

**IN THE MATTER OF**  
**DAVID W. SCHRUMPF, Ph.D.**  
**LICENSE NO. 02013**  
**Respondent**

**\* BEFORE THE**  
**\* MARYLAND STATE**  
**\* BOARD OF EXAMINERS**  
**\* OF PSYCHOLOGISTS**  
**\* Case No. 2011-013**

\* \* \* \* \*

**FINAL DECISION AND ORDER**

**Background**

On October 7, 2011, the Maryland Board of Examiners of Psychologists (the “Board”) issued an Order for Summary Suspension of License to Practice Psychology against David W. Schrupf, Ph.D. (the “Respondent”), License No. 02013. The Board’s summary action was based on credible information indicating that the Respondent had been indicted on numerous counts involving three minors, including sexual abuse of a minor, second-degree assault, and sexual contact with a child under the age of 14. At the time of the Board’s summary suspension order, the Respondent and the Harford County State’s Attorney had entered into a plea agreement, but the Respondent had not yet been sentenced by the court. The Respondent was subsequently convicted of one count of sexual abuse of a minor and two counts of second-degree assault. On December 15, 2011, the Board issued a Notice of Intent to Permanently Revoke License to Practice Psychology against the Respondent based on the Respondent’s conviction of a felony and crime of moral turpitude.

A contested case hearing was held under the Administrative Procedure Act, Md. Code Ann., State Gov’t §10-201 *et seq.*, and COMAR 10.36.03, before a quorum of the Board on

April 12, 2013.<sup>1</sup> After the conclusion of the hearing, the same quorum of the Board convened to deliberate and voted unanimously to sanction the license held by the Respondent as set forth in this Final Decision and Order.

### **SUMMARY OF THE EVIDENCE**

The State and the Respondent stipulated to the documentary evidence set forth below.

#### **Joint Exhibits:**

1. Statement of Probable Cause, 12/03/2010
2. Statement of Charges, 12/03/2010
3. Online Newspaper Article – The Examiner, 12/8/2010
4. Indictment, Case Number 12-K-11-710
5. Indictment, Case Number 12-K-10-2006
6. Plea Agreement, Case Number 12-K-2006 and 12-K-11-710
7. Statement of Facts, Case Number 12-K-10-2006
8. Case History, Case Number 12-K-10-2006
9. Case History, Case Number 12-K-11-710
10. Online Newspaper Article – Baltimore Sun, 12/22/2011
11. Order for Summary Suspension of License to Practice Psychology, 10/7/2011
12. Notice of Intent to Permanently Revoke License to Practice Psychology, 12/1/2011

#### **Witnesses:**

Respondent: David W. Schrupf, Ph.D.

---

<sup>1</sup> The Respondent submitted a timely request for a hearing in response to his receipt of the Board's Notice. The Board originally scheduled the evidentiary hearing on April 13, 2012. As the result of various requests for postponements from the Respondent and the State, the hearing was ultimately scheduled and held on April 12, 2013. The Respondent's license to practice psychology remained suspended in the interim.

## FINDINGS OF FACT

1. At all times relevant hereto, the Respondent was licensed to practice psychology in the State of Maryland. The Respondent was originally licensed to practice psychology on November 22, 1985, under license number 02013.
2. On December 14, 2010, the Harford County grand jury issued a 24-count indictment against the Respondent relating to victims R.M.B. and K.L.B. On April 26, 2011, the Harford County grand jury issued an 11-count indictment against the Respondent relating to Patient C.A.C. (Joint Exhibits 4 and 5)
3. On or about August 22, 2011, the State and the Respondent entered into a Plea Agreement in which the Respondent pled guilty pursuant to *North Carolina v. Alford*, 400 U.S. 25 (1970), to sexual abuse of a minor against R.M.B.; assault in the second degree against K.L.B.; and assault in the second degree against C.A.C. (Joint Exhibit 6)
4. All three of the victims in the above criminal cases were minors ranging from ages 7 through 10. At least two of the victims (R.M.B. and K.L.B.), who were sisters, had been receiving psychological treatment from the Respondent. (Joint Exhibits 3 and 4; T. 22-24)
5. The Statement of Facts entered in Case No. 12-K-10-2006 indicated that the State would produce evidence, among other things, as follows:

Further investigation resulted in a search and seizure warrant being executed at the home of the [Respondent] on December 2, 2010. The police seized many items of evidence including two computers from his home. ... [A computer forensic examiner] and other officers who were present for the execution of the search warrant were able to see that the [Respondent's] computer was connected to the internet, and that approximately ten (10) websites had been accessed and were open on the computer. These websites

contained images of child erotica that featured children of the same age range and gender as the children referred to above in various stages of undress and various sexually explicit poses. [The computer forensic examiner] would testify that her examination of the computers revealed that they had been used to conduct numerous visits to websites that contained images of female child erotica showing young girls in sexual poses and in sexually provocative and explicit poses, and in various states of undress. (Joint Exhibit 7)

6. The Respondent admits to having an addiction to online pornography, and that he viewed internet pornography sites on his computer that included websites containing images of underage children. (T. 26-27)
7. The Board issued an Order for Summary Suspension of License to Practice Psychology on October 7, 2011, based on the Respondent's indictments and subsequent plea agreement in the Harford County Circuit Court. (Joint Exhibit 11)
8. On October 31, 2011, the Respondent was sentenced in the Circuit Court for Harford County to 25 years incarceration, all but 18 months suspended, for the count of sexual abuse of a minor, and to ten years incarceration, all suspended, for the two counts of second-degree assault. Following release, the Respondent was ordered to serve one (1) year of home detention and five (5) years of supervised probation. (Joint Exhibits 8 and 9)
9. The Respondent's criminal probation included the following terms:
  - a. No contact with the victims or their families;
  - b. No contact with any child under the age of 16;
  - c. No employment or volunteer work in any capacity that places him in direct contact with children under the age of 18;
  - d. Enter into and complete a sex offender treatment program;

- e. Register as a Tier III sex offender on the lifetime sex offender registry;
  - f. No access to internet child pornography sites; and
  - g. Voluntarily surrender his license to practice psychology to the state agency that grants him licensure and not seek similar licensure from any mental health agency in any jurisdiction unless he limits that practice to individuals over the age of eighteen (18).<sup>2</sup> (Joint Exhibits 8 and 9)
10. The Respondent was released from incarceration on or about October 31, 2012, and immediately began serving his period of home detention. (T. 28)
11. The Respondent is currently undergoing sexual disorder treatment and is actively seeking employment. (T. 28)

### **OPINION AND SANCTION**

The Respondent pled guilty, via an Alford plea, to one count of sexual abuse of a minor and two counts of second-degree assault. The former constitutes a felony and a crime of moral turpitude. As a result of his guilty plea, the Respondent received 18 months incarceration in the Harford County Detention Center, followed by home detention for one year and five years of probation. At the hearing before the Board, the Respondent attempted to collaterally attack his criminal convictions by criticizing the manner in which the State conducted its investigation, characterizing one of the minor victims as attention-seeking, and even suggesting one of the

---

<sup>2</sup> The Board finds this provision ambiguous in that it could be interpreted to imply that the agreed surrender of the Respondent's psychologist license is permanent. However, should he seek similar licensure from a mental health agency in this or any other jurisdiction (i.e., as professional counselor or clinical social worker, or as a psychologist in another state), he would be restricted to treating adults. Regardless, it is solely within the purview of the Board's administrative processes to determine the appropriate disciplinary sanction of a license to practice psychology. *Towers, Jr. v. State*, 92 Md. App. 183 (1992); *see also Sheppard v. State*, 344 Md. 143 (1996).

victims' parents as a possible perpetrator. The Respondent also disputed the majority of the Statement of Facts which served as the basis for the Respondent's guilty plea.

From the Board's perspective, the facts are clear in that the Respondent pled guilty to sexual abuse and second-degree assault involving three minors. At least two of the minors were patients of the Respondent who were seeking treatment for possible post-traumatic stress disorder relating to a serious automobile accident. In addition, the Respondent concedes to having an addiction to internet pornography, which included his viewing of "child erotica." Having considered all of the facts and given the Respondent an opportunity to be heard, the Board finds that the Respondent has done immeasurable damage to the public trust in the psychology profession, not to mention the severe harm inflicted upon the minor children who sought out the Respondent for mental health treatment.

The Board finds that the facts present in this case warrant a permanent revocation. It is, or should be, manifest that the Respondent's conviction for sexual abuse of a 10 year-old patient warrants permanent revocation of his license to practice. The fact that the Respondent was also convicted of second-degree assault of two other children buttresses the Board's decision. The victims were ages 7 through 10, so they were vulnerable *per se*. At least two of the victims, who were sisters, were brought to the Respondent by their parents for psychological treatment.

Furthermore, the Respondent concedes that he had an addiction to internet pornography, including "child erotica," for which he is undergoing therapy. The Respondent explained that "child erotica" is merely pictures of children, without clothes, in sexually explicit positions; it does not include children engaged in sexual intercourse. The Board views this as a distinction without a difference and takes little comfort in the Respondent's minimization of his illicit viewing habits.

The Board does not feel that the Respondent was significantly sympathetic to the young victims involved in these cases. At the hearing, the Respondent focused on his own personal and professional difficulties. The Respondent attempted to diminish the perceived credibility of the victims by characterizing one as “attention seeking” and describing another as exhibiting premature sexual behavior. Regardless of the Respondent’s intent in making these characterizations, the Board does not find that the Respondent expressed the slightest concern regarding the well-being of any of the young victims involved in this matter.

The Board cannot find any basis that would reasonably allow the Respondent to regain the public’s trust in order to provide psychological services to anyone, child or adult. The Respondent proposed that the Board allow him to reinstate his license to practice psychology in the future provided that he is restricted to treating adults. The Board is not amenable to granting the Respondent a license, even with restrictions. Psychologists are entrusted to provide treatment to individuals who may be vulnerable due to mental impairment. This places a psychologist in a very powerful position since many patients are not able to speak for themselves or are not taken seriously due to their mental impairment. The Respondent has already demonstrated that he cannot be trusted with vulnerable patients. The Board finds that the Respondent has irrevocably breached the public’s trust, and thus, is not in a position to offer psychological services under any conditions.

The Board must not only fulfill its mandate to protect the public, including children, who may come across the Respondent in a professional setting; it must also protect the standards of the profession in order to instill public trust and confidence in Maryland licensed psychologists. Based on the egregiousness of the Respondent’s misconduct, the Board finds that

the most significant sanction is necessary to address the violations committed by the Respondent as well as to provide a necessary catharsis for the psychology profession.

**CONCLUSIONS OF LAW**

Based upon the foregoing joint stipulation and Findings of Fact, the Board concludes the Respondent is subject to disciplinary action based on Md. Code Ann., Health Occ. § 18-313(3) (“Is convicted of or pleads guilty or nolo contendere to a felony or to a crime of moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside.”)

**ORDER**

Based on the foregoing Findings of Fact, Opinion, and Conclusion of Law, by a unanimous decision of a quorum of the Board, it is hereby:

**ORDERED** that the psychologist’s license held by DAVID W. SCHRUMPF is PERMANENTLY REVOKED; and be it further,

**ORDERED** that this is a formal order of the Maryland Board of Examiners of Psychologists and as such is a **PUBLIC DOCUMENT** pursuant to Md. Code Ann., State Gov’t Art., §§10-611, *et seq.*

Aug 13, 2013  
Date

  
\_\_\_\_\_  
Steven Sobelman, Ph.D.  
Chair, MD Board of Examiners of Psychologists

## **NOTICE OF RIGHT TO APPEAL**

Pursuant to Md. Code Ann., Health Occ. Art., §18-316, you have the right to take a direct judicial appeal. A petition for appeal shall be filed within thirty days of this Final Decision and Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Act, Md. Code Ann., State Gov't Art., §§10-201, *et seq.*, and Title 7, Chapter 200 of the Maryland Rules.