



# Kansas Bureau of Investigation

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Please accept this prepared response on behalf of the KBI regarding follow-up information requested from the Joint Committee on Kansas Security.

**1. Senator Pittman inquired about the significance of Aggravated Assault data presented in our testimony.**

- a. Aggravated assault is the most common type of violent crime occurring in Kansas. In 2020, 81% of all violent crimes in Kansas were aggravated assaults. The significance of this is that although the murder rate increased by 48.5%, this increase is not what drove the rise in violent crime. Increased aggravated assaults in Kansas are concerning, not only because of the increasing number of aggravated assaults, but also because aggravated assaults are still acts of violence. Acts that are often committed with a deadly weapon and result in injury to the victim.

**2. Senator Pittman inquired how sexual assault kits across the state are not being submitted to the laboratories.**

- a. It is important to note that when the SAKI project first began, there were specific reasons and situations that contributed to the backlog of sexual assault kits. Laboratory resources, prosecution without the need for sexual assault evidence, and prosecution declination (consent situations) all contributed to the high number of untested kits. However, through the SAKI project and the developed best practices protocols, the importance of testing those kits, regardless of the situation, became evident. Submitting and testing all sexual assault evidence collection kits is important because it enhances the CODIS database and helps to identify serial sex offenders.

Law enforcement in Kansas was an integral part of the SAKI project. They were supportive of the efforts and helped draft the best practices solution. Kansas law enforcement is responsive to the need to submit sexual assault evidence collection kits, understands the importance of testing those kits, and is diligent about the timely submission of sexual assault evidence collection kits to the state's three forensic laboratories.

**3. Representative Pittman asked why the difference in numbers for prosecution/conviction for the Northeast Child Victims Crime Task Force and the Catholic Clergy Task Force.**

- a. The Catholic Clergy Task Force faces obstacles to prosecution and conviction that are primarily focused around time. The amount of time between the date of incident

and the date of disclosure is often significant. One contributing factor to the number of people making claims against clergy members now is the increased ease, access, and acceptance of reporting today compared to decades ago. Public awareness of abuse is most likely a factor as well. The other obstacle the Catholic Clergy Task Force has consistently encountered during their investigations is the criminal statute of limitations. Unfortunately, in Kansas most sexual crimes involving children have limited statute of limitations. One recommendation would be to remove the statute of limitations (as done with the crime of Rape) for all sex crimes against children.

Although the culture of reporting is better there are still barriers to reporting. Such barriers include: children are often abused by people they trust and look up to, children are threatened not to disclose what occurred to them and often children believe they will be in trouble or get the offender in trouble if they report the abuse. Unfortunately, children face many perceived constraints to disclosing the violence occurring to them. As for the victims of sexual abuse by clergy, most of the victims are now adults, however the statute of limitations for prosecution of the crimes committed against them has long passed.

**4. Representative Baker asked if the number of drug trafficking organizations presented in testimony (770) was growing.**

- a. Per our testimony according to Midwest HIDTA 2021 annual report, the number of drug trafficking organizations increased by 21% from 2019 to 2020, however looking back further, it appears the number of DTO's in the Midwest HIDTA area was decreasing until 2018. In both 2019 and 2020 the number has continued to increase. The following is a list of the DTO's in the HIDTA region over the past five years.

i.	2016	697
	2017	654
	2018	584
	2019	638
	2020	770

Additionally after further review, we were able to find the number of DTO's operating specifically in Kansas. This data was not tracked prior to 2017:

ii.	2017	10
	2018	16
	2019	16
	2020	25 (56% increase)

Although DTO's are associated with violent crime, another source of the violence around drug distribution is observed through small local groups that use violence to settle disputes over territory and customers.

**5. Senator Pittman asked the KBI to provide a list of the websites the public could use to report cybercrime activity or the victimization of cybercrime.**

- a. The websites listed during our presentation and some additional websites to report cybercrime activity include:
    1. The FBI Internet Crime Complaint Center: [www.ic3.gov](http://www.ic3.gov)
    2. National Cybersecurity Communication and Integration Center (NCCIC) (Phishing scams): [Homepage | CISA](#)
    3. Federal Trade Commission (Fraud and Identity Theft): [www.ftc.gov](http://www.ftc.gov)
    4. Social Security Administration (Fraud): [www.ssa.gov](http://www.ssa.gov)
    5. Kansas Department of Labor (Unemployment Fraud): [www.dol.ks.gov](http://www.dol.ks.gov)
- 6. Representative Ruiz asked for the KBI to provide a career opportunity website that could be provided to groups who might be interested in working for the KBI or law enforcement agencies.**
- a. The KBI utilizes all of the established state mechanisms for advertising vacant positions. Additionally, the KBI maintains a social media page that is primarily focused on disseminating information on career opportunities. This has proven to be a valuable recruiting tool for our agency. Beyond those means, each KBI employee is asked to personally engage in the recruitment of agency personnel when possible. Additionally, the KBI consistently works with and engages the law enforcement associations within Kansas in an attempt to recruit and provide information on career opportunities.
- 7. Representative Ousley requested whether the amount of money requested by the KBI through the 2020 budget enhancement for the Major Violent Crimes and Crimes Against Children (KDCF Child Protection Initiative) would be the same today as it was with our initial request.**

- a. The purpose of the Child Protection Initiative is to provide sufficient criminal investigative resources to intervene when allegations of child abuse are reported and children are being victimized as a result. To act as a liaison between the Kansas Department of Children and Families (KDCF) and local law enforcement agencies to ensure full participation and integration into the multi-disciplinary approach to allegations of child abuse. To assist in the investigation of certain child death incidents.

The goal of this collaborative effort is to ensure every allegation of child abuse where there is a reason to believe that a criminal act has occurred is fully investigated and, when appropriate, prosecuted to the fullest extent of the law.

The KBI intends to assist KDCF personnel in a collaborative, multi-disciplinary effort to review and investigate all allegations of child abuse. In some cases where local law enforcement jurisdictions have sufficient capacity and capability to assume responsibility for a child abuse investigation, the KBI special agent liaison will assist in coordinating the law enforcement response and collaboration with KDCF. In cases where the local law enforcement jurisdiction lacks the capacity or capability to conduct a criminal investigation, the KBI special agent liaison will initiate and conduct the investigation in cooperation with the KDCF.

The implementation of the KDCF Child Protection Initiative would be divided into the three phases. The first phase would seek to place one KBI special agent in each of the nine KDCF offices in the west region of the state. The second phase would seek to place one KBI special agent in each of the KDCF offices in the Southeast region of the state and the third phase would be to place one special agent in the KDCF offices in the Northeast region of the state.

The initial request in 2020 for the first of the three phase project was to hire nine special agents at a cost of 1.2 million dollars. However, after the initial 2020 enhancement request the KBI determined the appropriate level of staffing for the first phase of the KDCF Child Protection Initiative should include nine special agents (one for each of the nine KDCF offices in the West region of the state), a supervisor and additional professional support staff to include case management, law enforcement victim assistance position, and a training position to provide additional training associated with the successful investigation of crimes against children.

As a result with the increased associated costs the new proposed enhancement request for FY 2022 would be 1.9 million dollars. The costs of continuing this program in the out years would be less than the initial startup cost.

Although this enhancement request is a critical agency need in the effort to prevent crimes against children, the KBI must first address the recruitment and retention of our personnel. We cannot be successful in the investigation and prevention of child abuse if we cannot attract qualified, professional, and ethical applicants to hire.

**8. Representative Ousley inquired as to the number of special agents assigned to the Child Victim's Unit.**

- a. The KBI has seven special agents dedicated to working crimes against children in the Child Victim's Unit. That includes three special agents assigned to the west region of Kansas and two special agents assigned each to the southeast and northeast regions of the state.

Additionally, the KBI has seven special agents assigned to the Northeast Child Victim's Task Force, however this number is a little misleading in that there are four KBI special agents and three task force officers assigned the task force. The true measure of the KBI's capacity to investigate crimes against children should be based on KBI personnel only. Due to the very nature of a task force; the priorities of the partner agencies participating on the task force could change thus reducing the manpower of the task force at any given point.

This results in a total of 14 (11 KBI special agents) working crimes against children for the 105 counties in Kansas.

**9. Representative Ousley requested additional information and data regarding human trafficking and hate crimes in Kansas.**

- a. Human trafficking:

This past year the KBI completed a re-organization of its Special Operations Division (SOD). The SOD is the proactive enforcement and intelligence gathering arm of the KBI. SOD dedicated investigative resources specifically to address human trafficking in Kansas.

- The KBI works with the Kansas Department of Children (KDCF) and Families to identify juveniles who are believed to be victims of human trafficking. When identified a KDCF immediate response team is activated. This year the team has been activated five times.
- The KBI has one Assistant Special Agent in Charge (ASAC) who is a member of the State Human Trafficking Advisory Board.
- The KBI SOD was requested by the United States Department of Homeland Security (HSI) to participate as a member of the Kansas Human Trafficking Task Force. The KBI has four Special Agents credentialed through HSI who work human trafficking cases, rescuing victims of sex and labor trafficking and investigating their traffickers for prosecution in state and federal court when requested and appropriate.
- The KBI was asked to participate with a newly established Kaw Valley Human Trafficking Task Force in the northeast region of the state. The KBI will provide training and support to the task force when requested. This is another example of the need for a surge capacity within the KBI.
- In the past year the Human Trafficking Advisory Board has reviewed:
  - 37 Polaris Tips
  - 10 Non-Profit Leads
  - 6 HSI leads
  - 23 Human Trafficking
  - 23 Juvenile Intake and Assessment Center evaluations
- The KBI has assisted with additional proactive operations to identify and stop human trafficking in Kansas.

b. Hate Crimes:

The number of reported hate crimes in Kansas in 2020 was 146. This represents a 36% increase in reported hate crime between 2019 and 2020. In the majority of incidents, the type of hate crime was directed at anti-black (73 incidents) and anti-white (19 incidents).

The most common types of crime associated with hate crime in 2020 included: vandalism (48 incidents), criminal threat (27 incidents), disorderly conduct (14 incidents), simple assault (10 incidents) and aggravated assault (10 incidents).

In 2020, hate crimes were most commonly reported to have occurred in outdoor recreational areas.

The average age of the victim of hate crime was 30-39 years old (39 incidents) followed by 20-29 years old (28 incidents).

The victim gender was pretty evenly divided with 65 incidents involving a female victim and 64 incidents involving a male victim. In 28 of the cases, the victim's gender was unknown.

Human trafficking and hate crimes continue to rise and pose significant threat to public safety. Although the presentation did not include much detail on human trafficking and hate crimes in part due the amount of information needing to be covered and time constraints; the KBI considers both human trafficking and hate crimes an on-going threat to public safety and continues with efforts to identify those responsible for both human trafficking and hate crimes.

**10. Representative Ousley inquired whether there was a significant reduction in violence with states that had decriminalized or legalized marijuana.**

- a. Both Oklahoma and Missouri only recently passed legislation to legalize medical marijuana. As a result, it is difficult to make any correlation between the level of violence in those states and the legalization of medical marijuana.

When looking at the State of Colorado, which legalized medical marijuana in 2000 and recreational marijuana in 2012, according to the Colorado Bureau of Investigation the number of violent crimes in the state decreased by a small amount in 2013 and 2014 following the legalization of recreation marijuana use, but has since risen each year between 2014 and 2020 with the exception of 2019. The Colorado Bureau of Investigation reported 17,422 violent crimes in 2011 (the year prior to legalization of recreational marijuana use) and 19,296 in 2012. In 2020, the number of violent crimes in Colorado had increased to 27,116.

**11. Senator Pittman requested the KBI place efforts toward the analysis and response to threats to public and elected officials.**

- a. The KBI investigative staff will begin working to develop a more structured response to threats against public and elected officials.

**12. The committee listened to several recommendations related to cybersecurity.**

- a. Although the KBI testimony referenced the intent to stand up two specific operation centers (one for cybersecurity and cybercrime and the other for a 24 hour a day, 7 day a week intelligence watch center), the KBI did not include any direct funding enhancement requests within our testimony. The KBI is currently working to secure federal funding to build and operate the (cyber) Security Operation Center discussed in testimony.

Almost all of the supervisory staff at the KBI have some level of security clearance. Additionally we have two cybercrime investigators assigned to federal cybercrime task forces. These efforts are done to increase the awareness of security threats in

our state and to proactively focus agency resources toward identifying and preventing both emerging and existing threats in Kansas.