



WRITTEN REMARKS

TO: The Honorable Jeff King, Chair
And Members of the Senate Committee on Judiciary

FROM: Whitney Damron
On behalf of the City of Topeka

RE: SB 11 – An Act concerning regulated Scrap Metal.

DATE: January 20, 2015

Chairman King and Members of the Committee:

On behalf of the City of Topeka, I would like to respectfully submit this testimony in support of SB 11, which increases penalties and creates a regulatory framework to help law enforcement better deter, detect and ultimately apprehend for prosecution those who commit metal theft in our state.

In 2011 the City of Topeka took a lead role in seeking expansion of scrap metal enforcement with legislation that required scrap metal dealers to be licensed by a city or county where they are located in addition to enhanced penalties and tools for local units of government and law enforcement officials to force bad actors out of the business. That initiative, which began with the introduction of HB 2312 was the third attempt in five years to address problems with scrap metal thieves and the damage they cause to their victims. And here we are again.

In 2014, yet another proposal was brought to the Legislature and the issue was ultimately referred to the Kansas Judicial Council for further study. Judicial Council convened a study group with all of the interested parties at the table: Scrap metal dealers (both large and small), the Kansas Attorney General, Utilities, a local district attorney, law enforcement and others. The work product before you today would significantly enhance law enforcement's ability to reduce scrap metal thefts in our state by tracking scrap metal sellers through a database; enhance penalties for those convicted of the crime and put bad actor dealers out of business. The bill has a funding source and the Kansas Attorney General is given statutory authority to be the state's central enforcement agency for this act, working in concert with local law enforcement officials.

This Committee and the Legislature is very much aware of the damages scrap metal thieves can create for what is a very small return from a scrap metal dealer. The citizens of Kansas have been victimized far too long by these "non-violent offenders" and the City of Topeka believes it is time for the penalty for the damage they cause to be reflected in our criminal justice system.

The City of Topeka included support for increased efforts to reduce scrap metal thefts in its 2015 Legislative priorities and we applaud all parties involved with SB 11 for bringing this work product to the Legislature.

On behalf of the City of Topeka, we encourage your favorable support of SB 11.

Thank you.

WBD