

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Vice-Chairman Siegfried at 1:30 P.M. on February 8, 2006 in Room 313-S of the Capitol.

All members were present except:

Representative Kenny Wilk- excused

Committee staff present:

Athena Andaya, Kansas Legislative Research Department

Mary Torrence, Revisor of Statutes Office

Carol Doel, Committee Secretary

Conferees:

Former Representative Rocky Nichols

Rex Beasley, Deputy Attorney General

Loren Snell, Attorney General's Office

Others attending:

See attached list.

Vice-Chairman Siegfried opened the meeting for bill introductions and recognized Representative Cox who requested a bill regarding revisions to the Kansas Money Transmitters Act. With no objections, this was accepted for introduction.

The Vice-Chairman opened the meeting for a briefing by former Representative Rocky Nichols on "Lessons Learned by the Kaufman Debacle." Representative Nichols currently serves as the Executive Director of the Disability Rights Center of Kansas. This is the officially designated state agency to protect and advocate for Kansans with disabilities. He further related that the purpose of this briefing is to provide information regarding the Kaufman House case and what went wrong.

Representative Nichols introduced Rex Beasley, Deputy Attorney General who presented information regarding the Kaufman House Case to prepare the Committee to hear the bills being introduced into the Committee. Mr. Beasley told of the horrors that went on in the Kaufman House over a period of 26 years. He asked the Committee to imagine themselves in the position of having a loved one develop a condition which was unable to be cared for at home and they were placed in the care of someone they trusted and who carried the necessary credentials and then later found that your loved one had been horribly mistreated and sexually abused. The things they were required to do were done in the name of "therapy." Mr. Beasley further stated that these abusive treatments were video taped for the Kaufman's personal use.

(No written testimony)

Loren Snell, Assistant Attorney General addressed the committee regarding the investigation into the Kaufman House Case. He related that each and every resident, over 20 victims, of the Kaufman House suffered indignities at the hands of the Kaufman's during the 26 year reign. He also stated that there were individuals who tried to come forward and let it be known what was happening, and because of their mentally ill status they were unable to get their message across about what was happening. Mr. Snell told of the many video hours of video tapes that were recovered during the investigation of the Kaufman House. The video tapes detailed everything that was going on in the Kaufman House and what the residents were forced to go through. The investigators were able to witness the forced labor, physical coercion, and duress the victims underwent. Mr. Snell reinforced the statement by Deputy Beasley that the treatment of these victims was all done in the name of "therapy" according to Mr. Kaufman. (No written testimony)

Representative Nichols returned to the committee and addressed the financial abuse of the Kaufman House victims. Two of the victims of the Kaufman House accompanied Representative Nichols and rose to support the testimony presented to the committee. These victims were at the Kaufman House for a period of a year and suffered abuse during that period of time.

In his testimony, Representative Nichols reviewed the six months that changed everything from May 18, 2004 to October 26, 2004. He also listed the four key lessons learned from the Kaufman House Case, and the way

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the focus needed to change to obtain justice for victims, and enable the systemic coordination of the different protective agencies. (Attachment 1)

A case example - the financial exploitation example of Barbara T & lessons learned was submitted for committee review. This information showed the money written from Barbara T's account after Arlan Kaufman allowed his social work license to lapse in November of 2001 and he could no longer bill Medicare for what he referred to as "therapy". Copies of bank transfers and copies of canceled checks which Mr. Kaufman wrote on Barbara T's accounts were submitted for review. (Attachment 3)

An article written for the Topeka Capital-Journal by Tim Carpenter entitled *Case Points To Holes in State Safety Net*, told of people who lived close to the Kaufman House and did not realize what was happening. The article showed that the Kansas Attorney General Phill Kline's office collaborated with Disability Rights Center, Newton police and federal officials to break the Kaufman case in 2004. "The legislation provided some of the most vulnerable among us with much-needed protections," stated the Attorney General. Mr. Carpenter also related some of the living conditions which these victims were subjected to. (Attachment 2)

Another article written by Tim Carpenter of the Topeka Capital-Journal was *Breaking Down the Doors To A Human Nightmare*. Mr. Carpenter spent seven weeks investigating the state's dealings with the Kaufman's who were accused of mistreating their clients, enslaving them and having them perform sexual acts, and bilking the federal government of \$217,000. A woman related her story to a lawman relating that she had been victimized for decades. This resulted in the investigation. A federal grand jury in Topeka indicted Arlan Kaufman, 68, and Linda Kaufman 62, on 34 criminal counts regarding their operation of residential group homes for mentally ill adults. (Attachment 4)

A third article was written by Tim Carpenter of the Topeka Capital-Journal entitled *Broken Trust-Homes Drew Years Of Complaint*. Mr. Carpenter reports that video evidence and former patients' stories paint a disturbing picture of life inside Arlan and Linda Kaufman's group home for the mentally ill. Interviews with dozens of people, analysis of internal and public state documents, examination of federal court records and review of detailed summaries of videotaped therapy sessions conducted by the Kaufmans gives voice to assertions that oversight of Kaufman group homes fell short of the ideal. (Attachment 5)

Other information distributed for committee review was *Comparison of DRC and APS/SRS Access Authority to Investigate Complaints of Abuse or Neglect*. (Author unknown) (Attachment 6)

Another article distributed was *Kaufman Case Shows Need For Reforms*. The Kaufmans were found guilty and face years behind bars, but the question still remains "why weren't the couples' crimes discovered sooner?" (Attachment 7)

Chairman Edmonds requested that Representative Nichols provide any information available regarding other such cases providing it didn't jeopardize any other investigation.

With no further business before the committee, Chairman Edmonds adjourned the meeting.