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June 26, 2020

Honorable J. Thomas Marten
Senior Judge
United States District Court
401 N Market, Suite 423
Wichita, KS 67202

Re: ARLAN DEAN KAUFMAN
Case No. 04-40141-01-JTM

The Honorable J. Thomas Marten:

My name is Rocky Nichols. I am the Executive Director of the Disability Rights Center of Kansas, Inc. (DRC). I am joined in this letter by Lane Williams, DRC Legal Director, and Bryant Barton, DRC VOCA Staff Attorney. We are writing on behalf of our organization to oppose Arlan Kaufman's request for compassionate release from his sentence.

DRC is the federally mandated protection and advocacy organization for Kansans with disabilities. Pursuant to 42 U.S.C. 10801, et seq., a fundamental priority for DRC is the legal representation of individuals with mental health issues who have been victims of abuse and neglect. In 2004, DRC attorneys began representing individuals in Newton, Kansas who were being subjected to horrifying sexual, physical and psychological abuse, under the guise of psychotherapy, by Arlan and Linda Kaufman at a house that they owned. The Kaufmans were arrested by federal authorities and charged with numerous crimes shortly after DRC's involvement began in what became known nationally as the Kaufman House case. DRC staff ultimately represented and provided support for 13 former and current Kaufman House residents throughout the criminal proceedings and afterward. The attorneys' work included supporting their clients throughout the trial, assisting the U.S. Attorney's office when requested, providing a voice on their behalf when requested by the trial court, and helping some survive the terrifying experience of testifying against the Kaufmans. Staff continued to represent the residents in the restitution phase of post-conviction proceedings. For some of the residents, our work continued for years and to this day with various issues and the trauma from their abuse at the hands of the Kaufmans. Sadly two individuals who were residents at the Kaufman House passed away since sentencing, at the ages 57 and 62. It is not unreasonable to consider how the abuse they suffered may have at least

indirectly led to their deaths at such an early age. One of the individuals in particular had ongoing nightmares about his years at Kaufman House, which affected his ability to function.

Some of the Kaufman House residents suffered abuse years longer than the almost 15 years of a 30 year sentence served by Arlan Kaufman. It is impossible to adequately summarize in this letter all the evidence at trial of the horrific nature of the abuse, but I think the words of the Honorable Monti L. Belot, who presided at the trial, sentencing, and resentencing, provides a fair representation. Judge Belot stated in his Resentencing Decision on November 23, 2009 (court file document no. 585):

> Over the years, I have handled numerous lawsuits regarding prison conditions and treatment of prisoners, first as an assistant U.S. attorney and now as a judge. I have never had a case where an inmate even claimed, much less proved, treatment by prison officials remotely similar to that inflicted upon the residents at Kaufman House. The closest parallel which comes to mind is the abuse of prisoners at the Abu Ghraib prison in Iraq.

Mr. Kaufman continually minimized his role throughout the trial, sentencing, and resentencing phases, but the evidence was overwhelming that he was the architect of the horrific abuse suffered by the victims. To our agency's recollection, he has never expressed any remorse for his reprehensible conduct. Even if Mr. Kaufman does somehow claim remorse at this point, we would respectfully ask the court to see through such efforts as simply a ploy by Mr. Kaufman to attempt to gain sympathy for the sole purpose of obtaining a release.

One of our clients has submitted her strong opposition to the release. As an organization, we feel that Mr. Kaufman by his conduct and lack of remorse is not entitled to a compassionate release for the decades of horrible abuse he inflicted on the residents of Kaufman House.

Thank you for your consideration.

Sincerely,

Rocky Nichols, Executive Director
Lane Williams, Legal Director
Bryant Barton, VOCA Staff Attorney
Disability Rights Center of Kansas, Inc.