism Seminar. Kuala Lumpur, Malaysia.
- Oswald, D.P. (2000). Current research in autism. Invited address at the Fourth Annual S. Gail Mayfield Training Institute. Winchester, Virginia.
- Oswald, D.P., Coutinho, M.J., & Best, A.M. (2000). Community and school predictors of over representation of minority children in special education. Paper presented at the Minority Issues in Special Education conference. Harvard University, Boston, Massachusetts.
- Coutinho, M.J., Forness, S., & Oswald, D.P. (2000). The role of sociodemographic factors and gender in the disproportionate identification of minority students as behaviorally disordered. Paper presented at the TECBD National Conference on Severe Behavior Disorders of Children and youth. Tempe, Arizona.
- Coutinho, M.J. & Oswald, D.P. (2001). Sociodemographics and disproportionate representation of Native Americans and Hispanics: Policy implications. Paper presented at the Council for Exceptional Children Annual Convention and Expo. Kansas City, Missouri.
- Coutinho, M.J., Oswald, D.P., & Best, A. M. (2001). Gender and socio-demographic factors and the disproportionate identification of minority students as emotionally disturbed and mentally retarded. Paper presented at Multicultural Special Education Leadership Training Seminar. Charlottesville, VA
- Kimm, C., Reschly, D., Coutinho, M., & Oswald, D. (2001). Disproportionality and special education. Paper presented at the 2001 OSEP Research Project Directors' Conference. Washington, DC.
- Eggleston, T.R., Oswald, D.P., & Bodurtha, J.N. (2001). Listening to children's voices: Communication disorders - assessing, addressing, advocating. Paper presented at Pediatrics at the Beach: The 23<sup>rd</sup> Annual Pediatric Primary Care Conference. Virginia Beach, Virginia.

- Oswald, D.P. (2002). Racial and ethnic disparities in health and education services. Paper presented at Virginia Commonwealth University Psychiatry Grand Rounds. Richmond, VA.
- Coutinho, M.J., Oswald, D.P., Sasso, G.M., & Best, A.M. (2002). Research on gender disproportionality in special education: Research and other perspectives. Paper presented at Pacific Coast Research Conference. La Jolla, CA.
- Oswald, D.P. (2002). Overrepresentation of racial/ethnic minority students in special education. Testimony before US Commission on Civil Rights Briefing: Making a good IDEA better – The reauthorization of the Individuals with Disabilities Education Act. Washington, DC.
- DiSalvo, C., Corneille, M., & Oswald, D.P. (2002). Early identification of autism spectrum disorders: Issues and strategies. Paper presented at the First Annual TAP Conference. Richmond, VA.
- Best, A.M., Coutinho, M.J., Oswald, D.P., Cain, C., & King, M. (2002). Differences in the special education identification rates of boys and girls: Trends and issues. Paper presented at the 3<sup>rd</sup> International Conference on Child and Adolescent Mental Health. Brisbane, Australia.
- Coutinho, M.J., Oswald, D.P., & Best, A.M. (2002). State Variation in Gender Disproportionality: Trends, Comparisons, and Recommendations. Paper presented at the 26<sup>th</sup> Annual Teacher Educators for Children with Behavioral Disorders Conference. Tempe, Arizona.
- DiSalvo, C.A., & Oswald, D.P. (2002). The Diagnostic Utility of the ADOS-G, ADI-R, and GARS in the Assessment of Children with Pervasive Developmental Disorders: A Work in Progress. Poster presented at the Association for Advancement of Behavior Therapy Annual Conference Special Interest Groups Expo, Philadelphia, PA.
- Oswald, D.P. (2003). Minority student disproportionality in special education: Implications for higher education. Paper presented at AHEAD in Virginia Annual Spring Conference. Norfolk, VA
- Oswald, D.P. (2003). Relative risk ratios and odds ratios. Paper presented to the Westat Task Force on Disproportionality Calculations. Washington, DC.
- Oswald, D.P. (2003). Neurofibromatosis and learning disabilities. Paper presented to the Mid-Atlantic Chapter of Neurofibromatosis, Inc. Richmond, VA.
- Oswald, D.P. (2003). Students with autism: Characteristics, differential diagnosis, and intervention. Workshop presented to the State Operated Programs Conference. Richmond, VA.
- Oswald, D.P., & DiSalvo, C.A. (2003). The Diagnostic Utility of the ADOS, GARS, ABS, and CBCL in the Assessment of Children with Pervasive Developmental Disorders. Poster presented at The Autism Program of Virginia Annual Conference, Richmond, VA.
- DiSalvo, C.A., & Oswald, D.P. (2003). Differential Diagnosis of Children with Pervasive Developmental Disorders: The Use of Both Autism-Specific and General Measures. Poster accepted for presentation at the Association for Advancement of Behavior Therapy Annual Conference, Boston, MA.
- Oswald, D.P. (2003). Diagnostic assessment of children with autism spectrum disorders. Paper presented at Research to Practice: Putting the Pieces Together, a Central Virginia Autism Action Group workshop, Lynchburg, VA.
- Oswald, D.P., & Coutinho, M.J. (2003). State variation in gender disproportionality. Paper presented at the 2<sup>nd</sup> National Summit on the Shared Implementation of IDEA '97. Arlington, VA.
- Oswald, D.P. (2003). Health care utilization and expenses for children with mental disorders. Poster presented at the 20th Annual AcademyHealth Research Meeting. Nashville, TN.
- Coutinho, M.J., Oswald, D.P., & Best, A.M. (2003). Gender Disproportionality in the Characteristics and Outcomes of Students with Learning and Behavioral Problems: Implications for Identification and Instruction. Paper presented at the International Conference on Children and Youth with Behavioral Disorders. St. Louis, MO.
- Oswald, D.P., & Mackintosh, V. (2003). Preparing for college: Special challenges faced by students with Asperger's Syndrome. Paper presented at the AHEAD in Virginia Fall Conference. Charlottesville, VA.
- Oswald, D.P., Bodurtha, J., & Cox, A. (2003). Enhancing interdisciplinary leadership training: A model for integrating research knowledge and skills. Paper presented at AUCD Annual Meeting and Conference. Bethesda, MD.
- Oswald, D.P., Coutinho, M.J., & Best, A.M. (2004). Characteristics of boys and girls in special education. Paper presented at the Pacific Coast Research Conference. Coronado, CA.
- Oswald, D.P. & DiSalvo, C. (2004). Interventions for individuals with Asperger's Disorder: Emotion perception, social skills, and personal support. Workshop presented at Commonwealth Autism Services Annual Conference. Richmond, VA.

- Oswald, D.P. (2004). Underinsurance among children with special health care needs. Poster presented at AcademyHealth Annual Research Meeting. San Diego, CA.
- Oswald, D.P., Bodurtha, J., Willis, J., & Tlusty, S. (2004). Integrating research knowledge and skills: Enhancing research training in MCHB-supported training programs. Roundtable session presented at Annual AUCD Meeting and Conference. Bethesda, MD.
- Oswald, D.P., & Sonenklar, N. (2005). Use of prescription medications in the treatment of pervasive developmental disorders. Poster presented at the AcademyHealth 2005 Annual Research Meeting. Boston, MA.
- Coutinho, M.J. & Oswald, D.P. (2005). Outcomes for female and male students in special education: Differences and recommendations for change in secondary education and transition services. Paper presented at the International Conference on Children and Youth with Behavioral Disorders. Dallas, TX.
- Oswald, D.P. (2005). The effects of underinsurance on key health outcomes in children with special health care needs. Paper presented at the Alliance for Full Participation Summit. Washington, DC.
- Johnson, J.W., Coutinho, M.J., Oswald, D.P., & Geller, N. (2006). Supporting students with Asperger Syndrome and high-functioning autism in school settings: A team-based approach. Paper presented at 3rd International Conference on Positive Behavior Support. Reno, NV.
- Oswald, D.P. (2006). Autism and mental retardation. Workshop presented for the VCU Child Psychiatry Spring Forum. Richmond, VA.
- Oswald, D.P. (2006). Religious heritage and behavioral intervention. Paper presented at the 32nd Annual Convention of the Association for Behavior Analysis. Atlanta, GA.
- Johnson, J.W., Coutinho, M., Oswald, D. (2007, May). Project ASSESS: A Team-Based Model for Supporting Students with Asperger's Syndrome and High-Functioning Autism in School Settings. Poster presented at the 2007 Annual Conference of the Association for Behavior Analysis, San Diego, CA.