

TESTIMONY OF BILL MCKEAN SUBMITTED TO THE KANSAS HOUSE JUDICIARY COMMITTEE
REGARDING HB2019 & HB 2020 – PROCESS TO SELECT STATE SUPREME COURT JUSTICES

JANUARY 21, 2013

My name is Bill McKean and I have been a judicial reform activist since I started networking with the late State Representative Jim Morrison - Chairman of the House Committee on Government Efficiency & Fiscal Responsibility exactly 6 years ago. Representative Morrison was my hero. Morrison idealistically knew that the members of the Kansas House & Senate would support major reforms to demand accountability & transparency in the commissions & agencies that disciplined judges, attorneys, physicians & mental health providers only if routine systemic human rights atrocities were documented through televised hearings before a legislative committee with subpoena power. Dishonest judges, attorneys, physicians and mental health would be forced to respond under oath to their victims' allegations. Due to the extent of the multi-generational good old boy corruption, Morrison also believed that mercy must follow truth & accountability. Morrison believed that the State Attorney General & the United States Attorney for Kansas must implement a clemency program for private attorneys, judges, prosecutors, law enforcement officials & state agency employees who voluntarily admit to participating in the systemic criminal racketeering. I agree that the current system to select Supreme Court Justices is dysfunctional. The Supreme Court's Commission on Judicial Nominations (5 attorneys selected by the Kansas Bar Association and 4 non-attorneys selected by the governor) interviews all candidates & submits 3 choices to the governor for each opening on the Supreme Court & the Court of Appeals. Due to the incestuous relationships between the powerful private attorneys, judges, bar association officials, local prosecutors, legislators & their spouses or relatives who are often employees at state or local government agencies or media outlets, a code of silence regarding corruption is maintained so that reformers are never nominated and judges and attorneys are never disciplined.

COMPETITIVE NON-PARTISAN ELECTIONS TO SELECT SUPREME COURT JUSTICES

Allowing the governor to select political cronies to become a Supreme Court justice could make the corruption problem worse. Historically Kansas governors (who are attorneys or are married to judges) leave office and move to Washington DC for greener pastures. Because it is impossible to remove a sitting Supreme Court Justice through a retention election, a Supreme Court justice has a de facto life time appointment regardless if he was selected by a nominating commission or by the governor. For these reasons, I oppose HB 2019 & endorse HB2020 to allow Kansas voters to elect judges in competitive non-partisan elections which is the current process in 13 states. 2 additional states (Michigan and Ohio), have an electoral process that includes partisan & non-partisan elements. In Ohio, candidates for the general election are chosen in partisan primaries; once chosen in this partisan fashion, no party affiliation is listed by their names on the general election ballot. Candidates for the Michigan Supreme Court are nominated at party conventions which means that they

party conventions which means that they are chosen in a partisan fashion. However, no partisan affiliation is listed by their name as it appears on the ballot. The 105 justices chosen by this method represents 31% of all state supreme court justices. The states that employ this method of selection are: Arkansas, Georgia, Idaho, Kentucky, Michigan, Minnesota, Mississippi, Nevada, North Carolina, North Dakota, Ohio, Washington & Wisconsin.

EVIDENCE OF JUDICIAL CRIMINAL RACKETEERING PREVIOUSLY SUBMITTED TO JUDICIARY COMMITTEES

For the past 160 years many national reform movements have originated in Kansas due to the efforts of courageous, passionate patriotic Kansans. Kansas is also blessed to have a relatively small population so it's easy for judicial reform activists throughout Kansas to network. Inexpensive technology is available so that victims of judicial criminal racketeering can easily document through emails & hidden tape recordings as their private attorneys routinely betray them. Because the attorneys & judge are compelled to maintain the farce of judicial or attorney ethics through blue ribbons commissions, it is easy for courageous victims to confront the attorneys, prosecutors & judges on the record through emails, statements made in judicial hearings or in my case by shaming them on FACEBOOK. For the past 6 years I have coached many victims to trap their attorneys in lies and then have encouraged them to go public on YOUTUBE.

The unanswered question is whether or not state Attorney General Derek Schmidt or US Attorney Barry Grissom can be shamed into prosecuting corrupt judges, prosecutors & attorneys. The adage about politics is that "Perception is Reality in Politics." The 2 conflicting perceptions of reality that currently exist are that the state & federal prosecutors, Governor Brownback, the legislature and the media will do nothing to expose corruption; that concerned Christian muckrakers will never be intimidated to remain silent about the human rights atrocities that are being covered up by counterfeit or cowardly politicians who claim to be Christians.

I appreciate the empathy & encouragement privately expressed by many legislators who have become cynical about the prospect for transparency, accountability & reform for the Kansas judicial system. I am very grateful that the House Judiciary Chairman allowed me to present a 96 page document last January 2012 which included my sworn affidavit and documents supporting several on allegations of judicial corruption or unethical activity:

- The cases of Staci Ralstin, Valorie Rosproy and Barry Simpson involving the alleged cover up of sexual & physical abuse of children by Wichita EMCU, SRS employees, family law limited case managers, judges, prosecutors, private attorneys & psychologists & and/or Wichita School District employees. Sedgwick County District Court Judge Anthony Powell was the hearing judge in the Ralstin & Simpson cases. The Simpson case also involved allegations of Judge Patrick Walters conspiring with Simpson's attorney Sheila Floodman to try to extort \$106,000 from Simpson when Walters served as the opposing attorney before he was elected district court judge.
- Allegations by Melody Gerow that Gerow lost her parental rights because she

requested a second opinion because she questioned plastic surgeon Jeff Colyer's competence to perform major cranial facial surgery on her teen-aged daughter. My testimony included copies of emails from Chairman Jim Morrison successfully discouraging State Rep. (now Lt Governor) Colyer from performing the surgery.

- Allegations by Wichita Pastor Mike Nolan that Wichita judges who were members of the Masonic organization - Royal Order of Jesters partied with prostitutes at the Broadview Hotel on a regular basis.
- News accounts that in 2001 US Attorney Eric Melgren refused to prosecute Arlan & Linda Kaufman for sexually abusing severely mentally ill patients in their Newton groups homes even though Melgren's office have video tape evidence of the sexual abuse.
- Allegations by disabled Iowa air force veteran Joe Liddle that in 1999 prosecutor Christine Ladner conspired with Court Trustee Genine Ware & Judge Rebecca Pilshaw to suborn perjury to fabricate false child support records and to fabricate a falsely sworn felony arrest warrant against Liddle that stayed on the FBI's NCIC system for 8 years. My testimony also included documents that GOP Chairman Mark Kahrs served as the court-appointed attorney for Liddle's 14 year old son, David Liddle, in 2001 when Nola Foulston prosecuted the 14 year old for using his mother's ATM card to stealing \$180 from her bank account. My documents included juvenile court documents with a false name listed for David's father & that an imposter showed up to court posing as David's father. Joe Liddle alleged that Mark Kahrs did not bother to ask his 14 year old client who his real father was for fear that Joe Liddle would return to Wichita to advocate for his 14 year old son. As a result of Kahrs inaction, Liddle believed that his 14 year old son was sentenced to 2 years in Forbes facility in Topeka. I also included documents from Joe Liddle to support his allegations that SRS Attorney Tim Givon & Sedgwick County Judge James Fleetwood conspired in December 2006 to cover up the prior criminal racketeering by Ladner, Pilshaw & Ware.
- Allegations by Cynthia Rader that Nola Foulston's juvenile prosecutors and District Court Judge Flaigle conspired in the Fall 2010 to intimidate the court appointed attorney Carl Maughn to betray her 16 year old son Brittain Rader who was found guilty of a felony because Maughn refused to present any evidence in his defense. The 16 year old was later betrayed by a second court appointed attorney, Laurie Shaneyfelt, who forced a plea bargain against Brittain's will. What is interesting about the Rader case is that I was able to intervene in the middle of the second case to help Cynthia Rader expose the judicial corruption on YOUTUBE which I believe put political pressure on Judge Flaigle to put Brittain on probation rather than sentence him to jail.

On a more positive note, my testimony includes my sworn affidavit in which I stated that in June 2007, Judiciary Chairman Mike O'Neal, Post Legislative Audit Chairman Peggy Mast, Chairman Jim Morrison & State Representative Lance Kinzer were part of a 75 minute telephone conference with myself, Staci Ralstin, her mother Marlene Jones and Judicial Reform Activist Donna Roberts to discuss the criminal racketeering & cover up of child sex abuse in the Ralstin case. I also stated under oath that Morrison later told me that House Speaker Mays

made a referral to newly elected State Attorney General Paul Morrison to conduct a criminal investigation regarding the Ralstin case and that Paul Morrison resigned from office a few months later and was replaced by Judge Steve Six, the son of retired Kansas Supreme Court Justice Fred Six.

POLITICAL REACTION TO MY 2011 TESTIMONY

In my previous testimony, I noted that in August 2008 US Senator Sam Brownback cut a deal with Democrat Judiciary Chairman Patrick Leahy to fast tracked the nomination US Attorney Eric Melgren to become a Kansas federal judge. This occurred shortly before Chairman Morrison was to meet in September 2008 with Melgren to request a criminal investigation of judicial corruption in Wichita.

After I testified before the Senate Judiciary Committee in March 2012, I handed copies of my 96 page testimony to Governor Sam Brownback and several legislators and dropped off copies with Lt. Colyer & Brownback's General Counsel Caleb Stegall. Last July 2012 I delivered copies of my 96 page document to all candidates running for Sedgwick County District Court judges including incumbent judges running for re-election . I handed copies to Judge Patrick Walters & Anthony Powell. I acted boldly because the Kansans For Life PAC had endorsed Carl Maughn's wife, Faith Maughn, as candidate for district court judge even though my video interviews of Cynthia Rader accusing Carl Maughn's involvement in a major human rights atrocity had been I up on YOUTUBE video for 18 months and most of the pro life leaders were my FACEBOOK friends who had read my allegations. The Kansans For Life PAC also endorsed Patrick Walters as if a pro life political pledge exonerates a counterfeit Christian Republican candidate from the worst human rights atrocities.

Despite my years of political blogging & legislative testimony accusing Christine Ladner of criminal racketeering in the Joe Liddle case, Ladner nominated herself to be interviewed for the recent opening on the Court of Appeals. The day before the Commission on Judicial Nominations conducted public interviews of all candidates, and I left a long voice message at the office of Foulston Seifkin partner, Jay Fowler, who was the outgoing President of the Wichita Bar Association and is a member of the Commission on Judicial Nominations. I have a prior professional relationship with Fowler & I reminded him about the allegations against Ladner. Despite being promoted to work as the senior state prosecutor investigating serious sex crimes for State AG Derek Schmidt, Ladner has never bothered to sue me for slander or file criminal defamation charges against me. I sometimes wonder if I am advancing the careers of corrupt prosecutors & judges by publicly accusing them of corruption.

Despite the allegations of the human rights atrocities involving case before Judge Anthony Powell, Brownback recently selected him to become an Appellate Court Judge.

Despite my allegations against Mark Kahrs, Kahrs was elected as State Representative and Brownback chose Mark's sister-in-law, Felita, to be a member of the Commission on Judicial Nominations.

Governor & First Lady Brownback are both attorneys who claim to be Christians who claim to care about children. While Governor Brownback now appears to be a good old boy counterfeit

Christian who is an apologist for the systemic corruption, I am willing to give Brownback the benefit of the doubt. I remember that former State AG Phil Kline hired former State AG Bob Stephan as his special senior advisor. It's very likely that the powerful Masonic good old boy criminal gang controlling Kansas courts are so powerful that even the governor, state attorney general and United States Attorney can be intimidated to follow their orders.

For this reason it's critical that citizens are allowed to directly elect judges in contested races so challengers can confront each other about past allegations of criminal activity. It is also critical that the House Judiciary Committee allows citizens like myself to continue to submit evidence of specific allegations of criminal racketeering to put political pressure on the United States Attorney & State Attorney General to investigate & prosecute. As I previously testified in a deposition, I am only doing what Wichita FBI anti-corruption Special Agent Tom Entz implored me to do when I met with him in June 2009.

Even though Senators John Vratil, Tim Owens and Jean Schodorf (ex-wife of a federal prosecutor) are no longer in the Senate, I am concerned that the current Senate leadership are apologists for the systemic judicial corruption. For the past 5 years, Senate President Susan Wagle and the other Sedgwick County legislators have heard citizens complain at the annual legislative forum about specific allegations of criminal racketeering by judges, prosecutors, attorneys, case managers, psychologists and in the family law & juvenile district courts in Wichita. I am concerned that Senator Wagle is a puppet for the criminal Masonic gangsters controlling the Wichita courts. Wagle's brother-in-law Steve Wagle had his law license suspended for 1 year in 2003 (Kansas Supreme Court 89104 In Re M. Steven Wagle) shortly before Wagle's sister-in-law, family law attorney Jennifer Wagle, ran unsuccessfully in the August 2004 GOP primary for district court judge against James Fleetwood. Jennifer Wagle's law partner Sheila Floodman was involved in the criminal conspiracies in the Barry Simpson case & my family law case. Wagle's former associate Susan Dwyer was involved in the conspiracy in the Staci Ralstin & Valerie Rosproy cases.

It is also note worthy that Sheila Floodman, Jennifer Wagle and I were all present at the February 2006 Annual Family Law Seminar when Wichita Bar Association Family Law Committee Co-Chairman David Johnson instructed the 40 attorneys that the incoming family law judges (Fleetwood, Wilbert & Pilshaw) had told Johnson to tell the attendees that they could not advocate for their clients if they received a negative evaluation from a court appointed evaluator. For the record I have submitted sworn affidavits in my 96 page testimony about this specific allegation. I also have repeatedly complained about this specific example of conspiracy by judges, family law attorneys & psychologists to commit criminal racketeering since I started testifying before the Senate Judiciary Committee in March 2007.

MOST RECENT EXAMPLE OF HUMAN RIGHTS ATROCITY & CURRENT PLAN TO PRESSURE STATE AG SCHMIDT & US ATTORNEY GRISSOM

Everyone in the legal & psychiatric profession in Wichita understands the depth & extent of the ongoing human rights atrocities because the systems to discipline attorneys, judges & mental health professionals are so dysfunctional. Courageous attorneys like Bret Landrith are disbarred. Judges & attorneys in the system are forced to cover up the absurd & bizarre criminal acts of the attorneys, prosecutors and mental health providers & case managers previously involved in the case. Fortunately courageous mental health providers are so disgusted and are starting to complain. This gives me ammunition to encourage the members of the House Judiciary Committee to put political pressure the US Attorney & State Attorney General to prosecute.

I have attached a document from the Sedgwick County mental health agency, COMCARE, that was leaked to a former patient by his psychiatrist, Dr. David Hon in the past 12 months. I have blacked out the name of the patient who I will refer to as John Doe. The document is a January 2010 email from District Court employee Retta Harrison to Comcare employee Crystal Lorenz to commit John Doe to a state mental hospital. I have recently interviewed John Doe on recordings to document his explanations on how he was illegally committed to a psych unit at Good Shepherd Hospital in 2006 & later as Osawatomie State Hospital in 2008 & 2010. Remarkably the email states that Doe's own attorney (Eric Kidwell), called the district court asking that he be committed in January 2010. In my recorded interview with Doe, he stated that the email from Retta Harrison includes many fabricated lies that could easily be exposed by a federal criminal grand jury.

Doe's problems started in 2006 when Doe was arrested on a felony charge of threatening a police officer when he made an off the cuff non specific remark to his brother during a phone call about what happened to FBI agents at Rubie Ridge. John Doe's sister, who was a crime scene police investigator for the Wichita Police Department was listening in on the phone call and reportedly went to Nola Foulston's office to file charges. John Doe told me that he & his sister had a bitter relationship since their teenaged years which escalated after the death of his mother. John Doe told me that he had been harassed for several years by Wichita Police officers before he was arrested in 2006. The harassment included death threats.

Doe told me that when he was in county jail in 2006 without representation by legal counsel, he was forced to take psychotropic drugs by a nurse practitioner, a jail subcontractor who work for Wichita Psychiatric Consultants which is owned 80% by psychiatrist Paul Murphy. When Doe was finally bailed out of jail, he was represented by private attorney Knute Fraser (also involved in the Staci Ralstin & Cynthia Rader cases). Fraser refused to advocate for Doe, but pressured Doe to plead guilty to a felony in exchange for probation to avoid a prison sentence. Doe told me that there was never any evidence of a tape recording so if Doe went to trial, it would have been Doe's word against his sister and evidence of the police harassment would have been exposed. While on bail, Doe was forced to take psychotropic drugs under the supervision of Comcare aggravating a prostrate condition. The psychiatrist at Comcare, Grimsly refused to believe his statement that he had a prostrate condition or his statements about his professional career.

Two years Doe later was arrested and sent to a state hospital because of fabricated allegations of bizarre behavior or making violent threats. According to Doe, Dr. Paul Murphy was again the evaluating psychiatrist in 2008 & 2010 before Doe was sent to the state hospital for 10 – 14 days. In one case Doe told me that he was arrested on a protection of abuse order that was signed by a judge even though no PFA hearing had ever been conducted and the PFA was never documented in the court records.

Doe told me that he has recently contacted the FBI who told him that they will not investigate judicial corruption. I have suggested to Doe that he prepare a written sworn affidavit and mail it by registered mail to the FBI, KBI, State Attorney General & US Attorney's Office and demand a written response back from each agency advising which agency has jurisdiction to investigate. I told Doe to send a copy to US Attorney General Eric Holder. Doe told me that he has recently already hired a private detective to conduct an initial investigation and that the former secret service agent told Doe that criminal activity has occurred in his case. By complaining to the House Judiciary Committee in advance, Doe wants me to help him put political pressure on US Attorney Barry Grissom to investigate.

In my written testimony last year, I testified in a affidavit that the parents of Josh Duque & Sam Holton, the teenagers arrested for the 2009 Thanksgiving Day double homicide in Wichita told me that their attorneys refused to advocate for their sons and that their teenaged sons were told that their families would be murdered by gang members if they did not plead guilty. The same pattern of conspiracy of court appointed attorneys to violate juvenile citizens constitutional right to due process & equal protection was documented in my 2 hour video interview of Cynthia Rader's that is still on YOUTUBE. By searching the internet with the words "Tom Entz FBI", readers will find the links to the YOUTUBE videos and to the 2 links to the Kansas Legislative Services website that includes my 96 page document.

I have also included a copy of the transcript of the September 4, 2012 hearing in which Valerie Rosproy was forced to enter a guilty plea of violating a PFA order when she stopped by her ex-spouse's house to talk to her 2 sons to see if they were safe. Rosproy wanted her private attorney, Ryan Goering, to advocate at a trial hearing that the PFA was illegal because no evidence was presented at the original PFA hearing which was conducted on a date that Rosproy could not attend. Rosproy also wanted her attorney to argue at a jury trial that she was innocent because she was compelled to violate the PFA to check to see if her sons were safe because of the prior criminal racketeering and conspiracy by the Wichita Police EMCU, the juvenile prosecutors & judges, SRS employees and private attorneys to violate Rosproy & her two sons' constitutional rights to due process and equal protection under the law. What is note worthy about the September 4, 2012 hearing, is that before the hearing I visited with the administrative assistant to Chief Administrative Judge James Fleetwood and with District Attorney elect Marc Bennett to warn them that Valerie Rosproy was complaining that her private attorney was forcing her to accept a plea bargain under duress. Rosproy also told me that she had previously been confined to a psychiatric unit for a week for complaining about the corruption.

I have taken a special interest in the Valerie Rosproy & Staci Ralstin cases because family law case manager Jeanie Erickson was involved in covering up sexually abuse. Jeanne Erickson was the mentor & fellow employee of Kim Kadel, the family law case manager who ordered my 6

year old son to be seen by Wichita Psychiatric Consultants psychologist David Seifert & nurse practitioner Kathleen Barrett in late March 2003 which was 2 months after my attorney Sheila Floodman filed for divorce. In early April 2003 I caught Kadel fabricating evidence about recommendations made by our marriage counselor Alicia Landsverk, who also was Paul Murphy's partner at Wichita Psychiatric Consultants. When I complained to Floodman in April 2003, she refused to advocate for me to expose Kadel's dishonesty and Seifert & Barrett put my 6 year old son on Zolof for 6 weeks and Depacote for 2 months which caused me to fight even harder to expose the corruption. One year later in August 2004, Columbus Bryant, a second child psychologist, selected by Kadel against my wishes, wrote a secret letter stating that he was concerned that I posed a risk to hurt my ex-spouse and children. As a result in October 2004, Judge David Kaufman ordered that Marc Quillen, Paul Murphy's other partner in Wichita Psychiatric Consultants perform a psychological evaluation. Not surprisingly Quillen determined that because I complained about his employees putting my 6 year old son on Zolof & Depacote, that I was a paranoid delusional person who should be under the care of a court ordered psychiatrist.

At the time Quillen's wife, Marilyn Harp was the regional director of Kansas Legal Services. Based on Quillen's evaluation, I lost my parental rights in hearings in November 2005 & August 2006 before Judge Terry Pullman in which I represented myself pro se. I was ordered into supervised visitation at the Wichita Children's Home. Fortunately Judge Pullman did not order me to submit to psychiatric treatment by Comcare. Perhaps Judge Pullman thought I really was not a delusional person as I had served as an volunteer lobbyist for KIOGA to testify before the House & Senate Utilities committee and had been selected to serve with the lobbyists from BP, ONEOK and Duke Energy for 16 months as part of a 4 person negotiating committee to resolve a complex dispute involving gas gathering regulations.

Shortly after Quillen tried to destroy my life in October 2005, Quillen's wife Marilyn Harp was rewarded by being appointed to become the state-wide Executive Director of Kansas Legal Services. Quillen went to work as state director for the private subcontractor providing psychiatric care to all Kansas state prisons. Given the evil incestuous relationship between the legal & psychiatric community and the influence of the good old Masonic network, it is not surprising that they have been so many sex scandals at the Topeka Women's prison, the Sedgwick county jail and SRS facilities throughout the state of Kansas. The Speaker of the House has the power to quickly expose all of this corruption through televised hearings. However contested elections for the Supreme Court would also force candidates & the media to respond to the human rights atrocities that have been ignored for years by the media & legislators.

In politics, perception is reality and the issue is never the real issue. The good old boys want everyone in the judicial system to think that any person who complains about judicial corruption can be easily punished & minimized by being labeled as delusional and that the legislature and media are apathetic. Christian muckraking advocates like Valerie Rosproy & myself want the perception to be that judges, prosecutors, attorneys, & politicians are delusional if they think that God will ignore these human rights atrocities against children & teenagers caused or condoned by Republican pro life family value judges. I often blog on my FACEBOOK page that selective investigative reporting, selective prosecution & selective moral outrage by Christian politicians & pastors is the hallmark of a fascist government. So it does not

surprise me that these atrocities are occurring in the back yard of Charles Koch & Americans for Prosperity.

I have also included statutes regarding the Kansas RICO laws. I am concerned afraid that any judge, attorney or psychiatrist who cooperates with a federal criminal grand jury could have their lives eventually destroyed by a corrupt state attorney general who will retaliate by filing a civil lawsuit against the whistleblower for their involvement in a prior case. If we cannot contested elections for Kansas Supreme court justices, I hope that a courageous Christian attorney will challenge Derek Schmidt in the next primary or general election. It is unlikely that the federal prosecutors or media will do anything to protect young children being sodomized, teenagers being sent to prison on fabricated charges or innocent people being forced to take powerful psychotropic drugs because they complained about government corruption or police harassment.

I also blog on my FACEBOOK page that a spiritual/political war is presently being fought in Wichita & Topeka which will have eternal ramifications for all lawmakers who must decide if they believe the promises that Jesus Christ made in the Bible or the promises offered by the corrupt legal gangsters controlling the Kansas Judiciary & mental health and child protective agencies. I appreciate the courtesy & encouragement that I have received for the past 5 years from many legislators. I also appreciate the efforts that former House Speaker Mike O'Neal privately made to help individual cases. I have empathy for any health issues O'Neal may have suffered from the stress of not being more aggressive in fighting the corruption. However if you can't stand the heat, you need to get out of the kitchen. I firmly believe that God will continue to turn up the heat to morally convict individual lawmakers & judges to initiate a reform movement from within. I hope legislators and judges will consider if they will be individually richly rewarded and the State of Kansas will prosper greatly if they unbury their God given political talents to use them to start a major judicial reform movement. I certainly would rather testify in favor of a clemency program for repenting judges, prosecutors, attorneys & psychiatrists.

Bill McKean

2932 Roxboro Road

Eules, Texas 76039

817 905-7981

Statute Number: 21-5824
Chapter Title: CRIMES AND PUNISHMENTS
Article Title: CRIMES AGAINST PROPERTY
Brief Description: Making false information.

21-5824. Making false information. (a) Making false information is making, generating, distributing or drawing, or causing to be made, generated, distributed or drawn, any written instrument, electronic data or entry in a book of account with knowledge that such information falsely states or represents some material matter or is not what it purports to be, and with intent to defraud, obstruct the detection of a theft or felony offense or induce official action.

(b) Making false information is a severity level 8, nonperson felony.

Statute Number: 60-4104
Chapter Title: PROCEDURE, CIVIL
Article Title: ASSET SEIZURE AND FORFEITURE
Brief Description: Covered offenses and conduct giving rise to forfeiture.

60-4104. Covered offenses and conduct giving rise to forfeiture. Conduct and offenses giving rise to forfeiture under this act, whether or not there is a prosecution or conviction related to the offense, are:

- (a) All offenses which statutorily and specifically authorize forfeiture;
- (b) violations involving controlled substances, as described in K.S.A. 2012 Supp. 21-5701 through 21-5717, and amendments thereto;
- (c) theft, as defined in K.S.A. 2012 Supp. 21-5801, and amendments thereto;
- (d) criminal discharge of a firearm, as defined in subsections (a)(1) and (a)(2) of K.S.A. 2012 Supp. 21-6308, and amendments thereto;
- (e) gambling, as defined in K.S.A. 2012 Supp. 21-6404, and amendments thereto, and commercial gambling, as defined in subsection (a)(1) of K.S.A. 2012 Supp. 21-6406, and amendments thereto;
- (f) counterfeiting, as defined in K.S.A. 2012 Supp. 21-5825, and amendments thereto;
- (g) unlawful possession of a scanning device or reencoder, as described in K.S.A. 2012 Supp. 21-6108, and amendments thereto;
- (h) medicaid fraud, as described in K.S.A. 2012 Supp. 21-5925 through 21-5934, and amendments thereto;
- (i) an act or omission occurring outside this state, which would be a violation in the place of occurrence and would be described in this section if the act occurred in this state, whether or not it is prosecuted in any state;
- (j) an act or omission committed in furtherance of any act or omission described in this section including any inchoate or preparatory offense, whether or not there is a prosecution or conviction related to the act or omission;
- (k) any solicitation or conspiracy to commit any act or omission described in this section, whether or not there is a prosecution or conviction related to the act or omission;
- (l) furtherance of terrorism or illegal use of weapons of mass destruction, as described in K.S.A. 2012 Supp. 21-5423, and amendments thereto;
- (m) unlawful conduct of dog fighting and unlawful possession of dog fighting paraphernalia, as defined

- in subsections (a) and (b) of K.S.A. 2012 Supp. 21-6414, and amendments thereto;
- (n) unlawful conduct of cockfighting and unlawful possession of cockfighting paraphernalia, as defined in subsections (a) and (b) of K.S.A. 2012 Supp. 21-6417, and amendments thereto;
- (o) prostitution, as defined in K.S.A. 2012 Supp. 21-6419, and amendments thereto, promoting prostitution, as defined in K.S.A. 2012 Supp. 21-6420, and amendments thereto, and patronizing a prostitute, as defined in K.S.A. 2012 Supp. 21-6421, and amendments thereto;
- (p) human trafficking and aggravated human trafficking, as defined in K.S.A. 2012 Supp. 21-5426, and amendments thereto;
- (q) violations of the banking code, as described in K.S.A. 9-2012, and amendments thereto;
- (r) mistreatment of a dependent adult, as defined in K.S.A. 2012 Supp. 21-5417, and amendments thereto;
- (s) giving a worthless check, as defined in K.S.A. 2012 Supp. 21-5821, and amendments thereto;
- (t) forgery, as defined in K.S.A. 2012 Supp. 21-5823, and amendments thereto;
- (u) making false information, as defined in K.S.A. 2012 Supp. 21-5824, and amendments thereto;
- (v) criminal use of a financial card, as defined in K.S.A. 2012 Supp. 21-5828, and amendments thereto;
- (w) unlawful acts concerning computers, as described in K.S.A. 2012 Supp. 21-5839, and amendments thereto;
- (x) identity theft and identity fraud, as defined in subsections (a) and (b) of K.S.A. 2012 Supp. 21-6107, and amendments thereto;
- (y) electronic solicitation, as defined in K.S.A. 2012 Supp. 21-5509, and amendments thereto; and

- (z) felony violations of fleeing or attempting to elude a police officer, as described in K.S.A. 8-1568, and amendments thereto.

Lorentz, Crystal G.

From
Sent
To
Subject

Retta Harrison [hharriso@dc18.org]
Monday, January 25, 2010 11:47 AM
Petition Screening
[REDACTED]

[REDACTED]

Patient's doctor has instructed me to file this petition. I have become familiar with this patient's condition by reviewing his/her medical chart, by consulting with this patient's physician, and/or by observing, counseling and/or working with this patient. The following is what I have learned. The patient was voluntarily admitted to Via Christi Good Shepherd Hospital on 1-21-2010. The Mobile Crisis Unit responded to the patients' home to assess him in response to a phone call received from the patients' attorney indicating the patient was extremely paranoid and delusional, becoming increasingly psychotic. Upon assessment, the patient was agitated, extremely paranoid, threatening to others, inclusive of his elderly father, of which, he was currently residing. The family also reported finding a very large ax in his vehicle, that he is obsessed with knives, that he has been living un-invited in his fathers' home for nearly two years, and that the patient often goes into angry "rages." In addition, the patient reportedly is verbally threatening to anyone he disagrees with on a daily basis, to the extent he has made statements indicating he will assault them and/or dismember various body parts and organs of the person. The family has verbalized they feel the patient has the potential to cause serious bodily harm or to "kill" someone, as the propensity for violence is present based upon previous behavior. The patient recently has thrown bottles at his father, threatened him, and due to the exacerbation of behaviors, father intends to sever all contact due to imminent concerns regarding his safety. The patients' father reported "he's fearful for his life," and requested that the patient not be advised of the information in which he provided due to fear of retaliation. The father reportedly filed a Protection from Abuse on 1/22/2010 and a previous spouse reportedly filed a no-stalking order on 1/21/2010. The patient has a long and documented history of physically aggressive behavior towards others.

Upon further assessment by the mobile crisis team, [REDACTED] presented as extremely anxious, suspicious, irritable, hostile, and grandiose with obsessive thoughts. His speech was loud, pressured, rapid, and repetitive. He was disorganized, uncooperative, disheveled, and resistant to mental health interventions, as his insight and judgment were impaired due to psychotic process. It was also reported the patient was non-

compliant with psychotropic medication. The patient reluctantly agreed to hospitalization initially, however has been minimally cooperative.

Since admission, the patient's thought process continues to be delusional, grandiose and disorganized with loose associations. Concentration, insight, judgment, and impulse control clearly impaired. He continues to be hyper verbal, anxious with racing thoughts, extremely suspicious and paranoid. The patient is only minimally cooperative, refusing therapeutic doses of psychotropic medications citing unfounded medical concerns, or those which have been previously addressed. In addition, the patient has requested to be discharged several times and can be very demanding, intimidating, and intrusive. The patient is easily agitated, difficult to re-direct at times, and as indicated above resistant to therapeutic treatment team interventions.

Due to the above information, recommend transfer to Osawatomie State Hospital for further stabilization and subject to an outpatient treatment order upon discharge, to include alternate living arrangements to provide necessary supervision and structure.

Thank you,

Retta Harrison
Deputy Clerk
Care & Treatment
316-660-5769

IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
CRIMINAL DEPARTMENT

THE STATE OF KANSAS)	
)	
Plaintiff,)	
)	
v.)	Case No. 12 CR 1076
)	
VALERIE J. ROSPROY,)	
)	
Defendant.)	

TRANSCRIPT OF WAIVER OF JURY TRIAL/PLEA TO MISDEMEANOR

PROCEEDINGS had before the Honorable Warren Wilbert,
Judge of Division 25 of the District Court of Sedgwick County,
Kansas, on September 4, 2012.

APPEARANCES

The State of Kansas appeared by and through Tyler
Roush, Esq., Assistant District Attorney, Sedgwick County
Courthouse, 525 N. Main, Wichita, Kansas 67203.

The defendant appeared in person and by C. Ryan
Gering, Esq., Hulnick, Stang & Rapp, 310 W. Central, Suite
111, Wichita, Kansas 67202.

P R O C E E D I N G S

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2 THE COURT: 12 CR 1076, State of Kansas versus
3 Valerie J. Rosproy. Can I have the appearances for the
4 record.

5 MR. ROUSH: Tyler Roush, Assistant District
6 Attorney, appears for the State.

7 MR. GERING: Ryan Gering on behalf of Ms. Rosproy,
8 who also appears in person in the courtroom.

9 THE COURT: Ms. Rosproy, I have a journal entry up
10 here that would indicate you are prepared to enter a plea of
11 no contest to violation of a protective order. You would be
12 entitled to a trial by jury of six individuals to determine
13 your guilt or innocence on that charge. Do you have any
14 questions about your right to a jury trial?

15 THE DEFENDANT: Actually, I do have a couple
16 questions. I would like to know, if I were to take it to a
17 jury trial, if there is a compulsion defense, if my children
18 were in danger.

19 THE COURT: That is a question of fact for the jury.
20 I can't answer that for you. You would have to instruct
21 the --

22 THE DEFENDANT: I would have to have a jury on that?

23 THE COURT: You would have to discuss that with your
24 attorney.

25 THE DEFENDANT: Okay. I will go ahead and take the

1 plea, but I feel like it was under duress.

2 MR. GERING: Put it on second call, Your Honor.

3 THE COURT: Okay.

4 (Recess)

5 THE COURT: 12 CR 1076, State of Kansas versus
6 Valerie J. Rosproy. Can I have the appearances for the
7 record, please.

8 MR. ROUSH: Tyler Roush, Assistant District
9 Attorney, for the State.

10 MR. GERING: Ryan Gering on behalf of Ms. Rosproy,
11 who also appears in the courtroom.

12 THE COURT: Again, Ms. Rosproy, I have a journal
13 entry up here that indicates you are prepared to enter a plea
14 of no contest to violation of a protective order. That is a
15 class A misdemeanor, for which you are entitled to a trial by
16 jury of six individuals. Do you have any questions about your
17 right to a jury trial?

18 THE DEFENDANT: No.

19 THE COURT: Do you wish to waive your right to that
20 jury trial?

21 THE DEFENDANT: Yes.

22 THE COURT: The Court will accept the waiver. Are
23 you pleading no contest to violation of a protective order?

24 THE DEFENDANT: Yes.

25 THE COURT: The Court will accept the plea of no

1 contest. What would be the factual basis, sir?

2 MR. ROUSH: Your Honor, the evidence would show that
3 Ms. Rosproy -- there is a valid protection order against both
4 her husband and her two children, and that she violated the
5 protective order by showing up at the husband's residence and
6 talking with the two kids, as well as interacting with the
7 husband on the date and time in question, which I don't have
8 in front of me, but that did all occur in Sedgwick County.

9 THE COURT: Again, Ms. Rosproy, you heard what the
10 State's evidence would be. Are you entering a plea of no
11 contest to that evidence?

12 THE DEFENDANT: Yes.

13 THE COURT: Is that a yes, for the record?

14 THE DEFENDANT: Yes.

15 THE COURT: The Court will adjudge you guilty,
16 sentence you to a controlling term of six months in the county
17 jail and pay the costs of the action.

18 I will suspend imposition of that sentence and place
19 you on probation for a period of one year, pursuant to the
20 terms and conditions of the journal entry of probation.

21 Is there anything else that needs to come before the
22 Court in this matter?

23 MR. ROUSH: No, Your Honor.

24 MR. GERING: No, Your Honor.

25 THE COURT: Mr. Gering, you may take your client

1 down to Probation Intake.

2 (Proceedings were concluded)

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1 STATE OF KANSAS)
2 SEDGWICK COUNTY) ss:

3 C E R T I F I C A T E

4 I, SHEILA M. LYONS, a Certified Shorthand Reporter for
5 the State of Kansas and a regularly appointed, qualified and
6 acting official reporter for the Eighteenth Judicial District,
7 do hereby certify that as such official reporter, I was
8 present at and reported in Stenotype shorthand the foregoing
9 proceedings in Case No. 12 CR 1076, State v. Rosproy, heard on
10 September 4, 2012, before the Honorable Warren Wilbert, Judge
11 of Division 25 of said court.

12 I FURTHER CERTIFY that upon the request William
13 McKean, I personally prepared the foregoing transcript of my
14 shorthand notes via computer-aided transcription, and that
15 said transcript, consisting of 6 pages, is true and correct,
16 all to the best of my knowledge and ability.

17 SIGNED, OFFICIALLY SEALED, and DELIVERED via U.S. Mail
18 this 7th day of September, 2012.

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23 Sheila M. Lyons, CSR
24 CSR No. 418
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