



Kansas Gang Investigators Association

www.KGIA-KS.com | P.O. Box 1751, Hutchinson, KS 67504 | KGIA@KGIA-KS.com

**House Corrections and Juvenile Justice Committee
January 25, 2023**

House Bill 2031

Testimony of the Kansas Gang Investigators Association (KGIA)

Presented by Tony Moe – President (KGIA), Kansas Attorney General's Office, (Special Agent) Johnson County Sheriff's Office, (Master Deputy, Ret.)

**Jamie Miller - Region 1 Representative (KGIA), Kansas City, KS Police Dept., (Detective)
Proponent**

Dear Chairman Owens and Members of the Committee:

House Bill 2031 will make the communities in Kansas safer. This bill changes current sentencing guidelines to make prison time a required sentence for any felon who violates the terms of probation by illegally possessing a firearm.

We are here as representatives of the Kansas Gang Investigators Association. Our association is dedicated to increasing awareness of gang activity within the State of Kansas. We also to assist agencies through teaching and training in recognizing and combating gang activity. We have dedicated our careers to understanding violent street gang trends and activities. We have seen firsthand the damage criminal enterprises cause to our neighborhoods.

As a retired Master Deputy Sheriff for the Johnson County Sheriff's Office, Deputy Moe watched these trends for over 25 years. Today's street gangs are smarter, larger and conduct business with available technology across the nation like never before. However, some things have not changed, and that is their use of intimidation. Being able to traffic humans, firearms, and drugs still require force and fear. The best way these criminals intimidate or coerce someone is to show them their firearms and demand they do what they tell them, and that is not likely to change any time soon.

Changing the sentencing guideline will result, for at least a time, to an increase in cost due to longer incarceration times. However, please understand that this cost is significantly outweighed by multiple positive factors. First, it is common knowledge with street gangs that possessing a firearm following conviction only results in a slap on the hand – additional probation. To a criminal enterprise whose livelihood exists from engaging in illegal activity, intimidation with a firearm is required. The threat of additional probation, frankly, does not scare them. However, losing freedom and being removed from the ability to bring in money to the enterprise would be a strong deterrent to this activity.



Proud Member of the National Alliance of Gang Investigators' Associations



Kansas Gang Investigators Association

www.KGIA-KS.com | P.O. Box 1751, Hutchinson, KS 67504 | KGIA@KGIA-KS.com

Second, any reduction of felons possessing firearms on our streets benefits our communities. Statistics show that felons in possession of firearm cases are on the rise. The Wichita Police Department statistics reveal a growth, from 150 cases in 2015, to 361 cases five years later in 2020 – that is over double.

The number of repeat offenders is overwhelming. Numerous individuals in our state make the conscious decision to continue to carry and use firearms to commit violent crimes even after being arrested for the violation multiple times. The need for a second chance for individuals to steer their lives in the right direction is not lost to members of law enforcement. This law allows those who choose to reform to do so, while ensuring that career violent criminals who choose to re-offend are held accountable for their actions.

Those individuals who choose to commit crimes are taking advantage of the current sentencing limitations. These career criminals will continue to use the system to continue to commit more violence in our communities.

Members of law enforcement who work very closely with criminal street gangs can attest to multiple incidents of a young person becoming involved in gang violence out of fear and for revenge. In both preventative and enforcement situations, those committing violence are able to avoid serious prison time because of the current probation requirement.

We do not believe this bill will remove every gun from where it should not be or stop every gang from committing illegal activity. Nevertheless, we strongly encourage you as members of the House Corrections and Juvenile Justice Committee to take a step in helping correct an obvious shortcoming with our current sentencing guidelines and support this bill.

Respectfully,

Anthony J. Moe
President, KGIA
Special Agent, Kansas Attorney General's Office
Department
Master Deputy, Johnson County Sheriff (Ret.)

Jamie Miller
Region 1 Representative, KGIA
Detective, Kansas City Police



Proud Member of the National Alliance of Gang Investigators' Associations