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SENATOR MIKE PETERSEN

## Kansas Senate Judiciary Committee

Tuesday, January 29, 2013

### SB 16 Kansas RICO Act

Chairman King, Members of the Committee:

SB 16 will create the Kansas Racketeering Influenced and Corrupt Organization Act. This Act is intended to reach those, who instead of looking for work or seeking more education, try to "make a living" out of crime, selling drugs, perpetrating fraud, committing robbery, or stealing identities. This Act should give law enforcement the tools to pursue "career" criminals who commit a large portion of these crimes.

The Act is patterned after Florida's RICO Act which has been successful in reducing gang-related violence. One of the reasons Florida's Act has been successful is the inclusion of conspire to commit or to solicit, coerce or intimidate another person, to commit the crimes defined in racketeering activity. This allows law enforcement to further direct their investigations to the people who may be financing and organizing the criminal activity but not actually committing the crime themselves. This, combined with the forfeiture of property, money derived, used, or intended to be used in the commission of the defined crimes, has allowed the prosecution of the real leaders of the criminal enterprises.

Florida's successful Act was first enacted 30 years ago using numbers from their criminal history files. Adjusting for Kansas population, it would have a BSI of approximately 3.2. The low bed space impact and the reduction in gang activity since using the Act to pursue the people financing the gangs was an important consideration when originally drafted. The State RICO concept was refined this summer by the Attorney General's Gang Task Force. The result is the bill we have before us today. I believe passage of this Act would be a powerful tool when addressing gang activity, along with the recidivist criminals in our communities.

Thank you for this opportunity to appear before you and I would be happy to stand for questions.

A handwritten signature in cursive script that reads "Mike Petersen". The signature is written in black ink and is positioned above a horizontal line.

Senator Mike Petersen