

Approved:
Date 4-29-04

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:30 p.m. on February 3, 2004 in Room 241-N of the Capitol.

All members were present except:

Representative Dale Swenson - absent

Committee staff present:

Jill Wolters, Revisor of Statutes Office

Jerry Ann Donaldson,

Conferees appearing before the committee:

Representative Mario Goico

Linden Appel, Chief Legal Counsel for KDOC

Jean K. Giles Phillips, Professor of Law at KU

Judge Philip Vieux, Finney County District Court

Pat Scalia, Board of Indigent Defense Services

Others attending:

See Attached List.

Representative Goico appeared before the committee to request a bill introduction concerning pedestrians crossing into the path of a vehicle, KSA 8-1533(b).

Representative Goering made the motion that this request should be introduced as a committee bill. Representative Ward seconded the motion. The motion carried.

Linden Appel, Chief Legal Counsel for KDOC appeared before the committee to request a bill introduction concerning opt out provision of temporary assistance for needy families. (Attachment 1)

Representative Owens made the motion that this request should be introduced as a committee bill. Representative Pauls seconded the motion. The motion carried.

A briefing on the Right to Counsel was provided to the committee.

Jean K. Giles Phillips, Director of the Paul E. Wilson Defender Project, Associate Professor of Law at KU appeared before the committee, that basic Rule 1.1 which states that all lawyers must be competent in order to represent clients. (No written testimony was provided)

Chief Judge Philip Vieux, Finney County District Court, explained to the committee some of the concerns in Finney County. (Attachment 2) He stated that in 1994 the 25th Judicial District was staffed by three attorneys, had 271 felony cases filed and between 12 and 15 private attorneys willing to accept felony appointment. The private side has declined to four attorneys for the entire district, and only one per BIDS rules, is qualified to handle upper level felony crimes. They still have the same three positions in the Public Defenders Office and four attorneys to handle 639 felony cases per year.

The pay rate is \$50 per hour and was established in 1987 as a result of the Supreme Court decision in Stephen v. Smith. In 1987 the overhead average expense was \$40 per hour, BIDS currently estimates the average expense to \$80 per hour.

Because of the shortage Judge Vieux stated that they are at a place where dismissing a case because of a lack of representation is something they may have to contemplate.

The following information was provided to the committee:

- Qualifications for B.I.D.S. appointed counsel in felony cases. (Attachment 3)
- Felony Crimes sorted by severity level and then by statute number (Attachment 4)

Pat Scalia, Director, Board of Indigent Defense Services, stated that at one time or another every office of the Public Defender's thirteen offices has had to shut down due to attorney resignation. The Public Defense attorneys are paid a lower rate than the classified attorneys in the State Employment System. (No written testimony was provided)

The budget proposal that was made this year was a request for \$400,000 to adjust Public Defenders salary. The amount is to equal that of an attorney doing comparable work at the Department of Revenue or other executive offices across the state. Board or commission attorneys are in the unclassified service.

Maps were provided that reflect the following: (Attachment 5)

- Public Defender Offices in Kansas
- Counties Served by Public Defender Offices
- Counties served by Contract Counsel/Agreement to Reduce Costs w/Local Bar

Representative Pauls requested a bill introduction. Concerning medical treatment for employees injured on job.

Representative Pauls made the motion that this request should be introduced as a committee bill.
Representative Dilmore seconded the motion. The motion carried.

Representative Ward requested three bills for introduction.

1. Concerning aggravated arson includes bodily harm to a firefighter, law enforcement officers or emergency responders.
2. Concerning KS Offender Registration Act, moving lewd and lascivious behavior to a sexually violent crime, from the list of crimes when victim is under 18.
3. Concerning sentencing for a persistent sex offender to include juvenile adjudications.

Representative Ward made the motion that this request should be introduced as committee bills.
Representative Horst seconded the motion. The motion carried.

The meeting was adjourned at 3:20 PM. The next scheduled meeting is February 4, 2004.

HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE
GUEST LIST

DATE 2-03-04

NAME	REPRESENTING
JEREMY S BARCLAY	KDOC
LINDEN APPEL	KDOC
Philip A. Vieux	Chief Judge, 25th Judicial District
Julia Burton	KSC
Chris Meehler	WA
DAVID OWEN	Homeless Come Home
Chris Keefner	Rep. Neufeld

KANSAS

KANSAS DEPARTMENT OF CORRECTIONS
ROGER WERHOLTZ, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

Request for Bill Introduction Regarding
Temporary Assistance for Needy Families (TANF)

to

The House Committee on Corrections and Juvenile Justice

by Roger Werholtz
Secretary
Kansas Department of Corrections

February 3, 2004

The Department of Corrections respectfully requests introduction by the House Committee on Corrections and Juvenile Justice of the attached bill draft. A summary of the proposed bill is presented below.

Temporary Assistance for Needy Families (TANF)

The department proposes a bill that would create a new statute whereby the State of Kansas exercises its right, pursuant to 21 U.S.C. Sec. 862a(d)(1)(A), to exempt certain offenders from ineligibility for receipt of state and federal financial assistance imposed by other provisions of the same federal law. Specifically, offenders who are convicted of either a federal or state felony offense which has an element the possession, use, or distribution of a controlled substance as defined by 21 U.S.C. Sec. 802, are now ineligible to receive such assistance. The proposed bill would make eligible to receive such assistance those offenders who are either assessed as not requiring substance abuse treatment, or who are actively participating in a licensed substance abuse treatment program, as well as those who have completed such a program.

I appreciate your consideration of the department's request, and would be pleased to answer any questions that you might have.

RW/LA

w/attachment

cc: Legislation file w/attachment

By

AN ACT concerning public assistance; relating to persons convicted of a controlled substance related felony.

Be it enacted by the Legislature of the State of Kansas:

Section 1. Under the authority of subsection (d)(1)(A) of 21 U.S.C. §862a, the state of Kansas hereby exercises its' option out of subsection (a) of 21 U.S.C. §862a, which makes any individual ineligible for certain state and federal assistance if that individual has been convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the possession, use or distribution of a controlled substance as defined by subsection (6) of 21 U.S.C. §802, only if, after such conviction, such individual has:

(a) Been assessed by a licensed substance abuse treatment provider as not requiring substance abuse treatment; or

(b) been assessed by a licensed substance abuse treatment provider and such provider recommended substance abuse treatment and such individual:

(1) Is participating in a licensed substance abuse treatment program; or

(2) has successfully completed a licensed substance abuse treatment program.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

SUMMARY OF TESTIMONY AND REMARKS B.I.D.S. and PUBLIC DEFENDERS

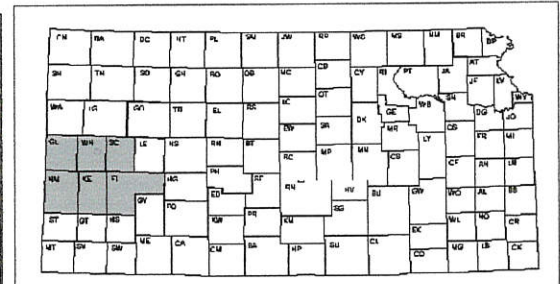


February 3, 2004
Philip C. Vieux, District Judge
Chief Judge, 25th Judicial District

judge01@finneycounty.org
P.O. Box 798, Garden City, KS 67846
Tele: 620-272-6100 Fax: 620-271-6141

District Profile: Twenty-fifth Judicial District

County	County Seat	Sq. Miles	2000 Population	FY 1994 Felonies	FY 2003 Felonies	Percentage Change - Felonies
Finney	Garden City	1,302	40,523	Per County Breakdown unavailable ↓	491	Per County Breakdown unavailable ↓
Greeley	Tribune	778	1,534		6	
Hamilton	Syracuse	998	2,670		12	
Kearny	Lakin	868	4,531		73	
Scott	Scott City	718	5,120		39	
Wichita	Leoti	717	2,531		18	
Totals		5,381	56,905	271	639	135.79



Note: A round trip through the 25th Judicial District is approximately 160 miles. That is the same as a round trip from Topeka to Abilene. Hamilton and Greeley Counties are in Mountain Time.

Comparisons:

- Ottawa & Saline Counties, 28th Judicial District - two county district, population of 59,760, felonies filed in FY 2003 = 934, has five public defenders

- Ford County, et al., 16th Judicial District - six counties, felonies filed in FY 2003 = 361 no public defenders but draws from the office in Garden City for upper level crimes.

- Seward County, et al., 26th Judicial District - six counties, felonies filed in FY 2003 = 367, has three public defenders.

- In 1994, the 25th Judicial District had a panel of between 12 and 15 private attorneys willing to accept felony appointments from 271 felony cases filed. That was the same year the Public Defenders Office was established in Garden City. It was, and still is, staffed by three attorneys. The private bar's participation, however, has declined to a total of four private attorneys for the entire district, of which only one, as per BIDS rules, is qualified to handle upper level felony crimes. We now have the same three positions in the Public Defenders Office and four attorneys to handle 639 felony cases per year.
- **The current hourly rate of \$50 per hour was established in 1987 as a result of the Supreme Court decision in Stephen v. Smith (242 Kan. 336, (1987)). That was 17 years ago.** In 1987, the overhead average expense of attorneys in Kansas was \$40 per hour. BIDS currently estimates the average expense to be \$80 per hour.
- The overriding concern with attorneys choosing to participate in the current system is the rate of compensation. Their expenses have increased and the complexity of the cases has increased, but the real return on their time decreases. The complexity of criminal cases increases seemingly every year. Sentencing guidelines, called by some as truth in sentencing, is one of those ever-increasing complexities. Guideline sentencing currently has a nearly 150+ page manual to apply the act. Sentencing procedures require a great deal of work by defense attorneys. The seeming trend of adding a laundry list of minutia of variations of ways to commit a crime do little but add to the complexity of cases. An example of this is the crime of aggravated battery. Aggravated battery has grown to five methods by which to commit the crime. These five separate methods, with a few exceptions, are virtually indistinguishable when applied to real-life situations. The complexities of criminal law often push the time consumed on a case well above the caps placed on the case by BIDS. The caps placed on cases can, without too much effort, cut the actual compensation per hour in half.

- The current hourly rate is not the only factor involved. In our district windshield time is a very real concern. Not only is the district large in land mass, only one of the four private attorneys on the appointment list lives in Garden City. And, that private attorney does not have the qualifications to handle the higher level cases. Windshield time can often push the hours consumed in a case well above the caps put upon that type of case by BIDS.
- Almost annually, for the past three to four years, the Public Defenders Office has asked us to stop appointing them to cases. We simply have had to refuse that request. We are also constantly faced with the problem of Public Defenders who are not qualified by BIDS standards for private attorneys to handle the cases assigned to their office.
- We are at a place where dismissing a case because of a lack of representation is something that we have to contemplate. In the latter part of the last year, we had four serious cases variously involving rape, aggravated battery, and possession of narcotic drugs. The Public Defenders Office had conflicts through representing witnesses or victims in those cases in cases of their own. We had no one who could or would take the cases. The one private attorney who had the qualifications to take those cases was overloaded. Our only option was to call BIDS and tell them that we needed attorneys for these cases. If they did not supply them, then we would be faced with the possibility of dismissing the cases. BIDS tried several avenues and finally obtained the services of an attorney in Dodge City who was on their board of directors.
- Upon every occasion that I have discussed with BIDS the problems of the short staffing in the local public defenders offices, I have been told that "No one wants to go to Western Kansas." Now, that statement is troublesome on many levels. It is a statement that I fear may be used by some to shift the responsibility for the problem. And, apparently BIDS itself on its websight specifically cites Finney County as having court procedures that hinder the efficient handling of cases. I just discovered that expressed opinion last week and can tell you that I have never heard that before from any BIDS representative or attorney. And, upon consultation with the local Public Defenders Office managing attorney, neither of us know what that condemnation referees to.
- The problem of obtaining qualified private attorneys and qualified and adequate staffing in local public defenders offices is nothing more than a problem of adequate funding. You will never attract private attorneys to the system until the hourly rate is above their overhead. You will never attract qualified attorneys to the local offices until the starting salary is raised.

Notes: _____

B.I.D.S. QUALIFICATIONS FOR APPOINTED COUNSEL IN FELONY CASES

SECTION I: List One - Required of all appointment list counsel.

- Completed 12 hours of continuing legal education in criminal law during the three years immediately preceding.
- OR - graduated from an accredited law school during the three years immediately preceding.

SECTION II: List Two - Required for appointment to "B" or "C" felonies, non-drug severity level 3 or 4 felonies and drug severity level 1, 2, or 3 felonies.

- All the qualifications for List One.
- Tried to verdict five or more felony jury trials, either as defense counsel or prosecutor.

SECTION III: List Three - Required for appointment to "A" felonies, off-grid felonies, or non-drug severity level 1 or 2 felonies.

- All the qualifications for List One and Two.
- Tried to verdict, five or more of the following type or types of felony jury trials are included therein.
 - Class "A", "B", or "C" felony.
 - Non-drug felony severity level 1, 2, 3, or 4.
 - Drug grid felony severity level 1, 2, or 3.
 - Off-grid felony

Category →	A	B	C	D	E	F	G	H	I
Severity Level	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misd.	1 Misd. No Record
I	204 194 185	196 186 176	187 178 169	179 170 161	170 162 154	167 158 150	162 154 146	161 150 142	154 146 138
II	83 78 74	77 73 68	72 68 65	68 64 60	62 59 55	59 56 52	57 54 51	54 51 49	51 49 46
III	51 49 46	47 44 41	42 40 37	36 34 32	32 30 28	26 24 23	23 22 20	19 18 17	16 15 14
IV	42 40 37	36 34 32	32 30 28	26 24 23	22 20 18	18 17 16	16 15 14	14 13 12	12 11 10

SENTENCING RANGE- DRUG FELONIES



Probation:

- 36 Months recommended - Level 1 - 2
- 18 Months (up to) recommended - Level 3
- 12 Months (up to) recommended -Level 4

SB 123 cases may vary

Post Release:

- 36 Months for Levels 1 -2
- 24 Months for Level 3
- 12 Months for Level 4 except for SB 123 cases.

Category →	A	B	C	D	E	F	G	H	I
Severity Level	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misd.	1 Misd. No Record
I	653 620 592	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	92 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 36 34	34 32 31
VI	46 43 40	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	21 20 19	19 18 17
VII	34 32 30	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	23 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	7 6 5

SENTENCING RANGE NON DRUG FELONIES

(See Legend above)

Probation:

- 36 Months recommended - Level 1-5
- 24 Months recommended - Level 6-7
- 18 Months (up to) recommended -Level 8
- 12 Months (up to) recommended - Level 9-10

Postrelease:

- 36 Months for Level 1-4
- 24 Months for Level 5-6
- 12 Months for Level 7-10

NOT INCLUDED ON GRID
 Misdemeanor Statutory Classification & Maximum Possible Sentences to County Jail:

Class A..... 365 days
 Class B..... 180 days
 Class C..... 30 days

PHILIP C. VIEUX, DISTRICT JUDGE
 DIVISION THREE
 TWENTY-FIFTH JUDICIAL DIST.

● **Guide Line Sentencing for Felonies to Custody of Department of Corrections (Prison) - 12/2003** ●

The tables above are the guideline grids used in Kansas to establish the basic sentence, in terms of months, for felony crimes. They establish the range of usual sentences. These sentences, if served, are served in prison in the custody of the Department of Corrections. You should be aware, however, that these guidelines may be modified in a number of ways through the use of special sentencing rules and procedures.

The category at the top of the table refers to the criminal history of the defendant. The level shown down the left side of the table refers to the level classification of the crime as designated by Kansas statutes. The shading in the boxes of the table refers to whether or not the sentence is presumptive probation, presumptive imprisonment or a boarder box. In a border box either imprisonment or probation is possible without special rules or procedures. The box used for any particular crime is found by cross referencing the category and level. Inside that box is a usual sentencing range possible for that particular crime. It should be noted that there are off grid and non grid felony crimes, such as murder and driving while intoxicated, that are not included in guideline or grid sentencing. Also, some crimes have mandatory minimum jail time before probation or parole may be granted. Also note that misdemeanors are not included in guide line sentencing and a sentence given for a misdemeanor is served in the county jail. **You should consult an attorney regarding sentencing matters.**

FELONY CRIMES SORTED BY SEVERITY LEVEL AND THEN BY STATUTE NUMBER - JANUARY,

2004

<u>REFERENCE</u>	<u>DESCRIPTION</u>	<u>LEVEL</u>
21-3412a	Domestic Battery; third or subsequent w/in last 5 years Nongrid	Nongrid
8-1567(a)(4) or (5)	Driving Under Influence of an Inhalant or Toxic Vapors [see K.S.A. 8-1567(r)(3)]	Nongrid
8-1567(f)	DUI alcohol or drugs – third conviction	Nongrid
8-1567(g)	DUI alcohol or drugs – fourth or subsequent conviction	Off-grid
21-3401	Murder in the First Degree (intentionally and with premeditation)	Off-grid
21-3401	Murder in the First Degree (in the commission of, attempt to commit, or flight from an inherently dangerous felony)	Off-grid
21-3439	Capital Murder	Off-grid
21-3801	Treason	1
21-3401	Murder in the First Degree; attempt (K.S.A. 21-3301)	1
21-3402(a)	Intentional Second Degree Murder	1
21-3421	Aggravated Kidnapping	1
21-3801	Treason; attempt (K.S.A. 21-3301)	1
21-3502(a)(1)	Rape; sexual intercourse with a person who does not consent; overcome by force, fear, etc.	1
21-3502(a)(2)	Rape; sexual intercourse with a child < 14 yoa	1
65-4142(e)(4)	Knowingly or intentionally receiving/acquiring proceeds or engaging in transactions involving proceeds > \$500,000	1D
65-4159(b)	Drugs; unlawfully manufacture controlled substance	1D
65-4160(c)*	Drugs; opiates or narcotics; possession; third and subsequent offense (<i>repealed effective 11/01/03</i>)	1D
65-4161(c)	Drugs; opiates or narcotics; sale, possession w/intent to sell, etc.; third and subsequent offense	1D
65-7006(a)(b) or (c)	Drugs; Possession of ephedrine, pseudophedrine, <i>red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia</i> , or phenylpropanolamine; precursor to illegal substance, etc. (or to market, sell, distribute, advertise or label drug product containing the same)	1D
21-3401	Murder in the First Degree; conspiracy (K.S.A. 21-3302)	2
21-3402(b)	Murder in the Second Degree (reckless)	2
21-3502(a)(3)	Rape; knowing misrepresentation that sexual intercourse medically/therapeutically necessary procedure	2
21-3502(a)(4)	Rape; knowing misrepresentation that sexual intercourse legally required procedure w/in scope of authority	2
21-3506(a)(1)	Aggravated criminal sodomy; sodomy with a child < 14 yoa	2
21-3506(a)(2)	Aggravated criminal sodomy; causing a child < 14 yoa to engage in sodomy with a person or animal	2
21-3506(a)(3)	Aggravated criminal sodomy; sodomy with person who does not consent; overcome by force, etc.	2
21-3801	Treason; Conspiracy (K.S.A. 21-3302)	2
65-67a04(a) or (b)	Prohibited Acts Involving Fetal Organs and Tissue	2
65-4142(e)(3)	Knowingly or intentionally receiving/acquiring proceeds or engaging in transactions involving proceeds > \$100,000 but < \$500,000	2D
65-4160(b)*	Drugs; opiates or narcotics; possession; second offense (<i>repealed effective 11/01/03</i>)	2D
65-4161(d)	Drugs; opiates or narcotics; sale, possession w/intent to sell, etc., 1st offense w/in 1,000 feet of school property	2D
65-4161(b)	Drugs; opiates or narcotics; sale, possession w/intent to sell, etc., second offense	2D
65-4163(b)	Drugs; depressants, stimulants, hallucinogenics, etc.; sale, possession w/intent to sell, etc., w/in 1,000 feet of a school	2D
21-4222(a)(1)	Aggravated Endangering the Food Supply (<i>intent to cause damage to plants or animals, or to cause economic harm social unrest</i>)	3
21-4222(a)(2)	Aggravated Endangering the Food Supply (<i>intent to cause illness, injury or death to a human</i>)	3
21-3401	Murder in the First Degree; solicitation (K.S.A. 21-3303)	3
21-3403	Voluntary Manslaughter	3
21-3406(a)(1)	Assisting Suicide (force or duress)	3
21-3420	Kidnapping	3
21-3427	Aggravated Robbery	3
21-3415(b)(1)	Aggravated Battery on a LEO; intentional, great bodily harm or w/motor vehicle	3
21-3504(a)(1)	Aggravated Indecent Liberties w/Child; ≥ 14 yoa, but < 16 yoa; sexual intercourse	3
21-3504(a)(3)	Aggravated Indecent Liberties w/Child; < 14 yoa; lewd fondling or touching	3
21-3505(a)(2)	Criminal Sodomy; sodomy with a child ≥ 14 yoa, but < 16 yoa	3
21-3505(a)(3)	Criminal Sodomy; causing child ≥ 14 yoa, but < 16 yoa to engage in sodomy with a person or animal	3
21-3719(b)(1)	Aggravated Arson; substantial risk of bodily harm	3
21-3801	Treason; solicitation (K.S.A. 21-3303)	3
21-4219(b)	Criminal Discharge of a Firearm at occupied dwelling or vehicle resulting in great bodily harm	3
65-4142(e)(2)	Knowingly or intentionally receiving or acquiring proceeds or engaging in transactions involving proceeds > \$5,000 but < \$100,000	3D
65-4161(a)	Drugs; opiates or narcotics; sale, possession w/intent to sell, etc.; first offense	3D
65-4163(a)	Drugs; depressants, stimulants, hallucinogenics, etc.; sale, possession w/intent to sell, etc.	3D
17-1253*	Securities; <u>intentional</u> unlawful offers, sale or purchase if a loss of \$100,000 or more	4
21-4221(a)(1) or (2)	Endangering the Food Supply (<i>involving foot-and-mouth disease</i>)	4
21-3414(a)(1)(A)	Aggravated Battery - intentional, great bodily harm	4
21-3419a(d)	Aggravated Criminal Threat; ≥ \$25,000 loss of productivity	4
21-3440	Injury to a pregnant woman in the commission of a felony	4
21-3442	Involuntary manslaughter in the commission of a DUI	4
21-3504(a)(2)	Aggravated Indecent Liberties w/Child; ≥ 14 yoa, but < 16 yoa; lewd fondling or touching without consent	4
47-623(a)(3)	Animal Diseases; knowingly expose any animal to foot and mouth disease (<i>repealed on 05/02/02</i>)	4
65-4142(e)(1)	Knowingly or intentionally receiving or acquiring proceeds or engaging in transactions involving proceeds known to be derived from any violation of the Uniform Controlled Substances Act, < \$5,000	4D

FELONY CRIMES SORTED BY SEVERITY LEVEL AND THEN BY STATUTE NUMBER - JANUARY,

2004

<u>REFERENCE</u>	<u>DESCRIPTION</u>	<u>LEVEL</u>
65-4152	Drugs; possession of paraphernalia w/intent to use for planting, growing, harvesting, manufacturing, etc. any controlled substance	4D
65-4153(a)(3)	Drugs; simulated controlled substances/paraphernalia; deliver to someone less than 18 yoa	4D
65-4153(a)(4)	Drugs; simulated controlled substances/paraphernalia	4D
65-4160(a)*	Drugs; opiates or narcotics; possession; first offense (<i>effective for sentencings on or after 11/01/03</i>)	4D
65-4162(a)	Drugs; depressants, stimulants, hallucinogenics, etc.; possession; second or subsequent	4D
65-4164(a)	Drugs; substances in KSA 65-4113; sale, possession with intent to sell, deliver, etc.	4D
17-1253*	Securities; <u>intentional</u> unlawful offers, sale or purchase if a loss of at least \$25,000 but less than \$100,000	5
17-1254*	Securities; <u>intentional</u> unlawful sale by an unregistered dealer if a loss of \$100,000 or more	5
17-1255*	Securities; <u>intentional</u> unlawful sale of unregistered securities if a loss of \$100,000 or more	5
21-3404	Involuntary Manslaughter	5
21-3413(a)(2)	Battery Against a Correctional Officer	5
21-3413(a)(3)	Battery Against a Juvenile Correctional Facility Officer	5
21-3413(a)(4)	Battery Against a Juvenile Detention Facility Officer	5
21-3413(a)(5)	Battery Against a City/County Correctional Officer/Employee	5
21-3414(a)(2)(A)	Aggravated Battery - reckless, great bodily harm	5
21-3419a(c)	Aggravated Criminal Threat; ≥ \$500 but less than \$25,000 loss of productivity	5
21-3426	Robbery	5
21-3440(c)	Injury to a Pregnant Woman in Commission of KSA 21-3412 (battery), KSA 21-3413(a)(1) (battery on a LEO), or (b)(1) or (b)(1) or (b)(2) of KSA 21-3412a, or KSA 21-3517 (sexual battery)	5
21-3503(a)(1)	Indecent Liberties w/Child; child ≥ 14 yoa, but < 16 yoa; lewd fondling or touching	5
21-3503(a)(2)	Indecent Liberties w/Child; child ≥ 14 yoa, but < 16 yoa; soliciting to engage in lewd fondling, etc.	5
21-3516(a)(1)	Sexual Exploitation of a Child; employing, etc., child < 18 yoa to engage in sexually explicit conduct	5
21-3516(a)(2)	Sexual Exploitation of a Child; possessing visual medium of child < 18 yoa engaging in such conduct	5
21-3516(a)(3)	Sexual Exploitation of a Child; guardian permitting child < 18 yoa to engage in such conduct	5
21-3516(a)(4)	Sexual Exploitation of a Child; promoting performance of child < 18 yoa to engage in such conduct	5
21-3518	Aggravated Sexual Battery; intentional touching, without consent, who is ≥ 16 yoa; force, fear, etc.	5
21-3603(a)(2)(A)	Aggravated Incest; otherwise lawful sexual intercourse or sodomy with relative ≥ 16 yoa, but < 18 yoa	5
21-3604a	Aggravated Abandonment of a Child	5
21-3609	Abuse of a Child; involves child < 18 yoa; intentional torture, cruelly beating, etc.	5
21-3716	Aggravated Burglary	5
21-3810(a)(2), (7)	Aggravated Escape From Custody; escaping while held in lawful custody upon a felony, etc.	5
21-3810(b)(2), (7)	Aggravated Escape From Custody; escape is facilitated by the use of violence or threat of violence	5
21-3826(c)(1)	Traffic in Contraband in a Correctional Institution; firearms, ammunition, explosives, controlled substance	5
21-3826(c)(2)	Traffic in Contraband in a Correctional Institution by an employee of a correctional institution	5
21-4219(b)	Criminal Discharge of a Firearm at occupied dwelling or vehicle resulting in bodily harm	5
21-4220(b)(3)	Unlawful Endangerment; setup, build device to protect controlled substance; serious physical injury	5
44-5,125(a)(1)(4)	Worker's Compensation Fund Fraud	5
17-1253*	Securities; <u>intentional</u> unlawful offers, sale or purchase (<i>repealed on 07/01/03</i>)	6
17-1254*	Securities; <u>intentional</u> unlawful sale by an unregistered dealer if a loss of at least \$25,000 but less than \$100,000	6
17-1255*	Securities; <u>intentional</u> unlawful sale of unregistered securities if a loss of at least \$25,000 but less than \$100,000	6
21-3411	Aggravated Assault on a LEO	6
21-3415(b)(2)	Aggravated Battery on a LEO; bodily harm or physical contact; deadly weapon	6
21-3419a(b)	Aggravated Criminal Threat; < \$500 loss of productivity	6
21-3437	Mistreatment of a Dependant Adult - physical	6
21-3511(a)	Aggravated Indecent Solicitation of a Child; < 14 yoa to commit or submit to unlawful sexual act	6
21-3511(b)	Aggravated Indecent Solicitation of a Child; < 14 yoa, inviting, etc., to enter secluded place	6
21-3513(b)(3)	Prostitution; promoting prostitution when prostitute is < 16 yoa	6
21-3718(a)(1) or (2)	Arson; dwelling	6
21-3719(b)(2)	Aggravated Arson; no substantial risk of bodily harm	6
21-3731(b)(2)	Criminal Use of Explosives intended to be used to commit a crime, a public safety officer is placed at risk to diffuse the explosive or if another human being is in the building where the explosives are used	6
21-3742(d)	Throwing objects from bridge or overpass; resulting in injury to a passenger of vehicle	6
21-3766(a)	Tampering With a Pipeline	6
21-3810(b)(1) (3-6)	Aggravated Escape From Custody; escape is facilitated by the use of violence or threat of violence	6
21-3826(d)	Traffic in Contraband in a Correctional Institution	6
21-3829	Aggravated Interference With Conduct of Public Business	6
21-3833	Aggravated Intimidation of a Witness or Victim	6
21-4215	Obtaining a prescription only drug by fraudulent means for resale	6
40-2,118	Insurance; fraudulent acts in an amount of more than \$25,000	6
44-5,125(a)(1)(iv)	Worker's Compensation Fund Fraud ≥ \$50,000 but < \$100,000	6
65-3441(c)	Hazardous Wastes; knowingly violates unlawful acts included in paragraphs 1-11, subsection (a)	6
9-2004(b)(1)	Banking; swear falsely; perjury in a felony trial	7
9-2012	Banking; embezzlement; intent to defraud	7
16-305	Violation of Prearranged Funeral Agreements Act \$25,000 or more	7
16-633	Contract; Investment Certificates; unlawful receipt of commission	7
16-634	Contract; Investment Certificates; unlawful receipt/possession of company property	7
16-635	Contract; Investment Certificates; unlawful acts pertaining to books/records	7

FELONY CRIMES SORTED BY SEVERITY LEVEL AND THEN BY STATUTE NUMBER - JANUARY,

2004

<u>REFERENCE</u>	<u>DESCRIPTION</u>	<u>LEVEL</u>
16-640	Contract; Investment Certificates; unlawful acts or omissions	7
16a-5-301(l)	Violation of the Uniform Consumer Credit Code; second or subsequent offense	7
17-1253*	Securities; <u>intentional</u> unlawful offers, sale or purchase if a loss of less than \$25,000	7
17-1254*	Securities; <u>intentional</u> unlawful sale by an unregistered dealer if a loss of less than \$25,000	7
17-1255*	Securities; <u>intentional</u> unlawful sale of unregistered securities if a loss of less than \$25,000	7
17-1267*	Securities; <u>intentional</u> violation of any rule and regulation adopted or order issued under the Kansas Securities Act	7
19-3519(b)(3)	Counties; Water Districts; fraudulent claims of \$25,000 or more	7
21-3410	Aggravated Assault	7
21-3414(a)(1)(B)	Aggravated Battery; intentionally causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted	7
21-3414(a)(1)(C)	Aggravated Battery; intentionally causing physical contact with another person when done in a rude, insulting or angry manner with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted	7
21-3422a(b)	Aggravated Interference With Parental Custody	7
21-3428	Blackmail	7
21-3435	Infection by Communicable Disease (HIV, etc.)	7
21-3510(a)(1)	Indecent Solicitation of a Child; ≥ 14 yoa & < 16 yoa to commit or submit to unlawful sexual act	7
21-3510(a)(2)	Indecent Solicitation of a Child; ≥ 14 yoa & < 16 yoa, inviting, etc., to enter secluded place	7
21-3513(b)(2)	Prostitution; promoting prostitution when prostitute is ≥ 16 yoa, second or subsequent conviction	7
21-3603(a)(1)	Aggravated Incest; marriage to person < 18 yoa, who is a known relative	7
21-3603(a)(2)(B)	Aggravated Incest; lewd fondling and touching described in KSA 21-3503 with relative ≥ 16 yoa, but < 18 yoa	7
21-3612(a)(5)	Contributing to a Child's Misconduct; causing, encouraging child < 18 yoa to commit a felony	7
21-3701(b)(1)	Theft; loss of ≥ \$25,000	7
21-3704(e)(1)	Theft of Services; loss of ≥ \$25,000	7
21-3707(d)(1)	Giving a Worthless Check; loss of ≥ \$25,000	7
21-3715(a)	Burglary; building used as a dwelling	7
21-3715(b)	Burglary; building <u>not</u> used as a dwelling	7
21-3718(a)(3) or (4)	Arson; nondwelling	7
21-3718(a)(1)(A)(2)	Arson; <i>accidentally damaging any building or property which is a dwelling, as a result of manufacturing or attempting to manufacture a controlled substance in violation of KSA 65-4159</i>	7
21-3718(a)(1)(A)(3)	Arson; <i>accidentally damaging any building or property which is not a dwelling, as a result of manufacturing or attempting to manufacture a controlled substance in violation of KSA 65-4159</i>	7
21-3720(b)(1)	Criminal Damage to Property; damage of property ≥ \$25,000	7
21-3726	Aggravated Tampering With a Traffic Signal	7
21-3729(d)(1)	Criminal Use of a Financial Card; money, services, etc., w/in 7 day period ≥ \$25,000	7
21-3734(b)(1)	Impairing a Security Interest; value of ≥ \$25,000	7
21-3742(c)	Throwing Objects From Bridge or Overpass; resulting in injury to a pedestrian	7
21-3755(c)(3)	Computer Crime; loss of ≥ \$25,000	7
21-3763(a) or (b)	Counterfeiting; ≥ \$25,000; 1,000 or more items; or third or subsequent offense	7
21-3802	Sedition	7
21-3805(b)(1)	Perjury; false statement is made upon the trial of a felony charge	7
21-3846(b)(1)	Medicaid Fraud; false claim, statement or representation to Medicaid program; > \$25,000	7
21-3902(a)(6)(A)	Official Misconduct; knowingly and willfully submitting to a governmental entity a claim for expenses which is false or duplicates expenses for which a claim is submitted to such governmental entity, another governmental or private entity; \$25,000 or more	7
21-3904(b)(1)	Presenting a False Claim; ≥ \$25,000	7
21-3905(b)(1)	Permitting a False Claim; ≥ \$25,000	7
21-4018(a)	Identity Theft	7
21-4111(b)(1)(A)	Criminal Desecration; subsections (a)(2)(B), (a)(2)(C) or (a)(2)(D); loss of ≥ \$25,000	7
21-4209a	Criminal Possession of Explosives	7
21-4219(b)	Criminal Discharge of a Firearm at Occupied Dwelling or Vehicle	7
21-4220(b)(2)	Unlawful Endangerment; setup, build device, to protect controlled substance; physical injury	7
21-4401	Racketeering	7
25-2409	Elections; election bribery	7
25-2415(a)(1) or (2)	Elections; intimidation of voters	7
25-2417	Elections; bribery of an election official	7
25-2418	Elections; bribe acceptance by an election official	7
39-717(b)(3)	Welfare Fraud; in the amount of \$25,000 or more	7
40-247(b)(1)(A)	Insurance Agent/Broker Failure to Pay Premium to Company; loss of ≥ \$25,000	7
40-2,118	Insurance; fraudulent acts in an amount of at least \$5,000 but < \$25,000	7
40-5013(d)(1)(A)	Violation of the Viatical Settlements Act <i>if the value of the Viatical Settlement contract is \$25,000 or more</i>	7
44-5.125(a)(I)(iii)	Worker's Compensation Fund Fraud; ≥ \$25,000 but < \$50,000	7
47-1827(a) or (e)	Farm Animal and Field Crop & Research Facilities Protection; \$25,000 or more	7
50-718	Knowingly and willfully obtaining information on a consumer from a consumer reporting agency under false pretenses	7
50-719	Knowingly and willfully providing information concerning an individual to a person not authorized to receive that information; officer or employee of a consumer reporting agency	7
50-1013	Willful Violation of Loan Broker Article	7

FELONY CRIMES SORTED BY SEVERITY LEVEL AND THEN BY STATUTE NUMBER - JANUARY,

2004

<u>REFERENCE</u>	<u>DESCRIPTION</u>	<u>LEVEL</u>
SB110*	Securities; <u>intentionally</u> influencing, coercing, manipulating or misleading any person in connection with financial statements or appraisals to be used in the offer, sale or purchase of securities	F
SB110*	Securities; altering, destroying, shredding, mutilating, concealing, covering up or falsifying any record <u>with the intent</u> to impede, obstruct or influence any investigation, etc.	8
9-2002	Banking; making false reports of statements	8
17-1264*	Securities; <u>intentional</u> filing of false or misleading statement	8
21-3414(a)(2)(B)	Aggravated Battery; recklessly causing bodily harm to another person with a deadly weapon, or in any manner whereby great bodily harm, disfigurement or death can be inflicted	8
21-3438(c)	Stalking when the offender has a previous conviction w/in 7 years for stalking the same victim	8
21-3522(a)(1)	Unlawful Voluntary Sexual Relations; sexual intercourse	8
21-3604	Abandonment of Child; involves child < 16 yoa	8
21-3612(a)(4)	Contributing to a Child's Misconduct; sheltering or concealing a runaway child	8
21-3710(a)(1) to (3)	Forgery	8
21-3711	Making a False Writing	8
21-3731(b)(1)	Criminal Use of Explosives	8
21-3807(b)	Compounding a Felony Crime	8
21-3810(a)(1),(3-6)	Aggravated Escape From Custody; escaping while held in lawful custody upon a felony, etc.	8
21-3811	Aiding an Escape	8
21-3812(a)	Aiding a Felon	8
21-3812(b)	Aiding a Person Charged as a Felon	8
21-3840	Aircraft; failure to register an aircraft	8
21-3841	Aircraft; fraudulent aircraft registration	8
21-3842	Aircraft; fraudulent acts relating to aircraft identification numbers .	8
21-3902(a)(5)	Official Misconduct; knowingly destroying, tampering with or concealing evidence of a crime	8
21-3910	Misuse of Public Funds	8
21-4105	Incitement to Riot	8
21-4202(b)(2)	Aggravated Weapons Violation; violation of KSA 21-4201(a)(6), (a)(7), or (a)(8) criminal use of a firearm by a felon	8
21-4204(a)(2)	Criminal Possession of Firearm; possession of any firearm by adult or juvenile offender convicted or adjudicated of a <u>person</u> felony, or a violation of any provision of the uniform controlled substances act and was found to have been in possession of a firearm at the time of the commission of the offense	8
21-4204(a)(3)	Criminal Possession of Firearm; possession of any firearm by a person convicted or juvenile offender adjudicated of a felony w/in 5 years and was found not to have been in possession of a firearm at the time of the commission of the offense	8
21-4204(a)(4)(A)	Criminal Possession of Firearm; possession of any firearm by a person convicted or juvenile offender adjudicated of a <u>listed</u> felony w/in 10 years and was found <u>not</u> to have been in possession of a firearm at the time of the commission of the offense	8
21-4204(a)(4)(B)	Criminal Possession of Firearm; possession of any firearm by a person convicted or juvenile offender adjudicated of a <u>nonperson</u> felony w/in 10 years and was found <u>not</u> to have been in possession of a firearm at the time of the commission of the offense	8
21-4219(a)	Criminal Discharge of a Firearm at Unoccupied Dwelling	8
21-4220(b)(1)	Unlawful Endangerment: setup, build device, to protect controlled substance	8
21-4301a(c)(2)	Promoting Obscenity to Minors; second or subsequent offense	8
21-4304	Commercial Gambling	8
21-4306	Dealing in Gambling Devices	8
21-4308	Installing Communications Facilities for Gamblers	8
21-4405	Commercial Bribery	8
25-2412	Elections; election forgery	8
25-2423	Elections; election tampering	8
40-2,118	Insurance; fraudulent acts in an amount of at least \$1,000 but < \$5,000	8
44-5,125(b)	Worker's Compensation Fund Fraud; knowingly presenting false certificate of insurance	8
65-2859	Healing Arts; filing false documents	8
65-4141	Drugs; arranging sale/purchase using communication facility	8
74-8717	Lottery; forgery of lottery ticket	8
74-8810(j)	Parimutuel Racing; prohibited acts (i)(1) through (i)(15)	8
40-5013(d)(1)(B)	Violation of the Viatical Settlements Act <i>if the value of the Viatical Settlement Contract is at least \$500 but less than \$25,000</i>	9
40-5013(d)(2)	Violation of the Viatical Settlements Act <i>if the value of the premium is less than \$500 and such agent or broker has w/in 5 years immediately preceding commission of the crime, been convicted of violating this section two or more times</i>	9
8-262(a)	Driving While Suspended - third or subsequent conviction (<i>amended to a class A misdemeanor on 07/01/99</i>)	9
8-287	Driving While a Habitual Violator	9
8-1568(a)	Fleeing or Eluding a LEO - subsection (c)(3) - third or subsequent conviction	9
8-1568(b)(1)	Fleeing or Eluding a LEO - subsection (c)(4) - while committing additional specified moving violations	9
8-1568(b)(2)	Fleeing or Eluding a LEO - subsection (c)(4) - committed while attempting to elude capture for the commission of any felony	9
9-2004(b)(1)	Banking; swear falsely; perjury other than in a felony trial	9
16-305	Violation of Prearranged Funeral Agreements act at least \$500 but < \$25,000	9
19-3519(b)(2)	Counties; Water Districts; fraudulent claims of at least \$500 but < \$25,000	9

FELONY CRIMES SORTED BY SEVERITY LEVEL AND THEN BY STATUTE NUMBER - JANUARY,

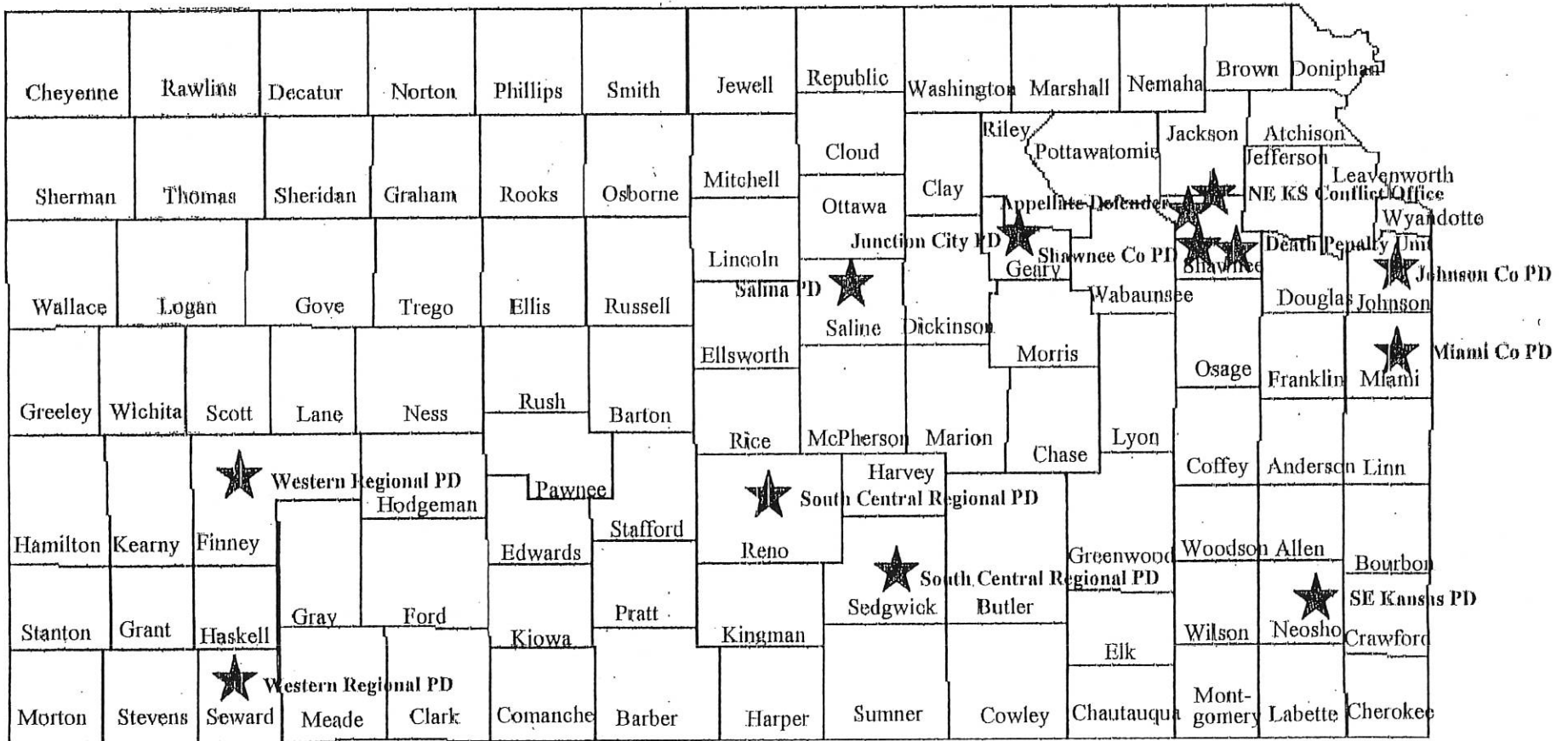
2004

<u>REFERENCE</u>	<u>DESCRIPTION</u>	<u>LEVEL</u>
21-3406(a)(2)	Assisting Suicide	9
21-3419(a)(1)	Criminal Threat	9
21-3419(a)(2)	Criminal Threat (<i>adulterate or contaminate any food, raw agricultural commodity, beverage, drug, animal feed, plant or public water supply</i>)	9
21-3438(a)	Stalking when the victim has a temporary restraining order or injunction against the offender	9
21-3438(b)	Stalking <i>when the victim has an order pursuant to the protection from stalking act</i> , a Temporary Restraining Order or an Injunction in effect against the offender	9
21-3508(b)(2)	Lewd and Lascivious Behavior (presence of person under 16)	9
21-3522(a)(2)	Unlawful Voluntary Sexual Relations; sodomy	9
21-3610b	Furnishing Alcoholic Beverages to a Minor for Illicit Purposes; child < 18 yoa	9
21-3611(a)	Aggravated Juvenile Delinquency; adjudicated child ≥ 16 yoa running away, escaping from SRS facility	9
21-3701(a)(1) to (4)	Theft; loss of < \$500, if in previous five years offender has been convicted two or more times of the same crime	9
21-3701(b)(2)	Theft; loss of ≥ \$500, but < \$25,000	9
21-3701(b)(3)	Theft; theft from three separate mercantile establishments within 72 hours or two or more acts/transactions connected together of a common scheme	9
21-3701(b)(4)	Theft; loss of < \$500, if in previous five years offender has been convicted two or more times of the same crime	9
21-3704(e)(2)	Theft of Services; loss of ≥ \$500 but < \$25,000	9
21-3707(d)(2)	Giving a Worthless Check; loss of ≥ \$500 but < \$25,000	9
21-3707(d)(4)	Giving a Worthless Check; loss of < \$500, if in previous five years offender convicted two or more times of the same crime	9
21-3712	Destroying a Written Instrument	9
21-3713	Altering a Legislative Document	9
21-3715(c)	Burglary; motor vehicle, aircraft, or other means of conveyance	9
21-3720(b)(2)	Criminal Damage to Property; damage of property ≥ \$500 but < \$25,000	9
21-3729(d)(2)	Criminal Use of a Financial Card; money, services, etc. w/in 7 day period ≥ \$500 but < \$25,000	9
21-3734(b)(2)	Impairing a Security Interest; value of ≥ \$500 but < \$25,000	9
21-3748	Piracy of Recordings	9
21-3749(b)(2)	Dealing in Pirated Recordings; ≥ 7 audio-visual recordings or ≥ 100 sound recordings w/in 180 days	9
21-3750(b)(2)	Nondisclosure of Source of Recordings; ≥ 7 audio-visual or ≥ 100 sound recordings w/in 180 days	9
21-3755(c)(2)	Computer Crime; loss of ≥ \$500 but < \$25,000	9
21-3756	Adding Dockage or Foreign Material to Grain	9
21-3757	Odometers; unlawful acts	9
21-3762	Pyramid Promotional Scheme; establishing, operating, advertising or promoting	9
21-3763(a) or (b)	Counterfeiting; ≥ \$500 to < \$25,000; 100 to 1,000 items, or second offense	9
21-3764(e)	Theft Detection Shielding Device or Device Remover; unlawful manufacture/sell	9
21-3764(e)	Theft Detection Shielding Device; unlawful possession of 15 or more fraudulent sales receipts or fraudulent Universal Product Code (UPC) labels	9
21-3805(b)(2)	Perjury; false statement made in a cause, matter or proceeding other than the trial of a felony charge	9
21-3808(b)(1)	Obstructing legal process or official duty in the case of a felony, or resulting from parole, etc.	9
21-3815	Attempting to influence a judicial officer	9
21-3817	Corrupt conduct of a juror	9
21-3825	Aggravated false impersonation	9
21-3846(b)(2)	Medicaid Fraud; false claim, statement or representation to Medicaid program; \$500 but < \$25,000	9
21-3846(b)(4)	Medicaid Fraud; offering wholly/partially false record, document, data or instrument in connection w/audit or investigation involving Medicaid claim for payment	9
21-3849	Medicaid Fraud; destruction or concealment of records	9
21-3902(a)(6)(B)	Official Misconduct; knowingly and willfully submitting to a governmental entity a claim for expenses which is false or duplicates expenses for which a claim is submitted to such governmental entity, another governmental or private entity; at least \$500 but < \$25,000	9
21-3904(b)(2)	Presenting a False Claim; ≥ \$500 but < \$25,000	9
21-3905(b)(2)	Permitting a False Claim; ≥ \$500 but < \$25,000	9
21-4111(b)(1)(B)	Criminal Desecration; subsections (a)(2)(B), (a)(2)(C) or (a)(2)(D); loss of ≥ \$500, but < \$25,000	9
21-4201(a)(6)	Criminal Use of Weapons; possessing any device, etc., used to silence the report of any firearm	9
21-4201(a)(7)	Criminal Use of Weapons; possessing, etc., shotgun w/barrel less than 18"; automatic weapons	9
21-4201(a)(8)	Criminal Use of Weapons; possessing, etc., cartridge w/plastic coated bullet that has core of < 60% lead	9
21-4202(b)(1)	Aggravated Weapons Violation; violation of KSA 21-4201(a)(1) through (a)(5) or (a)(9) criminal use of a firearm by a felon	9
21-4214(b)(2)	Obtaining a Prescription Only Drug by Fraudulent Means; second or subsequent offense	9
21-4301(f)(2)	Promoting Obscenity; second or subsequent offense	9
21-4406	Sports Bribery	9
21-4408	Tampering With a Sports Contest	9
25-2411	Elections; election perjury	9
25-2414	Elections; possessing false or forged election supplies	9
25-2428	Elections; destruction of election supplies	9
25-2429	Elections; destruction of election papers	9
25-2431	Elections; false impersonation of a voter	9
39-717(b)(2)	Welfare Fraud; in the amount of at least \$500 but < \$25,000	9
40-247(b)(1)(B)	Insurance Agent/Broker Failure to Pay Premium to Company; loss of ≥ \$500 but < \$25,000	9

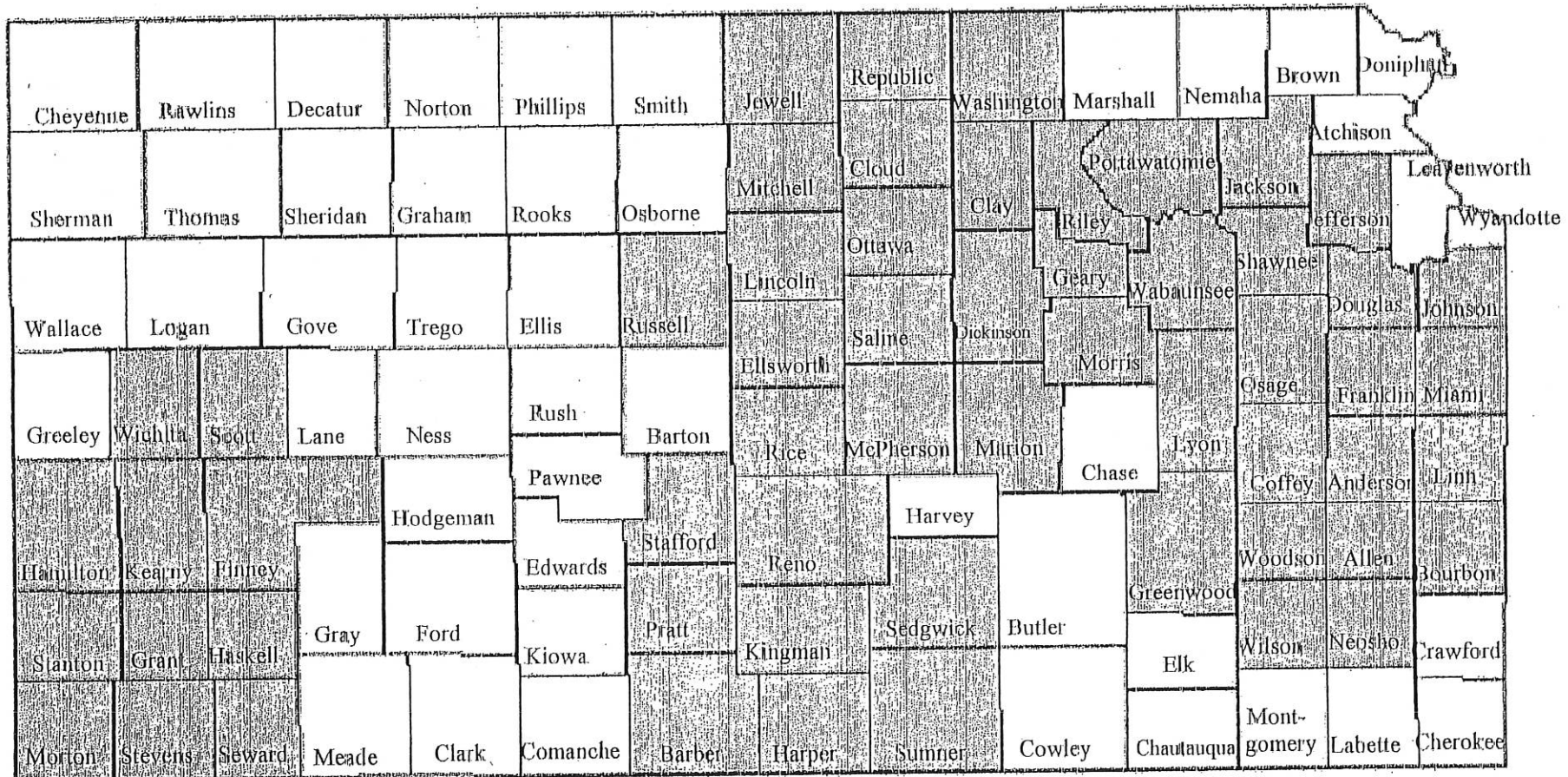
FELONY CRIMES SORTED BY SEVERITY LEVEL AND THEN BY STATUTE NUMBER - JANUAR

REFERENCE	DESCRIPTION	LEVEL
40-247(b)(2)	Insurance Agent/Broker Failure to Pay Premium to Company; loss of < \$500, previous conviction w/in 5 years	9
40-2,118	Insurance; fraudulent acts in an amount of at least \$500 but < \$1,000	9
44-5,125(a)(1)(ii)	Worker's Compensation Fund Fraud > \$500 but < \$25,000	9
44-5,125(c)	Worker's Compensation Fund Fraud, health care provider knowingly submitting false bill for health care services	9
44-5,125(d)	Worker's Compensation Fund Fraud, knowingly or intentionally conspiring to defraud the Workers Compensation Fund	9
47-1827(a) or (e)	Farm Animal and Field Crop & Research Facilities Protection; > \$500 but < \$25,000	9
55-162(e)	Oil & Gas; removal of seal without approval of KCC	9
59-2121(a)	Adoption; knowingly/intentionally receiving/accepting excessive fees	9
65-2861	Healing Arts; false swearing	9
65-4153(a)(1)	Drugs; simulated controlled substances/paraphernalia	9
65-4153(a)(2)	Drugs; simulated controlled substances/paraphernalia; deliver to someone less than 18	9
65-4153(a)(3)	Drugs; simulated controlled substances/paraphernalia;	9
65-4155(d)	Drugs; representing noncontrolled substance as controlled; causing delivery to child < 18 yoa, etc.	9
74-8718(b)(2)	Lottery; unlawful sale of lottery ticket; second or subsequent offense	9
74-8719(b)(2)	Lottery; unlawful purchase of lottery ticket; second or subsequent offense	9
8-116(c)	Vehicle Identification Numbers; destroying, altering, removing, etc., vehicle ID	10
8-116(a)	Vehicle Identification Numbers; sale of vehicle w/vehicle ID destroyed, removed, etc.	10
9-2010	Banking; insolvent bank receiving deposits	10
17-1264	Securities; intentional filing of false or misleading statements	10
17-5412	Savings & Loans; declaration of dividends	10
17-5811	Savings & Loans; accepting payment when capital impaired	10
17-5812	Savings & Loans; fraudulent acts	10
21-3422(c)(2)	Interference With Parental Custody in All Other Cases	10
21-3438(a)	Stalking in all other cases	10
21-3520(a)(1) & (a)(3) to (8)	Unlawful Sexual Relations	10
21-3520(a)(2)	Unlawful Sexual Relations (<i>employee of a contractor who provides supervision services for persons on parole, conditional release or postrelease supervision</i>)	10
21-3522(a)(3)	Unlawful Voluntary Sexual Relations; lewd fondling or touching	10
21-3605	N onsupport of a Child or Spouse	10
21-3736	Warehouse Receipt Fraud	10
21-3814	Aggravated Failure to Appear	10
21-3830	Dealing in False Identification Documents	10
21-3838	Unlawful Disclosure of Authorized Interception of Wire	10
21-4209	Criminal Disposal of Explosives	10
21-4315(b)	Unlawful Conduct of Dog Fighting	10
22-4903*	Failure to Register Under the Kansas Offender Registration Act (<i>including all duties set out in K.S.A. 22-4904 through 22-4907</i>)	10
22-4904(c)(4)	Failure to Register Under the Kansas Offender Registration Act	10
25-2420	Elections; election fraud by an election officer	10
25-2421	Elections; election suppression	10
25-2422	Elections; unauthorized voting disclosure	10
25-2425	Elections; voting machine fraud	10
25-2426	Elections; printing and circulating imitation ballots	10
25-4414	Electronic/electromechanical voting system fraud	10
25-4612	Optical Scanning Equipment Fraud	10
32-1005(b)	Fish & Game; commercialization of wildlife having an aggregate value of at least \$500	10
34-293	Grain Storage; unlawful issuance of receipt for warehouseman's grain	10
34-295	Grain Storage; negotiation of receipt for encumbered grain with intent to defraud	10
41-405	Liquor; Warehouses; false reports & unlawful removals	10
44-619	Labor Act, violations	10
47-421	Animals; unlawful branding or defacing of brands	10
47-1827(b)	Farm Animal and Field Crop & Research Facilities Protection; exercise control or damage	10
50-122	Trade; bucket shops	10
50-123	Trade; transactions declared to be gambling & criminal	10
50-124	Trade; transmitting messages for pretended purchases or sale	10
50-125	Trade; unlawful acts	10
55-156	Oil & Gas; protection of water prior to abandoning well	10
55-157	Oil & Gas; cementing in of surface casing	10
55-904(d)(2)	Oil & Gas; disposal of salt water; second and subsequent	10
58-3304	Property; sale of unregistered sub-divided land	10
58-3315	Property; Uniform Land Sales Practices Act	10
65-3026(b)	Knowingly violating subsections (a) through (h) of KSA 65-3025 (the Kansas Air Quality Act)	10
65-3441(b)	Hazardous Wastes; violation of unlawful acts included in paragraph 11, subsection (a)	10
66-137	Utilities; falsifying or destroying accounts/records	10
79-5208	Taxation; drugs; dealer possession without tax stamps	10
75-4228	Criminal Liability of the State Treasurer & the Director of Accounts & Reports (unclassified felony offense with imprisonment of not less than 2 years nor more than 5 years)	10
79-3228(f)	Income Tax Penalties (unclassified felony offense with imprisonment for a term not exceeding 5 years)	10

Public Defender Offices in Kansas



Counties Served by Public Defender Offices



Counties served by Contract Counsel or Agreement to Reduce Costs with Local Bar

