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To the Grievance Board
Department of Regulatory Agencies
Mental Health Section

To the Members of the Board:

I wish to offer the members of this Board a brief narrative and chronology of the events that have led to my filing of this grievance against unlicensed psychotherapist Dr. Mark Hoffman.

On April 20, 2004 I returned home from my job as a High School Spanish teacher to find that my wife [REDACTED] had unexpectedly packed up and taken my son [REDACTED] to California. I contacted some friends of our family, and they told me that they had heard [REDACTED] mention a few months before that she was thinking about killing herself and our child. They then showed me a poem that [REDACTED] had published to the Internet on the day that she left that said she was “contemplating murder/suicide.” [REDACTED] soon began to raise allegations of domestic violence and filed for a Temporary Restraining Order so that she could avoid prosecution under California’s child abduction statutes. I traveled to California and appeared in court to answer the Restraining Order and it was dismissed as being groundless. In the Courtroom in California I was finally able to have [REDACTED] personally served with the custody and divorce petitions that I had initiated in the El Paso County Combined Court, [and she had been avoiding] thus permanently establishing jurisdiction over the child in The State of Colorado rather than California.

After [REDACTED] told the Magistrate in Colorado that I was going to shoot her in the courtroom, kill her the first chance that I got, and that I was an alcoholic and dangerous psychopath, the Magistrate naturally ordered psychological evaluations for both my wife and me. My son’s GAL, Erin Glenn, recommended Dr. Hoffman as a competent psychologist to evaluate me, and she presumably coordinated an evaluation to be done on [REDACTED] by a therapist in California. Dr. Hoffman told me that he could do a much better investigation and evaluation if he were empowered as a Court appointed Special Advocate. I agreed to this appointment.

In the meantime I searched exhaustively through old computer backups and Internet archives and (since [REDACTED] is a very prolific writer) uncovered many personal letters, and (Internet) published documents that not only showed that [REDACTED] had consistently over the years praised me as an excellent husband and father, but also that she has a long history of suicidal ideation and of sexual, psychological, and social instability. I presented these documents to Dr. Hoffman and he told me that [REDACTED] was a “nutcase”, that my son was

likely in danger, that she was most likely suicidal, and that she was clearly delusional. He told me that the writings that [REDACTED] was publishing to the Internet at that time were the kinds of things that he would see from someone who was already hospitalized.

As I continued to meet with Dr. Hoffman some things began to concern me. I have a good background knowledge of psychology and was surprised that when I would talk about the various DSM diagnostic axes, about Global Assessment Functioning, or Psychosocial Stressors, Dr. Hoffman did not seem to know what I was talking about. I also noted that he would at times show up 30-45 minutes late for appointments, seemed very distracted, and would contradict in one meeting what I remembered him saying in a previous meeting. Therefore I purchased a digital voice recorder so that I could establish what was actually said in our meetings.

One thing that Dr. Hoffman was consistent on, was that [REDACTED] was seriously mentally ill, my son [REDACTED] was in danger, and we had to do whatever we could to get him (and hopefully his mom) back from California. Dr. Hoffman told my father and me that he needed a seven thousand dollar retainer, and that if we refused to come up with that amount the payment would be ordered by the Court anyway. (I proceeded to mortgage my home to raise the necessary retainer) He also said that he had a great deal of experience in retrieving abducted children and that he could find [REDACTED] in California and see that my son was returned to Colorado. During this time [REDACTED] wrote several things both to the Internet and in email threatening that she would “go underground” or disappear with my son if I did not drop my petition, and that she would be willing to go to jail before she would reveal his whereabouts.

On October 28, 2004, I used my voice recorder to record my meeting with Dr. Hoffman. (Audio recording available, 39min, 38sec duration) He was getting ready to travel to California. He re-emphasized that [REDACTED] was psychotic, delusional, and a flight risk. He stated that [REDACTED] was almost certainly being neglected (even though I said that that was unlikely) and we talked over strategies for retrieving [REDACTED] before [REDACTED] would be able to flee. At this time, including the \$609.73 in travel expenses that Dr. Hoffmann asked for I had paid him a total of \$8,954.

Dr. Hoffman told me that after spending the weekend of November 6, with his daughter in Oakland, CA, he would arrive in Santa Ana at 3:00PM on Monday November 8, and arrive back in Colorado Springs at 1:00 PM on Wednesday November 10.

On the evening of November 8, Dr. Hoffman called me from California and told me that he had located [REDACTED] and [REDACTED], that they had recently spent some time in a homeless shelter, and that [REDACTED] was not being particularly cooperative. On the morning of November 9, I received messages on both my home phone and on my cell that since [REDACTED] refused to take off work to talk to him, he was going to have to work in the evenings, and if I wanted him to continue with his investigation I would have to deposit \$1000.00 in cash in his personal bank account. I called Dr. Hoffman back and asked him if a check would be ok, and he stated that it must be in cash. He gave me the name of his bank and his account number and told me to have the bank call him to confirm that the

cash was deposited. (Receipts for the withdrawal from my bank and for the deposit into Dr. Hoffman's bank are available) At 11:30 AM on November 9, I dialed Dr. Hoffman's cell phone and handed my phone to the bank teller. The teller confirmed that the cash had been deposited in Dr. Hoffman's account and handed my phone back to me. At that time Dr. Hoffman stated, "Ok then, I will proceed."

I did not hear from Dr. Hoffman until I received a phone message on Wednesday afternoon or evening on November 10. The message stated that Dr. Hoffman was back in Colorado, everything was fine in California, and that [REDACTED] was being well taken care of. From that time on, Dr. Hoffman became very furtive and reticent about what had transpired in California, and would only answer my many questions with: "It will all be in my report."

There was a Hearing for Temporary Orders scheduled for November 30. On November 15, Dr. Hoffman emailed me and stated that he would have a report to me within five days. Instead of a report, however, I received a notice from the GAL that the Hearing had been continued until December 22. Seven days before the December hearing, I called Dr. Hoffman and asked him if the report was ready. He told me that I needed to undergo a complete forensic psychiatric evaluation, a comprehensive drug and alcohol evaluation (as he considered the drug and alcohol evaluation that I had passed to be invalid), and to undergo sexual offender evaluation. The GAL then [At Dr. Hoffman's request] asked the Court to order these evaluations. I was shocked at these requests (to say the least), and petitioned the Court to hold them in abeyance until the Court could review them. I proceeded to set the matter for hearing and was assigned a court date of February 7, 2005.

On January 6, 2005 I called Dr. Hoffman and he told me that he wanted to chat with me for a few minutes, and could I drop by the next morning. The next morning, I placed my voice recorder in my pocket and went to Dr. Hoffman's office. What followed was a bizarre and offensive 2 hour-50 minute ordeal of interrogation, accusations, and religious abuse. Dr. Hoffman accused me of being a pervert, and a sociopath. He also told me (to my amazement) of his [erstwhile?] struggles with pornography, drugs and alcohol, and promiscuity. He told me about his family problems, that he had no retirement savings (And wanted to know how much equity I had in my house), that he had abused his wife for 20 years, how he has done things that should have put him in jail for 20 years, and how his sexual sins were the most deeply embedded and most hidden things in his life. He insisted that I must have the same kinds of problems, and that through a religious doctrine called "The sins of the fathers" he was afraid that I would pass such things on to my son. Dr. Hoffman expressed strong displeasure that I would not confess to the sin of lust, and that I would not renounce and repent of my sin of masturbation. He tried persistently to persuade me to complete my divorce as quickly as possible, to drop my custody petition and even emphasized that it was God's will, and he [Dr. Hoffman] could guarantee that if I did these things, the results would be favorable to me. (He also stated that he would help me negotiate the divorce with my estranged wife.) At one point he pointed to his packet of notes that he had been reading from when he accused me of various sexual perversion, and stated: "And if you just settle with [REDACTED], I won't have to write a report."

I was quite stunned by my January 7 meeting with Dr. Hoffman, and decided that I would not and could not work with him. On Thursday evening, February 3, 2005, Dr. Hoffman emailed me some medical records of a person whom I had never heard of, and soon after, emailed me the correct report. Rather than a psychological evaluation using standard diagnostic language, Dr. Hoffman's report was primarily a diatribe against me. Much of the report is highly misleading, and several things were simply fabricated by Dr. Hoffman. His report has me stating and admitting to things that the audio recording that I made of our meeting clearly shows me vehemently denying. There are statements that Dr. Hoffman attributes to me in his report that are actually the *opposite* of what I really said. There is also no enumeration in Dr. Hoffman's report of the results of the several written psychological tests that Dr. Hoffman had me complete [MMPI-II, STAXI and others]. Neither is there any data concerning the psychological evaluations of my wife and son that he claims to have done.

I very recently searched the D.O.R.A website to see if Dr. Hoffman had ever had any disciplinary actions against him, and was surprised to find that he is listed as an "Unlicensed Psychotherapist"

I allege that:

1. Dr Hoffman has performed Court-ordered services that he is not licensed for.
2. Dr. Hoffman has exercised undue influence on me for his own financial gain.
3. Dr. Hoffman has falsified several entries in his report to the Court. The audio recordings that I made can prove this.
4. Dr. Hoffman has failed to include essential and required information on his report.
5. Dr. Hoffman has acted by both omission and commission in a manner that does not meet the generally accepted standards of his professional discipline.
6. Dr. Hoffman seems so have an inadequate understanding of the diagnostic terminology and procedures of standard clinical practice, and appears to be unqualified per CRS 14-10-127 (1) (a) (I) (subsection 4)

Included with this grievance:

- D.O.R.A complaint form
- This cover letter/narrative (4 pages)
- Dr. Hoffman's Special Advocate's Report to the Court (10 pages)
- Petitioner's [Kris K. Stewart's] Response to Special Advocate's report (15 pages)
- Compact disc containing a true and accurate digital recording of my Jan 7, 2005, 2hr, 49min meeting with Dr. Hoffman. (This recording is in .wav format and is playable on any standard multimedia computer player such as RealAudio or Windows Media. [Multimedia speakers or headphones recommended])