



**Kansas Association of
Chiefs of Police**
PO Box 780603
Wichita, KS 67278
(316)733-7301



**Kansas Sheriffs
Association**
PO Box 1853
Salina, KS 67402
(785)827-2222



**Kansas Peace Officers
Association**
PO Box 2592
Wichita, KS 67201
(316)722-8433

**Testimony to the Senate Judiciary Committee
In Support of SB 16
January 29, 2013**

Chairman King and committee members,

The Kansas Association of Chiefs of Police, the Kansas Sheriffs Association, and the Kansas Peace Officers Association supports the passage of SB16 creating the Kansas racketeer influenced and corrupt organization act and amending the criminal street gang definition.

The proposed state RICO act will provide an additional tool to Kansas law enforcement and prosecutors to address the worst of the criminals preying on Kansans. This bill will provide enhanced penalties for participants in these criminal enterprises. Group criminal activity is often hard to stop when a case can only be made on some of the participants in a particular crime. When the group of those planning, conspiring and reaping the benefits of these crimes can be prosecuted, the opportunity to stop the entire criminal enterprise is enhanced.

The RICO proposal presented this year is a much different bill than last year. The list of applicable statutes has been narrowed and the scope is limited to gangs, human trafficking, and drug distribution and manufacturing. We do not foresee this statute being used abundantly. Much like the federal RICO act is not frequently used. These cases require extensive investigations and case building. They will be aimed at groups perpetrating widespread repeated crime in our communities. Ultimately these prosecutions are anticipated to bring the individuals in these groups to justice quicker resulting in fewer victims. The net result will not likely be more people in prison but rather simply getting them there more quickly.

In regards to the criminal street gang definitions, we are asking for a change in current law which will allow us to more accurately apply the listed criteria intended to lead to the designation of a person as a member of a criminal street gang. In current law three factors are combined into one subsection. If those are placed in independent subsections it will allow a more appropriate application of those criteria. The criteria in question are: 1) frequents a particular criminal street gang's area; 2) adopts such gang's style of dress, color, use of hand signs or tattoos; and 3) associates with known criminal street gang members. To apply any one of these criteria in current law requires evidence of all three criteria. We are asking for them to stand alone as individual criteria. This has been requested by multiple agencies dealing heavily in gang issues in their communities.

We urge you to support the favorable recommendation of this bill.

Ed Klumpp
Kansas Association of Chiefs of Police, Legislative Committee Chair
Kansas Sheriffs Association, Legislative Liaison
Kansas Peace Officers Association, Legislative Liaison
E-mail: eklumpp@cox.net
Cell: (785) 640-1102