



Office of the District Attorney

**JEROME A. GORMAN**

Twenty-Ninth Judicial District of Kansas  
Wyandotte County Criminal Justice Complex

710 North 7th Street, Suite 10 • Kansas City, Kansas 66101-3051

Telephone 913-573-2851 • Fax 913-573-2948

March 13, 2013

House Committee on Corrections and Juvenile Justice  
152-S Statehouse  
Topeka, KS 66612

Re: Support for SB 16 – Racketeer Influenced and Corrupt  
Organization Act; criminal street gangs

Dear Chairman Rubin and distinguished members of the committee:

On behalf of Wyandotte County District Attorney Jerome A. Gorman and myself, I offer unqualified support for SB 16.

Criminal street gangs and other corrupt organizations, when engaged in the narrow list of racketeering activities in the bill, are often directly or indirectly responsible for the commission of series after series of single crimes by their individual members or associates. After prosecuting the one offender, the organization remains in existence with another offender taking the place of the one who has been sent to prison. SB16 would make it possible to hold leaders and key operatives of organized criminal enterprises accountable where they may have been previously beyond reach.

SB 16 would also make possible the expanded use of the racketeering option. Presently, federal prosecutors in just three court houses in our state have the ability to utilize a RICO statute that pertains to street crime. Meanwhile state prosecutors have an extremely narrow and very weak RICO law that is available only for price fixing and protection-style extortion of traditional businesses. The amendments contained in SB 16 would make gang related RICO prosecutions – with teeth – a reality in 105 county courthouses throughout the state.

In Kansas City, where I now prosecute criminal cases, our District Attorney's Office could and would apply the law in SB 16 to a number of existing street gangs. The criminal penalties would land leading members in prison, and the civil penalties could regulate the travels of known gangsters. Something as simple as giving the police the ability to remove a member of one gang from the claimed turf of a rival gang for violating an injunction against merely being there could result in real crime prevention.

In Dodge City, where I previously prosecuted criminal cases (and where I still have frequent contact with friends and colleagues who are judges, prosecutors, and law enforcement officers), the County Attorney's Office would have found – and I'm sure would find in the future – the SB 16 version of a RICO statute to be an extremely valuable tool for suppressing gang violence and property damage.

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A strong RICO law would give police and prosecutors across Kansas the option and authority to confront gang and other organized crime head-on. Citizen safety would be enhanced, and legitimate businesses would function, maybe even thrive, free of corrupt influence. I urge you to pass SB 16 to the full body with a recommendation that it be approved and ultimately enacted into law.

Respectfully,

Jerome A. Gorman  
District Attorney

By:

A handwritten signature in black ink, appearing to read "Edmond Brancart", written over a horizontal line.

Edmond Brancart  
Chief Deputy District Attorney