



# Kansas Gang Investigators Association

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**Senate Judiciary Committee**

**March 8, 2022**

**Senate Bill 534**

**Testimony of the Kansas Gang Investigators Association (KGIA)**

**Presented by Tony Moe - President, Johnson County Sheriff's Office, (Ret.)**

**Jamie Miller - Region 1 Rep., Kansas City, KS Police Dept., (Det.)**

**Proponent**

Dear Chair Warren and Members of the Committee:

Senate Bill 534 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 and violent crime within the State of Kansas and to assist agencies in recognizing and combating gang activity. We've dedicated our careers to understanding 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. But 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 are told, and that's 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. But please understand this cost is significantly outweighed by multiple positive factors. First, it is common knowledge with street gangs that possessing a firearm following a 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, quite 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.



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Second, any reduction of felons possessing firearms out 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's over double. In the first five weeks of 2022, Wichita PD documented 28 cases of a felon illegally in possession of a firearm.

The number of repeat offenders is overwhelming. There are numerous individuals in our state who 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 reoffend are held accountable for their actions.

Those individuals who choose to commit crimes are taking advantage of the current sentencing requirements. 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. But we strongly encourage you as members of the House Corrections and Juvenile Justice Committee to take a step in helping correct an obvious pitfall with our current sentencing guidelines and support this bill.

Respectfully,

Anthony J. Moe  
President, KGIA  
Master Deputy, Johnson County S.O. (Ret.)

Jamie Miller  
Region 1 Rep., KGIA  
Detective, Kansas City PD



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