

DEPARTMENT OF HEALTH  
HEALTH PROFESSIONS QUALITY ASSURANCE DIVISION

CONFIDENTIAL INVESTIGATION REPORT  
PREPARED FOR THE  
SECRETARY, DEPARTMENT OF HEALTH

\*\*\*\*\*

Case # 2007-07-0002PY

RESPONDENT: Greenberg, Stuart A.

\*\*\*\*\*

TABLE OF CONTENTS

APPENDIX A - RESPONDENT INFORMATION

APPENDIX B - COMPLAINANT INFORMATION

APPENDIX C - GENERAL SUMMARY

APPENDIX D - EVIDENCE/EXHIBITS

APPENDIX E - ACTIVITY REPORT

APPENDIX F - CONTACT LIST

APPENDIX G - SUMMARY OF PREVIOUS CASES

Investigator: Todd M. Terhaar  
Health Care Investigator

APPROVED BY

Don Pante

DATE July 30, 2007

---

APPENDIX A

RESPONDENT INFORMATION

NAME: Greenberg, Stuart A.

BUSINESS ADDRESS: N/A Deceased

BUSINESS TELEPHONE #: N/A Deceased

RESIDENCE ADDRESS:

RESIDENCE TELEPHONE #:

LICENSE NUMBER: PY00000734

DATE ISSUED: 2/4/81

EXPIRATION DATE: 10/23/07

BIRTH DATE: 10/23/47

SPECIALIZATION: N/A

PREVIOUS COMPLAINT HISTORY: See Evidence Pages #56-66

ATTORNEY IDENTIFICATION: Pamela Andrews  
200 West Thomas, Suite #500  
Seattle, WA. 98119  
(206) 223-9248  
(206) 623-9050-F

---

APPENDIX B

COMPLAINANT INFORMATION

NAME: Seattle Police

BUSINESS ADDRESS: N/A

BUSINESS TELEPHONE #: N/A

RESIDENCE ADDRESS: N/A

RESIDENCE TELEPHONE #: N/A

ATTORNEY: N/A

ATTORNEY ADDRESS: N/A



in the window sill of a basement window. R. Friend stated that this box was from "Radio Shack" and said something to the effect "Video send/receive" on it. R. Friend stated he was immediately very suspicious and thought to himself that the device looked like it was some sort of remote camera image receiver. Friend states that at the same time he remembered a recent "joking" conversation he had with the respondent's employees about how the "newly installed air purifier in the employee restroom looked like a hidden camera." R. Friend's initial reaction was complete denial that his longtime friend would in any way shape or form be involved in something like recording his employees. R. Friend stated that even though he was almost completely sure this was unfounded he did tell his suspicions about the VCR/remote receiver, in passing, to [redacted] and C. [redacted]. In response on 7/3/07 [redacted] and C. [redacted] put an aerosol can directly in front of this "air purifier" in a way that "if it were in fact a hidden camera it would block its view." [redacted] stated that because this was only bathroom for employees/patients/public that after placing the can she did use the bathroom. They all then waited to see if the respondent moved the can.

Within 15 minutes the respondent, who had been at his home next door, came into the business and walked directly into the bathroom. The respondent went straight to the aerosol can and "moved it away from in front of the air purifier." This was observed by both [redacted] and C. [redacted].

By this time that R. Friend had gone back to the respondent's home to the basement where the VCR was a set up. R. Friend states he "pushed play" on the VCR, which was hooked up to a TV, and found that the device was in fact a remote hidden camera recording the bathroom at the respondent's office, through a camera hidden in the air freshener. R. Friend immediately called and told [redacted] that the respondent was recording the bathroom at the business and that the camera appeared to be hidden in the air purifier. [redacted] told R. Friend to "eject the tape and meet her up the street immediately" which he did. R. Friend then met with [redacted] and handed the VCR tape over to her. [redacted] quickly drove to another location and viewed the tape "for just a few seconds" confirming it was filming the business bathroom and ejected the tape. [redacted] then called Seattle Police who took custody of the tape and began their investigation.

After viewing the tape and interviewing all victims/employees SPD obtained a search warrant for the respondent's home and business. SPD Detective Grossman confirmed that they found and seized the respondent's hidden camera "disguised as an air purifier" that he had placed in his business bathroom. The SPD investigation also seized the recording equipment connected directly to this hidden camera from the basement of the respondent's home. No other tapes related to this bathroom recording were found by SPD.

As a result of the witness/victim statements and evidence seized on 7/3/07 the respondent was arrested. The respondent was transported to SPD to an interview room where he was read his Miranda rights. The respondent waived his Miranda rights and voluntarily provided a video/audio taped statement. A review of that interview, later provided by SPD in DVD format to DOH (**Evidence pages #6**), shows the respondent fully admitting to installing the hidden camera in the business bathroom, without consent, and that he "did this so he record his female employees." The respondent admits to installing the camera in his bathroom "because he couldn't resist the temptation to see the women in his office" and that he "placed it where he could see them take their clothes off." The respondent admits to doing this for the two weeks prior to his arrest. During his interview the respondent is extremely evasive, and repeatedly states that he was "not doing this for sexual gratification." When repeatedly asked the logically question "why had he then put the camera in the bathroom and not in a hallway or common area?" The respondent fails to ever answer this question and at one point suddenly claims to

have "memory deficits." The respondent states that he does not see many clients in his office, maybe "one or two per week" and that his office "mostly just reviews paperwork." The respondent claims that he "does not work with sex offenders" and that he works with "victims" of sexual abuse. The respondent admits during the interview that this was a "terrible idea" and that he "knew he shouldn't have done it." (*The respondent was positively identified in this video via comparison with his D.O.L. photo obtained by DOH (Evidence pages #7)*) See memo to file (*Evidence pages #8-9*) and this DVD for further details of the content of this interview. As a result the respondent was booked into King County Jail on 7/3/07 on one count of Voyeurism, a felony.

R. Friend stated that after the respondent was arrested and booked into jail he "sent him an e-mail." R. Friend stated that the e-mail is an "apology letter" where the respondent "apologizes for his actions, states he has given SPD a full confession, and that he was sorry for hurting anyone." I requested R. Friend forward a copy of the e-mail to my work e-mail, which he did on 7/11/07 at 5:28pm (*Evidence pages #10*). This e-mails content is listed below, in bold font, "cut and pasted" directly from my official work e-mail address "inbox" and transferred to this report:

Roger

I want you to know that I am so sorry that I brought this painful experience into your life and into the lives of the others. I hold neither you, nor anyone else, any negative feelings. I wish that I could apologize to everyone in person but I am under strict instruction by my attorney to not speak about any of the events and particularly not to have contact with anyone who might be a witness. I do want you to know that I immediately gave the police a full confession for what I did and that on Friday I gave up my licenses to practice psychology.

While I would certainly understand if your answer is "no way," I want you to know that if you wish to finish the estimated two days of uncompleted construction work for which you have planned and bought materials, that would be more than fine with me as long as we are careful to not have any improper contact. I will pay you for your worked time and any time that I have caused you to lose regardless. I don't want you to be hurt any more by this. If you want to do the work at the Highland House, I will stay away completely during the work day (7:00am to 5:00pm) for the next two days and if you want to install the door at the 1222 house, just let me know what time is convenient for you and I will make sure that no one is home.

If you'd rather not do any of these things, no hard feelings. Send me a bill for all of your time and expenses; I will pay you regardless.

I imagine that, among other things, this took its toll on your vacation. For that and all of the other disappointment I have caused, I am profoundly sorry.

Stu

Stuart A. Greenberg

On 7/13/07 Detective Grossman also provided DOH a DVD copy of the VCR tape given to them by J. [REDACTED] (**Evidence pages #11**). A review of the tape clearly shows [REDACTED] coming onto the business bathroom, and blocking the camera with an aerosol can. [REDACTED] then uses the bathroom and leaves. [REDACTED] was positively identified in this video via comparison with her D.O.L. photo obtained by DOH (**Evidence pages #12-13**) Within 15 minutes the respondent is seen coming into the bathroom, going straight to the aerosol can and moving the aerosol can away from in front of the hidden camera. The respondent is then seen smiling and grinning into the camera as he urinates. The respondent starts to vigorously/enthusiastically stroke/rub his penis for approximately 15 seconds in a manner consistent with male masturbation. The respondent then leaves and nothing else is seen on this recording. See memo to file for further details of this video's content (**Evidence pages #14-15**).

For further details of the above listed victim and witness interviews see memo's to file for each: [REDACTED] (**Evidence pages #16-17**), T. [REDACTED] (**Evidence pages #18-19**), C. [REDACTED] (**Evidence pages #20**), Detective K. Grossman (**Evidence pages #21-22**), and R. Friend (**Evidence pages #23-24**). Also see signed whistleblower waiver (**Evidence page #24A**).

On 7/17/07 I was contacted by a current/recent client of the respondent's, [REDACTED]. [REDACTED] stated she had seen the media release on the respondent's arrest and that she was "a regular client of his from January 2007-early May 2007." [REDACTED] stated she was very concerned as she had "used the bathroom at his business during this time" and that she "could have been filmed by him." See memo to file for further details of this phone call (**Evidence pages #25**). On 7/20/07 [REDACTED] submitted a signed statement and waiver providing further details about her concerns (**Evidence pages #26-29**).

#### **Respondent Statement:**

On 7/6/07 the respondent was mailed a notification letter (**Evidence pages #30**). On 7/11/07 the respondent was mailed a 14 day letter of cooperation, notification form, and self-addressed return envelope (**Evidence pages #31-32**). On 7/19/07 a faxed Notice of Appearance was received from Pamela Andrews (**Evidence pages #33-35**). On 7/24/07 a second 14 day letter was mailed to the respondent requesting that he provide a copy of his appointment/patient book for the months of May-July 2007, and a list of all other persons seen in his office during this time. A copy of this letter was also faxed to attorney Andrews (**Evidence pages #36-38**).

On 7/25/07 an audio CD of the interview with the respondent, [REDACTED] and [REDACTED] was received (**Evidence pages #39**).

On 7/25/07 I was contacted by the respondent's attorney P. Andrews who advised the respondent committed suicide on 7/25/07. This information was confirmed by SPD Detective Grossman who advised that the respondent had committed suicide at a Motel in the City of Renton, via intentional overdose. The respondent left notes stating he was "embarrassed" by his actions and "too much of a coward to face responsibility for what he had done." See copy of the related Renton Police Incident Report #07-7779 incident report (**Evidence pages #40-55**).

Due to the suicide, at the request of Chief Investigator David Magby, this investigation is completed and submitted for review.

---

**APPENDIX D**  
EVIDENCE/EXHIBITS

<u>Page #'s</u>	<u>Description</u>
1	WAC 246-15-030 notice.
2-4	Copy of SPD incident report #2007-268584.
5	Copy of complaint filed by
6	DVD of interview with respondent, by SPD Grossman.
7	D.O.L. photo of respondent.
8-9	Memo to file re: DVD interview of respondent.
10	Copy of e-mail from respondent to Roger Friend.
11	DVD copy of VCR tape taken from respondent's home.
12-13	D.O.L. photo of                      and CD of D.O.L. photos.
14-15	Memo to file: Viewing of respondent's VCR tape.
16-17	Memo to file re:                      interview.
18-19	Memo to file re: T.                      interview.
20	Memo to file re: T.                      interview.
21-22	Memo to file re: K. Grossman interview.
23-24	Memo to file re: R. Friend interview.
24A	Signed W/B waiver from
25	Memo to file re:                      interview.
26-29	Statement from
30-38	Copies of notification letter, 14 day letters to respondent and NOA from Attorney Andrews.
39	Audio CD of respondent and witness/victim interviews by Seattle Police.
40-55	Copy of Renton Police Report
56-66	ASI and complaint history on respondent.



**APPENDIX E**  
**ACTIVITY REPORT**

7/10/07-Received file, started report, and developed investigative plan.

7/10/07-Phone interview with complainant,

7/10/07-Phone interview with SPD Detective Kevin Grossman, obtained copy of SPD report.

7/10/07-Drafted e-mail and sent to DOH supervisors/attorney's updating status.

7/11/07-Phone call and message to Roger Friend for callback. Calls back, interview, drafted memo.

7/11/07-Interview victim

7/11/07-Draft memo to file re: complainant interview. Started report and input data.

7/11/07-Work on memo to file re: Friend interview.

7/11/07-Multiple calls/e-mails to Tumwater/staff updating status of case.

7/12/07-Extensive report work, memos work. Received copy of e-mail to Friend by respondent, reviewed, updated report, forwarded to Staff Attorney Minor and SPD Grossman.

7/12/07-Multiple searches and calls ATL, all unsuccessful. Drafted and mailed off letter requesting contact, mailed out.

7/12/07-Phone call and message to SPD Grossman.

7/12/07-ECMT conference call re: case.

7/13/07-Prep for trip to SPD/Respondent's home. Contact DOL and obtain photos. Multiple e-mails, phone calls to C. interview her, report work.

7/16/07-Complete memo re: interview, report work.

7/17/07-Received paperwork from DOH legal, declaration, reviewed, signed, faxed back.

7/17/07-Phone interview with Draft memo, e-mails to attorney's, also sent documents and request via e-mail. Update report with details.

7/18/07-Prepared DVD's/evidence for transfer to Tumwater, to be released to DOH legal. Additional report work and file organization also.

7/19/07-Received NOA from attorney Andrews, updated report. Correspond with Detective Garrison, attorney's.

7/19/07-Phone call to S. Buck @ UWMC and advised of press release and respondent's license suspension.

7/20/07-Received CD from Grossman, reviewed contents, updated report.

7/20/07-Received records from , and phone call. Report updated.

7/24/07-Drafted and mailed off request for patient records to respondent and also faxed attorney Andrews a copy.

7/26/07-Received news respondent possibly committed suicide.

7/26/07-Report work, prep for closure.

7/27/07-Correspond with SPD Grossman, obtain copy of the suicide report/Renton PD. Review, updated report.

7/27/07-Draft and send off request for death certificate.

7/27/07-Correspond with Public disclosure. Per request make copies of entire files and all documents. Discuss release of police reports with supervisor D. Magby. Drafted memo to file,

7/27/06-Completed report and submitted for review.

---

## APPENDIX F

### CONTACT LIST

1. Respondent
2. Complainant
3. Todd M. Terhaar, Investigator  
20435 72<sup>nd</sup> Ave S, Suite #200  
Kent, WA 98032  
(253) 395-6710
4. Victim
5. Victim
6. Roger Friend, Witness  
1768 N. 128th St.  
Seattle, WA 98133  
(206) 290-6499
7. Victim

8. Kevin Grossman, Seattle Police  
PO Box 34986  
Seattle, WA 98124-4986  
(206) 684-5495

9. \_\_\_\_\_, Patient/Victim

---

**APPENDIX G**

SUMMARY OF PREVIOUS CASES

See evidence pages #56-66.

CASE MANAGEMENT ASSESSMENT

DATE: 07/06/2007

CASE NO: 2007-07-0002PY

Department of Health  
Health Professions Quality Assurance Division  
Health Professions Section 7  
Psychology  
MS 47869  
(360) 236-4905

ASSESSMENT RECOMMENDED:

- Close (See closure reasons below)
- Field Investigation (See request below)
- Legal Review

RESPONDENT ADDRESS:

COMPLAINANT(S) ADDRESS:

STUART A GREENBERG	
--------------------	--

SUMMARY OF COMPLAINT:

Respondent is alleged of video taping his female employees using the restroom in his office.

PREVIOUS COMPLAINTS: YES  NO

BACKGROUND COMMENTS:

POSSIBLE VIOLATIONS:

RECOMMENDATIONS:

CLOSED PRIOR TO INVESTIGATION:

- How should case be closed?
- (CNA1) No Jurisdiction
  - (CNA2) Below Threshold
  - (CNA3) Does Not Appear To Be A Violation Of Law
  - (CNA4) Insufficient Information

PROGRAM MANAGER: \_\_\_\_\_ Date \_\_\_\_\_  
(Please initial)

KAM MCCAUGHEN  
206 948 7135

## CASE MANAGEMENT ASSESSMENT

**BOARD ASSESSMENT:**

**REVIEWING BOARD MEMBER:**

**DATE:**

**DETERMINATION:**

**AAG PROSECUTOR:**

**PROGRAM MANAGER:**

**REQUEST FOR INVESTIGATIVE SUPPORT (MUST COMPLETE IF REQUESTING INVESTIGATION)**

Please obtain the following information (notification, waiver, patient records, respondent explanation):

<b>DATE RECEIVED:</b>	
<b>DATE ASSIGNED:</b>	
<b>PRIORITY:</b>	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>
<b>INVESTIGATOR ASSIGNED:</b>	

**ATTACHMENTS**

LICENSURE INFORMATION	YES	NO
LICENSE HISTORY	YES	NO
WRITTEN COMPLAINT	YES	NO
ADDITIONAL DOCUMENTS	YES	NO

ADDITIONAL DOCUMENTS INCLUDED:

DATE RETURNED FROM INVESTIGATIONS: \_\_\_\_\_

**ACTION RECOMMENDED:**

- Close (See closure reasons below)
- Legal Review
- NOC
- SOC
- STID

**CLOSED AFTER INVESTIGATION:**

How should case be closed?

- (CNA) No Jurisdiction
- (CNAB) Below Threshold
- (CNAC) Evidence Does Not Support Violation
- (CNAD) Insufficient Evidence
- (CNAE) No Violation Determined
- (CNAF) Not A Violation At The Time The Event Occurred
- (CNAG) Risk Minimal And Not Likely To Reoccur
- (CNAH) Complainant Withdrew
- (CNAI) Care Rendered Was Within The Standard Of Care
- (CNAJ) Conduct Was Within Standard Of Practice
- (CNAK) Wrong Individual
- (CNAM) Unable To Pursue Without Whistleblower Release
- (CNAX) Complaint Unique Closure-Check File
- (CNOC) Notice Of Correction
- (CAIO) Application Investigation only-no action to deny

**CLOSURE DATE:**

**PROGRAM MANAGER (PLEASE INITIAL):**



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH

July 6, 2007

Dear .....

The Board of Psychology has received your report concerning Stuart A. Greenberg.

Under the provision of RCW 18.130.050 of the Uniform Disciplinary Act, the Department of Health is the agency within State government with legislated authority and responsibility to assure the delivery of safe and professional health care. The Secretary is empowered to investigate all allegations and complaints to determine whether such allegations are substantiated, and to take disciplinary or corrective action.

A file has been opened under the number 2007-07-0002PY. The Board is conducting an assessment of your report. You will be contacted upon completion of the assessment.

If you have any questions, please contact Jenny Yeam at Department of Health, Health Profession Section 7, PO Box 47869, Olympia WA 98504-7869 or (360) 236-4949.

Sincerely,

Andrea Einert, Program Representative  
Health Professions Section Seven