

CALVIN H. HAYDEN
SHERIFF



DOUGLAS G. BEDFORD
UNDERSHERIFF

DUTY HONOR SERVICE

588 E. SANTA FE, SUITE 2000
OLATHE, KS 66061
www.jocosherriff.org

Testimony to the House Committee on Corrections & Juvenile Justice in Opposition to HB2515

February 2, 2022

Chairman Owens, Vice Chair Smith, Ranking Member Highberger, and Members of the Committee:

The Johnson County Sheriff's Office opposes **HB2515 - Creating a mechanism to seek relief from the Kansas offender registration act requirements for drug offenders and allowing expungement of offenses when such relief is granted.**

According to the Bureau of Justice Statistics drug offenders have a high rate of recidivism. Nearly 77% of drug offenders are reoffenders. Some experts believe that the most cost-effective way to deal with drug offenders is through rehabilitation programs. However, rehabilitation is only as effective as the desire of the person in a program. If they don't want to change their behavior, they won't.

That is not to say that we are against treatment programs. One of my duties is to provide a liaison between the sheriff's office and our Veteran Treatment Court. There have been many successes with this program particularly with drug offenders. Most veterans are highly motivated by a chance to take a corrective course of action and get on with their lives.

The Drug Offender Registry provides a means of oversight for drug offenders. Offenses include:

- Unlawful manufacture or attempting such of any controlled substance or controlled substance analog.
- Possession of certain drug precursors with intent to use the product to manufacture a controlled substance.

Registration for these offenses is 15 years.

Some argue that the registry for these offenses is punitive. The Offender Registry is a civil procedure, not a criminal one. In September of last year, the Kansas Supreme Court affirmed that the registry is not meant as punishment.

We believe that the registry is an effective means of oversight of drug offenders, especially due to the statistical likelihood of reoffending.

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We ask that **HB2515 - Creating a mechanism to seek relief from the Kansas offender registration act requirements for drug offenders and allowing expungement of offenses when such relief is granted** not be moved forward.

If the committee does decide to move forward with the bill, we would ask that it be amended so that no one on the registry for a drug offense who reoffends be allowed to petition for removal from the list and that they not be allowed to have the conviction expunged.

Greg Smith
Special Deputy for Government Affairs
Johnson County Sheriff's Office
Phone: 913.249.2954
Email: gregory.smith@jocogov.org