

SENATE JUDICIARY COMMITTEE CONFERENCE TESTIMONY

Bill # 11

Date of testimony January 20, 2015

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Please check what is applicable:

Proponent: X Neutral: _____ Opponent: _____

Oral Testimony X

Written Only _____



Kansas Bureau of Investigation

Kirk D. Thompson
Director

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Testimony in Support of SB 11
Before the Kansas Senate Judiciary Committee
Kirk D. Thompson, Director
Kansas Bureau of Investigation
January 20, 2015

Mr. Chairman and Members of the Committee,

My name is Kirk Thompson and I serve as the Director of the Kansas Bureau of Investigation (KBI). Thank you for the opportunity to address you today and provide the KBI perspective on Senate Bill 11.

Prior to the beginning of the current session, I had the privilege of serving on the Scrap Metal Advisory Committee of the Kansas Judicial Council. The committee was tasked with the review of SB418 from the 2014 session of the Kansas Legislature. The committee was comprised of a number of individuals who represented many of the stakeholder groups that would be, in some measure, affected by the proposed legislation. The committee dug deep into all aspects of the scrap metal theft problem. The committee's work product represents a consensus of those stakeholder groups as to how best to address the serious problem of metal theft in our communities, while at the same time minimizing the inconvenience to our citizens and minimizing any additional administrative burdens to the scrap metal / metal recycling industry. I believe that SB 11 accomplishes those important goals. I endorse the work of the committee and strongly support SB11 as introduced.

As a law enforcement agency with a criminal investigative mission, it is clear to us that criminal justice practitioners in our state lack the appropriate tools to effectively address the growing problem of metal theft in our great state. Our citizens are being victimized at an alarming rate and look to us for a solution.

SB11 addresses the problem of metal theft at multiple levels, three of which I would like to quickly mention. First, it provides for the development of an information system where-in all sales of regulated scrap metals will be tracked in a statewide repository, managed by the Attorney General's Office. The repository, which will be accessible to law enforcement agencies investigating metal theft, is key to the success of our efforts. The creation of such a repository will clearly help in the identification and prosecution of metal thieves, thereby, limiting their opportunity to commit further thefts.

Second, it is important to note that, while the theft of the metal itself is a serious crime, it is all too often the associated damage to property that occurs during a metal theft that is most devastating to the business or individual that has been victimized. SB11 recognizes that important dynamic and creates the crime of aggravated criminal damage to property to take into account the complete picture of the incident when assessing a criminal sanction against an offender. An offender will be held accountable for not just what was stolen, but also for the extensive property damage that almost always accompanies the underlying act.

Lastly, SB11 is important from a crime prevention perspective. We believe the enhanced risk of arrest and prosecution for scrap metal theft will be a strong deterrent for anyone who might consider such an act. But, for those out there who continue to prey on others, the tools afforded to law enforcement and prosecutors in the Scrap Metal Theft Reduction Act will take those repeat offenders off the street, thereby, limiting their capacity to further victimize our citizens.

Unfortunately, I also appear before you as a victim of an attempted theft of copper. Last May, person(s) unknown attempted to steal the copper from within my home air conditioning unit. They were successful only in creating damage to the unit and releasing several pounds of regulated Freon gas into the environment. While the damage to my unit was less than \$500.00, my neighbor was not so lucky and was required to replace the compressor unit and all of the copper lines running into the house. I understand the frustration and the disruption that results from these kinds of incidents.

Two years ago the KBI and the Kansas Criminal Justice System (KCJIS) were the secondary victims of a metal theft that occurred at a major power sub-station in Topeka. Person(s) unknown entered the secure compound and removed a large quantity of copper cable. Their actions took down the power to the area of town where KBI headquarters is located. KCJIS, a critical law enforcement communication system, was taken off line for an unacceptable period of time while power was rerouted and repairs made.

I mention those two incidents only to demonstrate that metal theft can happen to anyone; all of us are vulnerable. Too many of our friends and neighbors have already fallen victim to this crime and have suffered major financial loss. This is a problem that warrants your action. I am convinced that SB11 is an important part of the overall solution and I respectfully urge you to give favorable consideration to passage of this bill.

Thank you. I would be happy to stand for any questions that you may have.

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