

House Committee on Corrections and Juvenile Justice

Dear Chairman Rubin:

Thank you for this opportunity to submit a written response in support of Senate Bill 16, RICO act:

My name is Ruben Salamanca and I am Police Corporal for the Topeka Police Department. I have spent over 10+ years of my career involved in gang and drug investigations. I am currently a supervisor in the TPD narcotics unit. I have participated in and testified in numerous cases involving criminal street gang organizations that are involved in violent activity, robbery, extortion, witness intimidation and drug trafficking.

Over the last 20 years, Kansas Law Enforcement has witnessed gangs evolve from turf oriented criminals committing petty crimes, to individuals who are primarily monetary motivated and more complex than their predecessors. In the past, street gangs would feud over geographical boundaries or gang colors. Those feuds would often result in gunfire with members of society sometimes falling victims as collateral damage. Police intervention and suppression would temporarily neutralize those tensions. Gang members, who were arrested and prosecuted, resisted rehabilitation. Instead they became more sophisticated in navigating their way through the criminal justice systems. In turn and upon their release they often educated the younger street gang members. They also organized the gang, set forth meetings, dues and by laws. There is a duty involved with being a gang member. The reward outweighs the risk, because the street gangsters operate with fear from other criminals as well the luxuries of vehicles, currency and status.

With the advent of social media, internet, smart phones and other modern day technologies, street gangs have evolved and progressed far beyond the typical gang drive by- shooting or liquor store robbery. Modern street gangs from around the state have working relationships with drug cartels from Mexico who supply much of our nations Methamphetamine. With these illicit drug connections, money, drugs and guns serve as the core motivations for modern day street gangs. By way of the internet and social media, successful efforts have doubled and crossed state lines leading to national gangs like the Crips and Surenos 13.

Law Enforcement in Kansas has exposed street gang behavior by uncovering layers of leadership, specific roles within the organization, planning, structure and most importantly monetary kick-backs. I have personally been involved in cases involving robberies committed by street gangs for the sole purpose of stock piling weapons. The gangs are receiving orders from leadership or influential's members of the gang to focus efforts on residential locations or pawn shops where they know guns are stored. The person directing these efforts are all part of a bigger conspiracy. The crime is carried out and proceeds are shared throughout the gang.

Straw purchases are another way gang members obtain firearms. Gang members, who are often felons, utilize gang associates to buy guns legally. Ownership of the weapons' is immediately transferred to the felon and then the legal purchaser reports the weapon stolen or simply pleads ignorance should that weapon be used for criminal activity. The collaborators may never be prosecuted despite an obvious conspiracy.

In yet another example of this criminal behavior is in the area of drug trafficking. Gang members traffic narcotics as a primary source of income. It has proven unfortunately to be an expeditious way to make money. Gang members are provided an abundance of narcotics from source suppliers or leadership. Gang

members are allowed to sell and keep some of the profits they make with the understanding of maintaining some allowance for the gang as a whole. The leaders or source, more often than not, will not personally sell the drugs on the street but operate only with the larger quantities. This criminal philosophy enables and strengthens gang leadership and its members to obtain (in their mind) impunity, by not actually overtly participating in the act of drug trafficking but instead utilizing flunkies.

A state wide RICO act would give Law Enforcement the necessary tools to address these gangs as criminal enterprises operating within our state. I think it is important that we consider the ever changing and progression of gangs in our state. The biggest beneficiary to the passing this bill will not be law enforcement, but rather society and the communities we serve and protect. By giving law enforcement and state prosecutors the ability to go after the gang as a whole, could one day eradicate and remove the glamour and romantic quality that attracts young people into this lifestyle.

Finally, and from a personal level, late last year our department suffered the loss of two of Topeka's finest at the hands of a local gang member. For reasons, not known to us, this individual decided to end of the lives of two men. I am in no way suggesting the passage of this bill could have prevented that senseless act. What I am suggesting however and asking for consideration, is the passage of the RICO bill so that we can hopefully continue to be proactive with gang's issues and prevent future tragedies like that from occurring again.

I thank you for your time,  
Respectfully,

Cpl. Ruben Salamanca

Topeka Police Department

