

# *Briefing Book*

## **KANSAS CRIME SUMMIT JULY 17, 1992**



Kansas Expo Center  
Shawnee Room  
Topeka, Kansas

*Bob Dole*  
*United States Senator*  
*Kansas*

Prepared by the United States Attorney's Office  
District of Kansas

**SENATOR BOB DOLE  
OPENING STATEMENT  
KANSAS CRIME SUMMIT  
JULY 17, 1992**

**THANK YOU. IT'S A PLEASURE  
TO WELCOME YOU TO THE  
KANSAS CRIME SUMMIT.**

**LET ME EXTEND MY THANKS  
TO THE ATTORNEY GENERAL  
AND TO JUDGE SESSIONS FOR**

**ACCEPTING MY INVITATION TO  
COME TO TOPEKA AND TO MEET  
WITH THE KANSAS LAW  
ENFORCEMENT COMMUNITY  
AND WITH CITIZENS  
CONCERNED ABOUT CRIME.**

**AS A SENATOR, I RECEIVE  
HUNDREDS OF LETTERS A DAY  
ON A WIDE VARIETY OF ISSUES.  
AND I WOULD BET THAT DURING**

**MY YEARS IN THE SENATE, NOT  
A DAY HAS PASSED WHEN I  
DIDN'T RECEIVE A LETTER FROM  
SOMEONE WHO WAS  
CONCERNED ABOUT CRIME.**

**AND THE SAD FACT IS THAT  
THERE IS GOOD REASON TO BE  
CONCERNED. RECENT  
STATISTICS HAVE CONFIRMED  
WHAT MANY OF US HAVE**

**SUSPECTED FOR A LONG TIME--  
KANSAS IS NOT IMMUNE TO THE  
CRIME EPIDEMIC SWEEPING  
AMERICA.**

**CRIME IS ON THE INCREASE  
IN WICHITA, IN KANSAS CITY,  
AND TOPEKA.**

**BUT THE KANSAS BUREAU OF  
INVESTIGATION REPORTS THAT  
THE LARGEST INCREASES IN**

**CRIME ARE COMING IN SMALLER  
COMMUNITIES. GARDEN CITY IS  
SECOND IN THE STATE IN PER  
CAPITA CRIME. DRIVE-BY  
SHOOTINGS HAVE OCCURRED IN  
GREAT BEND, DODGE CITY,  
SALINA, AND RUSSELL.**

**WHILE CRIME PREVENTION IS  
LARGELY A STATE  
RESPONSIBILITY, THERE IS**

**MUCH THAT THE FEDERAL  
GOVERNMENT CAN DO. AND  
ONE OF OUR MOST IMPORTANT  
RESPONSIBILITIES IS TO LISTEN.  
AND THAT'S WHY I INVITED  
THE ATTORNEY GENERAL AND  
JUDGE SESSIONS TO TOPEKA. I  
WANTED TO GIVE THEM A  
CHANCE TO LISTEN TO YOU--THE  
HEROES AND HEROINES WHO**

**PUT THEIR LIVES ON THE LINE  
EVERY DAY IN THE WAR  
AGAINST CRIME AND DRUGS;  
AND THE MEN, WOMEN, AND  
CHILDREN, WHO ARE TIRED OF  
LIVING IN FEAR.**

**I LOOK FORWARD TO  
HEARING WHAT YOU HAVE TO  
SAY, AND TO WORKING WITH  
YOU TO ENSURE THAT KANSAS**

**IS A SAFE PLACE TO LIVE,  
WORK, AND RAISE A FAMILY.**



U.S. Department of Justice

United States Attorney  
District of Kansas

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July 10, 1992

The Honorable Bob Dole  
United States Senator  
Office of the Republican Leader  
Washington, D.C. 20510-7020

RE: Kansas Crime Summit  
July 17, Topeka, Kansas

Dear Senator Dole:

Your initiative in putting together this Kansas Crime Summit in Topeka is greatly appreciated. It is clear that crime and even violent crime is no longer just a big city problem. It rears its ugly head in smaller communities, like those in Kansas, and continues to increase.

This briefing book, prepared for the Attorney General and Director Sessions, is intended to pull together some of the latest information available about the scope of the problem, what is being done, and what more needs to be done. While I think the Department of Justice has been proactive in its approach to combatting crime, including crimes related to gangs and drugs, there is no question that much more must be done to respond to this challenge. You'll undoubtedly hear about those needs during the meeting, and I hope this material will be of some help as you assess the comments and information offered.

The one observation I would make about Kansas law enforcement as it relates to rising crime rates is that no longer do law enforcement professionals think they are or can be the answer to reducing crime. They have come to the belief that the response must be a community response, not merely a police response. While the concept seems simple, I think it represents a substantial and important shift in attitude among law enforcement professionals.

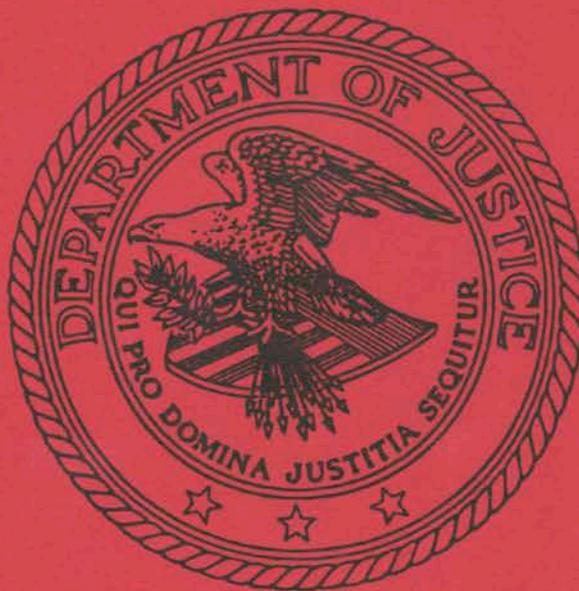
Yours truly,

A handwritten signature in blue ink that reads "Lee Thompson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

LEE THOMPSON  
United States Attorney  
District of Kansas

*Briefing Book*

**KANSAS CRIME SUMMIT**  
**JULY 17, 1992**



*Briefing Book Summary*

Prepared by the United States Attorney's Office  
District of Kansas

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## I. GENERAL BACKGROUND AND BRIEFING SUMMARY

Here is a summary of the information contained in this briefing book, together with some basic background information on Topeka and Shawnee County, especially as it relates to law enforcement.

### A. General Community Background

As the state capitol of Kansas, Topeka is the hub of state law enforcement and judicial activity. In addition to being the site of the Governor's office, the state Attorney General's office and other state offices, Topeka is headquarters for the Kansas Bureau of Investigation (under the state attorney general), the Kansas Highway Patrol, Topeka Municipal Court, Shawnee County District Court, the Kansas Court of Appeals and the Kansas Supreme Court. It also is home to Sen. Dole's law school alma mater, Washburn University School of Law.

From a federal perspective, two senior federal judges, one federal judge and one U.S. magistrate sit in Topeka. A branch office of the U.S. Attorney's office is located at the U.S. Courthouse in Topeka. Kansas is one federal judicial district.

Resident agents of the FBI and ATF are based in Topeka, which also is the Kansas headquarters of the U.S. Marshals Service and U.S. Marshal Kent Pekarek.

According to the 1990 federal census, the City of Topeka's population is 120,000, up four percent from 1980. Shawnee County's total population is 161,000. Topeka has a large Goodyear tire plant and a variety of other industries, but its number one industry is state government. The Kansas Legislature is in session January through May. Topeka's primary newspaper is the Topeka Capital-Journal, owned by the Stauffer family.

Topeka is the home of Washburn University and its not-very-well-known mascot, the Ichabod. Its claim to fame, other than its law school and famous law school graduate, Bob Dole, is that it is the largest operating municipal university in the country. Topeka is 60 miles west of Kansas City, Mo., 25 miles west of Lawrence, home of the University of Kansas, and 150 miles northeast of Wichita.

As you know, Kansas Attorney General Bob Stephan currently is under federal indictment for perjury arising out of a sexual harassment claim from the 1980s. It appears the case will go to trial in late September or early October. I recused the U.S. Attorney's office for the District of Kansas and the case is being prosecuted by the Western District of

GENERAL BACKGROUND AND BRIEFING SUMMARY, Page 2

Missouri. All Kansas federal judges also recused themselves, so the tenth circuit appointed U.S. District Judge Bruce Jenkins of Utah to handle the case. It will be a difficult case for the U.S. to win.

**II. KANSAS CRIME STATISTICS**

As noted in Sen. Dole's invitation letter, Kansas has not been immune to increases in crime rates in recent years. Perhaps most disturbing has been the increase in violent crime (murder, rape, robbery, aggravated assault/battery). For example, violent crime for the first quarter of 1992 increase 26.7 percent from the first quarter of 1991.

We divided Kansas into four regions (NW, SW, NE, SE) and compared first quarter crime statistics for 1990, 1991 and 1992. We found that increases in crime and violent crime are prevalent across the state. These increases appear to be especially pronounced over the last 18 months, and seem to confirm what we suspected, which is that increased incidents of crime and violent crime are occurring in smaller communities as well as the larger cities.

Of particular concern is Southwest Kansas, where dramatic population increases have occurred as a result of expanded meat-packing and cattle feeding industries. These population increases have been centered on hispanic, asian and black minorities drawn to the area by the availability of well-paying jobs. Drug trafficking, drug use, gang activity and related violent crime have accompanied this inflow. Federal and state assistance is needed, especially in Garden City and Finney County, Liberal and Seward County, and Dodge City and Ford County.

Charts and statistical information from the KBI and FBI in the Kansas Crime Statistics section provide specific information about rates of crime increases.

**III. FEDERAL INITIATIVES**

Kansas law enforcement has actively supported and participated in federal initiatives to attack crime, as illustrated by Project Triggerlock, the Department of Justice initiative that targets armed career criminals and drug traffickers who use firearms as tools of their trade.

In April 1991 the U.S. Attorney's office formed the Kansas Triggerlock Task Force, made up of local, state and federal law enforcement officials from across Kansas, which in turn set up a Northern Kansas Triggerlock Task Force and Southern Kansas Triggerlock Task Force to carry out specific guidelines for referral of gun and drug cases for federal prosecution.

## GENERAL BACKGROUND AND BRIEFING SUMMARY, Page 3

The result has been federal prosecution of more than 70 Triggerlock cases in the past year. Highlights of some of the more significant cases are included in this section.

Also, in the area of white collar crime, which is handled primarily by the FBI and federal prosecutors, the District of Kansas has aggressively prosecuted S&L crooks in cases such as the Peoples Heritage Savings & Loan case out of Salina. Our Financial Institution Fraud unit is operating at full force.

### IV. LAW ENFORCEMENT COOPERATION

Kansas law enforcement officials and agencies actively participate in and support efforts to coordinate law enforcement activities. For example, virtually every local, state and federal law enforcement agency is a member of the Law Enforcement Coordinating Committee (LECC), the Department of Justice-sponsored program designed to serve this very purpose.

The Drug Enforcement Administration State and Local Task Force in Wichita contains officers from local police departments, sheriff's offices, the KBI and the Kansas Highway Patrol, all of whom have shared millions of dollars in forfeited assets through the DOJ's Equitable Sharing program. Unfortunately, there is little federal drug enforcement capability in the rural areas.

Weed and Seed-type initiatives are under way in Wichita, primarily through Project Freedom; Topeka, as a result of the Mayor's Crime Summit there in November 1991, which has resulted in the formation of the Community Task Force on Crime Control; and Kansas City, Kan., which is initiating a neighborhood crime task force. Many other communities are working with the U.S. Attorney's office to develop a community response.

A recent LECC conference in Wichita sponsored by the U.S. Attorney's office centered on a "Community Response to Violent Crime" and urged law enforcement leaders from across Kansas to consider similar programs for their communities.

### V. ASSESSMENT OF NEEDS

This section provides ideas about where additional resources are needed and how those resources might best be used. For example, from a federal perspective, additional DEA agents are needed if we expect to attack drug organizations operating in Southwest Kansas and other rural areas; FBI resources are needed to assist local law enforcement in monitoring gang activities and developing strategies to dismantle gangs; rural areas need training and support available through federal law enforcement agencies to build cases against ongoing criminal enterprises operating there;

GENERAL BACKGROUND AND BRIEFING SUMMARY, Page 4

in short, we need the Rural Crime program contained in the President's crime bill.

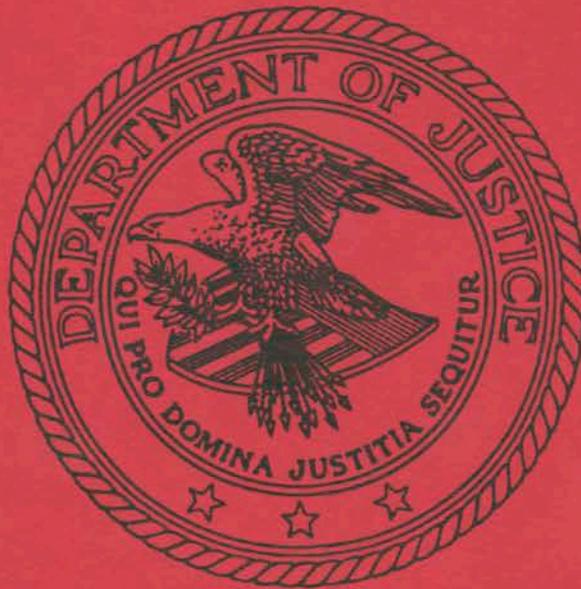
**VI. UNIQUE PROBLEMS**

This section outlines some unique areas of concern to Kansas law enforcement, the FBI and the U.S. Attorney's office. Areas such as Indian Gambling, actively supported by Kansas Governor Joan Finney but opposed by almost everyone else; prosecution on Indian Reservations (the tribes want to prosecute crime themselves; Kansas has concurrent federal and state jurisdiction and the state prosecutes almost all crimes committed on Indian lands); and two civil rights cases that might come up.

Also, you should be aware that there is a hotly contested race in Shawnee County for district attorney between Republican Bill Ossmann, currently the deputy district attorney, and Democrat Joan Hamilton, a former assistant district attorney and state parole board member. Long-time DA Gene Olander is retiring at the end of his current term, which expires in January.

*Briefing Book*

**KANSAS CRIME SUMMIT**  
**JULY 17, 1992**



*Relevant Crime Statistics*

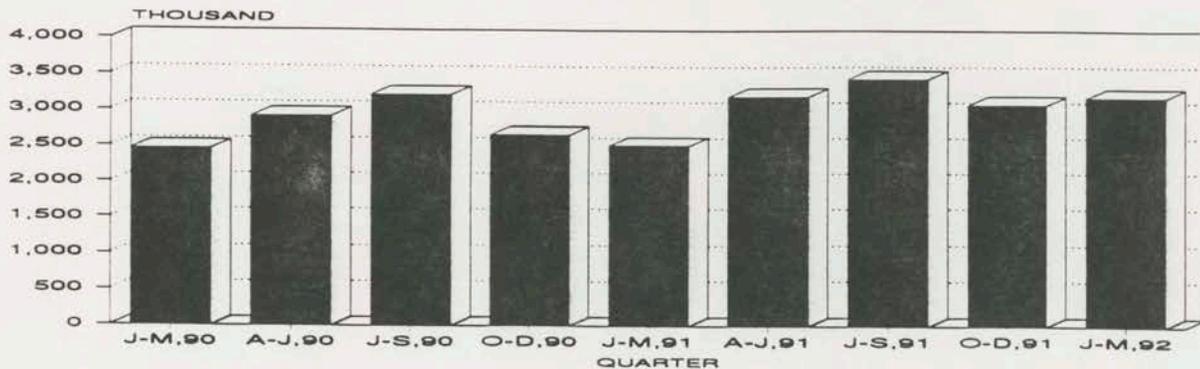
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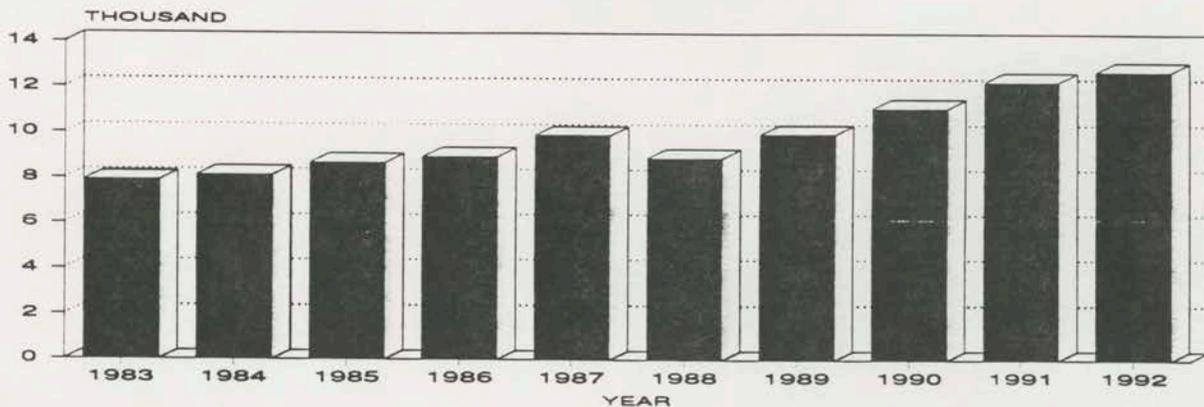
## II. KANSAS CRIME STATISTICS

The KBI reported in June that violent crime in Kansas for the first quarter of 1992 increased 26.7 percent over the first quarter of 1991. Much of the increase can be attributed an increase in the number of murders (27.8 percent) and aggravated assaults (40.9 percent). Much of those increases can be attributed to increasing gang violence, primarily in Wichita, but some in Topeka and Kansas City, Kan. Here are two KBI bar graphs indicating quarterly and annual trends:

QUARTERLY VIOLENT CRIME TREND  
JANUARY, 1990 - MARCH, 1992



TEN YEAR VIOLENT CRIME TREND  
1983 - 1992



\*1992 is a projected figure.

The first graph illustrates seasonal fluctuations in violent crime but reinforces the trend, which is increasing rates of violent crime compared to the corresponding quarter of the previous year.

The second graph illustrates the steady rise in violent crime in Kansas over the past ten years. During that period, the Kansas population rose by about 4.5 percent while the violent crime rate rose more than 50 percent -- certainly an alarming trend.

KANSAS CRIME STATISTICS, Page 2

In an attempt to regionalize the statistics, we divided Kansas into four roughly-equal geographical quarters, NW, SW, NE, SE. We compared first quarter crime statistics for each quarter of the state for 1990, 1991, and 1992. These breakdowns include both violent and property crimes (murder, rape, robbery, aggravated assault, burglary, theft and auto theft).

The breakdown demonstrates that crime rates are increasing across the state and are not limited to cities. In fact, the increases are larger in northwest and southwest Kansas, which is primarily rural and made of small to medium-sized communities.

**Comparison of Part I Crimes  
 Reported to Kansas Bureau of Investigation  
 for First Quarter 1990-1992  
 (Part I Crimes: Violent and Property Crimes)**

	Jan-Mar 1990	Jan-Mar 1991	Jan-Mar 1992
Northeast KS (Vio. & Prop. Crimes)	15,812	15,916 +0.7% from 1990	16,912 +6.3% from 1991 +7.0% from 1990
Northwest KS (Vio. & Prop. Crimes)	895	1,002 +12.0% from 1990	1,103 +10.1% from 1991 +23.3% from 1990
Southeast KS (Vio. & Prop. Crimes)	10,860	10,557 -2.8% from 1990	11,693 +10.8% from 1991 +7.7% from 1990
Southwest KS (Vio. & Prop. Crimes)	2,526	2,959 +17.2% from 1990	2,980 +0.7% from 1991 +18.0% from 1990
Statewide Totals	30,093	30,434 +1.2% from 1990	32,688 +7.4% from 1991 +8.7% from 1990
Statewide Totals Vio. Crime	2,406	2,515 +4.6% from 1990	3,187 +26.8% from 1991 +32.5% from 1990
Statewide Totals Prop. Crime	27,687	27,919 +0.9% from 1990	29,501 +5.7% from 1991 +6.6% from 1990

KANSAS CRIME STATISTICS, Page 3

Finally, we zero in on the region where we believe immediate attention is required, southwest Kansas. The population in this region has increased dramatically over the past ten years, by more than 20 percent. The population increases have occurred primarily among minorities drawn to the area by expanded beef processing and feeding operations. The largest increases have been among people of hispanic and Asian heritage.

Predictably, crime rates for this region have had a commensurate increase. For example, violent crime in Finney County (Garden City) increased 125 percent from 1980 to 1990. The overall crime rate for the region increased 25 percent in that period.

However, the federal government has done little to assist local law enforcement in fighting heavy trafficking of cocaine and marijuana, primarily from Mexico, and increasing gang activity. I have outlined some ideas for federal assistance in Section V, Assessment of Needs.

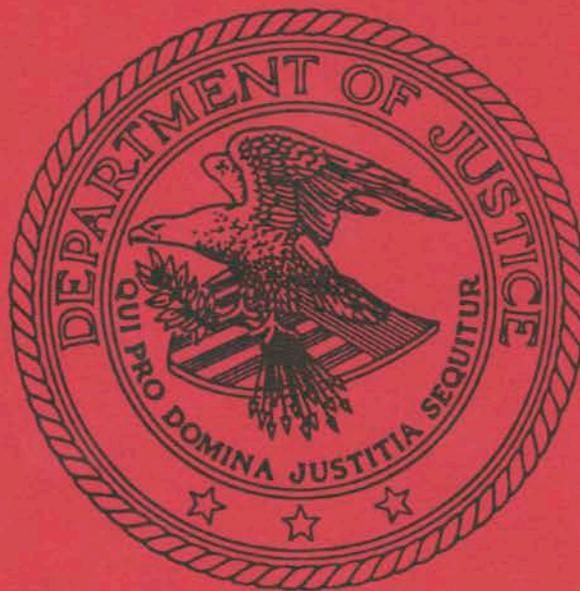
**POPULATION & CRIME GROWTH, 1980-1990, SOUTHWEST KANSAS**

	Finney	Ford	Seward	Kearny
1980 Population	23,825	24,315	17,071	3,435
1990 Population	33,070	27,463	18,743	4,027
% Increase	+38.8%	+12.9%	+9.8%	+17.2%
1980 Hispanic Pop.	3,459	1,556	1,566	457
1990 Hispanic Pop.	8,353	4,083	3,660	671
% Increase	+141%	+162%	+134%	+47%
1980 Asian Pop.	100	84	111	3
1990 Asian Pop.	1,203	663	449	5
% Increase	+1103%	+689%	+305%	+67%
1980 Black Pop.	197	354	790	3
1990 Black Pop.	443	473	1,108	4
% Increase	+125%	+34%	+40%	+33%
1980 Violent Crimes per 1,000	3.0	4.1	3.1	2.6
1990 Violent Crimes per 1,000	6.8	4.3	3.9	3.2
% Increase	+125%	+6%	+25%	+24%
1980 Crimes/1,000	59.8	67.8	70.4	36.3
1990 Crimes/1,000	81.0	78.3	72.1	35.3
% Increase	+35%	+15%	+2%	-3%



*Briefing Book*

**KANSAS CRIME SUMMIT**  
**JULY 17, 1992**



*Federal Prosecution and  
Law Enforcement Initiatives*

Prepared by the United States Attorney's Office  
District of Kansas

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### III. FEDERAL INITIATIVES

Kansas law enforcement officials at all levels have been quick to support and participate in federal initiatives aimed at violent crime, as illustrated by Project Triggerlock, the Department of Justice's program to remove armed career criminals and other violent offenders from the streets. This program has also proven uniquely effective in combatting gang violence.

In conjunction with Project Triggerlock, in April 1991 the U.S. Attorney's office formed the Kansas Project Triggerlock Task Force, made up of local, state and federal law officials from across Kansas, which in turn set up a Northern Kansas Project Triggerlock Task Force and a Southern Kansas Triggerlock Task Force to carry out specific guidelines for referral of gun and drug cases for federal prosecution.

The result has been federal prosecution of more than 70 Triggerlock cases in the past year. Twenty-five Triggerlock defendants have already been sentenced to federal prison terms of three years or more. Sentences of 10 years or more are common, especially in cases involving gangs, guns and drugs. Thanks to the cooperative efforts of local, state and federal police and prosecutors, Project Triggerlock has been fully implemented in Kansas as a tool to fight violent crime.

Here is a glance at some of the more significant cases:

- **Patrick E. Washington**, 23, Kansas City, Kansas. Sentenced July 29, 1991, to 120 years in federal prison for distribution of crack cocaine. Sentence enhanced because of presence of firearms found in Washington's apartment. Because there is no parole from federal prison sentences, Washington won't be eligible for release until 2094.

- **Eddie "Cedric" Holmes, Jr.**, 32, Topeka. Sentenced June 10, 1991, under Project Triggerlock to 24 years in federal prison for two armed bank robberies and two counts of carrying a firearm in the robberies. Minimum mandatory five year sentences on each firearm count are required under federal law to run consecutively to the 14-year sentence for the robberies. Mr. Holmes will begin his 24-year federal sentence after he completes a state sentence for aggravated robbery and aggravated burglary.

- **Robert J. Todd**, 26, Los Angeles. Sentence June 29, 1992, to 12 1/2 years in federal prison for trafficking in crack cocaine. Gang member Todd was part of a L.A.-based narcotics network that uses gangs to distribute illegal drugs. Todd has been in custody since his arrest in August 1991 and won't be eligible for release until 2001.

- **George L. Phelps**, 35, Galena, Kan. Sentenced May 18, 1992, to 17 1/2 years in federal prison for being a convicted felon in

FEDERAL INITIATIVES, Page 2

possession of a firearm. This Project Triggerlock defendant was sentenced as an "armed career criminal" under federal statutes that provide for enhanced sentencing of such persons.

- **Lloyd Oren Holsey**, 52, Wichita. Sentenced June 19, 1992, to 22 1/2 years in federal prison for bank robbery and carrying a firearm in connection with the robbery. This armed career criminal has been robbing banks since he was 20. The FBI and Wichita Police Department investigated the case. Mr. Holsey will be eligible for release on his 71st birthday.

- **Wendell E. Nicholson and Johnnie B. "Duke" Davis**, Wichita. Heroin trafficking in Wichita decrease dramatically after these two were put away by the DEA State and Local Task Force, which includes officers from the Wichita Police Department, KBI, Kansas Highway Patrol, Sedgwick County Sheriff's Department, Haysville Police Department and Wichita Airport Security Office. Nicholson was sentenced Feb. 14, 1992, to 8 1/2 years for conspiracy to distribute heroin and possession of a firearm in connection with a drug trafficking crime. Davis faces a minimum mandatory sentence of 15 years when he is sentenced in the case later this month on similar charges.

- **Michael Roy Graff**. Graff, 23, Wichita, committed suicide in his jail cell on Jan. 15, 1992, after being charged under Project Triggerlock as an armed career criminal. He faced a minimum mandatory federal sentence of 15 years in prison in addition to a state sentence of 58 years-to-life for his role in the beating and robbery of an elderly Wichita couple.

- **Vincent Anthony Perdue**, 34, Lawrence. Sentenced April 6, 1992, to 15 years in federal prison for possession with intent to distribute 544 marijuana plants and possession of a firearm in connection with a drug trafficking crime. Perdue was a career drug dealer who was convicted by a federal jury in Topeka in Feb. 1992.

- **William J. Johnson**, 38, Topeka. Sentenced August 8, 1991, to 15 years in federal prison for possession of a firearm by an armed career criminal. A profile "Project Triggerlock" defendant, Johnson had been convicted of aggravated assault (1973 and 1982) and assault of a federal officer (1980).

- Recently charged by the U.S. Attorney's office in Kansas City, Kan., was **Carlus L. Phillips**, 22, leader of the "Four-Trey Crips" youth gang in Kansas City, Missouri. Phillips was charged with two federal firearms violations, each of which carries a maximum sentence of five years in prison and a \$250,000 fine. Phillips was sentenced to state prison in Missouri July 10 for carrying a concealed weapon.

FEDERAL INITIATIVES, Page 3

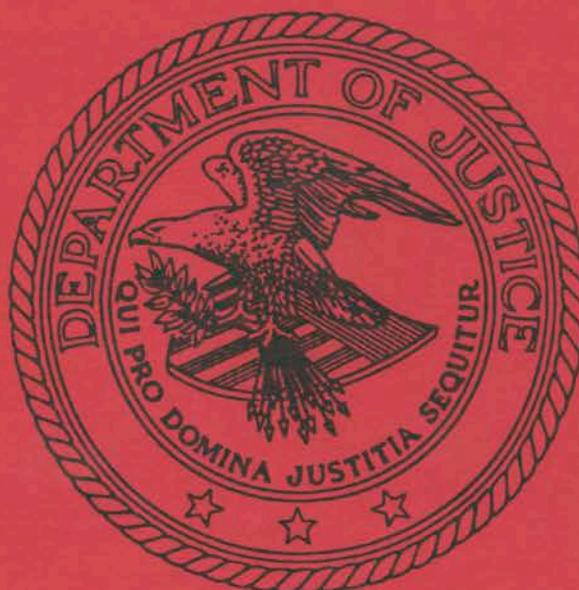
Another top federal law enforcement priority in the wake of the S&L crisis has been white collar crime. As the home of several failed banks and S&Ls, Kansas has been in the forefront of bank fraud prosecutions. For example, in the Peoples Heritage Federal Savings and Loan of Salina case, convictions were obtained against the three top officers of the institution and a prominent Dallas lawyer who participated in a scheme to fraudulently obtain \$105 million in loans from the S&L. The four were sentenced to a total of 36 years in federal prison and ordered to pay restitution totaling more than \$23 million. The failure of Peoples Heritage cost taxpayers more than \$500,000. Several other recent cases of note have included the convicted of an insurance agent from Smith Center, Kan., who embezzled more than \$500,000 in insurance premiums and proceeds from his customers.

In October 1990 we formed the U.S. Attorney's Financial Fraud Unit, based in our Kansas City, Kan., branch office. Lead AUSA Kurt Shernuk heads up the unit, which works primarily with the FBI in the vigorous prosecution of financial institution fraud cases. The District of Kansas Financial Fraud Working Group regularly brings together state and federal agencies involved in finding, investigating and prosecuting financial fraud cases. White collar crimes continues to be a high priority in the District of Kansas, and we are expanding our emphasis to insurance and health care fraud cases.

Since its inception, the Financial Fraud Unit has prosecuted 90 "white collar" defendants in financial fraud cases involving losses of more than \$120 million (not including the Peoples Heritage case). So far, 70 have been convicted, and 60 sentenced to terms total more than 1,000 months (83 years) and restitution ordered totaling \$27 million (in addition to the \$23 million ordered in the Peoples Heritage case).

*Briefing Book*

**KANSAS CRIME SUMMIT**  
**JULY 17, 1992**



*Local, State and Federal Cooperation*

Prepared by the United States Attorney's Office  
District of Kansas

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### III. LAW ENFORCEMENT COOPERATION

The District of Kansas Law Enforcement Coordinating Committee (LECC) has one of the most extensive and complete memberships in the nation. Law enforcement representatives from virtually all law-enforcement related groups participate in the Kansas LECC program, the U.S. Department of Justice program designed to engender cooperation among local, state and federal law enforcement agencies. Almost all law enforcement attendees at the Kansas Crime Summit are LECC members.

#### A. Kansas LECC Programs

The LECC serves as a catalyst for cooperative task forces dedicated to particular enforcement problems. Task forces have been established in Kansas through the LECC such as the Project Triggerlock Task Force (armed career criminals); the Financial Fraud Working Group (bank and S&L fraud); and the Organized Crime Drug Enforcement Task Force (OCDEF).

In addition, the Law Enforcement Coordinator in Kansas, Rick Easter, serves as liaison to a wide variety of community and law enforcement groups. The LECC sponsors training for LECC members, such as our recent seminar on "A Community Response to Violent Crime," which drew upon the experiences of the Topeka Crime Coalition and Wichita's Project Freedom to encourage law enforcement officials in smaller communities to consider similar programs in advance of the growing problems associated with gangs, drugs and violent crime.

Finally, the LECC sponsors and actively participates in programs recognizing the important role of victims and witnesses in the criminal justice system. In our office, a newly-hired Victim Witness Coordinator, Joan Gay, will monitor and implement compliance with the Victim and Witness Protection Act of 1982 on a full-time basis.

#### B. Weed and Seed Initiatives

Weed and Seed as developed by the Department of Justice provides a comprehensive and coordinated multi-agency approach to law enforcement and community revitalization. "Weeding" targets and removes violent criminals and drug traffickers from neighborhoods. "Seeding" restores the community through broad economic and social opportunities in cooperation with federal, state and local agencies, public and private organizations and community groups. The United States Attorney's office does not claim sole responsibility for any of the following initiatives, but is intimately involved in all of them.

LAW ENFORCEMENT COOPERATION, Page 2

1. Wichita/Sedgwick County: Project Freedom/Inter-Agency Gang Task Force

Wichita, Sedgwick County, Kansas, has in place, in the form of Project Freedom and the Inter-Agency Task Force, a complete, comprehensive, complex and mature community initiative which, although it predates Weed and Seed, wholly fulfills the principles and guidelines of that program.

Beginning in 1989 with Operation Neighborhood, a sweep of drug infested areas, the community has built a community coalition recognized in 1991 by the President's Drug Advisory Conference as one of the top three community coalitions in the nation. All major governmental, law enforcement, education, religious and social service components participate. A detailed community-wide plan is being implemented. It is no surprise that Project Freedom provides, on a contract basis, consulting to Compton, California, and Omaha, Nebraska, regarding community organizations and anti-gang strategies.

2. Topeka: Community Task Force on Crime Control

Beginning with a community crime summit on November 1, 1991, Topeka/Shawnee County, Kansas, has moved rapidly towards the development of a community-based attack on gangs and violent crime. The Community Task Force, which the U.S. Attorney's office has advised from its inception, issued a comprehensive report on March 30, 1992, containing a 67-point series of objectives, together with time-lines for implementation. Creating coalitions and addressing the root causes of crime, this task force is composed of an Executive Committee, a Law Enforcement, Prosecution and Courts Subcommittee, a Government and Legislative Subcommittee, and a Prevention and Intervention Subcommittee. Among the many recommendations was a call for even greater federal/state cooperation and the development of a federal Organized Crime Drug Enforcement Task Force in the community.

3. Kansas City, Kansas

While the other two metropolitan areas in Kansas have focused on community-based coalitions, Kansas City, Kansas, is focusing on a more defined target area, by creating, with the Public Housing Authority, a task force designed to eradicate drugs and gangs in a designated area of public housing. On July 7, the U.S. Attorney met with local government, local law enforcement and housing

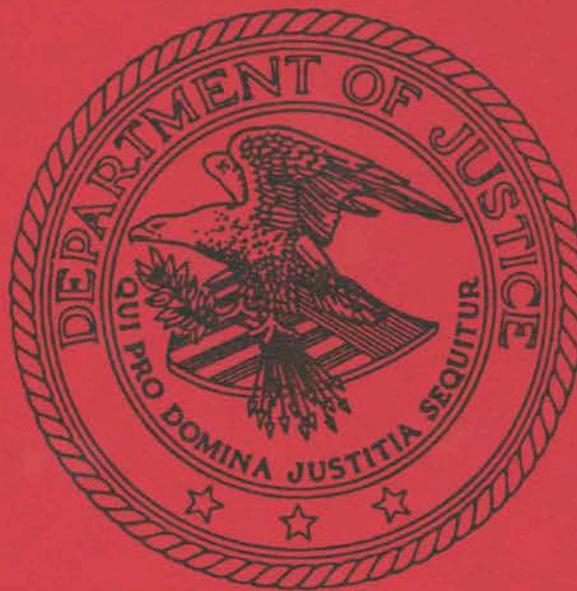
LAW ENFORCEMENT COOPERATION, Page 3

authorities to commence a Weed and Seed initiative in that area. By targeting a uniquely dangerous public housing area, utilizing HUD grant funds and multi-agency law enforcement task forces, this particular initiative offers an exciting and much needed approach in what is arguably Kansas' most blighted urban area. Preliminary time-lines for an inter-agency law enforcement task force and community coalition already have been established.

Other examples are readily available of communities in Kansas coming together, facing up to the realities and problems of gangs and violent crime, and organizing to involve the community. Programs, some of them very mature and sophisticated, others incipient and hopeful, exist in the following communities where the U.S. Attorney's office has participated and communicated the organizing principles of the Weed and Seed strategy: Great Bend, Junction City, Hutchinson, Parsons, and Salina.

*Briefing Book*

**KANSAS CRIME SUMMIT**  
**JULY 17, 1992**



*Assessment of Needs*

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Prepared by the United States Attorney's Office  
District of Kansas

## II. ASSESSMENT OF NEEDS

Based on the Senator's invitation letter to this Kansas Crime Summit, which nixes speeches and solicits concerns and ideas, perhaps Needs Assessment will be the most fertile area of discussion at the meeting. While the comments from local and state law enforcement may prove to be substantially different, here are some ideas from the perspective of the chief federal law enforcement officer for Kansas:

### A. SWAK-ATTACK -- Southwest Area of Kansas Drug Task Force

We continue to be of the belief that illegal drug trafficking, fledgling gangs, drug use, and violent crime related to all these areas is widespread in Southwest Kansas. The pending crime bill's rural enforcement plan is badly in rural areas of Kansas and, in our view, especially in Southwest Kansas, where dramatic population growth and an influx of hispanic and Asian minorities has pushed local law enforcement to its limits. The assignment of DEA agents and federal prosecutors to this task is one way to respond.

### B. Federal Support for Gang Initiatives

The FBI has initiated allocation of agents to coordination of gang intelligence gathering and suppression efforts. This allocation could be expanded to Kansas for both larger and smaller communities.

### C. Enforcement Support for Rural Crime Initiatives

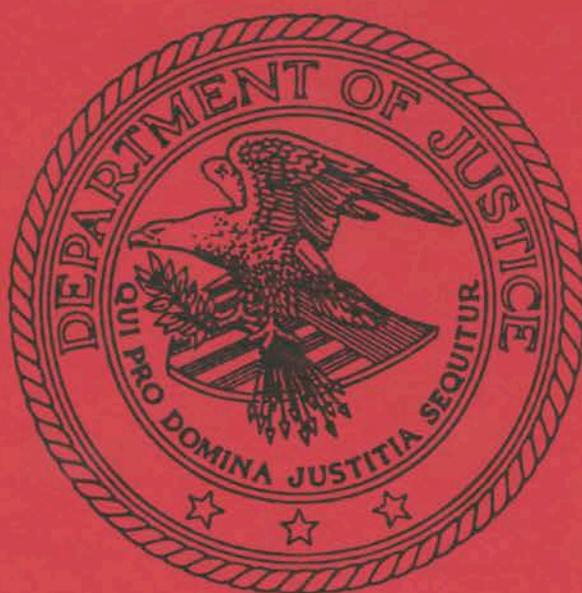
When law enforcement officers in smaller Kansas towns and counties encounter criminal enterprises with which they are not familiar, federal resources could be available to assist in the investigation. The FBI provides some of this type of assistance now, but the program could be formalized.

Much could be accomplished in Kansas with assistance available through the Rural Crime provisions of the President's crime bill.

*Briefing Book*

**KANSAS CRIME SUMMIT**

**JULY 17, 1992**



*Briefing of Unique Problems*

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Prepared by the United States Attorney's Office  
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## VI. UNIQUE PROBLEMS

While every community experiences common crime problems, these often take on unique variations. In Kansas, and in Topeka specifically, particular attention needs to be paid to: (A.) the emerging gang problems; (B.) special issues of concern to Native Americans raised by the proximity of several Indian Reservations; and; (C.) pending local cases of notoriety, including prominent civil rights cases.

### A. Emerging Gang Problems

Like most of America, the thought of violent street gangs, funded by illegal drug sales and powered by automatic weapons, is high on the agenda of most Kansans. This is uniquely true in cities like Topeka which still see themselves as "Middle America" isolated from the problems of Los Angeles and Chicago.

The fact is, Topeka faces emerging gang problems as noted in a thoughtful series appearing last January in the Topeka Capitol Journal. This series awakened the consciousness of the community, led to an attack on the denial syndrome, and helped prompt the formation of the Community Crime Summit and resulting Task Force.

Law enforcement is, frankly, hampered in its ability to combat these problems. This is particularly true in smaller communities where traditional tactics such as undercover operatives and reverse stings do not work when targets are young loosely organized groups who know everyone in their neighborhood and trust no one.

On a federal level, the assignment of new FBI agents to combat gangs and violent street crime will be of some assistance. However, it must be noted that there are no such FBI agents assigned to Topeka, no DEA agents in this community, and a limited ATF presence. It is extremely difficult to mobilize the same kind of federal effort as has been expended in Wichita (with an aggressive DEA state, local task force and community gang task force) and in Kansas City where FBI division resources are substantially concentrated.

Thus, it is increasingly critical that local, state and federal law enforcement cooperate. In no place is this cooperation more evident than in the Topeka area. With three federal prosecutors, it is difficult to accept state or local cases in all instances. Thus a very workable cross-designation program is in place and Shawnee County Assistant District Attorneys have prosecuted three major drug cases in the past year. Chief Deputy District Attorney Bill Ossman has been very helpful in this regard. In addition, the Kansas Bureau of Investigation and Highway Patrol provide enormous

UNIQUE PROBLEMS, Page 2

investigative support for cases which are routinely referred to federal court. It is hoped that the paradigm of cooperative efforts pioneered in the drug arena will prove equally successful in combatting the emerging gang problem.

**B. Issues of Concern to Native Americans**

Kansas has several Indian Reservations. The Kickapoo, Iowa, Sac and Fox and Pottawatomi all have trust lands in this state. Among the tribes, the Kickapoo are the most vocal and aggressively dissatisfied with their present lot. The issues discussed herein originate most noticeably from the Kickapoo.

1. Jurisdiction Over Crimes on Reservations

Federal law, 18 U.S.C.3243, provides that Kansas has concurrent jurisdiction with the federal government over the prosecution of crimes occurring on Indian Reservations. Historically, therefore, the investigation and prosecution of most traditional non-federal crimes has been ably handled by state authorities. The U.S. Attorney's office has consistently reserved the right to prosecute federal if evidence exists that state authorities are not discharging their duties or doing so in any manner which appears to be discriminatory in nature.

Whether the Major Crimes Act, 18 U.S.C. 1153, overrides the Kansas statute is a question frequently raised by Indian groups, most noticeably the Kickapoo who claim to want federal prosecution of all crimes on their reservation and/or the establishment of tribal courts and police forces.

The jurisdictional issue is now squarely before the U.S. Supreme Court in Negonsott vs. Samuels, Warden, No. 91-4397, in which the Tenth Circuit's opinion upholding the system of concurrent jurisdiction will be examined in connection with a contrary 8th Circuit opinion. The United States was requested to file an amicus brief. With substantial input from the U.S. Attorney's office, the Department and the Solicitor firmly supported the continuation of concurrent jurisdiction. Not only is this result mandated by the words of the statute, but by substantial legislative history.

The assumption of responsibility for prosecuting all crimes on Indian land in Kansas, absent a substantial infusion of resources, would materially detract from current efforts in other priority areas.

UNIQUE PROBLEMS, Page 3

2. Indian Gambling

The Kickapoo Tribe signed a compact under the Indian Gaming Act to provide for Class III gambling on their reservation. Quickly approved by Governor Finney, the compact has been roundly attacked in the state and a legal challenge was mounted in the state system to determine whether the Governor had unilateral power to approve the compact absent legislative approval. The Department of the Interior has refused to approve the compact until the state legal issues have been resolved.

Governor Finney, from all appearances, will sign any compact put in front of her. Of particular concern are proposals for casino gambling in metropolitan areas. No one seems to recognize or admit that such proposals would require the creation of trust lands, and subsequent Department of Interior approval. Nevertheless, the Indian tribes in Kansas, just as in the rest of the nation, strongly believe that gambling will be an economic benefit.

Ignored in much of this debate is the potential criminal fall out from such enterprises. Senator Dole has publicly noted the influence of organized crime in the area, and the FBI and others would strongly support the conclusion that an infusion of gaming operations into the state would materially affect the potential for organized crime.

**C. Pending Local Cases**

Of particular note, and possible areas of question, are two pending civil rights matters near Topeka.

1. Gregory Allen Sevier

Last summer a Native American was killed during a police investigation of a disturbance at his home in Lawrence. Native American interest groups claimed the killing was racially motivated. At the behest of numerous groups, the U.S. Attorney requested the FBI to conduct a full scale civil rights investigation. Subsequent thereto, the U.S. Attorneys office recused itself, having hired the local district attorney (a process begun long before the incident at issue) who had conducted a preliminary inquiry into the police conduct. This investigation is now being managed by the FBI and all prosecutorial functions have been ceded to the Civil Rights Division of the Department of Justice.

UNIQUE PROBLEMS, Page 4

2. Travis Vaughn

A local investigation in Hiawatha, Brown County Kansas of the murder of Melinda Long-Burton resulted in the arrest in April of Travis Vaughn, her former boy friend. Some civil rights spokesmen criticized the arrest as racially motivated, Long-Burton being white and Vaughn being black. The U.S. Attorney's office received a request from William V. Minner, Chairman of the Committee of the Black Community in Topeka, to conduct a civil rights investigation. Because the local prosecutor had removed himself, and because the Kansas Attorney General's office had undertaken prosecution, the likelihood of racial or local bias in the process seems slight. Nevertheless, out of an abundance of caution, the FBI has been asked to undertake a preliminary civil rights investigation in accordance with established procedures.