

Nancy Jensen, Kaufman House Survivor
Testimony to the Senate Judiciary Committee
Support of SB 408, Amending the Abuse, Neglect and Exploitation Unit
February 16, 2016

Mr. Chairman and members of the Committee my name is Nancy Jensen. I was a resident at the now infamous Kaufman house. Although my body left the Kaufman house in March 1987, the memories of that house of horrors still haunts me today.

For over 20 years I was either a resident of that terrible place or I saw my calls to the State telling them about the horrific things happening there go unheard. I originally testified in 2006 about the need for the Abuse, Neglect and Exploitation (ANE) Unit. I am supportive of SB 408 because it attempts to get back to original focus of the unit, which was:

1. Criminal prosecution
2. Investigation of ANE perpetrated against adults with disabilities
3. Justice for the victims and survivors with civil legal representation and advocacy services

The original vision of the ANE Unit is that it took what worked to bring the Kaufmans to justice – The Attorney General’s Office and Disability Rights Center of Kansas working together on the above three areas – and put that into the law. Unfortunately, due budget cuts and changes in the administration at the AG’s office, the state has drifted far away from this original vision. Thankfully, I am hopeful that Kansas Attorney Derek Schmidt is wanting to refocus the ANE Unit in a positive way that will hopefully bring us back to the original focus. SB 408 is an important first step to do that.

It is nearly impossible to summarize 20 years of pain, anguish and failures by the State with the Kaufman House case. However, in order to look forward regarding SB 408, we have to take a few moments to look back and learn from the terrible atrocities that occurred at the Kaufman House:

- March 1986 – March 1987 – I was a resident of the Kaufman house. I was forced to live in terrible conditions and was abused and neglected. I was forced to be naked with nothing to cover myself up with, in a locked seclusion room for up to 3 weeks at a time. The locked seclusion room had no furniture and the windows were boarded up. The terrible and bizarre things that you read about in national papers were all true – how people with mental illness were forced to stay in the Kaufman House in what amounted to slavery, people were forced to walk around the house in the nude and farm in the nude, they were directed and forced to do terrible sex acts to themselves and to each other under the label of “therapy” all while Mr. Kaufman videotaped it, and the Kaufmans billed the taxpayers and committed Medicare fraud for this so-called “therapy.”
- July 1988 – I reported to SRS the terrible things that happened at the Kaufman house. I told SRS about the abuse and how a resident even died at the Kaufman house. I told them about how I was kept in a locked seclusion room for weeks at a time and how I was forced to use a bucket for a toilet. I told them how Linda Kaufman basically threw out meds on the table. I told them how she was the silencer. I was the first of four former residents who reported the abuse to SRS. In spite of these first-hand accounts and evidence from former residents, SRS didn’t do anything. They were not able to shut down the Kaufman house or get anyone out of that terrible place.
- From 1984 to 2004 over 12 reports were made to SRS and the State over a 20 year period of the horrific abuse that was happening at the Kaufman house. In spite of this evidence, SRS did not get any of the residents out of the Kaufman house.
- February 2004 – the Kansas Attorney General was frustrated with the State agency’s lack of effort, and so he contacted the Disability Rights Center of Kansas (DRC). DRC has special powers under the

federal PAIMI law to get into places like the Kaufman house. DRC starts an investigation into the Kaufman house and gathers facts.

- May 2004 – DRC completes its investigation. DRC uses its special powers to get into the Kaufman house and talk to the residents without Mr. Kaufman in the room. One of the residents, my friend Barb, tells DRC that she wants out of the Kaufman house. DRC attorneys immediately begin representing her and they immediately file legal actions to get her out of the Kaufman house. DRC gets Barb out that same day, and she finally escapes from that terrible place. The federal government has their first witness free from the Kaufman's influence.
- May 2004 to October 2004 – DRC works with the Kansas Attorney General and federal authorities on the Kaufman case. Federal prosecutors begin building their case against the Kaufmans.
- October 2004 to January 2006 – The Kaufman house is raided. Arlan and Linda Kaufman are arrested. DRC Kansas accompanies the FBI and DOJ in their raid and arrest of the Kaufmans. DRC attorneys are appointed by the court to provide support to the victims to ensure that their rights are protected and proper services and supports are provided (housing, mental health care, etc.). The Kaufmans are convicted and sentenced on charges ranging from involuntary slavery of persons with mental illness, to defrauding taxpayers and billing Medicare for so-called "therapy," mail fraud, conspiracy, etc.
- July 2006 – Senate Substitute for HB 2105 is enacted into law.
- December 2006 – Attorney General Kline begins to implement the Unit with enhanced focus on prosecution and signing a contract for an agency to provide the independent investigation and legal representation and advocacy services to victims.
- January 2007 – Days after being inaugurated, newly elected Attorney General Morrison cancels the investigation and victim's services contract and scraps the focus of the ANE Unit.
- The Unit is still on the back burner – No substantial changes under Attorney General Six
- February 2016 – I am hopeful that a new day is dawning on the ANE Unit and we can get back to the original focus. Attorney General Schmidt is better focusing the ANE Unit toward the original intent and working to better meet the needs of people with disabilities. For that I am both hopeful and thankful. SB 408 is a good first step toward this.

The above timeline and my own experience proves three things regarding SB 408:

1. That the Disability Rights Center got done in 6 months what State agencies like SRS could not get done in over 20 years.
2. That the state agencies have never been equipped to serve the needs of the victims and to get justice for them. State agencies serve the needs of the State (licensure, regulations, etc.), not the needs of victims. A "red mark" on a licensure report does not get justice for a victim of abuse and neglect.
3. This complete lack of focus on the needs of the victims is why ANE Unit must be refocused back to its original intent – criminal prosecution, independent investigation, and justice for victims with civil legal representation and advocacy services. If State would have had this Unit with this focus back in 1988 when I called, the Kaufman house would have been shut down quickly. DRC's actions that shut down the Kaufman house in just six months prove that.

You can't give me back the 20 years of my life I lost to the Kaufman House and my calls for change and abuse being ignored. You can't give me or the rest of the victims back that last nearly 10 years of our lives after the original ANE Unit was passed in 2006 under the leadership of former Attorney General Kline, only to see Attorney General Morrison months later basically scrap the Unit. What you can do is pass SB 408 and begin the process of refocusing the ANE Unit toward that original vision of prosecution, investigation and justice for victims through advocacy and civil legal services.

Thank you. I would gladly answer your questions.