

HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE  
**Representative Russ Jennings, Chairman**

**KANSAS SENTENCING COMMISSION**  
**Scott M. Schultz, Executive Director**  
**January 24, 2017**

**Proponent Testimony – HB 2086**

Thank you for the opportunity to present testimony in favor of this legislation on behalf of the Kansas Sentencing Commission (KSSC). This bill was introduced by the KSSC to amend portions of the Kansas Offender Registration Act.

Section one of the bill amends K.S.A. 2016 Supp. 22-4902(f) by removing drug distribution and attempted distribution from the offenses requiring registration under the act. The KSSC is concerned with the use of the registry that while the public has an interest in knowing the location of the offenders that have been convicted of distribution of drugs, it also appears that those with substance abuse problems also can utilize the online registry to find potential dealers in their neighborhood. Due to the convenience of the Kansas Bureau of Investigation's Public Offender Registry, potential offenders can perform online searches by zip code, county or address proximity to find an offender that has previously been associated with the drug trade. For example, Attachment 1 contains an online KBI map that identifies 35 offenders living or attending school within one mile of the statehouse. Twenty-six of those offenders are required to register due to distribution or sale of certain drugs. Offenders are listed by name, address, offense description and a recent picture of them is available.

It is important to note that registration of drug offenders is not required by the Sex Offender Registration and Notification Act, the federal act in which Kansas receives funding for being in substantial compliance. SORNA provides a comprehensive set of minimum standards for sex offender registration and notification in the United States. Kansas is one of only 17 states that participate. The question then becomes whether policy interests in tracking offenders for 15 years for certain drug offenses after they have served their time is reasonable. It also brings into question whether the registry is a deterrent, provides public safety or is effective in decreasing recidivism.

Section two amends K.S.A. 2016 Supp. 22-4903(c)(3) by removing the felony violation in subsection (B), making all violations of failing to remit a \$20 payment to the sheriff's office a class A misdemeanor. Current law provides for a severity level 9 felony,

if within 15 days of the most recent registration, two or more full payments have not been remitted to the sheriff's office. Failure to remit a single full payment within that time is a class A misdemeanor. The KSSC recommends that failing to pay as little as a \$40 and incurring a misdemeanor violation is more proportional than an offender being charged with a felony crime.

I appreciate your time and attention to the Kansas Sentencing Commission testimony, ask for your support, and would be happy to answer questions. Thank you.

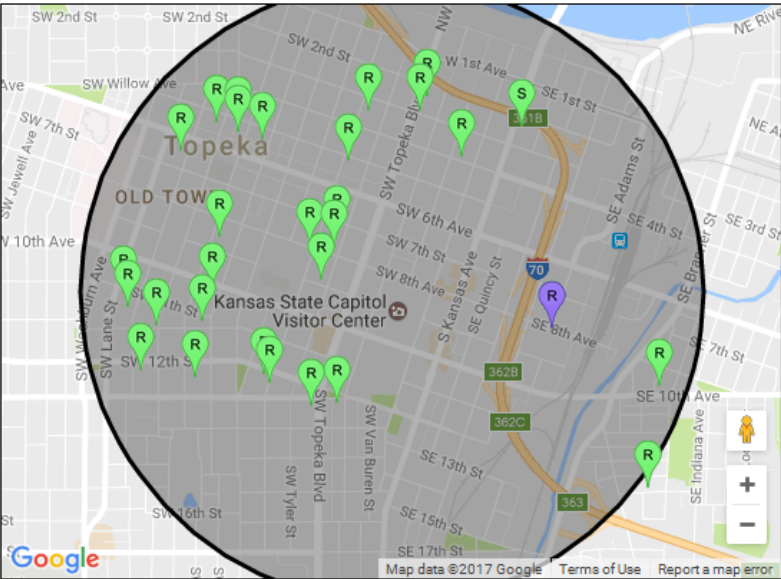
 **Kansas Bureau of Investigation**  
Derek Schmidt, Attorney General  
Kirk Thompson, Director

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**Geographical Search Results**

Be advised that the geographical search results may not include addresses for all offenders listed in the search of a given area. If a residential or school address is incomplete, it may not be recognized by the mapping feature used on this website. In addition, the information on this website is compiled based, in part, upon information provided by the registered offender. Therefore, the geographical search results are dependent, in part, on the offender providing the address information required by the Kansas Offender Registration Act (KORA).

**Map and Legend**



**Offender Types**

- - Drug Offender
- - Sex Offender
- - Violent Offender
- - Multiple Offender
- - General Offender

**Address Types**

- R - Residence
- S - School