



# POLICE DEPARTMENT

## Criminal Investigation Bureau



**Rick L. Armstrong**  
Chief of Police

**Major John F. Cosgrove**  
Assistant Bureau Director

Dear Committee Members,

My name is John Cosgrove, and I am the Assistant Bureau Director for the Criminal Investigation Bureau within the Kansas City, Kansas Police Department. I am submitting the following written testimony in support of Senate Bill 135.

I have worked for the Kansas City, Kansas Police Department for over 26 years. During that time I have had numerous assignments, including being the Commander of our Homicide Unit for several years, as well as serving as the Community Policing Commander for several years. I mention this information to let you know that I have worked closely in the area of gang-related crimes, as well as organized narcotic enterprises. I have personally been involved in hundreds of homicide investigations and my experience is that a large proportion of the homicides which occur in our City have a direct link to gang and drug organizations. For example, in 2009, 17 out of our 39 homicides were identified as being directly related to gangs and or drugs.

The Kansas City, Kansas Police Department does not have a specialized gang unit, but instead implements the philosophy that the Department as a whole addresses gang related issues. We do have a Threat Assessment Unit that identifies and links together known criminal associates and gang members. The valuable information this Unit obtains would benefit greatly if we had a Kansas RICO law on the books.

A Kansas RICO act would be a powerful tool for Kansas law enforcement. It would afford police departments the opportunity to address the most violent predators in their communities. The RICO act would do this by serving as a very effective tool in targeting known gangs, gang members, as well as other criminal associations; effectively providing the ability to 'decapitate' the hierarchy within those entities. A secondary benefit would be its deterrent effect on gang activity. Presently, one of the only options for local law enforcement agencies to address gangs is to seek enhanced sentencing at the federal level through the RICO act. The RICO act has proven to be an effective tool at the federal level in providing federal law enforcement agencies with the 'extra teeth' needed to deal with organized groups of criminal activity. A Kansas RICO act would provide the additional teeth needed to address these types of organizations by providing longer incarceration periods as well as making the assets of those involved subject to seizure and forfeiture through the courts.

About 14 years ago, the State of California implemented their version of the RICO act, the California Street Terrorism Enforcement and Prevention Act, which provided the California criminal justice system with a more effective means to address street level gangs, i.e. the Bloods and the Crips. The California Legislature enacted the laws with the intent to seek the eradication of criminal activity by street gangs by focusing upon patterns of criminal gang activity and upon the organized nature of street gangs, which



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together, were the chief source of terror created by street gangs. The California Legislature also found that an effective means of punishing and deterring the criminal activities of street gangs was through forfeiture of the profits, proceeds, and instrumentalities acquired, accumulated, or used by street gangs. The resulting reduction in the extent and level of criminal activity by California gangs was felt nationally.

Several examples come to mind where a Kansas RICO act would have been beneficial to our community. One involved an infamous local family whose drug enterprise operated out of their residences in KCK. This drug enterprise had and continues to be a constant problem for our Department. This organized criminal enterprise had many violent crimes associated with their illegal drug business. At that time, the assistance of federal law enforcement was required to effectively address and prosecute the investigation under federal drug laws that carried longer sentences and the lack of parole. This helped eliminate for a time several members of this group. However, if we had in place a Kansas RICO Statute, this would have allowed us to more effectively address and end the entire group's reign of terror on our Community.

Another example has been during the past few years, a joint task force involving the Kansas City, Kansas Police Department and federal law enforcement agencies was created to address multiple instances of violent crimes committed by two identified rival gangs; both deeply entrenched in illegal narcotics sales. A federal RICO act prosecution was turned down by the USDA office due to the process being too labor intensive. One of the USADA advised that due to the amount of manpower and resources required to pursue a RICO prosecution at the federal level that it was not feasible. At that time, she said that the KCKPD would have to dedicate 6 full-time detectives for at least one year to proceed with a Federal RICO prosecution. With the enactment of a Kansas RICO act, the personnel requirement would be reduced due to the fact that documentation would already exist and be contained within the investigating agency.

Even more recently we had a robbery at a local convenience store where the clerk shot and wounded one of the suspects. From that arrest, we have determined there is a group of between 6 and 10 individuals who have been committing armed robberies throughout the entire Metropolitan area. We have identified at least 23 robberies that this "group" has committed. At present, we need to rely on the FBI to assist us with the prosecution of these individuals so we can tie all of them together in a RICO case. If the FBI is unable to assist us on this case, then all we will be able to do at this time would be to charge for the one robbery where the suspect was shot.

These are just a few of the more prominent investigations the Kansas City, Kansas Police Department has handled where a Kansas RICO act would have been beneficial. However, it should be noted that the KCKPD has had several instances in recent years where a group of criminal associates has been identified but had to be prosecuted individually.

I thank you for your time and consideration in this matter and strongly request that you support the measures submitted in Senate Bill 135.

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