Kansas Bureau of Investigation

Kirk D. Thompson
Director

Derek Schmidt
Attorney General

Testimony in Support of HB 2044
Kyle Smith, Assistant Attorney General/Deputy Director
Kansas Bureau of Investigation
Before the Senate Judiciary Committee
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Chairman King and Members of the Committee,

I appear today on behalf of Attorney General Derek Schmidt and the Kansas Bureau of Investigation in support of HB 2044, legislation that will bring to justice criminals who are now doing great harm and yet avoiding appropriate consequences for the death and injury they cause.

One thing I know from my 32 years in law enforcement is that drug dealers have no honor, no morals and no concern for their customers. The immediate sale and the quick profits are their only concern.

The KBI forensic laboratory tests drugs seized throughout Kansas. Dealers 'cut' their products to increase profits with whatever they can find that looks like the drug they are selling, including rat poison. Dealers will tell an addict that whatever they have is whatever the addict wants, just to make a sale. The results of these practices are, literally, death and destruction. Addicts take a dosage level they can handle, if the drug is what it was supposed to be, only to die of an overdose or have their brains or central nervousness system permanently damaged.

Addiction is a terrible problem both for the addicts and for society. But addicts do not deserve to die or to be maimed. Addicts are still our children, our friends and family. Addicts are still Kansans. Their deaths should not go unpunished.

Actual prosecutions will be, unfortunately, rare as we seldom know, let alone can prove beyond a reasonable doubt where the drugs came from in a death. But, if we can prove it, then convicting the dealer of just the sale of the drug is like convicting a bank robber of brandishing a firearm. These criminals are much worse than just being a dealer, they are killers, and the law should properly reflect that distinction.

I would be happy to stand for questions.