IN THE UNITED STATES DISTRICT COURT

DISTRICT OF KANSAS

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| UNITED STATES OF AMERICA, | ) | |
| | ) | |
| Plaintiff, | ) | District Court |
| | ) | Case No. 04-40141-MLB |
| vs. | ) | Circuit Court |
| | ) | Case No. 06-3125 |
| ARLAN DEAN KAUFMAN and | ) | Volume III of |
| LINDA JOYCE KAUFMAN, | ) | |
| | ) | |
| Defendant, | ) | |
| | ) | |

**TRANSCRIPT OF JURY TRIAL**

On the 4th day of October, 2005, came on to be heard Jury Trial in the above-entitled and numbered cause before the HONORABLE MONTI L. BELOT, Judge of the United States District Court for the District of Kansas, Sitting in Wichita.

APPEARANCES

The Plaintiff appeared by and through Ms. Tanya Treadway, Ms. Lisa Krigsten and Ms. Kristy Parker:

The Defendant Arlan Kaufman appeared by and through Mr. Thomas Haney;

The Defendant Linda Kaufman appeared by and through Mr. Steve Joseph.

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(Beginning at 8:53 a.m. October 12, 2005, the following proceedings were had OUTSIDE THE PRESENCE of the jury.)

THE COURT: All right. Before the jury comes out, John showed me a motion filed by Mr. Lowry to quash the deposition of a witness who lives in Indiana. I don't remember which witness it was, Mr. Lowry.

MR. LOWRY: Your Honor, it was to quash the subpoena to appear and testify in court on October 17th or thereafter at the request of the Defendant Linda Kaufman.

THE COURT: 17th. That's next Monday. Well, are the Defendants going to oppose that motion?

MR. HANEY: Your Honor, we issued a subpoena, yes, we are going to oppose that motion. We haven't even seen -- I've seen part of it this morning, but I didn't see the full motion yet.

MR. JOSEPH: Yes, Your Honor, we'll be opposing that motion. I issued subpoenas all for the same date, October 17. I don't think we'll be getting our case on then but --

THE COURT: No, I wasn't concerned about that, but I need to set a deadline for you to have an opportunity to respond to it. Let me ask this, how much longer does the Government think it has?

MS. TREADWAY: That's a really good question, Judge. We are moving quicker than we anticipated.

THE COURT: I figured you were.

MS. TREADWAY: It's --

THE COURT: Things generally move a little quicker here. Not quite as quick as in Judge Brown's court, but a little quicker.

MS. TREADWAY: Well, we took your admonitions to heart, Judge, and we've done our best.

THE COURT: This case would be over in Judge Brown's courtroom.

MS. TREADWAY: We anticipate filling most, if not all, of next week.

THE COURT: All right.

MS. TREADWAY: But past that, I'm not real sure. We could bleed into that next week, but not much.

THE COURT: Can you all get -- is that the only one that you would anticipate responding to? In other words, Mr. Lowry, are you moving to quash any others?

MR. LOWRY: No, Your Honor.

THE COURT: So could you all get a response on file by next Monday?

MR. JOSEPH: Yes, sir.

MR. HANEY: Yes.

MR. JOSEPH: If that's the only one, that will be no problem.

THE COURT: Okay. That gives plenty of time for me

to take a look at it.

MS. TREADWAY: Judge, while we're talking about witnesses --

THE COURT: Yes.

MS. TREADWAY: Just a couple of housekeeping matters for your information. First of all, there's a possibility this week that we may have to interrupt one witness's testimony to put on another witness that we have a scheduling problem with.

THE COURT: That's no problem.

MS. TREADWAY: And the defense does not object.

THE COURT: That's no problem.

MS. TREADWAY: I just wanted to kind of make you aware of that.

Second of all, there is another issue with regards to witness Lee R, who's the father of Tom R. And Mr. Ariagno has moved to quash both of those subpoenas. The subpoena to Tom R is --

THE COURT: I must not have seen those.

MS. TREADWAY: They came over very late last night on ECF, Judge. The subpoena to Tom, the son, was issued by the defense. The subpoena to Lee, for being a fact witness, was issued by the Government. And then the defense also issued a subpoena to Lee as the guardian for Tom to bring Tom. Regardless of that, Mr. R has a health problem.

THE COURT: Which Mr. R?

MS. TREADWAY: Lee. The older Lee.

THE COURT: The dad.

MS. TREADWAY: He's 85 years old. He recently had heart surgery to insert a pacemaker and it isn't working and he's been in and out of the hospital four or five times. Most recently, just last week. And his doctors are advising against travel.

THE COURT: Where does he live?

MS. TREADWAY: Manhattan. Again, Judge, we've discussed this with the defense and if we are able to physically and electronically do it, we could have him here by live video.

THE COURT: We've done that.

MS. TREADWAY: And if that's not a problem with the Court, we will just have our people talk to your people and get it arranged and we would try to do that like either at the very beginning of the day or at the very beginning of the afternoon so we wouldn't have to interrupt the jury to set it all up. If that's okay with the Judge.

THE COURT: Unless the Defendants have some objection to that procedure, we've done that a few times and it works out pretty well.

MR. HANEY: We don't -- or I don't.

MR. JOSEPH: No, Your Honor. I have no objection to

that procedure. I understand the need for it and it's no problem.

THE COURT: So what are we gonna hear? Are we gonna hear the father? What about the son?

MS. TREADWAY: Judge, he's not our subpoena. That would be the defense. And I believe that motion to quash is on file.

THE COURT: To quash -- who filed the motion?

MR. JOSEPH: Mr. Ariagno represents them.

THE COURT: Well, we need to get him in here.

MR. JOSEPH: He filed a motion late yesterday afternoon or early evening, as I understand, to quash the subpoena to both senior and junior.

THE COURT: We'll get Ariagno in here sometime the next day or so and let him speak to that and then I'll make a ruling on that. He's not here so I'm not going to rule on it.

All right. Now, I want to talk to you about the Stockholm Syndrome. I did not hear any evidence yesterday from Dr. Menninger, or any opinion, rather, that any of these victims were suffering from Stockholm Syndrome. Does the Government intend to bring on another expert to say that they were?

MS. KRIGSTEN: Your Honor, the evidence yesterday and the reason it was brought out is this. Dr. Menninger testified that his review of the medical records, the concepts

of transference in Stockholm Syndrome, all led him to the conclusion about informed consent and so all of that was his underpinning about whether these victims could give informed consent for an unrecognized medical therapy. In response to that direct, Mr. Haney did ask several other questions specifically designed to elicit testimony about whether these victims were diagnosed or were suffering from Stockholm Syndrome. And the Doctor did not give that opinion. What he has testified to in court yesterday is that those were things that he considered in making his ultimate decision.

Now, I know Mr. Joseph has said there's no evidence that that type of information should be admitted against Linda Kaufman. The Government has a few things to say about that. The first is this is a conspiracy and the act of one Defendant actually does matter to another Defendant. There's gonna be plenty of evidence that these Defendants acted in concert and that they had an agreement and furthered the conspiracy together. Secondly, the Doctor did not give the opinion that Arlan Kaufman or Linda Kaufman individually had actually created the situation where the victims could not give informed consent. What he said is based on my review of the medical records, my knowledge about medicine, transference, Stockholm Syndrome, I don't believe they could. It's now up to the Government to prove what was going on in the victims' minds. We can show that by circumstantial evidence that

coercion was going on. And the Government will have evidence in the court, Your Honor, that Linda Kaufman did exert control over these Kaufman House residents, that she was an equal participant in this. And so at this very early stage of the trial, I think it's far too early to start excluding that type of testimony against one Defendant or another Defendant.

THE COURT: Well, I was assuming, maybe erroneously, that Mr. Haney would also want that excluded; but maybe he doesn't.

MR. HANEY: Your Honor, I haven't made a motion to exclude it. I can deal with that with the jury and cross-examination of Dr. Menninger. So I have not moved to exclude whatever he said about Stockholm Syndrome concerning Dr. Kaufman because I'm not even sure exactly what he said. He interjected it and then couldn't explain it, et cetera. So I'm willing to live with what he said and I think the jury can consider it for whatever credibility they want to give it. So I'm not making that motion as far as Dr. Kaufman.

MR. JOSEPH: I am, of course, making the motion. It occurs to me, Your Honor, that Dr. Menninger sat here as an expert and talked about the Stockholm Syndrome, as he said, a possible explanation, and then was unable to tell us what the classic elements of the Stockholm Syndrome are, what its manifestations are.

THE COURT: I don't know that I disagree with

that -- I mean, that I agree with that.

MR. JOSEPH: Mr. Haney asked him specifically what are the classic elements and he said he didn't know, he would have to study it.

THE COURT: All right. Well, I don't remember.

MR. JOSEPH: And I asked -- Mr. Haney asked him and I asked him to reaffirm it, that he had never studied the Stockholm Syndrome, and he's testified here as an expert. And to say then that the Stockholm Syndrome somehow relates to transference and informed consent would not be valid expert testimony. So all I'm asking the Court to do is to strike that portion of his testimony, instruct the jury to disregard it that relates to Linda Kaufman and this Stockholm Syndrome that he was talking about.

THE COURT: Well, here's -- I was a little bit concerned about it when it was coming in, but I think the better way to do it is to take the motion under advisement as to Linda Kaufman and you renew it at the appropriate time. The appropriate time probably being the end of the Government's case. I think, you know, if we're going to go the rest of this week and we're going to go next week and maybe even more on the Government's case, I'm very reluctant to start striking evidence unless it's so clearly irrelevant. And with a witness like Dr. Menninger, it's -- well, nobody challenged his expertise so -- all right.

Anything else that we need to do before we get the jury in? All right. I'll have John or Jamie get ahold of Ariagno and get him over here so that we can hear this matter about these two people.

(Recess.)

(Beginning at 9:12 a.m. the following proceedings continued IN THE PRESENCE of the jury.)

THE COURT: Next witness.

MS. PARKER: United States calls Nancy J.

**NANCY J**

Having been first duly sworn to tell the truth, the whole truth and nothing but the truth, testified as follows on:

**DIRECT EXAMINATION**

BY MS. PARKER:

Q Good morning.

A Good morning.

Q Could you please state your first name and your last initial?

A Nancy J.

Q Nancy, how old are you?

A 49.

Q And in what state do you live?

A Colorado.

Q How long have you lived in Colorado?
A Since 1989.
Q And did you grow up there?
A Yes.
Q Does anyone else live in Colorado with you?
A Yes. My husband and my child.
Q For how long have you been married?
A 14 years.
Q Could you tell the jury your husband's first name?
A Jeff.
Q Nancy, have you been married for 14 consecutive years?
A No.
Q Was there a time when you and your current husband were actually divorced?
A Yes.
Q Can you tell the jury what the cause of your divorce was?
A Uhm, it was abuse, domestic violence.
Q And were you the person who was abused?
A Yes.
Q But did you and your husband subsequently remarry?
A Yes, we did.
Q And why is it that you remarried a person who previously had abused you?
A He got help. He got counseling. And he's a lot better.
Q How old is your child?

A 13.
Q Do you presently work outside of your home?
A No.
Q What is your educational background?
A I have college. Business school.
Q And how much college do you have?
A I have some vo-tech and one year of business school.
Q Nancy, have you ever suffered from a mental illness?
A Yes, I have.
Q Are you currently diagnosed with a mental illness?
A Yes, I am.
Q And what is your diagnosis?
A Major depression, recurrent.
Q When were you first diagnosed with major depression?
A 1982.
Q And what is your understanding of what major depression is?
A It causes you to, uhm, be very, uhm, hopeless and helpless, sometimes suicidal. You just have real bad thoughts about yourself and sometimes you might hurt yourself because you're feeling so bad.
Q Well, on that same point, can you just tell the jury briefly how you feel your mental illness has effected your life?
A There's been lots of hospitalizations. Uhm, I've burned out churches and trouble with parenting and marriage.

Q Has it caused you to have difficulty holding a job?
A Yes. That's the biggest reason why I don't work.
Q Nancy, have you ever suffered from delusions?
A No.
Q Have you ever suffered from any type of sexual dysfunction?
A No.
Q Have you ever had any problems with exposing yourself in public?
A No.
Q Is there anything about your major depression that you believe effects your ability to remember things that happened to you in the past?
A No.
Q Is there anything in your background that you believe contributed to your developing major depression?
A Yes.
Q What is that?
A I was abused sexually by my father and my brother.
Q And how old were you when that happened?
A Probably grade school is the earliest memory.
Q Are you presently on any medications for your mental condition?
A Yes.
Q If you wouldn't mind, could you just say what those are?
A Geodon and -- well, it's the generic for Ativan.

Q I'd like to talk about how you got from Colorado to Kansas. At some point did you move from Colorado to Newton, Kansas?
A Yes.
Q And approximately when was that?
A I moved to Newton the first time in 1976.
Q And why did you move to Newton?
A I wanted to be part of a church body there.
Q And does that church have a particular name?
A Yes. New Creation Fellowship Church.
Q And how was it that you came in contact with the New Creation Fellowship Church?
A There was a book called Living Together in a World Falling Apart and it talked about Christian communities where we shared everything together.
Q And was there one of these communities in Newton?
A Yes, there was.
Q After you went to Newton, did you stay there permanently after that?
A No, I moved back home in 1979 to Colorado.
Q And after you went home to Colorado, did you come back to Newton again?
A Yes, I did, in 1982.
Q And why was it that you came back to Newton in 1982?
A To be part of the church again.
Q When you came back to Newton in 1982, where did you live?

A I had an apartment.
Q And was there any point after that that you went into treatment at a mental health center?
A Yes. The church realized that I was having a lot of difficulty and they helped me go to Prairieview.
Q And where is Prairieview?
A Newton, Kansas.
Q Now, when you were being treated at Prairieview, were you treated by a psychiatrist there?
A Dr. Yoder was my psychiatrist and Amanda Kreihbel was my therapist.
Q And was there ever a point that you lived somewhere other than your apartment?
A Yes. I lived with a family from, uhm, New Creations.
Q All right. Did there come a point when you were no longer able to live with the family from New Creation?
A Yes.
Q Where did you go after that?
A Kaufman House.
Q How did you learn about the Kaufman House?
A Prairieview. And my church knew of Kaufman House.
Q What was going on in your life at the time that made you go to Kaufman House?
A I just couldn't function living alone, and the family I was living with was going to start a family, plus the agreement

was just one year. And so it was decided that Kaufman House was a good alternative.

Q What was your understanding at that time of what Kaufman House was?

A Well, my church told me it was like household --

MR. JOSEPH: Your Honor, excuse me. I object to the continued use of the church told me as opposed to some individual. She's not identifying any particular individual.

THE COURT: The objection is sustained.

Q (By Ms. Parker.) Let me just repeat the question. What was your understanding of what the Kaufman House was?

A It was a group of other individuals that, uhm, lived together and, uhm, it was a place where, uhm, I would, uhm, be able to talk to my problems with. We would share meals together and -- just like a household.

Q Did you learn who owned the Kaufman House?

A Yes.

Q Who was that?

A Arlan and Linda Kaufman.

Q And was it your understanding that Arlan and Linda Kaufman actually owned two residences in Newton where their clients resided?

A Yes.

Q On what street was the house that you lived in located?

A 7th street.

Q Did you meet Arlan and Linda Kaufman before you moved into the house?
A Yes, I did.
Q What was your first impression -- excuse me. When was that? Approximately?
A Probably the end of April of '86.
Q Nancy, do you see Arlan Kaufman in the courtroom today?
A Yes.
Q Could you point him out for the jury.
(Witness indicating.)
MS. PARKER: Let the record reflect that the witness has identified the Defendant Arlan Kaufman. And I understand that Linda Kaufman waives identification.
MR. JOSEPH: Sure. That's correct, Your Honor.
Q (By Ms. Parker.) Nancy, what was your first impression of Arlan Kaufman?
A Uhm, okay.
Q And how about Linda Kaufman, what was your first impression of her?
A She was nice.
Q All right. Before we go on -- counsel. Before we go on, I'd like to show you what we've marked as Government Exhibit 1-D. Do you recognize that photograph?
A Yes. That's myself.
Q And about when do you think that was taken?

A Probably around '86 before I went into Kaufman House.
Q So this is approximately how you looked when you lived at 7th street?
A Yes.
Q And we have here a label that says Nancy M. Did you have a different last name at the time you lived at the Kaufman House?
A Yes.
MS. PARKER: Government would move that Exhibit 1-D be admitted into evidence.
MR. HANEY: No objection.
MR. JOSEPH: We have no objection, Your Honor.
THE COURT: It's received.
Q (By Ms. Parker.) All right. I would now like to ask you some questions about the Kaufman House starting with your first day there. Uhm, again, when approximately did you actually move into 7th street?
A March of '86.
Q And did you bring your belongings with you when you moved in?
A Yes, I did.
Q Did anyone assist you in moving to the Kaufman House?
A Uhm, yes. Some of my church people and some of the guys at Kaufman House.
Q Was Defendant Arlan Kaufman there at the house when you

moved in?
A Yes, he was.
Q Did Arlan Kaufman have any contact with the people who were helping you move in?
A Yes.
Q And did the Defendant Arlan Kaufman show those people the residence?
A Just the living room area and then upstairs where my, my bedroom was.
Q What was the Defendant Arlan Kaufman's demeanor at that time?
A He was pleasant.
Q Now, at some point that day, did your friends leave?
A Yes.
Q What did you do after that?
A Just met the other residents.
Q Let me ask you about that. Were there other people living at 7th street on the day that you moved in?
A Yes.
Q Approximately how many?
A Eight.
Q Can you name any of those individuals by their first names for the jury?
A Yes. Kevin, Barb, Paul, Tom, James, Stacy, David, Lynn.
Q I'm now going to show you what has been marked as

Government Exhibit 1-C and I'm going to show you this photograph. Do you recognize that person?
A Yes, I do.
Q Who is that?
A Lynn.
Q Is that the Lynn who lived at 7th street when you did?
A Yes.
MS. PARKER: Government moves to admit Exhibit 1-C into evidence.
MR. HANEY: No objection.
MR. JOSEPH: No objection, Your Honor.
THE COURT: 1-C is received.
Q (By Ms. Parker.) All right, Nancy. Later on the night that you moved in, did you attend a meeting in the house at which the Defendant was present?
A Yes. We have group therapy like every week night.
Q I asked you if the Defendant Arlan Kaufman was present. Was he?
A Yes, he was.
Q Who else was there?
A The other residents.
Q What happened during this meeting?
A He told me -- well, he had the other residents tell me the rules of the house.
Q And what was Arlan Kaufman's demeanor at this meeting?

A Uhm, he wasn't smiling as much as when I moved in. I mean, he was kind of straight. Like it was important.
Q Now, you say that you were told about the rules of the house. Was this by the other residents?
A Uh-huh and some with him.
Q And some from him. So was the Defendant Arlan Kaufman present during the entire time that you were told the rules of the house?
A Yes.
Q Did he tell you some of those rules himself?
A Yes.
Q Did he ever disagree with any of the rules that were told to you by other people there?
A No.
Q Were you told any rules about when you could come and go from the house?
A Yes.
Q What were those rules?
A That you had to let someone know and that, uhm, you -- yeah.
Q Were you told any rules about having guests at the house?
A Yes. You could not have guests at the house.
Q And did you learn anything about what would happen if these rules were not followed?
A No.

Q Not at that time?
A Not at that time.
Q All right. You have mentioned a fellow resident by name of Barbara?
A Yes.
Q And right now I would just like to spend a few minutes talking about her. And, first of all, let me show you Government's Exhibit 1-I. Is that Barbara?
A Yes.
Q Do you recognize her?
A Yes.
Q Did you meet Barbara on the first day that you moved to the 7th street house?
A Yes, I did.
Q During the time that you lived in the house, did you have an opportunity to get to know Barbara?
A Yes.
Q And did you have an opportunity to observe what her daily life was like?
A Yes.
Q Can you describe for the jury what Barbara was like as a person?
A She was fun. I mean, she laughed sometimes. She was also very fearful. She was sometimes bossy. She, uhm, she -- the biggest thing I remember is her being fearful of breaking the

rules.
Q Well, let's talk about that. Were you aware of any particular rules that applied to Barbara?
A Yes. Couldn't answer the door. That was the biggest. She couldn't answer the door. She couldn't go out.
Q And how was Barbara typically dressed in the house?
A She had clothes on like the rest of us did during the day.
Q Were there ever any special rules applied about Barbara's clothes at particular times?
A Yes.
Q What were those?
A Well, she had to take 'em off at night.
Q And why was it -- or what was your understanding of why it was that she had to take her clothes off at night?
A I don't really remember.
Q Do you know where Barbara slept?
A Yes.
Q Where was that?
A It was, uhm, as you come into the house and you turn to the right, there was like an office type of thing and that's where she slept.
Q And were there any particular rules that were applied to Barbara when she went to bed at night?
A The room was locked.
Q Do you know who made these rules?

A Arlan.
Q Did you ever hear Arlan Kaufman make any threats to Barbara?
A Yes.
Q What threats did you hear Arlan Kaufman make to Barbara?
A Well, I heard threats of taking her cigarettes away or her music away. Those were the biggest threats. If she didn't obey the rules.
Q Did you know whether Barbara had ever been hospitalized prior to coming to the Kaufman House?
A I don't know. I know that was a threat.
Q Can you talk about that?
A That Barb would be sent to Topeka State if she didn't cooperate, I mean, if she didn't obey the rules.
Q Who told Barb that she would be sent to Topeka State if she did not obey the rules?
A Arlan.
Q Did you ever hear Linda Kaufman make any threats to Barbara?
A No. The most I heard Linda say is calm down.
Q Was Linda Kaufman --
MR. JOSEPH: I'm sorry, Your Honor. May the witness repeat that. I didn't hear what she said.
A The most I heard Linda say is to calm down.
MR. JOSEPH: Thank you.

Q (By Ms. Parker.) On these occasions when you saw Arlan Kaufman threaten Barbara, was Linda Kaufman ever present?
A Sometimes.
Q Did she ever interrupt or disagree with Arlan Kaufman?
A No.
Q Do you know what the Topeka State Hospital is?
A It's in Topeka.
Q And what kind of a hospital is it?
A It's a mental hospital.
Q What sorts of things did you observe Barbara do to prompt Arlan Kaufman to threaten her with going to Topeka State Hospital?
A Sometimes she just would talk too much. Sometimes she would cry. Sometimes she would be angry. Things like that.
Q Did you ever have an opportunity to observe Barbara's reaction when Arlan threatened her about Topeka State Hospital?
A She got very fearful and most of the time went to her bedroom.
Q Did you ever see Arlan Kaufman do anything physical to Barbara?
A One time he put his hand against her mouth.
Q And do you know why that happened?
A She wouldn't shut up.
Q All right. Let me turn your attention to how the 7th

street house that you lived in was arranged and what, if any, role the Defendants Arlan and Linda Kaufman had at the house. First of all, can you tell the jury how many stories the 7th street house had?

A Well, it had a cellar, a basement. It had a main floor and it had an upstairs.

Q What rooms were on the first floor?

A The living room, the office, the seclusion or isolation room, the bathroom. There was a dining room. There was a kitchen. There was a rec room.

Q And how many rooms were on the second floor?

A Four or five.

Q Did you have a bed -- and were these primarily bedrooms?

A Yes. They were all bedrooms and a restroom.

Q Did you have a bedroom on the second floor?

A Yes, I did.

Q Was that your own room?

A No. I shared it.

Q In your experience living at the 7th street house, approximately how often did the Defendant Arlan Kaufman come to the house?

A Every day.

Q When Arlan Kaufman came to the house, did you ever see him knock on the door before entering?

A No.

Q Did you ever see Arlan Kaufman go to the part of the house where the bedrooms were?
A Yes.
Q In your experience, approximately how frequently would this occur?
A Sometimes every time there was group and we weren't all down there.
Q Did you ever see or hear Arlan Kaufman ask the residents' permission before he went upstairs to the bedrooms?
A No.
Q What about Defendant Linda Kaufman. Approximately how often did she come to the 7th street house?
A Once a day.
Q When Linda Kaufman came to the house, did you ever see her knock on the door before entering?
A No.
Q Did you ever see Linda Kaufman go to the part of the house where the bedrooms were?
A Yes.
Q In your experience, approximately how frequently would this occur?
A Not as often as with Arlan.
Q On those occasions when Linda Kaufman did go to the bedrooms and you observed it, did you ever see Linda Kaufman ask the residents' permission before she went upstairs to the

bedrooms?
A No.
Q Is that a no?
A Sorry.
Q Just have to remember to answer verbally for the court reporter.
Do you know why Arlan Kaufman would come to the 7th street house?
A In the mornings he would come to let Barb out. Sometimes there was someone in the seclusion room and so he would go talk to them.
Q And that brings up a point that I think I forgot to ask you about earlier. You mentioned Barb being locked in her room at night.
A Yes.
Q Do you know whether the Defendant Arlan Kaufman was aware of that?
A Yes, he was.
Q Do you know whether the Defendant Linda Kaufman was aware that Barbara was locked in her room?
A Yes, she was.
Q And how do you know that?
A Because they're the ones who sometimes put her in and let her out.
Q All right. Besides unlocking Barb's bedroom and letting

people out of what you called the seclusion room, do you know of any other reasons why Arlan Kaufman came to the 7th street house?

A Group therapy.

Q And was group therapy something that occurred on a regular basis at the house?

A Yes.

Q Who led these therapy sessions?

A Arlan.

Q Who else in the house attended them?

A Everyone attended them. It was kind of mandatory.

Q What was your understanding of the role that Linda Kaufman played at the 7th street house?

A She did the medications. She, uhm, went and got the groceries. She was kind of like, I mean, she was the nurse type.

Q You said that Linda Kaufman did the medications. Does that mean she actually dispensed medications to residents of the house?

A No. She put them in those day -- the week things.

Q So, like, pill boxes?

A Yeah, pill boxes.

Q And did she do that for each resident?

A The ones that was on medication.

Q And who had access to these pill boxes?

A We all did.
Q Was there any way to keep other residents from taking your pills?
A No.
Q And was there anything to prevent you from taking other residents' pills?
A No.
Q Did you ever observe Linda Kaufman participate in any of the therapy related activities at the house?
A She sometimes -- she didn't take part in the group therapy but sometimes she was in the room where we had it.
Q Did Linda Kaufman ever enforce any of the rules that you learned at the house?
A Don't know what you mean.
Q Well, you testified earlier that there were rules at the house.
A Yes.
Q Sometimes did you observe people or yourself violate those rules?
A Yes.
Q Did that ever happen in the presence of Linda Kaufman?
A Yes.
Q Did Linda Kaufman ever enforce the rules?
A No.
Q Who did that?

A Arlan.
Q Did anyone else work at the Kaufman House during the time you lived there?
A Yes.
Q Who was that?
A Donna Newfeld.
Q What role did Donna Newfeld play at the house?
A She did group in the mornings.
Q Did she have some sort of a professional title?
A She was a social worker.
Q And was she related to the Defendants Arlan and Linda Kaufman in any way?
A Yes.
Q And how was that?
A Arlan's sister.
Q Who, besides yourself, did you see Donna Newfeld interact with at the Kaufman House?
A All of us.
Q During the time that you lived at the 7th street house, did you have an opportunity to observe the condition of the house?
A Yes.
Q Could you describe your observations for the jury?
A It was, it was dirty, uhm, bugs, uhm, the toilet upstairs would leak onto the ceiling and drip down in the dining room area where the telephone was located. In the cellar,

basement, whatever you call it, was an old washer and dryer and that was kind of damp and dark down there.

Q When you say that there was bugs, do you know what kind of bugs you saw in the house?

A Cockroaches in the kitchen. Just -- yeah, in the kitchen. And in the bathrooms.

Q Now, at the time that you lived at the 7th street house, was there any particular dress code for the main part of the house?

A No. We just wore regular clothes.

Q All right. I now want to turn your attention to the room in the house that you referred to as the seclusion room. When did you first learn about this room?

A Couple days after I moved in.

Q Where was this room located in the house?

A Uhm, when you walk into the door and you, front door, and you turn right and you walk through the, you walk to the office, Barbara's bedroom, then you would turn left and you would go through a door and then there was another door, but in between the doors was kind of like closets on each side and you would go through the other door and that was the seclusion room.

Q All right. Is the seclusion room visible from the living room of the 7th street house?

A No.

Q When Arlan Kaufman gave your friends a tour of the house on the day that you moved in, did he show them the seclusion room?
A No, he did not.
Q What was your understanding of what the seclusion room was used for?
A Uhm, it was for, uhm, when -- I guess when you were out of control or broke the rules.
Q You said when you were out of control or broke the rules?
A Yes.
Q Are you aware of this room ever being used for any other purpose besides to isolate people who are out of control or breaking the rules?
A When you were in there, you did therapy with Arlan.
Q Where did you learn the term seclusion room?
A Don't remember. Sometimes it was called the isolation room. Sometimes it was called the seclusion room. I knew that Prairieview had a seclusion room.
Q And are your words seclusion room and isolation room, are they words that the Defendant Arlan Kaufman used?
A Yes.
Q Are they words that the Defendant Linda Kaufman used?
A Yes.
Q Now, without going into the details just yet, were you ever personally inside the seclusion room?

A Yes.
Q Do you know what the seclusion room looked like on the inside?
A Yes, I do.
Q Could you please describe that for the jury.
A If you walk through the doors, on the lefthand side of the wall there was some French doors that had plexiglass in 'em and there was -- they were boarded up.
Q Did the seclusion room have windows?
A Yes. On the other side of the room there was a set of two windows together and then there was, I believe, one window next to that. They, too, were plexiglass and boarded up. About this much space on top where you, you know, you got light or you could see out.
Q Okay. For the record, Nancy identified a space that's about the width of her face?
A Yes.
Q What about the floor of the seclusion room, what was it like?
A It was dirty. It was an orange type of shag carpet.
Q Did the seclusion room have any furniture of any kind?
A No.
Q What ability did someone who was inside the seclusion room have to communicate with someone outside?
A You had to bang on the French doors.

Q So there wasn't an intercom or anything like that?
A No, there wasn't.
Q Any buzzer?
A No.
Q Based on your experience at the 7th street house, who was responsible for deciding who would be placed in the seclusion room?
A Arlan.
Q Do you know whether or not Linda Kaufman was aware of how this room was being used?
A Yes, she was.
Q How do you know that she was aware of it?
A Sometimes she let us out or in.
Q Now, besides Arlan, Linda, and residents of the Kaufman House such as yourself, are you aware of anyone else who knew that there was a seclusion room at the 7th street house?
A Donna Newfeld did.
Q How do you know that Donna Newfeld was aware of this room?
A Sometimes you got to get out of it to go to group, so she would let you out and then she would put you back in.
Q Do you know whether or not Barbara was aware of the seclusion room?
A Yes, she was very aware of the seclusion room.
Q How do you know that she was aware of it?
A She's the first one that told me about the seclusion, plus

it was right next to her bedroom and sometimes she was in it herself.

Q In your experience, how often was Barbara in the seclusion room?

A Well, Barbara was in her own seclusion room in her bedroom; but in the regular seclusion room, uhm, not very often since her own room was one for her.

Q During the time that you lived at Kaufman House, were you ever placed in the seclusion room?

A Yes, I was.

Q Approximately how many times?

A Three.

Q All right. I'd like to talk about, first, some general aspects of your experience in the seclusion room and then we'll move on to some more specific things about it.

On the occasions that you were in the seclusion room, who decided that you would go there?

A Arlan.

Q And, generally speaking, why would Arlan place you in the seclusion room?

A Because I wasn't being compliant to the rules.

Q When you were in the seclusion room, were you locked inside?

A Yes, I was.

Q Was there any way for you to get out?

A No.
Q On the occasions when you were placed in the seclusion room, did you ever receive a medical evaluation by a doctor?
A No.
Q Were regular checks made by any staff at the Kaufman House when you were in seclusion room?
A No.
Q How would you get food?
A Have to hope they remembered to let you out.
Q And how would you get ahold of anyone if you needed something?
A Had a knock on the French doors and yell for Kevin or Barb to call Arlan, or you just waited until they came.
Q How were you dressed when you were in the seclusion room?
A Just your panties and your bra.
Q Whose decision was it for you to be wearing only your panties and your bra in the seclusion room?
A Arlan.
Q Was this something that happened every time you were in the seclusion room?
A Yes.
Q What happened to your outer clothing on those occasions?
A It was put in one of those closets.
Q Was Arlan Kaufman present in the room when you took off your outer clothing?

A Yes.
Q How did you feel about that?
A Awful. Weird. Never happened before.
Q So that wasn't anything that had ever happened to you in any other treatment facility you'd been in?
A Right.
Q Would the Defendant Linda Kaufman know when you were in the seclusion room?
A Yes.
Q How do you know that she knew that?
A Sometimes she was with Arlan when it would happen.
Q Would she know that you did not have any clothing on other than your bra and panties?
A Yes, she did.
Q Did she ever object to that condition?
A No, she did not.
Q How would you get your medication when you were in the seclusion room?
A I don't think I was on a daily dose during that time.
Q When you were in the seclusion room, would you have access to a bathroom?
A Yes, I did.
Q And where was that bathroom?
A Next to the seclusion room, there was a door that went into a real tiny bathroom with a sink, a toilet and then there was

a door that was locked that went into the kitchen.
Q Was there ever an occasion when you did not have access to the bathroom?
A Yes.
Q What did you do then?
A Held it.
Q Was any provision made for you in case you needed to relieve yourself?
A Yes. There was a big white bucket type thing.
Q And who gave you the bucket?
A Arlan.
Q Who prevented you from having access to the bathroom?
A Arlan.
Q Did you ever spend the night in the seclusion room?
A Yes.
Q When that happened, where would you sleep?
A On the floor.
Q Besides the two Defendants, would other people know when you were in the seclusion room?
A Yes. All the residents knew when someone was in the seclusion.
Q Would that include Barbara?
A Yes.
Q Based on your observations, again, living at the house, how often would the Defendant Arlan Kaufman place someone in the

seclusion room?
A It varied. I know of three incidents besides me.
Q And do you know whether Arlan Kaufman enforced the same rule about clothing on other residents when they were in the seclusion room?
A Yes.
Q And how do you know that?
A Because you saw 'em go in and then when they got out they would tell, I mean, we would talk.
Q Are you aware of any occasion when you observed a resident in the seclusion room that the Defendant Linda Kaufman did not know about it?
A No.
Q All right. Now I would like to talk specifically about a particular time that you were in the seclusion room, the last time. Who's decision was it for you to go into the seclusion room on that occasion?
A Arlan.
Q Had you done anything at that time that prompted the Defendant Arlan Kaufman to put you in the seclusion room?
A Yes.
Q What was that?
A I had found a letter that he had written to people of my church and I was very upset about it and he thought I needed to go in seclusion.

Q All right. On this occasion when you were put into the seclusion room, how were you dressed?
A For a while I just had my panties and my bra on and then there came a time when my bra was taken.
Q Did there come a time while you were in the seclusion room that the Defendant Arlan Kaufman came in to counsel you about something?
A Yes.
Q And what were you wearing at this time?
A I had my bra and my panties on.
Q What topic did you discuss with the Defendant Arlan Kaufman at that time?
A Sexual abuse of my dad and my brother.
Q What did Arlan Kaufman say to you about the sexual abuse by your father and your brother?
A I contributed to it.
Q And how was Arlan Kaufman dressed at this time?
A He had regular clothes on.
Q Were you sitting or standing?
A Sitting. We were sitting on the floor.
Q At some point did Defendant Arlan Kaufman summon someone else to come into the seclusion room with you?
A Yes.
Q Who was that?
A Barb.

Q How was Barb dressed at this time?
A She just had her panties on.
Q What happened after Barbara came into the room?
A Arlan, uhm, wanted Barb to touch my breasts like my dad did.
Q And did Barbara comply with what Arlan told her to do?
A Yeah, always.
Q And I know this may be difficult, but can you tell the jury whether Arlan Kaufman directed Barbara to touch you any other place?
A No. Just mostly my breasts.
Q How did you feel during this experience?
A Awful.
Q What was Arlan Kaufman's demeanor at this time?
A Just very direct, very, yeah, very, not forceful, but very assertive in what he was doing.
Q And what was Barbara's demeanor?
A She was okay with it.
Q She did what she was told?
A Yes.
Q How did you feel after this session was over?
A It went on for a while and I felt really bad.
Q And did you remain in the seclusion room for a time after that?
A Yes, I did.

Q Sometime after this incident in which Barb touched you, did you try to harm yourself?
A Yes, I did.
Q What did you do?
A Donna let me out for group and she handed me my robe and I went upstairs and in my bedroom I had a little, uhm, bulletin board and I took three of those thumb tack type of things that has the plastic end on it, took three or four of them, put them in my pocket, and after group was over and she put me back in, I took 'em out of my pocket real quick and held 'em in my hand and then she left and I was in seclusion and I stuck 'em as far as I could up my vagina.
Q What happened after you inserted these pins into your vagina?
A Well, it hurt, and I knocked on the door real hard, the French doors, and I told Kevin he needed to call Linda, I hurt myself.
Q And did either Arlan or Linda Kaufman come to 7th street after that?
A They both came.
Q What did they do when they got there?
A Well, they, of course, stormed in and Arlan asked me what the heck I did and I told him. I was standing up, I told him, and he turned to Linda and asked if it was serious.
Q What was Arlan Kaufman's demeanor at this time?

A He was pretty mad.
Q Did he do anything physical to you at that time?
A He grabbed my shoulders and set me down.
Q Did Linda Kaufman perform any sort of medical examination of you at that time?
A Well, opened my legs and she looked and uhm, and then, uhm, the conversation was about taking me to the clinic.
Q All right. What was the conversation about taking you to the clinic or to see a doctor?
A Linda said I needed to get 'em out and Arlan said, okay, take her to the clinic but don't leave her sight for a minute.
Q Did you actually go to see a medical professional at that time?
A Yes, I did.
Q Where did you go?
A I think it was across from Bethel Hospital. It was Dr. Bates' office.
Q And who did you see?
A A nurse practitioner.
Q Did you go into an examination room?
A Yes.
Q Did Linda Kaufman go into the examination room with you?
A Yes.
Q Did you ask her to do that?
A No. She just did.

Q Did Linda Kaufman ever leave you alone with the nurse practitioner?
A No, she wouldn't.
Q What did the nurse practitioner do?
A She took 'em out. And as she was taking them out, she asked me why I did it, and before I had a chance to tell her, Linda told her that I was one of their clients and that I was having a real hard time.
Q Did you ever tell the nurse practitioner yourself what had happened?
A No.
Q What happened after you left the doctor's office?
A Linda took me back. Arlan was there. He put me in the seclusion and he said I was going to be there for a while.
Q At some point after that, did you get out of the seclusion room for a time?
A Yeah. One night Kevin, or whoever, forgot to lock the bathroom door that goes between the bathroom and the kitchen. So I went out and I went to the phone and I called Prairieview and I told 'em what was going on. And it was a nurse, it was nighttime so it was a nurse, and she told me that she would tell Randy, to go back. So I went back into the seclusion room.
Q Did either of the Kaufmans find out that you had made this call to Prairieview?

A Yeah. The next morning Arlan came in and he was really pissed and he said that he -- that I would never go back to Prairieview again.
Q Approximately how much time total did you spend in the seclusion room on that occasion?
A I believe it was more than a week, maybe two.
Q Moving on to a slightly different subject. At any point while you lived at the Kaufman House, did you ever try to run away?
A Yes.
Q How did that come about?
A One night after group I left and Linda and -- I don't think Linda was there, Arlan had already left, and I remember group being real painful because Arlan was talking about my situation and I was really upset and I was going to run to Prairieview and he and Linda caught me at the south Dillons.
Q At the south Dillons in Newton?
A Yes.
Q And what was Arlan Kaufman's demeanor?
A He was really mad because I wasn't being compliant.
Q What was Linda Kaufman's demeanor at that time?
A She was always kind of just quiet.
Q And what happened after that point?
A That was one of the times I got in seclusion.
Q During the time that you lived at Kaufman House, did you

meet a resident by the name of Mary?
A Mary was there just shortly after I left. I mean, we just crossed paths.
Q So she came before you left?
A Right before I left.
Q Right before. So you didn't know her as well as you knew Barbara, for instance?
A Right. Right.
Q But were you able to make any observations about any particular restrictions that she was under in the time that you did observe her at the house?
A Yeah, she -- her clothes was locked up at night.
Q At some point, Nancy, did you leave the Kaufman House and return to Colorado?
A Yes.
Q Approximately when was this?
A August, August, September, of '86 I think.
Q And how did that come about?
A Arlan and my church thought that I -- it was right after that last seclusion time and Arlan and my church thought that I needed to go home and think about stuff.
Q And did you actually do that?
A Yeah.
Q Did you stay at home with your mother?
A Yeah.

Q Did you have any contact with either of the Kaufmans while you were in Colorado?
A Yeah, we had lots of phone conversations.
Q And was that with both of the Defendants?
A No. It was mostly with Arlan.
Q And what was the purpose of your contact with the Defendant Arlan Kaufman at that time?
A To decide if I was going to come back to Kaufman House and be compliant.
Q Do you know whether the Defendant Arlan Kaufman had any -- and without revealing the specific communication -- but did Arlan Kaufman have any communication with your friends from the church during this time?
A Yes, he did.
Q And, again, without revealing to the jury the details, did any of your friends speak to you about returning to Kaufman House?
A Yes, they did.
Q Did you feel any pressure to return to Kaufman House?
A Yes, I did.
Q What was it that caused you to feel pressure?
A Couldn't be a part of the church unless I went back to the Kaufman House.
THE COURT: I didn't understand the witness's answer.

Q Could you try again?
A I couldn't be a part of the church unless I went back to Kaufman House.
Q Your friends from your church, did you value their opinion a great deal?
A Very much.
Q Did you feel that Arlan Kaufman tried to interfere with your relationships outside of the Kaufman House?
A He did.
Q In what way?
A He restricted when I could see 'em and when I couldn't and what I could talk about and what I couldn't. And how much time I could spend with them and I couldn't.
Q Did Arlan Kaufman ever tell people outside the house things about your mental condition and your therapy?
A Yes, he did.
Q How did that make you feel?
A Awful. Never happened before.
Q When did you finally leave the Kaufman House for good?
A March of '87.
Q Was it your decision to leave?
A I had -- yes, I had followed all the goals that we had set.
Q Could you explain that a little bit for the jury. Who set goals?
A The church and Arlan set goals that I would have to

complete before I was able to leave Kaufman House.
Q And what sorts of things were those?
A Had to go to school. Had to get a job.
Q Did you continue to see Arlan Kaufman for therapy for sometime after you moved out of the house?
A Yes.
Q Why was that?
A That was part of it. Part of the plan.
Q That you would continue to see Arlan Kaufman. Is that a yes?
A Yes. Sorry.
Q How did your relationship with the Kaufmans finally come to an end?
A It just ended.
Q Did you decide to stop seeking treatment from Arlan Kaufman?
A Yes, I did.
Q Did you inform him of that?
A Yeah. I wrote him a thank you note.
Q Either before or after you left the Kaufman House, did you ever tell anyone outside the house about being confined to a seclusion room in the nude?
A Yes.
Q Who did you tell?
A I told my church. I told Prairieview. I told SRS.

Q And in general, how did these people react?
A They didn't believe me.
MS. PARKER: I'm going to take just one minute.
(Off-the-record discussion between Ms. Parker and Ms. Krigsten.)
Q (By Ms. Parker.) Just a couple other things, Nancy. First of all, you just testified that you wrote a thank you note to Arlan Kaufman. How did you feel about Arlan Kaufman at that time?
A I was glad to be out.
Q Why did you write him a note and thank him?
A My church thought it would be the only decent thing to do.
Q And just backing up on a subject we talked about a little bit earlier. You said that Barb had her own seclusion room. Can you just clarify what you meant by that?
A Well, at night she was locked in her bedroom and she didn't have her clothes on, just like some of the ones who would be in seclusion.
MS. PARKER: Nothing further, Your Honor.
THE COURT: Mr. Haney.
MR. JOSEPH: Your Honor, can you excuse me for a moment to step across the hall to get a notebook.
THE COURT: Sure.
MR. HANEY: I'll wait.
MR. JOSEPH: Thank you, Your Honor.

THE COURT: Yes, sir.

**CROSS EXAMINATION**

BY MR. HANEY:.

Q Nancy, I have to call you Nancy because the Court's rules I can't call you by your last name. So I'm not being overly familiar with you, I just have to call you Nancy. Is that okay?

A Yes.

Q Nancy, we have not talked until today as far as you know? My name is Tom Haney and I represent Dr. Kaufman. I'm his lawyer. We haven't talked before, have we?

A No.

Q And how many times do you think you've talked to any of these lawyers from United States or from U.S. Attorney's Office?

A Twice.

Q Quite a few?

A Twice.

Q What about other investigators who may have come out to interview you?

A Yes.

Q A number of times?

A Yes.

Q But you haven't talked to any investigators that might represent Dr. Kaufman or Linda Kaufman, have you?

A No.
Q Nancy, you started out by saying you're on several drugs today. What was the first one?
A Geodon.
Q Geodon. You described that as an antidepressant?
A No.
Q It's an antipsychotic, isn't it?
A Yes.
Q And if you said antidepressant, you just misspoke because it is an antipsychotic drug?
A Correct.
Q And the second drug that you are using today that's been prescribed for you was what, ma'am?
A It's the generic for Ativan. I don't remember the name.
Q Okay. And it's not an antidepressant, is it?
A No, it's not.
Q It's a minor tranquilizer?
A I guess you could say that.
Q Okay. Were either of these prescribed specifically for your testimony today or are you taking these on a regular basis?
A I've taken them since this trial broke, I mean, since I knew about the trial in January.
Q You have told the prosecutors that you -- when you were a child, you were abused by your father?

A Yes.
Q You were abused by your brother?
A Yes.
Q You were abused by your husband?
A Yes.
Q The church family you lived with, Irene and Jake, do you recall them?
A Yes.
Q Did you accuse them of abusing you?
A Yes, I did.
Q And another church member, John Lehman, have you accused him of abusing you?
A Yes, I did.
Q Okay. And you also accused Arlan Kaufman of abusing you?
A Yes, I have.
Q And have you accused Linda Kaufman in the past of being responsible for the death of a Mark L who may have overdosed at one of the houses?
A Yes, I have.
Q And you termed in that report that you thought that Linda Kaufman was responsible for that, for his overdose?
A Both of 'em.
Q Both of 'em. And that was investigated?
A I don't know.
Q Did you advise them that he had taken other medications

that belonged to the residents at the house? He had taken all their meds?
A I don't remember saying all their meds.
Q He took their meds?
A Yes, part of it.
Q Did it turn out that he didn't take their meds but he took some medication he got himself from another source?
A Yes.
Q Okay. In 1982, ma'am, you were living in an apartment by yourself if I understand?
A Yes.
Q And you were having trouble and that was not working for you?
A Correct.
Q And when you went to Kaufman House, about the second day you were there, you had a group therapy session?
A It was the night I was there.
Q Sure. And who all do you remember attending that as best you can remember? This is now 23 years ago. Who would have attended that?
A Kevin was there. Tom was there. Stacy was there.
Q Stacy. What's her initial of her last name?
A I don't remember. It was a boy.
Q Okay. Stacy and who else?
A Kevin, Paul, Tom, Stacy, James, Lynn. There was another

girl there that was going to leave shortly.
Q Okay.
A Barb.
Q And this took place at the house where you were living?
A 7th street.
Q 7th street. Everybody was clothed?
A Yes.
Q You didn't ever yourself go into any group therapy sessions in which people didn't have all or part of their clothes on, did you?
A Correct.
Q The group therapy session that you attended, the first one lasted about how long? If you can remember.
A The first one?
Q Yes.
A I don't know.
Q Okay. Can you give us some idea? Like ten minutes, an hour, or more than that or any ball park idea?
A Usually they lasted more than an hour.
Q And how many group therapy sessions when you were there did you have on average on a week?
A I would say four.
Q What about individual therapy sessions that you would have with Dr. Kaufman?
A When I was in seclusion.

Q And I think you told us you were in seclusion about three times. Am I correct?
A Yes.
Q You recall ever specifically asking Dr. Kaufman to be put in seclusion yourself?
A No, I do not remember that.
Q When you were acting out on occasion, could you have asked him that you do want to go in seclusion?
A No, I never wanted to go in seclusion.
Q And seclusion room -- do you know, Mary O?
A No.
Q She was not there when you were there?
A Correct.
Q Do you know whether the seclusion room even existed as a room since 1990?
A No.
Q You don't know that?
A No.
Q So if someone's been living in that room since 1990 and there is no seclusion room at least for the last 15 years, you wouldn't know about that?
A I would not know that.
Q Can you describe the seclusion room at Prairieview? You were in that at one time, weren't you?
A No, I was not in the seclusion in Prairieview prior to

Kaufman.

Q All right. But you have been there?

A Yes.

Q What kind of a room is that?

A It had a mat on the floor. It was white. It was well lit. The door was locked. You had access to a restroom. And they checked on you every 15 minutes.

Q Any furniture?

A I said a mat.

Q But no furniture other than the mat?

A When the therapist would come in, he would bring a chair.

Q And how were you dressed in that seclusion room?

A I had clothes on.

Q Okay. Clothes or pajamas?

A Clothes.

Q All right. And you would be there for how long a period of time about?

A The most was three hours.

Q You described Barbara T who you saw at 7th street. Have you seen Barbara T being what you would call delusional on occasion?

A Yes.

Q But you were not, if I understand; right? You were not subject to delusions?

A No, I was not.

Q All right. And the threats that you saw made against Barbara T were of taking cigarettes away or her music away on occasion?
A Would you please repeat that.
Q Sure. You described some of the threats that you saw against Barbara T of taking her cigarettes away or her music away?
A Yes.
Q Or a what you've called a threat that she would be sent to the Topeka State Hospital?
A Yes.
Q You know how many years Barbara T had been hospitalized prior to her coming to Kaufman House?
A No.
Q Do you know whether she had been in hospitals for some ten years on and off?
A No.
Q All the time that you were there and Barbara T was there, was she ever sent to Topeka State Hospital?
A No, she was not.
Q Do you know how many years she stayed in the Kaufman House after you left?
A Until it closed.
Q Okay. And if you left in 19 -- was it '87?
A Yes.

Q And she would have been there since 2004?
A Yeah.
Q Did you have contact with her during that time?
A No.
Q You also mentioned concerning the physical contact with Barbara that Barbara talked a lot?
A Yes.
Q And at one time you said Arlan may have put his hand -- you put your hand in front of your mouth essentially to say shut up or don't talk any more. He did that to Barbara?
A Excuse me. Can you repeat the question.
Q Sure. Would you demonstrate to the jury again what Arlan did using your hand on your mouth to --
(Witness indicating.)
Q Okay. He didn't slap her?
A No.
Q He didn't hit her?
A No.
Q He didn't pull her hair?
A No.
Q He didn't choke her until she couldn't breathe?
A No.
Q You've never seen anything like that happen, had you?
A To Barb, no.
Q Yes. When group therapy sessions were going, if I

understand you correctly, if not all the people were going to attend group therapy were there, Dr. Kaufman would come over, he would go find them and bring them in?
A Yes. Or he would send one of us.
Q To their bedroom to find them?
A Yeah.
Q Okay. So he wasn't the only one who always went to their bedrooms. He said where are they, bring 'em down?
A He usually went to the bedrooms but we, we would look for 'em, yes.
Q Okay. And were all the people -- all these were individual -- all these different personalities, were they all completely reliable to be at group therapy at the exact time it was supposed to start?
A No.
Q And the house, you mentioned that it was dirty. Saw some bugs. How did you all work out who was going to clean the house and take care of the house?
A We took turns of who was going to clean what room.
Q And you knew, ma'am, when you came to the house that there were no house cleaners, there was no outside individual that was going to come in and clean that house?
A Could you repeat that.
Q Sure. There were not maids that were going to come in and clean the house?

A No, there was not.
Q And there were no cooks that were going to come in and clean and cook for you all?
A No, there were not.
Q So if I understand, you decided, you being you and the other folks that lived there, as to who was going to have what responsibility for cleaning?
A Yes. We did that every Monday.
Q Okay. And did you trade off or did some people have certain things they liked to do?
A Certain people kept the same job all the time.
Q Okay. And as far as cooking meals, you all decided how that was gonna happen?
A Yeah, there was about four of us that cooked most of the time.
Q And buying groceries, that was a decision that you also decided what to buy and when to buy 'em?
A We wrote the menu and then Linda went and got it.
Q Okay. And there was nobody at the house 24 hours a day that was there to look after your needs or supervise you?
A No.
Q And you had a group -- sort of a group room where you would watch television on occasion?
A No, there was no TV.
Q There was no TV when you were there. Okay. Did any of the

individuals when you were there have air conditioners?
A No.
Q You mentioned that Barb was locked in her room?
A Yes.
Q Did Kevin or anyone else outside there have a key to that room that you know of?
A Didn't need a key. It unlocked from the outside.
Q Okay. So anybody -- if she wanted out or needed out or something happened, the door could be unlocked and she could come out?
A Only if we had permission from Arlan to let her out.
Q All right. But there was a fire that happened or something, you could let her out without a problem?
A We would.
Q Okay. So she wouldn't burn to a crisp waiting for Arlan to come over. You could let her out?
A Of course not.
Q You mentioned that you were put in the seclusion room on occasion because you may have been out of control. Can you describe to the jury -- this is a while back and it may be difficult for you. I apologize for that, but you're better now than you were then?
A Exactly.
Q What sort of things would happen that you would be out of control? When you were out of control then, how were you?

A I ran away once.
Q Okay.
A I opened the door to a friend from the church once.
Q Pardon?
A I open the door, front door, to a friend from the church one time.
Q Okay.
A And the last time was when I saw the letter he wrote to the church.
Q And had you, as far as you can remember today, ever torn up things or destroyed things of yourself or other people out at the house?
A Could you repeat that.
Q Sure. Did you ever tear up things or have any tantrums when you were out at the house?
A Yes, I did.
Q And your things or other people's things or --
A I don't know that they were other people's things, but my things, and posters on the wall.
Q And when that would happen, did you go into the seclusion room after an incident like that to calm down?
A One time.
Q Okay. Now, if I understand, the seclusion room and all these things you told us about that, you were embarrassed and put in the room and you didn't like it. After that, you went

to Colorado for several months?
A Would you please repeat that.
Q Sure. After the incidents you told us about, the initial ones where -- the staying in the seclusion room, putting a pin in your vagina. Then you went to Colorado? You left the house and went to Colorado?
A I went for a visit.
Q You went --
A My stuff was still at the house.
Q Excuse me?
A My stuff was still at Kaufman House.
Q But you left and went -- where did you go in Colorado?
A I went to visit my mother.
Q And you were there for how many months?
A One.
Q Did Dr. Kaufman try and prevent you from going to see your mother?
A No.
Q All right. And you were wrestling with whether to try and come back to Kaufman House even after all the things you described to us; right?
A I didn't want to come back to Kaufman House.
Q Your explanation is that you came back because the church, you had -- if you didn't stay with the church, you couldn't stay in Kaufman House?

A Could you repeat that.
Q Sure. That if you didn't come back to the Kaufman House, that the church would not let you attend their services or join their church again?
A Correct.
Q Who would that be at the church that had told you that?
A Steve.
Q Steve who?
A Schmidt. Elsie. There was a number of 'em.
Q Okay. You remember when you left Kaufman House? You have a pretty good memory at least as far as the date. It was 1986 when you left to go to Colorado?
A Do I remember what?
Q Yes, ma'am. Do you remember what month that would have been that you left to go see your mother?
A I think it was the end of July.
Q All right. And do you recall when you were in Colorado getting a detailed letter from Dr. Kaufman about the possibility of your coming back?
A Yes.
Q All right. As far as you recall, would that have been like in August of '86?
A Yes.
MR. HANEY: May I approach to have this marked for cross-examination?

THE COURT: Yes.

(Defendant Exhibit 600 marked for identification.)

MR. HANEY: May I approach the witness, Your Honor?

Q (By Mr. Haney.) Take a look at this and look at this long enough and see if you can tell me that's the letter that you got from Dr. Kaufman. It's a copy of it, obviously. It's not the original.

(Witness complies with request.)

A Yes, it is.

Q Thank you.

MR. HANEY: Move for the admission of Defendant Exhibit 600, Your Honor.

MS. PARKER: Government would object on the ground that this is a letter from the Defendant. It's an out-of-court statement and it's hearsay.

MR. HANEY: And it's a letter that was received by this witness and I want to ask her whether she did receive it and what she responded to it. She has indicated that she has been essentially afraid of Dr. Kaufman. She had all these incidents. This letter was sent to her and she came back. I take it she analyzed the contents of the letter and considered it.

THE COURT: Let me see the letter, please.

MR. HANEY: Sure.

THE COURT: The objection is overruled. Exhibit 600 is received.

MR. HANEY: Thank you. Would you turn on the elmo so we can see this.

Q (By Mr. Haney.) Nancy, maybe your eyes are better than mine. Can you see that from where you are?

A Not clearly enough to read every word.

Q Pardon?

A Not clear enough to read every word.

Q Okay. Let me go -- and I can read some of this and we'll talk about it. And if I misspeak, I'm sure the Government will correct me.

August 18th, 1986, at least is when the letter's dated. "Dear Nancy -- " and we know it's signed from Dr. Kaufman. You remember receiving this letter about that date or shortly after that?

A Few days after he wrote it, yes.

Q Okay. And the second paragraph Dr. Kaufman says: "However, we are feeling a need to be more direct in identifying problems and more aggressive in trying to help you achieve normal relationships in this community. If you feel that you have achieved normal relationships and peace of mind in your Colorado setting, we heartily endorse your making a permanent move to Colorado. Perhaps moving into a new community, making a fresh start and getting a job and your own

apartment, along with the many things you have learned through your Kansas experiences, can work. Your several week experience with family and friends should give you a feel for permanent move to Colorado."

That was an option that you had? To stay where you were?

A Yes, it was.

Q And there's a mention in this, the fourth paragraph: "In my last conversation with you, I suggested that you try to identify problems that you are aware of that interfere with normal living. I suggested this as a difficult task to do but hope you are making some progress. By normal living we mean very basic goals like stable, full time employment, emotional stability for a period of at least several months, i.e., free from painful periods of depression, hurting, unstable relationships with others, bouts of crying, extra attention, i.e., the ability to stop yourself from putting objects into your vagina, running to, quote, 'asshole', unquote, friends for comfort or relationship, staying out all night in an unstable state of mind, et cetera, freedom from excessive need for attention and every day living as well as from excessive time demands on professional people, support people, friendships. And last but not least, a feeling of being okay, secure in yourself, at peace with the world, confident in your ability to hold normal relationships with the kind of people

with whom you wish to identify."

You read that and thought about that at the time, I take it?

A Yes, I did.

Q All right. And the jury can read the entirety of the letter, but also on the second page, Dr. Kaufman states "I encourage you to share this letter with your parents. If they have any questions, I would be happy to communicate with them."

Do you know whether he did talk to your parents?

A Yes, he did.

Q Okay. And on the first page, paragraph, "you know what the treatment program is like at KH -- " which you took for Kaufman House?

A Correct.

Q Sure. "It hasn't changed since you left with the exception of adding two new residents. The goal is normal living. If this is not your goal, I don't know that we can help you."

Right?

A Right.

Q The church, do you have any indication that Dr. Kaufman -- he's not a member of your church, was he?

A No, he is not.

Q That he manipulated or persuaded church members to say that if you didn't come back to Kaufman House, you couldn't be in

the church?
A Don't know. Wasn't there.
Q Okay. Now, the relationship, your relationship when coming to Kaufman House, the church was very important to you?
A Yes, it was.
Q And the church was actually involved in trying to help you in conjunction with Dr. Kaufman; right?
A Can you repeat the question.
Q Sure. The church was actually trying to help you in conjunction with what Dr. Kaufman was doing?
A Yes.
Q There's a mention in this letter on the second page, "Our original agreement with you, Steve Schmidt representing the church, and Kaufman House, called for termination with PV."
I think that's Prairieview probably?
A Yes.
Q "Prairieview treatment programs when you begin the treatment program at KH. This included termination with Randy as a second therapist one month later."
So Nancy, were you aware that the church was also involved in this process of trying to get you better along with Dr. Kaufman? They were kind of working together?
A Yes.
Q And you said you were upset because he told the church some things about you. Do you think he might have told the church

these things because he was wanting them to know what was going on with you so they could all help you together?
A Is that a question?
Q Is that a possibility? Be a possibility, wouldn't it?
A Yes.
Q And I'm not going to go through your entire past, your divorce, what happened between your divorce and remarriage, but there are a lot of things that happened at Kaufman House that you didn't ever think that you would be sitting in a court of law talking about, am I right?
A Can you repeat that.
Q Sure. There are a lot of things that happened in therapy sessions at Kaufman House group therapy, individual therapy, things that you talked about, that you never thought would ever put you in a witness chair like this talking about it. You don't want to be here, do you?
A I don't understand the question.
Q All right. Let me make it simple. You don't want to be a witness in this case, do you, if you had your choice?
A Yes, I would.
Q You would. Okay. Did you report the various things you mentioned that you thought were wrong, you reported them to SRS?
A Yes, I did.
Q And who else, ma'am?

A Randy Kreihbel, Dr. Yoder and the church.
Q And you don't think that they did anything at all after you talked to them? They just didn't believe you?
A They talked to Kaufman.
Q Do you know what else they did?
A They talked to Arlan. That's all I knew.
Q And this would have been about when when you would have made these complaints? About '88 maybe?
A What complaint?
Q About Dr. Kaufman?
A I complained all the time.
Q Okay. When you left the house?
A Yes.
Q And this was in 1987, am I right?
A Correct.
Q At that time, you lived in a private apartment by yourself?
A Yes, I did.
Q And for how long?
A Since -- until 1988.
Q Okay. And you had a job?
A Yes, I did.
Q Where did you work then?
A Peabody nursing home.
Q Nursing home. Doing what, ma'am?
A Activity director.

Q And when did you leave there?
A '88.
Q And you mentioned the suicide attempts that you had had. Did you also have a serious suicide attempt in 1988.
A Yes.
Q In your own apartment?
A Yes.
Q And what precipitated that?
A Mark's death.
Q Pardon.
A Mark's death.
Q And in 1990 you had been on Social Security disability for depression and suicidal attempts; is that correct?
A No. Depression.
Q You were on Social Security disability?
A Yes, I am.
THE COURT: How much more do you have?
MR. HANEY: Not a whole lot.
THE COURT: Okay. Let's finish up and then we'll take our recess.
Q (By Mr. Haney.) Ma'am, your mother is Virginia? Your mother's name is Virginia?
A She was --
Q I'm sorry. Is she deceased now?
A Yes.

Q Do you know whether your mother was supportive of Kaufman House? At least in 1987 when you were there?
A Yes, she was.
Q Did you feel that you were better than you were when you went into Kaufman House when you left and got your own apartment and got a job? Things were going pretty well, weren't they?
A Can you repeat the question.
Q Sure. When you left Kaufman House in 1987, you got a job, you had your own apartment. Things were going better than they were when you first arrived?
A Yes.
Q And you had individual therapy with Dr. Kaufman for several more months?
A Two or three.
Q And then you decided you didn't wanna do it any more and stopped?
A Correct.
Q The seclusion room, was there a bathroom that's at least connected to it?
A Yes.

MR. HANEY: That's all.

THE COURT: Ladies and Gentlemen, we'll take our morning recess. Approximately 15 minutes. Please remember to heed the admonition. You're excused.

(Jury excused for recess.)

THE COURT: I'm rethinking my decision to admit Exhibit 600. Let me look at it over our break here and we'll come back a little early and you can tell me the basis on which it's admissible. Please, particularly take a look at Rule 801.

(Recess.)

(Whereupon, the following proceedings continued OUTSIDE THE PRESENCE of the jury.)

THE COURT: Let's talk about Exhibit 600. Mr. Haney, how does this come in evidence?

MR. HANEY: Thank you, Your Honor. Two reasons. One, Your Honor, it's being offered not for the truth of the letter's contents, but it's being offered that these were assertions made that Nancy reviewed in order to make her decision to come back to Kaufman House along with other factors which she testified to. Secondly, it's being offered as cross-examination impeachment evidence that she had testified she went in the seclusion room for breaking rules, et cetera. In reviewing the letter, she admitted she also had gone on either destructive periods where she may have destroyed property of herself or others and that also would be a reason she would be in the seclusion room. So with those --

THE COURT: Well, she testified to that without

seeing the letter.

MR. HANEY: Not as to destruction, I don't think, Your Honor.

THE COURT: Yeah, she did. Before the letter was offered, you asked her and she testified that when she was out of control, she ran away once, opened the door to a church friend one time, and when she saw the letter, which is not this letter, she tore up things and had tantrums and went into seclusion one time. So the letter doesn't impeach anything.

MR. HANEY: I asked her, Your Honor, about her self-destructive, her self-destructive tendencies, which is contained in the letter; but the principal reason is that it's just not hearsay because we're not offering it for the proof of everything that's in that letter, but it was reviewed by Nancy, she saw it, she admitted it. The genuineness of this is not in issue. And formed part of her thought process.

THE COURT: I've never understood this. If it's not offered for the truth, why is the letter in evidence? Why don't you just ask her questions about the letter? You want the jury to read the letter and you want the jury to accept the letter as a statement of your client. Correct?

MR. HANEY: Your Honor, I want the jury to review the letter as knowledge that Nancy had that she reviewed along with her testimony about the church and other things as to why she came back to Kaufman House. She had this basic

information in front of her. And, no, I'm not offering it that it's a truthful statement as to everything that's in that letter by my client.

THE COURT: Can I tell the jury that?

MR. HANEY: Sure. I mean, we all -- well, yes. When Dr. Kaufman -- I'm anticipating he will testify and it may come in for other reasons.

THE COURT: Well, I'm sure that if he testifies, that letter will probably come in. I'm just trying to deal with it at this stage in the case.

MR. HANEY: If the Court wants to admit it with those provisions, with that caveat, that's why I'm offering it. I certainly don't object to the Court telling the jury that.

THE COURT: All right.

MR. JOSEPH: I was going to say, Your Honor, I just join in the offer of Exhibit 600.

THE COURT: All right.

MS. PARKER: Just by way of brief response, Your Honor. The Government continues to object just on the grounds that Mr. Haney can and in fact did ask the witness on the stand what she has knowledge of, and as long as she didn't deny that knowledge, this is simply extrinsic evidence of something she hasn't denied. And there's much about Mr -- Dr. Kaufman's treatment of people at the house and his therapy

program that, you know, is his statement, his out-of-court statement, and we object to its admission.

THE COURT: I know that and, you know, I had a little bit of extra time to think about it, but the letter is -- part of the letter has been shown to the jury and it's pretty hard to unring the bell. So I think rather than take it out of evidence, which is difficult, I'm just going to instruct the jury that its consideration is for a limited purpose. All right. Bring them in.

(Jury returns to the courtroom.)

THE COURT: With respect to Exhibit 600, which is the letter that the Defendant Arlan Kaufman wrote to this witness, you may consider the contents of the letter only insofar as Mr. Haney was using them for purposes of cross-examination. The letter was not offered and is not admitted for the truth of the matters that Defendant Arlan Kaufman stated in the letter. All right.

MR. JOSEPH: Thank you, Your Honor. First, Your Honor, we would move for production under the Jencks Act.

MS. PARKER: Your Honor, Jencks has been produced. There isn't any.

MR. JOSEPH: Oh --

THE COURT: You can't produce something that isn't there. The Jencks Act, Ladies and Gentlemen, is a federal statute that says that after a witness has testified, the

Government is required to turn over his or her statement if they haven't already done so. But if there's no statement to turn over, then there's no Jencks Act discovery. All right.

MR. JOSEPH: Thank you, Your Honor.

**CROSS EXAMINATION**

BY MR. JOSEPH:

Q Nancy, my name is Steve Joseph. I'm Mrs. Kaufman's lawyer. Did you do anything to prepare for your testimony today like review documents or review records, review notes by yourself?

A Could you repeat the question.

Q Did you do anything to prepare for your testimony today like review documents, review records or review your notes?

A No.

Q Did you keep a journal of your time that you spent at the Kaufman House?

A Yes, I did.

Q Where is that journal?

A It got burned up.

Q When?

A '93.

Q Did you burn it up?

A Yes, I did.

Q Did you keep a journal after the time you were in the Kaufman House?

A Yes.

Q Did you keep a journal before the time you were in the Kaufman House?
A Yes.
Q So this is just like a journal, a regular diary that you keep?
A Yes.
Q In addition to that type of preparation, that is, reviewing documents or notes, what have you -- you spoke with counsel for the Government on two occasions?
A Recently, yes.
Q How recently?
A Last week was my last time with them.
Q Was that in person?
A Yes.
Q Was that here?
A Yes.
Q So have you been here all this time in Kansas? Since last week?
A Yes.
Q Okay. And your conversation with counsel for the Government covered what your testimony was going to be?
A Could you repeat the question.
Q Your conversation with the Government's attorney was about what your testimony was going to be here in court today?
A I shared my story with them.

Q Them. Was there more than one there?
A Yes.
Q And during the time that you were sharing your story with them, was your conversation with them being recorded in any fashion?
A I don't believe so.
Q Okay. And who did you speak with before last week?
A Ryan.
Q Mr. Filson, Ryan Filson?
A Yes.
Q And where did that take place?
A On the phone.
Q Was your first in-person contact with somebody from the Government about this matter just last week?
A No.
Q All right. What other in-person contacts have you had?
A July.
Q Of this year?
A Yes.
Q Who was that with?
A Uhm, Lisa and Kristy and Ryan. I don't remember the other person's name.
Q Okay. And that would be Lisa Krigsten and Kristy Parker, Government's counsel here at the table?
A Yes.

Q And so you've had at least two in-person contacts with the attorneys for the Government?
A Yes.
Q Where did that first one take place?
A Over at the Epic Center.
Q Here in Wichita?
A Yes.
Q You came here and were interviewed here?
A I came here and wanted to meet them.
Q Were you interviewed in any way about what your testimony was going to be and what your story was?
A I don't understand the question.
Q Did they ask you questions or did you give them information about what happened when you were at the Kaufman House when you were here in July?
A I told them my story.
Q So you've twice told them your story then?
A Yes.
Q And when you talked to Mr. Filson on the phone, did you tell him your story then?
A Yes.
Q Let's turn to your story now. By way of background, before you went to Kaufman House, how many times had you been hospitalized?
A A lot.

Q Both in Colorado and in Kansas?
A Never in Colorado.
Q But you had been hospitalized lots of times in Kansas?
A At Prairieview.
Q How many times at Prairieview were you hospitalized before you went to the Kaufman House?
A I was either in inpatient or a day hospital patient.
Q How many times?
A Sometimes months. Sometimes if I wasn't in inpatient, I was a day hospital patient.
Q Okay. Let's just talk about inpatient first. How many times were you an inpatient at Prairieview Mental Hospital or health center -- well, we'll just call it Prairieview. I don't remember the last part of it -- in Newton before you went to Kaufman House?
A More than six.
Q Okay. And did you also live in some housing called Meadowlark before you went to the Kaufman House?
A No.
Q That was just afterward?
A Yes.
Q We'll get to that in a minute. And then you say you had some outpatient treatment at Meadowlark where you went to the day hospital -- excuse me -- outpatient treatment at Prairieview where you went to the day hospital --

A Yes.
Q What is the day hospital? What does that mean?
A You went there during the day like from 8 to 4:00 and you had different groups and different activities. You ate lunch there and then you went home.
Q Now, you testified on direct examination that you moved in 1976 to Newton and then you moved back to Colorado in 1979. During that three years or thereabouts that you were here in Newton, Kansas, did you have any contact with Prairieview during that time?
A No.
Q Then you returned to Newton in 1982 and in 1986 you moved into the Kaufman House. Were the hospitalizations and the outpatient treatment that you described at Prairieview during that time period from 1982 to 1986 before going into the Kaufman House?
A Could you ask that again, please.
Q You were in Newton from 1982 to 1986 before you went to the Kaufman House?
A Yes.
Q Was it during that time period that you were in the Prairieview hospital?
A Off and on, yes.
Q And was it also during that time period that you had the outpatient treatment from Prairieview?

A Yes.
Q During that time period, were you on medications?
A Yes.
Q Did you attempt suicide during those four years?
A Once.
Q And were you hospitalized at Prairieview on that occasion?
A Yes.
Q Do you remember the events that triggered you going into the Prairieview hospital on the other occasions before 1986?
A A few of 'em.
Q But they were nothing like suicide?
A Sometimes it was to prevent suicidal action.
Q Sometimes you were so concerned about you hurting yourself that you went to Prairieview and were checked in?
A Yes.
Q Now, let's start next from April of 1987. That's when you moved out of the Kaufman House?
A March of '87.
Q March of '87. Okay. March of '87, you moved out and you went to live in an apartment of your own?
A Yes, I did.
Q When did you go back to Colorado permanently?
A February, I think it was, of '89.
Q Let's review that time period, then, from March of 1987 to February of 1989 when you went back to Colorado on a permanent

basis. When you first moved out, you said you lived in an apartment?
A Yes.
Q And how long did you live in the apartment?
A Almost nine months.
Q Where did you live after that nine months?
A Meadowlark.
Q Meadowlark, did you say?
A Yes.
Q And what is Meadowlark?
A I don't know how to describe it. It's a place where people go and live for -- it's a therapeutic thing like a hospital but it's less structured.
Q And this is associated in some way with Prairieview, is it not?
A It was, yes.
Q And how long did you stay in Meadowlark?
A Almost a year.
Q Where did you live then?
A Can you repeat the question.
Q Where did you live, then, after Meadowlark?
A I moved back to Colorado.
Q Now, during the time that you were living in the apartment, that nine months after you moved out of the Kaufman House, was there a time when you were hospitalized on an inpatient basis

at Prairieview again?
A Yes.
Q Was that for an attempted suicide?
A Yes.
Q How long were you in the hospital before you moved to Meadowlark?
A I don't understand the question.
Q When you were hospitalized again at the time you were living in the apartment in Newton, do you remember how long you stayed in Prairieview hospital on an inpatient basis before you moved to Meadowlark?
A I went back to my apartment after that stay.
Q Oh, I see. How long did you remain in your apartment before you moved to Meadowlark then?
A Close to nine months.
Q All right. Let me approach this a different way.
A Sorry.
Q During the nine months that you lived in the apartment, you were hospitalized on at least one occasion at Prairieview, weren't you?
A Right.
Q After you got out of the hospital at Prairieview, you went back and lived in your apartment, didn't you?
A Yes.
Q And at the end of the nine months, your counselors, your

psychiatrist, whoever, somebody at Prairieview, recommended you go live in Meadowlark. Isn't that true?
A Yes.
Q And so then you moved from your apartment into Meadowlark?
A Yes.
Q And you remained there until you moved to Colorado?
A Yes.
Q And during all that time period, the nine months you were living in your apartment and the about one year you were living in Meadowlark, you were being treated by the staff at Prairieview, weren't you?
A Yes.
Q After you moved back to Colorado, did you continue under treatment from a mental health professional of some kind?
A Yes.
Q In fact, you've been continuously under treatment for 25 years or so, haven't you?
A Can you repeat the question.
Q You've been continuously under treatment for mental illness for about 25 years. Is that true?
A What do you mean continuously?
Q You've had a therapist or a psychiatrist that you've been seeing for almost 25 years, one or another, here or in Colorado?
A I stopped seeing a therapist in 2003.

Q And you're not seeing a therapist now?
A Yes, I am.
Q So there was some period of time between 2003 and 2005 that you weren't seeing anybody?
A Correct.
Q All right. But from 1987 -- excuse me -- from 1989 when you moved back to Colorado, until 2003, you were seeing a therapist?
A Off and on, yes.
Q Were you on medications during that time period?
A Yes.
Q Were these the same medications that you had mentioned on direct examination that you were taking?
A No.
Q What kind of medications were they then?
A I was on Prozac.
Q Since January of this year, though, you've been on the two drugs that Mr. Haney asked you about and the Government's counsel asked you about. One was -- I don't remember their names and I can't pronounce them anyway. One was an antipsychotic and one was a mild tranquilizer?
A Yes.
Q And also on antidepressants?
A No.
Q No antidepressants right now?

A No.
Q When you first moved in 1976 to Newton, that was to become a member of the New Creation Fellowship Church?
A Can you repeat the question.
Q When you first moved to Newton in 1976, that was so you could become a member of the New Creation Fellowship Church?
A Back then it was called New Creation Fellowship; and, yes, it was 1976.
Q Okay. You say back then. Has that name changed or did it change at some point?
A Yes. It changed in the '80s. They added the word church.
Q The who?
A They added the word church in the '80s. It used to be called New Creation Fellowship.
Q Are you still a member of that religious group?
A No.
Q How long has it been that you have not been a member of the New Creation Fellowship as it was subsequently called?
A When I moved in '89, that's when my membership ended.
Q So that's just a local church here in Newton?
A Yes.
Q And this was a communal kind of church?
A Back in 1976 it was.
Q Because you said in the New Creation Fellowship where we shared everything?

A That was back in 1976. We lived in households.
Q In households of various church members?
A Yes, families and singles.
Q And that's why you were living with Jake and Irene Pauls?
A Yes.
Q Did you live in Mr. John Lehman's household?
A No. John Lehman, John Lehman lived in Chicago at Reeber Place at the time.
Q At what place?
A John Lehman lived at Reeber Place in Chicago at the time.
Q How was it, then, that you had contact with him so that you subsequently made an allegation that he abused you?
A Can you repeat the question.
Q Mr. Haney asked you if you had in the past made allegations against Irene and Jake Pauls that they had abused you?
A Yes.
Q And you said yes.
(Witness nods in the affirmative.)
Q And he asked you about a man named John Lyman or Lehman?
A Lehman.
Q Lyman. And you said you'd made an allegation that he abused you. But you just told us he lives in Chicago or lived then in Chicago.
A Yes.
Q And what I want to know is how did you have some kind of

contact with Mr. Lehman in which he could have abused you if he lived in Chicago? How did that come to be?

A It was -- he was speaking to the church, like Irene and Jake, telling them how to treat me and he never met me.

Q Oh, so -- I see. So he never met you but he abused you by telling Irene and Jake Pauls how you should be treated?

A Yes.

Q And when you say how you should be treated, you mean how you should be physically treated or what?

A Would you please repeat the question.

Q I don't understand what you mean when you say he told them how you should be treated. What do you mean by that?

A They isolated me from other people.

Q Irene and Jake Pauls did?

A Yes, they did.

Q Isolated you in what sense?

A The only people I could relate to was Irene Pauls.

Q That's kind of what happened at the Kaufman House to you also?

A Yes.

Q And that -- when you were isolated like that, that was that 1976 it 1979 time period when you lived in Newton?

A Yes.

Q Nonetheless, you came back, because in 1989 you wanted to be a part of the church again -- excuse me -- in 1982 you came

back because you wanted to be part of the church again?
A Yes.
Q When you came back in 1982, who did you live with then?
A There was no households then and I had my own apartment.
Q Did you have a job between 1982 and the time in 1986 that you moved into the Kaufman House?
A No.
Q What did you do?
A I spent time either at a day hospital or hospitalization or in my apartment.
Q Did you have contact with church members also?
A Yes.
Q I think you mentioned one of 'em was Steve Schmidt. He was the pastor of the New Creation Fellowship at that time, wasn't he?
A Yes.
Q Nancy, on direct examination you first indicated, according to my notes, that you moved into the Kaufman House in late April of 1986 and then you said you moved in in March of '86. Do you remember which month it was that you moved in?
A It was March of '86. I met Arlan and Linda Kaufman the last week of April of '86, but I moved in in March. I'm sorry. I moved in in March and I met them in February.
Q All right. So you met the Kaufmans, Linda and Arlan, in February of 1986?

A Right. I got my months mixed up. I met them in February. I moved in in March.
Q And remained for one year?
A Yes.
Q Less a few weeks that you spent with your family in Colorado?
A Yes.
Q And when you were in Colorado for that trip, who did you stay with?
A My mom and my dad.
Q And is this the dad who sexually abused you when you were younger?
A Yes.
Q You indicated that the first night that you actually moved into the Kaufman House there was a group meeting and other residents told you what the rules would be. Do you remember what those rules were that the residents told you?
A Yes.
MS. PARKER: Judge, I'm going to object. Many of these questions have been asked and answered and I think it's becoming badgering.
THE COURT: Overruled.
Q (By Mr. Joseph.) Do you remember what the rules were that you were given that night by those residents?
A Yes, I do.

Q Would you please tell us what they were?
A You didn't let anyone in the house. You let them know where you were going. You went -- you had to be there for groups. You had to obey the rules. You didn't talk about what happened at Kaufman House outside of the house. Things like that.
Q Any more that you can remember?
A No.
Q Okay. The rule about letting no one in the house, who set that rule? Did the residents tell you?
A Yeah, Arlan did.
Q Which one of the residents at the group session told you that rule and that Arlan Kaufman had set that rule?
A Would you repeat the question.
Q Let me take it in pieces. You've said that the residents who were at the group session, the residents you named off earlier, Kevin and all those folks, those are the ones who gave the rules at that group session?
A Yeah. They went around the room and they said the rules.
Q Okay. And do you remember who it was that told you that Arlan Kaufman set the rule that you couldn't let anyone in the house?
A No one said it. Arlan was there. He did not object.
Q So you assumed, didn't you, that this was Arlan Kaufman's rule?

A Yes.
Q And the rule that if you went somewhere, you were to let somebody know where you were going, did you assume that Arlan Kaufman set that rule?
A Yes.
Q The rule that was you were supposed to obey the rules, did you assume that Arlan Kaufman had set that rule?
A Yes.
Q And that you were to attend group sessions, did you assume that Arlan Kaufman had set that rule?
A Yes.
Q And that you were not to talk about what happened in the Kaufman House with people outside the house, did you assume that Arlan Kaufman had set that rule?
A No. Arlan said that.
Q Pardon me?
A Arlan said that one.
Q He said that one himself?
A Yes.
Q Okay. Now, a little while ago you testified about how upset you were that Arlan Kaufman talked about you to members of your church. Isn't that right?
A Yes.
Q You surely didn't want other residents going around town talking about you, did you, while you were there?

A Would you please repeat the question.
Q While you were at the Kaufman House, would it have been okay with you for other people to go around and talk about what you said at group sessions or what happened at group sessions?
A No.
Q When Arlan Kaufman set this rule about don't talk about what happens at the Kaufman House, did he talk about cooking dinner as one of the things you're not to talk about?
A Of course not.
Q Wasn't he talking about the group discussions that you had, you're not to talk about the problems that other people have and the things they talk about outside this house?
A That's how I took it, yes.
Q There's really nothing wrong with that, is there, in your mind?
A No.
Q Now, Nancy, would you please describe for us -- well, let me do one thing before I do that. You testified that you were in a seclusion room three times while you were at the Kaufman House. Isn't it true that those three times were before you left for several weeks and went to Colorado?
A Yes.
Q And after you came back and were at the Kaufman House, then, again, until I guess March of 1987, you weren't in the

seclusion room any more after that, were you?
A No.
Q So I want to take this in two pieces then. Let's talk about the -- well, let's get established. The time you went back to Colorado for the visit with your family, that was in August of 1986?
A I was there the month of August.
Q So we're going to talk about the time period, then, from March of '86 to August of '86. And I'd like you to tell the jury what was your usual day like. How did it start and what did you do during the course of the day?
A I don't remember all of it, but -- can you repeat the question.
Q What I want you to do is tell the jury what a typical day was like at the Kaufman House during that time period March of '86 until the end of July or early August of '86 when you went back to Colorado for a visit? What was your typical day like?
A Got up, you went to morning group. Then you had lunch. And, I don't know, I don't remember what I did in the afternoon. Sometimes I was allowed to go see my cat. Sometimes I -- sometimes I did things with Kevin. We would go to Charlie's for coffee and pie. Then it was time to be home for supper and then we had group. And then it was bed time.
Q You indicated that -- well, when you got up in the morning, who fixed breakfast?

A You were on your own.
Q It wasn't fixed there at the house? It was just kind of what you did for yourself. Right?
A Correct.
Q Then the group, the morning group sessions, those were conducted by Donna Newfeld?
A Yes.
Q You testified on direct examination that you think there were about a total of four group sessions that took place per week. Did that include both the evening and the morning group sessions?
A Only -- when I said four, I was speaking of the evening group sessions.
Q All right. That's why I asked the question. How many total group sessions took place during the week on a typical week?
A Seven or more.
Q In the morning?
A No. There was maybe three during the week in the morning and then four during the week at night.
Q Thank you. Now I understand. So you would meet with Donna Newfeld maybe, then, three times a week for a group session; correct?
A Yes.
Q Did all the residents participate in those group sessions

then?
A Unless they were at work.
Q For instance, Kevin worked, didn't he?
A No.
Q Not during that time?
A No.
Q Okay. The sessions lasted about how long?
A Which sessions?
Q The morning sessions. I'm sorry.
A An hour, two hours.
Q After those sessions were completed, isn't it true that you were pretty much free to do what you wanted to do with your own time then until the session -- the group session that took place in the evening?
A You could do what you want unless it was to leave the house and then they had to know where you were going.
Q Did somebody fix lunch?
A No. You were on your own.
Q Did somebody fix supper?
A Yes.
Q Somebody in the house did that?
A Yes.
Q That was a -- one of the four that you mentioned that did the cooking, cooked supper?
A Yes.

Q And when you wanted to go somewhere, you had to tell someone?
A In my case, I had rules of who I could go to and who I couldn't and stuff like that.
Q You had rules on -- limitations on where you could go?
A Yes.
Q But if you wanted to go somewhere where you could go, who did you tell?
A We just let Kevin or usually Barb, as you were going out the door, would say where are you going and we would tell her.
Q So it was just a matter of informing somebody where you were going?
A Right.
Q It wasn't necessarily Arlan or Linda Kaufman, was it?
A Not all the time, no.
Q They just wanted to know where you were?
A Most of the time, yes.
Q Okay. The limitations on where you could go, what kind of limitations were those?
A How much time I spent with my church friends.
Q Your church friends knew about that limitation, too, didn't they?
A Yes.
Q This was a limitation, as you understand it, that they understood, agreed to and thought was okay?

A Yes. It was a limitation that Arlan had talked to them about.
Q Was this a limitation that had to do with you being too dependent upon them?
A Yes.
Q During the time that you were there at the Kaufman House in those first few months, were there any other rules announced other than the ones that you've already described for us?
A Those are the ones I remember the most.
Q Okay. Now, the three times you went into the seclusion room, do you remember -- do you remember them in order?
A I remember the last one and I remember the first one.
Q Okay. Let's talk about the first one. Just before we get there, by the way, you said something about you would go to see your cat. What did you mean by that?
A One of the church people had my cat.
Q Did you do any voluntary work -- well, first, did you have a job during any of the time, any of the time that you were at the Kaufman House outside the Kaufman House?
A Yes.
Q What job was that?
A I -- can you repeat the question.
Q What job did you have where you worked for employment outside the Kaufman House during any of the time that you lived there?

A I volunteered at a nursing home and then eventually got a job at the nursing home. That was one of the requirements before I left.
Q Okay. Did you do any other voluntary work other than at the nursing home during the time you were living at the Kaufman House?
A I would help Linda do the grocery shopping.
Q In fact, that was one of your primary responsibilities, wasn't it, doing the grocery shopping?
A Once I got back from Colorado, yes.
Q That was after you got back?
A Yes.
Q Did any of this voluntary work or the grocery shopping, anything like that, happen during the March to August of '86 time period when you were first there?
A No.
Q Now, let's finish that period now by talking about the seclusions. You remember the first and last so let's talk about the first. What happened, as you recall it, that resulted in you going into the seclusion room?
A I allowed Elsie Schmidt to come into the house.
Q And Elsie Schmidt is whom?
A Part of the -- was part of the church.
Q And explain how that happened?
A She came to the door, she knocked on the door, I opened it

and she walked in. We were talking about going out for coffee. And Barb, I think it was Barb, called Arlan and told him that I had let someone in the house. He came over, he told Elsie I couldn't go out with her because we were going to have group, so Elsie left and then Arlan took me into the office, told me I wasn't obeying the rule and I needed to go into seclusion and we talked about it.

Q Do you know why that rule was there?

A He didn't want anyone in the Kaufman House that wasn't supposed to be in the Kaufman House.

Q And did he explain that to you himself?

A Yes.

Q And that was when he was sitting in the office with you and talking to you about the rule that you had broken?

A No, that was in the seclusion room that he said that.

Q Okay. So you went into the seclusion room at that point and he talked with you some more, didn't he?

A Yes.

Q How long that first time did you stay in the seclusion room?

A I just remember it being two nights and I believe it was two nights and two days.

Q And what you're saying is during that time that you were in the seclusion room, you were literally locked in, you couldn't leave if you wanted to?

A Correct.
Q The seclusion room had three entrances, didn't it? Or three ways in and out?
A Can you repeat the question.
Q Let me break it down. The room that was the seclusion room you could get into from the office, couldn't you?
A Yes.
Q And the office was the place where you said that Barb slept?
A Yes.
Q There was also a doorway off of the dining room area, wasn't there?
A That was boarded up.
Q Was there a way in through the bathroom also?
A Yes.
Q The bathroom had two doors, didn't it?
A Yes.
Q One door that was in the seclusion room and one door that went out into the main area, the dining room or kitchen area?
A Kitchen.
Q In the kitchen area. And so what you're telling the jury is that during the time that you were in the seclusion room on this first time, all the doors were either boarded up or locked so you couldn't leave unless somebody let you out?
A Correct.

Q This first time, did you have access to the bathroom?
A Yes.
Q And this time you were only in your panties and bra?
A Yes.
Q Do you remember how many times Arlan came in to talk to you? Dr. Kaufman?
A Twice.
Q Now, the second time that you were in the seclusion room, do you remember what happened -- I know you don't remember this one very well -- but do you remember what happened that led up to you going into the seclusion room?
A I ran away.
Q Did you have a car while you were there at the Kaufman House?
A Yes.
Q You had the keys to the car, too, didn't you?
A Can you repeat the question.
Q You had the keys to your car during that first time period you lived at the Kaufman House from March of '86 to August of '86, didn't you?
A I believe I had the car after the August trip.
Q All right. When you ran away to Dillons, how was it that Linda and Arlan Kaufman found you -- ran away to Dillons -- when you ran away from the house and were found at Dillons, do you know how it was that Linda and Arlan Kaufman found you at

Dillons?

A Someone told them that I left. I presume Arlan knew where I was headed and that's how he found me walking that way.

Q So you weren't actually at the Dillons store?

A I was cuttin' through the parking lot.

Q I understand. And you were walking to where?

A Prairieview.

Q You wanted to go back to Prairieview; correct?

A Yeah.

Q Why did you want to go back to Prairieview?

A I wanted to tell them what he was doing.

Q And what was he doing?

A Putting me in seclusion with no clothes on.

Q Well, Prairieview put you in seclusion, too, didn't they?

A One time.

Q The difference was, in your mind, I guess that it was you were in seclusion without clothes and that's what bothered you?

A Can you repeat the question.

Q What bothered you about being in seclusion at the Kaufman House was you were without clothes?

A And he was talking to me in there without clothes on.

Q So the two things: That you were just wearing panties and bra and that Dr. Kaufman would talk with you then when you were in that condition and that bothered you?

A Of course.
Q All right. And you told him that, didn't you?
A Yes.
Q When you were in the parking lot at Dillons on your way to Prairieview, how were you brought back to the Kaufman House?
A In their car.
Q Were you forced into the car?
A No.
Q Why don't you tell the jury what happened there in that parking lot when Arlan and Linda Kaufman drove up in the car. What happened?
A Arlan told me to get in the car, I was going back to the house.
Q Do you remember what time of day it was?
A It was in the middle of the night.
Q Nobody was around?
A Can you repeat the question.
Q Let me phrase the question differently. Were there any other people around in the Dillons parking lot?
A I don't know about the Dillons parking lot, but people was driving up and down Main.
Q Did you shout for help or anything?
A No.
Q Did you refuse to get in the car?
A At first, yeah.

Q And what happened then?
A Told me I wasn't being compliant and we needed to go back to the house and talk about it.
Q Then you got in the car?
A Yes.
Q And went back to the house and went back into the seclusion room?
A Went back into the house. He let Barb out and then we went into the office and then he told me I was going into the seclusion room because I ran away.
Q And did you go in the seclusion room?
A Yes.
Q What was the third event that triggered you going into the seclusion room?
A Got to go over to the Lichtey's house to watch the kids.
Q The Lichtey's house?
A Yeah. They were some church people. And I got to watch their kids. And I saw a letter that Arlan had written them and it upset me.
Q And what did you do after seeing the letter?
A I don't remember exactly; but Arlan felt like it was time that I go into seclusion and really face up to some issues.
Q When you came back to the Kaufman House, did you say something to Dr. Kaufman or contact him in some way to say you had seen this letter?

A Yeah. I believe I was really upset that he wrote that letter to them and that I found it. And I was really upset.
Q How did you bring that to his attention that you were really upset? What did you do?
A Well, he was there for some reason so I just walked in the house and I said: How dare you, why did you write this letter. And I was very upset, yelling at him, and he took me into the office and then he said I needed to go to seclusion and we really needed to start working on some issues.
Q When was it that you went into the seclusion room because you damaged some property?
A I don't exactly remember. It was before that time. I don't remember exactly how that worked, but it wasn't for very long.
Q So it was four times you were in the seclusion room then?
A Yeah. I guess.
Q Do you know?
A Yes. I know I was in there for four times in the seclusion. The one when I tore up property was just until -- just a few hours.
Q Okay. Any others that you remember now? Any other times you were in seclusion?
A No.
Q Okay. Let's talk about the time period when you came back from Colorado. As I understand your testimony, you were

pressured to come back and felt pressure to come back from Colorado to go back into the Kaufman House because your fellow members of the New Creation Fellowship made you do that?

A Would you please repeat the question.

Q You came back to the Kaufman House at the end of August or early September of 1986 because the members of the New Creation Fellowship made you do that? Is that correct?

A No.

Q What is correct? Why did you come back?

A Because I wanted to be a part of the church.

Q And on direct examination when Ms. Parker was asking you questions, I believe you said that you were pressured by them to come back because they told you that you could not be a member of the church unless you came back?

A Correct.

Q Who told you that? Name the person.

A Steve Schmidt.

Q Steve Schmidt said to you that you can't be a part of our church in Newton unless you come back to Newton and go into the Kaufman House?

A Right.

Q And that's why you came back?

A That's the only reason why I came back.

Q Dr. Kaufman, I guess, then, didn't make you come back, did he?

A Can you repeat the question.
Q Dr. Kaufman didn't make you come back, did he?
A I don't understand the question.
Q You said the reason that you came back was because Steve Schmidt told you you had to come back. Correct?
A Steve Schmidt said if I wanted to be a part of the church, I had to go back to the Kaufman House.
Q And that's the reason that you came back and went back to the Kaufman House; isn't that correct?
A That and other things.
Q What other things?
A They had a plan. They had a set goal of what I had to do, which I didn't have before. So we all were on the same page of what I needed to do before I could leave that house.
Q Leave that house if you came back to the house?
A If I came back, there was a set plan.
Q Goals that you were to accomplish and then you could leave the Kaufman House?
A Yes.
Q And the goals were getting a job and what else?
A Going to school and learning a trade, getting a job and finding my own apartment.
Q And you got a job, correct, when you came back?
A Yes.
Q And did you go to school to learn a trade?

A Yes.
Q And you found your own apartment?
A Yes.
Q And that's it. You accomplished those three things and then you moved out into your own apartment, didn't you?
A Yes.
Q Now, on this second time that you were back at the Kaufman House, you've already said you weren't in the seclusion room at any time. Would you describe your typical day then.
A I woke up. I went to school here in Wichita. And I came home. And if it was the day to go do the grocery shopping, I went and did that. Then we had evening -- we had supper and then we had group.
Q And when you went to school here in Wichita, how did you get here?
A I drove my car.
Q What school was it that you went to?
A The Wichita Tech on Emporia.
Q During the time that you were there at the Kaufman House, both the first period and second period, were you continuing to see somebody at Prairieview?
A I saw Randy Kreihbel and Dr. Yoder until July of '86.
Q And after that, Dr. Kaufman was the only one that provided you therapy services?
A That was the rule.

Q And that was just group, not individual therapy?
A He talked to me sometimes individually, yes.
Q When you accomplished the goals that were set for you to come back and to be able to leave the Kaufman House, did anybody stand in your way of leaving?
A No. I did what they said so no one stood in my way.
Q You mentioned that you were in the seclusion room at Prairieview. Was that before you went into the Kaufman House or afterwards?
A Afterwards.
Q And what did you do to end up in the seclusion room at Prairieview?
A I don't remember.
Q Now, you mentioned that one time when you were in the seclusion room you got out for the morning group session, went upstairs and got one pen?
A No, three or four.
Q Three or four. Are these ballpoint pens or fountain pens? What were they?
A No. They were those plastic tag pins on the bulletin board.
Q Oh, a pin?
A Yeah.
Q And they had a plastic end on them?
A Uh-huh.

Q And a sharp point?
A Yeah.
Q And after the group session, you went back into the seclusion room?
A Yes.
Q And you inserted all four of those pins in your vagina. Is that what you did?
A Yes.
Q Why did you do that?
A Two reasons. I thought -- I was feeling so horrible because of the therapy we were having and also I thought that if I hurt myself and they had to take me to a doctor, I could tell someone what was going on.
Q Did you go to a doctor?
A Yes.
Q Linda Kaufman went with you, didn't she?
A Yes.
Q Did you tell a doctor what was going on?
A No. Linda told her that, uhm, I was a client of theirs and I was having a really hard time. The doctor didn't ask any more questions.
Q Well, wait a minute. You went there to tell the doctor. Were you waiting for him to ask you what's going on?
A Could you repeat the question.
Q You went there to tell a doctor. I mean, you put the pins

in your vagina to go to the hospital so you could tell a doctor what was going on.

A Correct.

Q Did you wait for him to ask you what was going on?

A No. I didn't have a chance.

Q What hospital did you go to?

A I didn't go to a hospital. I went to a clinic. Dr. Bates doctor's office. That was what they decided.

Q And Dr. Bates, did he see you?

A No. Dr. Bates' nurse practitioner saw me.

Q And how long was the nurse practitioner with you?

A As long as it took to take 'em out.

Q Well, how long was that?

A Half an hour. I don't know. I didn't time it. Sorry.

Q None of that time period did you say anything to the nurse practitioner, did you, about what was going on at the Kaufman House?

A I didn't have a chance.

Q I don't understand what you mean when you say you didn't have a chance?

A Linda butted in before I had a chance to say anything.

Q And said you were a resident and you were having a real hard time?

A Yes.

Q And thereafter you didn't feel like you could just open

your mouth and say I gotta tell somebody what's going on?
A No, I didn't.
Q Why?
A It seemed like the nurse was okay with what Linda said.
Q But you weren't okay with what Linda said, were you?
A No.
Q Why didn't you say something in that time period to the nurse practitioner? If that's why you went there, I mean, if you put pins in your vagina to get there, why didn't you say something?
A After Linda had said that, she left the room and then it was time to go. It was like there was no -- she was satisfied with the answer.

THE COURT: I think it's time for us to take our noon recess. It is in fact noon. Ladies and Gentlemen, one hour, please. Remember and heed the admonition.

(Jury excused for the noon recess.)

THE COURT: I want to see counsel at the bench. The rest of you are excused.

(Thereupon, the following proceedings were had at the bench by Court and Counsel.)

THE COURT: I don't want to place any kind of time limits unless I'm -- I have to on examinations, but there's a lot of repetitious cross-examination. A lot of what, to me, anyway, seems to be double teaming. In other words, you know,

Mr. Haney represents Arlan Kaufman and Mr. Joseph represents Linda Kaufman. And I realize there's a conspiracy charged here. I realize that they're charged with aiding and abetting. But we are covering a lot of the same ground just by asking different questions. So a word to the wise because I think probably, I don't know, but I think probably the jury is seeing that, too, and doesn't need to hear too many times about how many -- what's happened in the seclusion room, for example, how many times she had been in there.

(Noon Recess at 12:02 p.m.)