

Testimony for SB 16

I am here today to testify on behalf of the Wichita Police Department and the City of Wichita in a show of support legislation proposed under SB 16.

It is a well known adage in law enforcement that 5% of society creates 95% of the crime. It seems there are certain people in society that literally try to “make a living” out of crime. Instead of looking for work or improving their education, these people spend their time selling drugs, committing fraud, stealing identities, committing robbery, or running with gangs. Some commit all of these crimes.

We have reached a point in law enforcement and in this State that we must become more efficient with our time and resource due to budget constraints. Law enforcement can no longer afford randomization in how we do business – our work must become more focused and efficient. We must work to remove “career” criminals from the streets who create the 95% crime in our towns and cities.

No one wants to create laws that will simply fill prison beds. The valuable resource of a prison bed should be filled with violent criminals and those who choose to make “a living” committing crime in our communities. Our current laws regarding murderers and violent criminals are sufficient. The proposed SB 16 will allow us to more successfully prosecute those who have chosen to make crime their “career”.

In the middle of 2006, the Wichita Police Department discovered a group of criminals involved in the Neighborhood CRIPS gang who were committing crimes such as drug and gun sales, Medicaid fraud, robbery, human trafficking, aggravated assault, and even others. When investigators reviewed the criminal history of this group, it became clear they represented a criminal enterprise. In other words, we saw multiple and repeated trips into the criminal justice system for this group accompanied with sporadic incarceration times, probation, and parole. After each of these trips into the justice system, the members of this Criminal Street Gang went right back to the business of committing crimes for the betterment of the gang. Based on this information, the Wichita Police Department decided to use this historical information and attempt different prosecution avenues under federal racketeering laws. Because there was no State law for us to use, the Wichita Police Department had to get a federal law enforcement entity to “adopt” the case and run all documents and paperwork through. With some difficulty, the FBI agreed to do this. In years 2006 and 2007 the investigation federally indicted over 30 individuals who were involved in this criminal enterprise. Every single one of these suspects had lengthy criminal records and had received multiple chances in the criminal justice system. Despite this, they chose to purposely continue lives of crime. By indicting these suspects under the federal Racketeer Influenced and Corrupt Organization Act (RICO), we were able to remove these subjects from the street, present to a judge their total criminal history and continued involvement in crime, and gain enhanced prison sentences which removed them from the city streets. The result of this effort tangibly reduced street crimes being committed by the CRIPS gang organization, which saved lives and property as well as the accompanying criminal justice time that would have been spent dealing with these crimes.

Many of our small towns and counties in the State of Kansas do not have the access to the federal system that Wichita had to work to attain in the above example. If SB 16 would be passed, we would have a State remedy to deal with our recidivist criminals who operate in all areas of our State. Local law enforcement would no longer need federal "adoption" and could be more efficient in conducting these investigations through our local courts. Passing this type of law would also send a clear message to the criminals of this State that "career" criminals need to pay heed and would also send a message to all law abiding citizens that this State is going to aggressively protect their safety.

With that in mind, I encourage you to support SB 16.

Submitted by Lieutenant Scott G. Heimerman
Investigations Division
Wichita Police Department