



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
1115 Washington Street SE
PO Box 45710 • Olympia WA • 98504-5040

April 27, 2011

Christopher J. Hupy
6018 Norma Beach Rd.
Edmonds, Washington 98026

Dear Mr. Hupy:

This letter is in response to the complaint you sent to the Department of Social and Health Services (DSHS) on March 4, 2011 regarding the certified domestic violence perpetrator treatment program at Doug Bartholomew and Associates, Inc. (DBAAI).

The complaint alleged that DBAAI violated Washington Administrative Code (WAC) chapter 388-60-0215.

DSHS reviewed the complaint and the evidence you submitted with the complaint and determined that no further investigation is required at this time for the reasons stated below.

First, your complaint letter states: "Count One – Violation of WAC 388-60-0215"; however, you submitted a copy of a formal contract for domestic violence services with DBAAI that you signed on September 20, 2008. You had also previously submitted a copy of this contract and/or referred to it in previous complaints made to DSHS regarding DBAAI.

DSHS has determined that you have not made an actionable complaint regarding a violation of WAC 388-60-0215. That provision states simply that "A treatment program must require each participant to sign a formal contract for services." The copy of the contract you provided shows that you signed it. In addition, in a previous complaint to DSHS regarding DBAAI dated February 1, 2010, you stated that:

On September 20th, 2008 I entered into a contract with Doug Bartholomew and Associates, Inc. this contract was executed by myself and Doug Bartholomew, President of Doug Bartholomew and Associates, Inc. This contract is a Copyrighted document for Doug Bartholomew and Associates, Inc. Corporation (as evidenced by the copyright mark at the

bottom of each page)... I initialed this contract at least 39 times and it was signed by myself and Doug Bartholomew (President of DBAAI, Inc.) four times each.

You also complain that DBAAI violated a provision of the contract you signed with DBAAI that states as follows:

Also, Please be aware that this is a treatment program, not a court. I cannot re-try your case or determine whether or not you did the acts in questions, whether or not they are criminal in nature, or whether or not you "need" to be here or "should" be here. That is between you and the referral source, not an issue I can address here.

You allege that DBAAI breached its contract with you for domestic violence perpetrator services when Doug Bartholomew told parenting evaluator Jude McNeil that you needed to be in treatment. As indicated above, Ms. McNeil recorded in a report to the court that in response to a question from her, Mr. Bartholomew stated that you "needed" to be in treatment. Although this is related to allegation #1, you do not cite a specific WAC or statute.

- You allege that DBAAI violated this provision of the contract by rendering a quasi-judicial opinion to parenting evaluator Jude McNeil. She recorded in a report to the court that in response to a question from her, you stated that he "needed" to be in treatment.
- You further allege that you have communicated with "many past and present clients" of DBAAI and they report similar contractual violations and you have requested that DSHS interview multiple clients of DBAAI for the past 36 months and compare the above contract provision with quotes attributed to Doug Bartholomew in evaluations and reports to court.

DSHS will not review files of other clients of DBAAI regarding this allegation.

- You enrolled in domestic violence perpetrator treatment services at DBAAI and signed a contract with DBAAI in September 2008. As indicated above, the contract states in relevant part that DBAAI "cannot re-try your case... or determine whether or not you 'need' to be here or 'should' be here. That is between you and the referral source, not an issue I can address here."
- Notes from parenting evaluator Jude McNeil indicate you were referred for domestic violence perpetrator treatment by Family Court Services (FCS). It appears that Ms. McNeil was then acting as either a Family Court parenting evaluator or a Family Court Guardian ad Litem. In either capacity, she was acting in an official capacity as a representative of the court.

- Ms. McNeil contacted DBAAI on January 22, 2009 and May 13, 2009 to discuss your participation in domestic violence treatment at DBAAI. At the time of Ms. McNeil's May 13, 2009 conversation with Doug Bartholomew, you had been participating in treatment at DBAAI for at least six months.
- After noting that you had begun treatment in September 2008 and had graduated to Phase II, Ms. McNeil's notes of her conversation with Mr. Bartholomew indicate she asked Mr. Bartholomew if you needed to be in domestic violence treatment. Mr. Bartholomew replied "yes, he does..."
- In Ms. McNeil's Parenting Plan Evaluation dated May 21, 2009 under the section entitled "Collateral Contacts", Ms. McNeil quoted Mr. Bartholomew at length on your need for treatment:

In response to the evaluator's question of whether Mr. Hupy needed to be in domestic violence treatment, Mr. Bartholomew stated "yes, he needs to be. At his age it is significant that he has never had a healthy, successful or appropriate relationship with a woman. He does not appear to have insight into his behavior and how it affects others. This suggests an underlying pathology of lifelong maladaptive relationship with women.

Based upon the timing and the nature of the above comments to Ms. McNeil, as well as the context in which the comments were made, DSHS interprets Mr. Bartholomew's statement to be a professional opinion provided to an individual with the legal responsibility of preparing a report to the court on your progress in court ordered domestic violence perpetrator treatment rather than a legal determination as referenced in the contract.

In addition, you have previously raised this complaint in slightly different context and it was investigated by both DSHS and the Department of Health. In a complaint originally made to DOH on December 8, 2009 and then to DSHS on January 5, 2010, you alleged:

On page 15 of McNeil's final report the statements made by Bartholomew are disclosed, a few in particular I find exceptionally problematic are;

1. When asked if I needed to be in DV Treatment Bartholomew responded "yes he needs to be." The problem I have with this is Bartholomew is not licensed or qualified to make such a determination of Law, he is a social worker not a Judge, Lawyer and does not hold a PhD.

DSHS has determined that you have not made an actionable complaint regarding a violation of any applicable standards of WAC Chapter 388-60. Your complaint has been

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previously made to DSHS and DOH and you do not provide any new evidence at this time to support your allegation.

If you have questions regarding the information in this letter, you may contact me by e-mail at maureen.kelly@dshs.wa.gov , by mail at PO Box 45710, Olympia, Washington 98504, or by telephone at (360) 902-7901.

Sincerely,



Maureen Kelly, Program Manager
Division of Program and Practice Improvement
Children's Administration

C: Bernice Morehead, Supervisor
Michael Griesedieck, Assistant Attorney General
Doug Bartholomew